

HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
15 July 1993
8:00 P. M.

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

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

PRESENT: Her Worship Mayor Moira Ducharme; 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; City Clerk; and other members of City staff.

HAKODATE

Referring to the earthquake which had recently struck the northernmost island of Japan, Mayor Ducharme noted that she had since been in contact with the Mayor of Hakodate. She reported that while Hakodate itself had sustained only minor structural damage and no loss of life, a nearby town had been completely eliminated through the destruction of over 600 residences.

Mayor Ducharme emphasized that the thoughts of Halifax City Council and its citizens will be with their counterparts in Hakodate as they deal with the earthquake's aftermath.

MINUTES

Minutes of a special meeting of Halifax City Council, held on Wednesday, 23 June, and of a regular Council meeting held on Thursday, 29 June 1993 were approved as circulated on a motion by Deputy Mayor Fitzgerald, seconded by Alderman Meagher.

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

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

- 20.1 Thornhill Drive
- 20.2 Award of Tender #93-109: Streets Upgrading/Resurfacing (Phase II)
- 20.3 Appointments
- 20.4 Award of Tender #93-148: Purchase of One 3 Cubic Yard Volvo VME Loader/Award of Tender #93-149: Purchase of One 4 Cubic Yard Volvo VME Loader

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

- 20.5 Pumping Station - Duffus and Barrington Streets

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

- 20.6 Metropolitan Authority - Raises

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

DEFERRED ITEMS

**Proposed Land Exchange - 2
6451 Chebucto Road/6437 North Street**

This matter had been deferred from the last regular meeting of Halifax City Council held on 29 June 1993.

Noting that he had discussed the matter with residents of the area in question, Alderman Meagher indicated that he had determined from those discussions that residents feel that a land exchange such as that being proposed would be of no advantage to the City of Halifax and that therefore the status quo should be maintained.

It was therefore moved by Alderman Meagher, seconded by Alderman O'Malley that the staff report of 15

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June 1993 be tabled, and that no further action be taken in this regard.

The motion was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman Downey Re: 3
Moosehead Grand Prix

Alderman Downey submitted a petition containing the signatures of approximately 95 Haligonians in opposition to the location of the Moosehead Grand Prix, and asked that this information be tabled.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 7 July 1993, as follows:

School Board Budget 4

Alderman Holland opened the debate by reiterating remarks made during the 7 July meeting of the Finance and Executive Committee; namely, that if the Halifax District School Board is to realize significant savings from the proposed closure of the Tower Road School, consideration should be given by the City of Halifax to reducing the amount of the funding previously allocated to the Board.

It was therefore moved by Alderman Holland that, on the basis of the savings which will accrue as a result of the closure of the Tower Road school, staff be authorized to negotiate with the Halifax District School Board to have \$200,000 of that money returned to the City of Halifax.

There was no seconder for the motion.

Deputy Mayor Fitzgerald asked for a report from the City Solicitor as to whether debate on any matter may proceed without there being a formal motion (i.e., moved and seconded) on the floor. In making this request, the Deputy Mayor pointed out that, despite the fact that Alderman Holland had been unable to find a seconder to his motion, it was his (the Deputy Mayor's) view that the matter warranted further debate.

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After some discussion, it was moved by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, staff provide a report on the impact of reducing funding to the School Board fund by \$200,000; and further, that the School Board provide a report on where the savings are being made, how they are being made, and where they will be applied.

Asked to comment, the Acting City Solicitor advised that the Parent/Teacher Association of the Tower Road School has registered an application with the Supreme Court of Nova Scotia challenging the validity of the School Board's decision with regard to the closure of that facility. He went on to note that the hearing is scheduled for 4 August and expressed the opinion that a decision would be handed down very shortly thereafter.

Alderman Jeffrey suggested that, in his view, further discussion of the issue at this point in time was somewhat premature, given that the results of the hearing are not yet known, and MOVED, seconded by Alderman Meagher that the matter be deferred to the 18 AUGUST meeting of the Committee of the Whole Council.

Deputy Mayor Fitzgerald made reference to remarks made by the Acting City Manager during a previous meeting with regard to the fact that, despite Council's expressed desire for information, staff have found it difficult to obtain sufficient data from the School Board on which to base their response to Council. The Deputy Mayor expressed concern regarding this situation and indicated that he would be raising the matter again during the "Question" component of tonight's agenda.

Alderman Downey made reference to a question raised during the 29 June City Council meeting regarding the School Board's decision to tender out janitorial services, and asked to have information on this matter returned to him in time for the next regular meeting of Committee of the Whole Council.

The Acting City Manager advised that he had already written to the School Board requesting information on all of the questions raised during the 7 July meeting of Committee of the Whole as well as on the concerns regarding janitorial services identified during the Council meeting of 29 June. Noting that the School Board has yet to respond to his letter, Mr. Anstey indicated that it may prove difficult to have a report on this matter available for Council's consideration on 21 July. He emphasized, however, that a report would be submitted to Council at the earliest possible opportunity.

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

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Financial Support - Dartmouth Ferry Service 5

A supplementary staff report, dated 13 July 1993, was submitted.

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

- (1) that the City continue negotiations on the Ferry take-over in order to obtain a more reasonable and equitable deal for the City and one in particular where the scope of the future activities of the Metropolitan Authority be limited to present areas of service;
- (2) a requirement for final ratification by Council once the negotiated terms have been finalized.

In putting forward this motion, Deputy Mayor Fitzgerald made reference to the information contained in the supplementary staff report of 13 July 1993, particularly with regard to the deficits relating to the Dartmouth Ferry Operation since 1989. Noting the Provincial Government's involvement in the implementation of the Woodside Ferry service, the Deputy Mayor expressed the view that the City of Halifax should be insisting that that government cost-share in the deficit which has accumulated over the last several years by that particular ferry.

In this same context, Deputy Mayor Fitzgerald asked for comment from the City's Director of Finance as to why after years of service, the ferry system had suddenly begun to operate at a deficit in 1989, to the point that, in 1992/93, the deficit now stands at \$962,000.

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

Report from Transit Advisory Committee 6
Re: Parking Control - Bus Stops

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the Provincial Government be requested to amend Section 146 of the Motor Vehicle Act to establish a \$60.00 fine for parking in bus zones.

Concurring with the motion, Alderman Adams made reference to the fines pertaining to the illegal use of handicapped zones, noting that, in his opinion, such fines should be increased to a figure in the \$300.00 range. The Alderman went on to emphasize that, in his view, the size of the penalty is directly related to its success as a

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deterrent, and asked for comments from the Chief of Police in this regard (i.e., with specific reference to handicapped zones).

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

8:55 p.m. - Her Worship Mayor Ducharme retires from the meeting, with Deputy Mayor Fitzgerald assuming the Chair.

**Shearwater International Air Show: 7
Request for Flyover**

MOVED by Alderman Stone, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City of Halifax grant approval to the Shearwater International Air Show to permit various civilian and military air display performers to overfly the City during the period 17 to 20 September; and, further, that all applicable safety regulations and considerations be strictly adhered to.

The motion was put and passed.

**Federal Budget and Impact 8
on Social Housing Programs**

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

- (1) protest the federal government's decision to eliminate new commitments to the Non-Profit Housing Program, the Rural and Native Housing Program, the Residential Rehabilitation Assistance Program, Emergency Repairs Program and the Rent Supplement Program effective 1 January 1994, and convey this protest by letter to the Prime Minister, federal Finance Minister, federal Housing Minister, and area Members of Parliament;
- (2) urge the provincial Premier to make representation to the Prime Minister of Canada to reverse the recently announced changes in funding for social housing in Canada;
- (3) request the provincial Premier to establish the previously requested Task Force on Nova Scotia's Housing Needs as a matter of urgency;
- (4) request the Federation of Canadian Municipalities and the Union of Nova Scotia

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Municipalities to ask for immediate meetings with the federal Housing Minister, the federal Finance Minister and policy officials of Canada Mortgage and Housing Corporation to consider the future of social housing programs;

- (5) petition the federal and provincial Housing Ministers to select the City of Halifax as the location for a pilot program to examine and encourage alternative methods of utilizing existing resources to create and maintain social housing units.

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

It was generally agreed that, owing to the importance of the subject matter, letters to the appropriate government departments, as identified in the foregoing motion, be forwarded by special delivery and registered mail.

Recreation Automation - ESCOM Distribution Ltd. (CLASS Recreation System) 9

MOVED by Alderman Crowley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, **ESCOM Distribution Ltd.** be awarded the contract for the CLASS system for a total application software/hardware cost not to exceed \$200,000.00, such amount to be financed at 6 percent through the Equipment Reserve Fund for seven (7) years.

The motion was put and passed.

Halifax Fire Department 10
- 4103 Emergency Telephone System

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, installation of a new emergency telephone system be completed at the cost of \$533.41 per month with service included for a one year period (funds are available in Account Number 22105.251 titled "Telephone Communications").

The motion was put and passed.

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File #60213 - Annual Support for //
G.I.S. ARC/INFO Software

MOVED by Alderman Jeffrey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, authority be granted to pay **ESRI Canada Limited** \$39,634.59 (G.S.T. included) for annual software support (funds are available in Account Number 25358.0050 titled "Computer Software & Maintenance - Operations, MIS").

The motion was put and passed.

9:05 p.m. - Her Worship Mayor Ducharme returns to the meeting, with Deputy Mayor Fitzgerald assuming his usual seat on Council.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 7 July 1993, as follows:

Petition: Hemlock Street 12

MOVED by Alderman Crowley, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, City Council accept the petition of the property owners, and approve the renaming of Hemlock Street to Hemlock AVENUE.

The motion was put and passed.

Bedford Highway Improvements - Phase I, 13
Bayview Road to Tremont Drive

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Committee on Works, Council approve an additional payment of \$5,110.00 plus G.S.T. to **Servant Dunbrack McKenzie & MacDonald Ltd.** to cover the cost of seven additional parcels of land for a total expenditure of \$16,682.00 plus G.S.T., with funds being available in Capital Account No. 91506, "Bedford Highway Improvements."

Alderman Macdonald expressed concern that a project of this scope and expense is being contemplated, given the recommendations pertaining to the Bedford Highway as contained in the City's Transportation Plan.

The motion was put and passed.

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1993/94 Approved Capital Budget - Listing ¹⁴
of First Priority Items When Funds Become Available

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

- (1) Council approve the reallocation of unused 1993/94 Capital funds, when available, for the projects noted "Priority 1-6" inclusive in the staff report dated 29 June 1993;
- (2) Council direct staff to proceed with the new sidewalk projects for Pryor Street and Dutch Village Road as Local Improvement Projects under Section 391 of the City Charter; i.e., without the right of petition;
- (3) Council approve the project noted "Priority 7, LIP Livingstone Place" in the amount of \$10,000 for 1993/94, and direct staff to complete a review of this project for the 1994/95 Capital Budget deliberations; and
- (4) Council direct staff to prepare estimates and preliminary engineering plans for a Walkway (Oakley-Dillon), and submit the project for 1994/95 Capital Budget deliberations.

The motion was put and passed.

Award of Tenders - City Manager's Authority ¹⁵

MOVED by Alderman Adams, seconded by Alderman Stone that, as recommended by the Committee on Works, City Council authorize award of tenders/procurements by the City Manager for the period of 30 July 1993 to 18 August 1993 under the following conditions:

- (a) that the tender/procurement be for works, services, or materials approved by City Council for 1993 projects in the Capital and/or Operating Budgets of the City;
- (b) that the tender/procurement bid, plus contingencies required, be within the approved budgetary funds as shown in the budget(s); and
- (c) that the City Manager advise Council of all tenders/procurements awarded under this authority for ratification by Council at its meeting of **26 August 1993**.

The motion was put and passed.

Municipal Cemeteries 16

Following is the recommendation from the 7 July 1993 meeting of the Committee on Works:

That, in principle, the City not expand its existing City cemetery operation, and further, that a report be provided by staff on the implications in this regard including information with respect to loss of jobs and establishing an arrangement for having a number of lots at a private cemetery for citizens who cannot afford regular burial services.

A supplementary staff report, dated 12 July 1993, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, in principle, the City not expand its existing City cemetery operation.

Responding to concerns raised by Alderman Stone, Alderman Jeffrey made reference to the 12 July supplementary report which indicates that " whether the City continues in the cemetery business or not, . . . through Social Services, families would still be eligible for financial assistance and would have their choice of cemetery and funeral home."

Deputy Mayor Fitzgerald asked if information could be provided as to the number of Halifax residents who have been buried outside the City limits over the past 12-month period (as a percentage of total burials).

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

Traffic on Allen Street and Monastery Lane 17

Following is the recommendation from the 7 July 1993 meeting of the Committee on Works:

That staff review the original development agreement with a view to reverting to the original layout of the exit onto Monastery Lane and the location of the sign which encouraged the traffic to flow towards Quinpool Road.

Noting that a report in response to the above-noted request had not yet been received from staff, Alderman Meagher moved, seconded by Deputy Mayor Fitzgerald that the matter be deferred to the next regular meeting of

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the Committee of the Whole scheduled for WEDNESDAY, 21 JULY 1993.

The motion to defer was put and passed.

**Award of Tender #93-141: Construction of ¹⁸
Ballfield #2 (Rockingstone Heights Park)**

Following is the motion from the 7 July 1993 meeting of the Committee on Works:

That authority be granted to award Tender #93-141 (Construction of Ballfield #2 - Rockingstone Heights Park) to Turf Masters Landscaping in the amount of \$71,155.00 (funds being available in Account Number 25206.9160.97038 titled "Sods - Recreation, Cultural - Rockingstone Sportsfield").

Alderman Adams noted that during deliberation of this item at the 7 July meeting, he had been under the mistaken impression that Turf Masters was a Halifax-based company. He noted, however, that because he has subsequently determined that the firm merely has a Halifax post office box, he was now prepared to accept the staff recommendation to award the tender to the lowest bidder, Elmsdale Landscaping.

It was therefore moved by Alderman Adams, seconded by Alderman Hanson that authority be granted to award Tender #93-141 (Construction of Ballfield #2 - Rockingstone Heights Park) to Elmsdale Landscaping in the amount of \$69,202.25 (funds being available in Account Number 25206.9160.97038 titled "Sods - Recreation, Cultural - Rockingstone Sportsfield").

The motion was put and passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, 7 July 1993, as follows:

Mayor's Advisory Committee to Promote the Arts ¹⁹

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that the report and recommendations from the Mayor's Advisory Committee to Promote the Arts be referred to staff for review.

The motion was put and passed.

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

Proposed Amendments to Ordinance 170, the Tax Concession Ordinance - SECOND READING 20

This item was considered at the last Committee of the Whole Council meeting held on 7 July 1993.

MOVED by Alderman O'Malley, seconded by Deputy Mayor Fitzgerald that City Council approve SECOND READING of the amendment proposed for Ordinance 170, the Tax Concession Ordinance, attached as Appendix "A" to the staff report of 10 June 1993.

Motion passed.

Report from Planning Advisory Committee Case No. 6431 - 3763-71 Dutch Village Road - Plan Amendment Request 21

This item was deferred to this meeting from the Committee of the Whole Council meeting of 19 May 1993.

A report from Philip Pacey, Chairman, Planning Advisory Committee, dated 29 June 1993, was submitted.

A short discussion ensued and it was MOVED by Alderman Jeffrey, seconded by Alderman Adams that this matter be referred back to the Planning Advisory Committee for a further public meeting.

Motion passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Wednesday, 7 July 1993, as follows:

New City Hall Offices 22

A supplementary staff report dated 12 July 1993 was submitted.

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

- 1) Mr. Bob Stappells be provided the opportunity to respond to Mr. Perkin's presentation.
- 2) Council set aside time in the near future to discuss the matter of new City Hall offices.
- 3) Council request staff to comment on the presentation submitted by Mr. Perkins, President, Halifax Developments Limited.

Motion passed.

At the suggestion of the City Clerk, it was agreed that a special meeting of the Committee of the Whole Council be held on Tuesday, 27 July 1993, at 1:00 p.m. to review proposals for new City offices.

Case No. 6523 - Re: Implementation Policy 3.14 23

Alderman Macdonald addressed the matter and reviewed the background with respect to the situation at 20 Dawn Street. In his remarks, Alderman Macdonald explained that about six weeks ago, he received a complaint from a neighbour about a dam at 20 Dawn Street in which the owner built along a common boundary. As a result, Alderman Macdonald noted that there was dead water bordering the neighbour's property. He went on to explain that sometime later, a trench was dug along the bordering property at 20 Dawn and 16 Dawn Street and a pipe laid at the small dam location.

Alderman Macdonald advised that he had contacted the Department of the Environment, Engineering and Works Department, and the Water Commission, who knew nothing about the matter. He noted that eventually he contacted the Development and Planning Department to learn that no permit was issued for this particular work. Alderman Macdonald indicated that he discussed the situation with the owner who took the responsibility for the dam and admitted he had no permit for the work. The Alderman asked that staff take this additional issue with respect to the ditch and piping into consideration along with the infractions that were perpetrated in November of 1991 during their negotiations with Mr. Tsmiklis, applicant in the Dawn Street case.

In response to Alderman Macdonald's reference to the pipe and the ditch, the Acting City Manager informed Council that a letter was sent to Mr. Tsmiklis under his signature earlier on this date ordering the removal of the pipe and the restoration of the property to the condition it was in prior to the trespass.

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MOVED by Alderman Macdonald, seconded by Alderman Stone that, as recommended by the Planning Committee, recommendation 1 of the 29 June 1993 staff report, which reads as follows, be approved:

1. "City Council endorse the report of the Planning Advisory Committee as guidance in interpreting clauses (d) and (e) with the exception that the suggestion that "a benefit to the neighbourhood" could occur off site and that the size of the benefit to the applicant being a relevant consideration not be included."
2. and, further, that staff be instructed to meet with Mr. Leo Tsmiklis, as recommended in the 28 June 1993 staff report, and that the matter come back to the next Committee of the Whole Council meeting to be held on **Wednesday, 21 July 1993**.

Motion carried.

Case No. 6012 - Re: Front Yard Parking in Residential Areas 24

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Committee, City Council not accept the recommendation of the Planning Advisory Committee with respect to its request contained in the 8 June 1993 report from the Chairman of the Planning Advisory Committee.

Motion passed.

Cost Sharing - Langbrae Gardens Subdivision - Phase 2C 25

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, Council, in connection with Phase 2C, Langbrae Gardens:

- 1) approve cost sharing of the construction of Langbrae Drive extension approximately 225 lineal ft. westerly subject to final billings based on approved tender unit prices in the amount of \$35,696.57, with funds being authorized from Capital Budget Account No. 91602 (Oversize streets); and
- 2) approve additional funding for the removal of the temporary cul-de-sac at the end of Chelton Woods Lane in the estimated amount of \$4,948 subject to final billings based on approved tender unit prices, with funds being transferred from Account No. 91601 (Retaining Walls - New Construction).

Motion carried.

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Report from Heritage Advisory Committee, ²⁶
Recommended Heritage Property (2125 Brunswick Street) -
Set Date for Heritage Hearing

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, a date for a heritage hearing be set for 2125 Brunswick Street.

Motion carried.

The City Clerk advised that the recommended date for a hearing was Wednesday, 8 September 1993, at 5:00 p.m., in the Council Chamber. The City Clerk noted that Council had previously set a date for a street closure with respect to Cresthaven Drive for the same evening at 7:30 p.m. and suggested that this hearing also be changed to 5:00 p.m., to which Council agreed.

Case No. 6713: Mainland Land Use Bylaw - Housekeeping
Amendments #7 (SET DATE FOR PUBLIC HEARING) ²⁷

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Committee, a date for a public hearing be set to consider the Mainland Land Use Bylaw - Housekeeping Amendments #7 as outlined in the Planning Advisory Committee report of 30 June 1993.

Motion carried.

The City Clerk advised that the recommended date for a hearing was Wednesday, 18 August 1993, at 7:30 p.m., in the Council Chamber, to which Council agreed.

Case No. 6667 Re: Proposed Amendments to the Land Use Bylaw
- Overhanging signs in the C-2A Zone -
SET DATE FOR PUBLIC HEARING ²⁸

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Committee, a date for a public hearing be set to hear the proposed amendments to the Land Use Bylaw - Overhanging Signs in C-2A Zones.

Motion carried.

The City Clerk advised that the recommended date for a hearing was Wednesday, 18 August 1993, at 7:30 p.m., in the Council Chamber, to which Council agreed.

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**Case 6685: Discharge of Development Agreement - 29
29 McFatridge Road and 3844 Joseph Howe Drive**

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended the Planning Committee, City Council discharge the development agreement dated 19 November 1981 between the Antiochian Maronite Catholic Church and Reverend Doctor Kheirallah Aoukar and the City of Halifax filed at the Registry of Deeds in Book 3536 at Pages 292-301.

Motion carried.

Case No. 6434: Development Agreement - 2344-50 Hunter Street 30

This matter was forwarded to Council without recommendation for the purpose of discussion.

Alderman Meagher addressed the matter and MOVED, seconded by Alderman Holland that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, 21 July 1993, to provide the residents in the area an opportunity to address Council.

Motion passed.

MOTIONS

**Motion Alderman Adams Re: Amendment to Ordinance 116,
the Taxi Ordinance (Increase in Tuition Fee -
Driver Education Course) - FIRST READING**

Alderman Jeffrey declared a conflict of interest in respect of this item and retired from the meeting.

Notice of Motion with respect to this item was given at the last City Council meeting held on 29 June 1993.

A report from Alderman Stephen D. Adams, Chairman of the Halifax Taxi Commission, dated 14 July 1993 was submitted.

Alderman Adams briefly reviewed the report from the Halifax Taxi Commission and MOVED, seconded by Alderman Holland that Halifax City Council approve First Reading to an amendment to Ordinance 116 (attached as Appendix "A" to the report from the Halifax Taxi Commission dated 14 July 1993) which will increase the tuition fees for the taxi and limousine driver education programs from \$45.00/student to \$500.00/student and, further, that the matter be referred to the next Committee of the Whole Council meeting to be held on 21 July 1993 for consideration and report.

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A discussion ensued with Alderman Stone expressing concern about the proposed cost of tuition in the amount of \$500.00/student.

In response to a question from Alderman Stone, the Acting City Solicitor advised that the fee would be contained in the ordinance and therefore, if Council wished to change the amount, it could be debated.

Deputy Mayor Fitzgerald commended the Taxi Commission for establishing a very detailed course. However, he expressed concern about the proposed increase in fee from \$45.00 to \$500.00. He questioned whether there was any way of having the fee subsidized for the student i.e. a government grant for re-training. The Deputy Mayor indicated that he would like to see this aspect re-considered when this matter comes back to Council for consideration and report.

Alderman Adams agreed that the increase in fee was substantial. However, he explained that the course has increased tenfold in its length and duration and, in addition, there is the requirement of the English language proficiency test to be included in this particular program. The Alderman reiterated that the course was a two week program and, if successful, the graduate is guaranteed a job. He suggested that there was no other school in the City of Halifax, with a tuition fee of \$500.00, which can guarantee a job upon successful completion.

The motion was put and passed.

MISCELLANEOUS BUSINESS

**Development Agreement for Senior Citizens Apartment Building
Ford Street and Main Avenue (Former Titus Smith School Site)** 32

A staff report dated 28 June 1993 was submitted.

MOVED by Alderman Macdonald, seconded by Alderman
Hanson that:

- City Council extend the signing deadline of 30 July 1993 to 30 October 1993 for the development agreement approved on 26 November 1992 with the Nova Scotia Department of Housing and Consumer Affairs.
- This development agreement shall be signed by 30 October 1993, or any extension thereof granted by Council on request of the applicant; otherwise the approval of the development agreement

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will be void and obligations arising thereunder shall be at an end.

Motion passed.

At approximately 9:50 p.m. Alderman Jeffrey returned to the meeting.

QUESTIONS

Question Deputy Mayor Fitzgerald Re: CNR Bush Fires

Deputy Mayor Fitzgerald noted that there have been a number of CNR bush fires along the right-of-way coming into the City. He requested a report on the seriousness of this situation.

Question Deputy Mayor Fitzgerald Re: Brenhold Project

Deputy Mayor Fitzgerald asked for a status report with respect to the Brenhold project at the corner of Summer Street.

Question Deputy Mayor Fitzgerald Re: Grand Prix

Deputy Mayor Fitzgerald mentioned that he was impressed in the way in which the Grand Prix was dismantled following the race. He indicated that it was only fair that Council extend praise in this regard.

Question Deputy Mayor Fitzgerald Re: School Board

Deputy Mayor Fitzgerald noted that Council was informed at the last Committee of the Whole Council meeting by staff that the School Board could not provide staff with the amount of information that was necessary to provide a recommendation on the financial situation and assessment of the School Board. He added that staff indicated that they could not always obtain information requested from the School Board.

Deputy Mayor Fitzgerald went on to request that the City Manager, together with the Director of Finance, prepare a list of items and information they would like to have from the School Board and then inform Council of the ones in which the School Board will not provide information.

The Deputy Mayor pointed out that sometime ago, he found a staff recommendation recommending that "City Council confirm certain names to a School Board joint committee and

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request that the School Board name its appointees." Deputy Mayor Fitzgerald noted that this was a School Board joint committee established in 1991 to overcome some of the difficulties and communication breaches that were being developed between the School Board and the City. He questioned the status of this recommendation.

Deputy Mayor Fitzgerald indicated that he would also like to know in writing the projected savings from the closure of the Tower Road School. In addition, the Deputy Mayor questioned the cost to the City to operate and maintain the school.

Deputy Mayor Fitzgerald also questioned the costs associated with the renovations to the St. Francis School, either by tender contract and/or by inhouse. The Deputy Mayor indicated that he would also like to know what it will cost to renovate the Highland Park Junior High School and the projected costs in relation to the St. Joseph's School.

Question Alderman Adams Re: Tartan Avenue

Alderman Adams noted that there have been some markings placed on the pavement on Tartan Avenue which he was assuming were there to replace an existing water line. Near this area, on the south east side, the Alderman noted that there was a lot of crumbling pavement that was not within the balance of the markings. He indicated that he would like to know when this particular section is torn up and whether it could be extended to the curb and perhaps the pavement replaced when it is redone.

Question Alderman Adams Re: Thornhill Park

Alderman Adams noted that there was a lady who lives in Thornhill Park who is experiencing a flooding problem and who has been informed that perhaps it is not the City's responsibility. The Alderman noted that it would appear that piping the water from her property would solve the problem. He asked that staff consider the feasibility of doing this and whether it was a legal solution.

Question Alderman Adams Re: Tourism

Alderman Adams noted that with the announcement today, it only reinforces the City's position as a tourist based City. He indicated that he would like to request the City's Tourism Department to come up with further ideas to promote Citadel Hill, the Bluenose, and other things that are particular attractions to the City of Halifax. The Alderman added that he would like to know whether advertisements could be prepared advertising the City of Halifax on the Maritime markets and the northeastern and US markets.

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Question Alderman Adams Re: Infrastructure

Alderman Adams noted that there was a recent announcement made with respect to \$600,000,000.00 in funding for improving and increasing the infrastructure in Nova Scotia through the Provincial Government and which would create 900 jobs. The Alderman indicated that he would like staff to determine whether there was a possibility of the City of Halifax benefitting from this funding.

Question Alderman Adams Re: Spryfield Days

Alderman Adams invited members of Council to attend the opening ceremony of Spryfield Days tomorrow, Friday, 16 July 1993, at 7:00 p.m.

Question Alderman Macdonald Re: Tower Road School

With respect to the Tower Road School situation, Alderman Macdonald suggested that the report as requested by Deputy Mayor Fitzgerald earlier during "Question Period" indicate whether there were any out of bounds enrollment figures that could help the situation.

Question Alderman Macdonald Re: 9 Sybyl Court

Alderman Macdonald referred to an apartment house at 9 Sybyl Court noting that there were some difficulties at this location with young people who gather at the end of the Glenforest Park late at night. He noted that a possible remedy to the situation in part would be if the light on the pole could be turned another 45 degrees and a bulb with higher wattage installed.

Alderman Macdonald also noted that it appears that the parkland contains additional rubble and material which does not appear to be very safe suggesting that it could be flammable.

The Alderman further asked that staff investigate the fence between this particular apartment house parking lot and the right-of-way to Glenforest through the same park property owned by the City. He submitted the name and telephone number of the gentlemen to the City Clerk who should be contacted.

**Question Alderman Downey Re: Nova Scotians Elected
to the Order of Canada**

Alderman Downey noted that there were three Nova Scotians elected to the Order-of-Canada recently and asked

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that Her Worship Mayor Ducharme send a letter of congratulations to the following: Nova Scotia's new Minister of Health, Dr. Ross Stewart; Senior Vice-President of the Bank of Nova Scotia, Mr. Jack Keith; and also Marion Robinson, writer from Shelburne

Question Alderman Downey Re: Letter of Congratulations Tattoo 45

Alderman Downey asked that Her Worship Mayor Ducharme send a letter to Ian Fraser congratulating him and his staff on the splendid Tattoo show this year.

Question Alderman Downey Re: Letter of Congratulations - Street Works 46

Alderman Downey asked that the City Manager or the Director of Engineering and Works send a letter conveying Council's congratulations to the staff who, over the past week during the extremely hot weather, carried out street works. He advised that these men should be commended.

Question Alderman O'Malley Re: Highland Park School Portable Classrooms 47

Alderman O'Malley noted that during the past week some portable classrooms were moved onto the site of the Highland Park School. While noting that the neighbours on Sabastian Street welcome the fact that extra classroom space is being provided, she advised that they do have a concern as to the actual location of the portable classrooms on the school property. The Alderman asked that the School Board and staff consider the neighbours concerns before the portable classrooms are permanently located. Alderman O'Malley explained that the portable classrooms are presently blocking the neighbours' views.

Question Alderman O'Malley Re: Sidewalk Renewal Agricola Street (Kaye and Kane) 48

Alderman O'Malley questioned the status with respect to the sidewalk renewal for Agricola Street between Kaye and Kane. She recognized that this sidewalk was approved, but questioned when the works will begin and when or if the tender has been called.

Question Alderman O'Malley Re: Seal Coating, Columbus St from Isleville to Robie 49

Alderman O'Malley noted that Columbus Street, from Isleville to Robie, has been seal coated. She explained that

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she has received a few calls from the residents indicating that the dips in the street are still present and that they were not repaired before the seal coating took place. The Alderman asked for a report in respect of the situation.

Question Alderman Stone Re: Lincoln Cross Playground

Alderman Stone expressed his thanks to the Recreation Department and Parks and Grounds Division for beginning the active playground area on Lincoln Cross in the area of Sheffield-in-the-Park.

Question Alderman Stone Re: Reports - Street Lights on Willett Street - Montgomery Court

Alderman Stone also expressed his thanks to staff for the quick reports he has received in connection with the street lights on Willett Street and the speedy response with respect to the stop sign and cul-de-sac sign on Montgomery Court.

Question Alderman Stone Re: Crosswalk on Farnham Gate Road

Alderman Stone expressed his disappointment with respect to the report he received concerning the crosswalk on Farnham Gate Road noting that the report indicates that there is not enough pedestrian volume to allow this crosswalks to occur.

Question Alderman Stone Re: Volvos

Alderman Stone commented that he had asked for a report regarding the details of the maintenance costs with respect to the volvos for the City Manager and Mayor. He commented that a report had shown that the repairs for one vehicle was \$12,622 and the repairs to the other was \$10,293. The Alderman asked for a detailed report in this regard.

In response, Her Worship Mayor Ducharme noted that a report was in the process of being prepared.

Question Alderman Holland Re: Racoons

Alderman Holland noted that it has come to his attention that some of the racoons in the Province are carrying rabies and also that there are more rather than fewer racoons in the City. The Alderman asked for a report from staff as to whether there were in fact rabid racoons in the City and what steps were being taken to control this nuisance.

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Question Alderman Holland Re: Labbatt 24 Hour Run

Alderman Holland noted that the Labbatt 24 hour run recently was very successful. However, he advised that he had received a number of complaints from neighbours about the loud music and P.A. system which disturbed the residents in the area and even further away. The Alderman also noted that some of the language used was really not in keeping with this type of event. He went on to ask for a report from staff about what will happen next year in order to prevent this kind of problem from occurring again next year.

Question Alderman Holland Re: Police Bicycle Squad in Boston

While in Boston last week on business, Alderman Holland noted that he was watching a television show which illustrated, with a great deal of pride, Boston's new bicycle squad. Alderman Holland went on to question whether the City's Police Department is aware that Boston has followed the City's experience and suggested that perhaps they could contact them and offer to be of assistance.

Question Alderman Jeffrey Re: Potholes on Winter Street

Alderman Jeffrey requested that staff investigate the situation with respect to potholes on Winter Street between Springvale and Downs Avenue.

Question Alderman Jeffrey Re: Grass - School Avenue Sidewalk

Alderman Jeffrey noted that last year he had asked that the grass on the School Avenue sidewalk be removed which was followed through. However, Alderman Jeffrey expressed the concern that the grass is twice as high this year and that nothing has been done. He questioned whether there was a solution that could be used on the sidewalk to remove the grass.

The Alderman also noted that he raised a concern sometime ago about the absence of a street sweeper in the area.

Mr. Peter S. Connell, Director of Engineering and Works, addressed Council and advised that there is a spray that you can put on grass on sidewalks that kills the grass. However, he noted that the solution is a toxic chemical that retards the growth of broad leafed plants. He added that he would not recommend using this chemical, but indicated that staff would investigate the situation.

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Question Alderman Jeffrey Re: Springvale Avenue

Alderman Jeffrey expressed concern about the length of time it was taking to receive a report he had asked for with respect to a pool in the back of a property on Springvale Avenue. He noted that he had not yet received a report in this regard.

Question Alderman Jeffrey Re: Commemorative Coins

Alderman Jeffrey noted that he had requested a report from the Auditor General pertaining to a commemorative coin for the Halifax Explosion which originated from the Mayor's Office. Noting that a report was pending, the Alderman asked that the Auditor General report as quickly as possible.

Her Worship Mayor Ducharme noted that she did not believe that this request had been forwarded to the Auditor General noting that it had been forwarded to her for a response. Her Worship added that she had requested more information on the item which she has not yet received.

Alderman Jeffrey commented that when he first requested this report, he had asked for a report on the costs of the pins. He added that the Auditor General has indicated, since that time, that he was preparing a report.

Question Alderman Crowley Re: Tree Shading

Alderman Crowley noted that recently she had received a number of calls regarding tree shading of the street lights in the City. She advised that people who have had break-ins in their area are particularly concerned. Alderman Crowley questioned if staff could tour the City, or at least her Ward, to see how many of the street lights are being shaded. She noted that when she first came on Council, she had raised a concern about the dim lighting of the City.

Question Alderman Crowley Re: Westmount Area- Lloyd Fox Ave

Alderman Crowley noted that staff has done a tremendous job in giving visibility and helping the people in the Westmount area feel safer.

The Alderman also noted that Lloyd Fox Avenue had been closed off and that a fence had been erected. She added that this undertaking has been successful to a degree, but there is still difficulty with young people going over the top of the fence and jumping. Alderman Crowley advised that her greatest concern was that some of the people going over

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the fence are 5 and 6 years old and the residents who live in that area are very concerned that the children could get hurt. She asked that staff investigate the situation with respect to the fence in question from a safety point of view and also the fence at the Halifax Shopping Centre.

**Question Alderman Crowley Re: Update Sidewalk
Renewals 75 percent deficient**

Alderman Crowley request an update report with respect to sidewalks 75 percent deficient and upwards that are going to be worked on in Ward 11. She indicated that she would like the report to indicate when these works will be completed.

Question Alderman Hanson Re: Dissemination of Information

Alderman Hanson noted there was recently a sexual assault in the Armdale area. He questioned who was responsible for the dispatch of information. The Alderman expressed concern about the accuracy of the information noting that, at the preliminary stage, it appeared that it was an unknown attacker. However, he noted that recently he had heard on the radio that it was a known person to the victim. Alderman Hanson advised that the matter had caused great panic in the community and he asked what controls were in place, if any, to prevent this from happening in the future.

The Chairman noted that a report could be provided on who initially is responsible for disseminating the information.

Question Alderman Meagher Re: School Janitors

Alderman Meagher referred to the School Board situation noting that, over the last few days, he had been talking to some people who are janitors in the school system. The Alderman expressed the view that the whole system was in a great turmoil now because these people who have had a great number of years with the School Board as janitors really do not know where they fit in the scheme of things. Alderman Meagher advised that he has been informed that the company, Service Master, has a five year contract for the supervision of cleaning and that this company has guaranteed that they are going to cut certain expenses by lay-offs.

Alderman Meagher went on to note that he has also been informed that the superintendent of buildings is retiring and that the School Board does not intend to replace him or his assistant who is also retiring. The Alderman suggested that maybe the City Manager could find out what is

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happening in this regard and whether the people who have their jobs now, will be paid the salary they are presently receiving, or whether they will be paid a minimum wage by Service Master. He also questioned whether these employees will continue to be employed by the Halifax District School Board or will they become an employee of Service Master.

Question Alderman Meagher Re: Information to MLA's

Alderman Meagher referred to the letter Her Worship Mayor Ducharme had written to the new Minister of Highways concerning the Bedford Highway. He noted that with the new administration at the Province, it would serve everyone well if information going to a particular Cabinet Minister concerning Halifax could be distributed to all MLA's in order to keep them informed.

Question Alderman Meagher Re: Outstanding Citizens

Alderman Meagher complimented Her Worship Mayor Ducharme on the great party that was organized through her Office for Mr. Harold Crowell. He noted that this party was a tremendous success. The Alderman went on to express the view that something more should be done to recognize outstanding citizens and he submitted the following motion for Council's consideration:

WHEREAS it is appropriate from time to time that the City of Halifax honour outstanding citizens and non-citizens who may have rendered great services to the City;

AND WHEREAS it is appropriate that there should be a system or method whereby nominations for this honour are made and people selected in a proper and organized way for this honour;

THEREFORE, BE IT RESOLVED THAT a Committee of Council be appointed to look into this question and to report back to Council with a recommendation on how to approach this question. The Committee should seek outside advice from organizations or people familiar with the honour systems when preparing its recommendation.

The Chairman suggested that the matter be placed on the agenda for the next Committee of the Whole Council meeting for consideration, to which Council agreed.

ADDED ITEMS

Thornhill Drive 68

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

A private and confidential staff report from Barry S. Allen, Acting City Solicitor, dated 13 July 1993 was submitted.

Following a short questioning of the Acting City Solicitor, it was MOVED by Alderman Adams, seconded by Alderman Holland that the City settle the claims with respect to Thornhill Drive for the amounts as contained in the private and confidential report of 13 July 1993.

Alderman Stone expressed difficulty with respect to paying 100% as "a matter of principle". He expressed the view that there should be an opportunity to sit down and reasonably discuss the matter and have a compromise.

After a short discussion, the motion was put and passed with Alderman Stone voting in opposition.

Award of Tender 93-109 - Streets Upgrading, Resurfacing, Phase II 69

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

A staff report dated 12 July 1993 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that Tender 93-109 for the project, materials and services listed for unit prices quoted at a bid price of \$384,650.00 and a total project cost of \$461,580.00 be awarded to Dexter Construction Co. Ltd. and, further, that funding be authorized from account number 91410.

Motion passed.

Appointments 70

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

A report dated 15 July 1993 was submitted.

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Alderman Holland addressed the matter noting that there was a vacancy in the Police Commission. With the number of problems taking place with respect to policing in the City, Alderman Holland expressed the view that it is wrong that the City does not have a full operating Police Commission at the moment. He noted that a very able and well qualified individual was being recommended.

It was therefore MOVED by Alderman Holland, seconded by Alderman Downey that Council approve the appointment as recommended in the report dated 15 July 1993.

Deputy Mayor Fitzgerald noted that there had been some debate on this item earlier this evening and he indicated that it was his understanding that an agreement had been reached with respect to additional names.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that this matter be deferred to the next meeting of City Council to be held on 29 July 1993.

The motion to defer was put and passed with seven (7) members of Council voting for it and three (3) voting against it as follows:

FOR: Deputy Mayor Fitzgerald, and Aldermen Meagher, O'Malley, Adams, Jeffrey, Crowley, and Stone.. (7)

AGAINST: Aldermen Holland, Downey, and Hanson..... (3)

Award of Tender 93-148: Purchase of (one) 3 Cubic Yard Volvo VME Loader & Award of Tender 93-149: Purchase of (one) 4 Cubic Yard Volvo VME Loader 71

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

A staff report dated 15 July 1993 was submitted.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Fitzgerald that authority be granted to award the following tenders to LaHave Equipment Limited, Bridgewater, Nova Scotia, at a net cost of \$330,951.00:

<u>TENDER</u>	<u>PRICE</u>	<u>MODEL #</u>
93-148	\$157,021.43	L-90B
93-149	<u>\$180,182.65</u>	L-120B
TOTAL	\$337,204.08	
LESS	<u>6,253.08</u>	
NET COST	\$330,951.00	

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and, further, that funding be authorized from account number 26104.8300.8000 titled Vehicle Replacement.

Motion passed.

Pumping Station Duffus & Barrington St (Alderman O'Malley)

This item was added during the setting of the agenda at the request of Alderman O'Malley.

Alderman O'Malley addressed the matter and noted that this item has been an on-going issue year after year with respect to the tremendous odour that exists at the Duffus Street pumping station at the intersection of Barrington and Duffus Streets. She noted that staff has certainly been in touch with her about the happenings at this station.

Alderman O'Malley went on to note that if the new sewage treatment plant was in operation, the whole situation at Duffus and Barrington Streets would not exist. However, she noted that nobody knows when this plant will begin operation and expressed the concern that, in the meantime, the residents in the community are subjected to a very unhealthy environment.

Alderman O'Malley requested that the Engineering and Works Department provide a report and recommendation as soon as possible on what would be involved to alleviate this situation which exists every year at the pumping station.

Metropolitan Authority Raises (Alderman Adams)

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

Alderman Adams requested a report regarding the recent raises that were given to staff of the Metropolitan Authority.

The Chairman indicated that the minutes of the meeting could be provided as well as any other information on the item. She clarified to the extent that the honorarium to the Chairman was unanimous in private and it was moved and approved publicly unanimously by all members of the Authority. Her Worship added that the other raise, when approved in private, was approved unanimously and that it was her understanding it had to come to the Authority for final approval on July 27. Her Worship indicated that it would be determined whether Council could receive something more than just the minutes.

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

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR WALTER FITZGERALD
CHAIRMEN

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

K/M

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
21 July 1993
7:30 P.M.

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

The meeting was opened with Deputy Mayor Walter Fitzgerald leading those present in the recitation of the Lord's Prayer.

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

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

ADDED ITEMS

It was agreed that the following matters be added to the agenda from a meeting of the Committee of the Whole Council held earlier in the day. It was noted, however, that Alderman Downey expressed his opposition to the addition of "Award of Tender #93-27: Thornhill Drive - Easement Area."

**Case No. 6750: Rezoning from C-1
to C-2A (Clayton Park Plaza)**

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Planning Committee, a public hearing be scheduled to consider Case 6750, the application to rezone the Clayton Park Plaza at the corner of Lacewood Drive and Glenforest Drive from C-1 (Local Business Zone) to C-2A (Minor Commercial).

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 18 AUGUST 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

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**Award of Tender #93-35: Sidewalk
Renewals - Set Aside Program**

MOVED by Alderman O'Malley, seconded by Alderman Crowley that, as recommended by the Committee on Works, Tender #93-35 (Sidewalk Renewals - Set Aside Program) be awarded to **Tough Contractors** at a bid price of \$44,139.40 and a total project cost of \$53,000 (funds to be made available from Account Number 91224, "New Sidewalk," and from Account Numbers 92696 and 92728, "Sidewalk Renewals."

The motion was put and passed.

**Award of Tender #93-36: Sidewalk
Renewal (Set Aside Program)**

MOVED by Alderman O'Malley, seconded by Alderman Crowley that, as recommended by the Committee on Works, Tender #93-36 (Sidewalk Renewal - Set Aside Program) be awarded to **R & D Stone Ser.** at a bid price of \$76,210.00 and a total project cost of \$91,000.00 (funding to be made available from Account Numbers 92697, 92710 and 92715; transfer in the amount of \$14,000, if applicable, to be made from Account Number 92999, "Unused Sidewalk Funds").

The motion was put and passed.

**Award of Tender #93-13:
Boardwalk Restoration - Law Courts Area**

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Committee on Works, Tender #93-13 (Boardwalk Restoration - Law Courts Area) be awarded to **Waterworks Construction Ltd.** at a total bid price of \$26,161.50 and a total project cost of \$32,000.00 (funds to be made available from Account Number 91648, "Miscellaneous").

The motion was put and passed.

**Award of Tender #93-145: St. Andrews
Recreation Centre (New Gym Floor)**

MOVED by Alderman Crowley, seconded by Alderman Adams that, as recommended by the Committee on Works, Tender #93-145, Proposal #2 (St. Andrews Recreation Centre - New Gym Floor) be awarded to **Centaur Products (Atlantic) Inc.** at a bid price of \$50,598.40 (including taxes) and a total project cost of \$56,000.00.

The motion was put and passed.

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**Cost-Sharing: Joseph Howe Drive
and Dutch Village Road (Alderman Jeffrey)**

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Committee on Works, a letter be forwarded (by courier) to the Province of Nova Scotia requesting the immediate release of cost-shared funds with regard to improvements at the Dutch Village Road/Joseph Howe Drive intersection.

The motion was put and passed.

**Award of Tender #93-27:
Thornhill Drive - Easement Area**

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

- 1) the following tender award be made subject to approval of immediate possession of the easements by the Attorney General of the Province of Nova Scotia as per the approved Council resolution dated 29 June 1993;
- 2) Tender #93-27 be awarded to **D. A. Lanthier Construction** for the project, materials and services listed for the unit prices quoted at a bid price of \$509,713.13 and a total project cost of \$610,000.00; and that
- 3) funding be authorized from Capital Account No. 94031, "McIntosh Run, Auburn Avenue Storm Sewer Easement" and, if necessary, funds be transferred from Capital Account No. 94010, "Kaye Street Relief Sewer," to Capital Account No. 94031 in the amount of \$60,000.00 for a total project cost of \$610,000.00.

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

PUBLIC HEARINGS

**Public Hearing Re: Case No. 6733:
1355 Barrington Street (Development Agreement)**

A public hearing to consider the application for a development agreement to permit the commercial use of a two-storey addition to 1355 Barrington Street (Case No. 6733) was held at this time.

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Mr. Michael J. Hanusiak of the City's Development and Planning Department briefly overviewed the staff report dated 14 June 1993, using maps and diagrams to identify the location and design of the proposed addition. In his remarks, Mr. Hanusiak made particular reference to the fact that, under the present RC-2 zoning of the property, minor commercial uses are not permitted above grade. The proposed addition, however, is designed so that commercial use will be made of the main floor which is six feet above grade.

In this context, Mr. Hanusiak advised that the building in question, which is owned by the Association of Professional Engineers, is a registered heritage property and, as such, is subject to the Heritage Policies of the Municipal Planning Strategy. It was noted that, in staff's view, "the size and location of the proposed addition will not diminish the heritage value of the property," nor will it pose any negative implications in terms of "integrity of property," "impact on adjacent uses," or "compliance with Plan policies."

Mr. Hanusiak concluded his presentation by noting that the application has been reviewed by the City's Heritage Advisory Committee, who have recommended acceptance of the proposal.

Referring to a report dated 15 June from Dr. Paul A. Erickson, Chair of the Heritage Advisory Committee, Alderman Stone asked for information as to whether the applicant in question was in fact prepared to accede to the HAC's suggestions regarding the retention of the building's slate roof and certain changes to its front steps.

Speaking as a member of the Heritage Advisory Committee, Deputy Mayor Fitzgerald advised that, because the HAC's suggestions have been deemed to be extremely costly to be carried out at this point in time, APENS had given their assurances that the work would be considered when more significant changes are made to the building.

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

Responding to a question from Alderman Downey, the City Clerk advised that no letters of objection had been received with regard to this proposal.

It was therefore moved by Alderman Downey, seconded by Alderman Holland that City Council:

- (1) approve the application by the Nova Scotia Association of Professional Engineers for a development agreement to permit the use of the

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ground floor addition to **1355 Barrington Street** for professional offices as per the draft development agreement attached as Appendix "B" to the staff report of 14 June 1993; and

- (2) approve the proposed substantial alteration of **1355 Barrington Street** in accordance with Drawings P200/19359 - P200/19363 and P200/19371.

The motion was put and passed.

**Public Hearing Re: Case No. 6708 -
Development Agreement (2222 Brunswick Street)**

A public hearing to consider the application for a development agreement involving the property located at 2222 Brunswick Street (the Rudolph Steiner Kindergarten) was held at this time.

Mr. Paul Dunphy of the City's Development and Planning Department presented a brief overview of the proposal as contained in the staff report of 10 June 1993.

Using maps and diagrams of the site in question, Mr. Dunphy advised that at the present time the Rudolph Steiner Kindergarten is operating in the parish hall which forms part of the St. George's Anglican Church complex on Brunswick and Cornwallis Streets. The application under consideration is to allow the Kindergarten to expand in order to include a Grade One class in September 1993 and a Grade Two class in 1994, with other grades being added as time and space permit. As noted by Mr. Dunphy, the building in question is located in a R-3 (Schedule "C") Zone, a designation which does not allow the operation of a school facility.

Mr. Dunphy pointed out that the St. George's Anglican Church complex was designated a heritage property by the City of Halifax in 1981, and made reference to the fact that, in years gone by, it was not unusual to find both church and school facilities in close proximity to each other. In this context, the staff report notes, "allowing a portion of the church hall to be used as a school is in keeping with that tradition and should not negatively affect the integrity of the area. In fact, there is a strong argument that introduction of the school will bring back an element of the past, thereby enhancing the heritage value of both the property and the area."

It was further noted that, in staff's view, the application has no negative implications in terms of "the

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integrity of the area," and "the effect on adjacent areas," nor is it inconsistent with any of the applicable policies in the Municipal Planning Strategy.

Mr. Dunphy concluded his remarks by advising that the proposal is being forwarded to the Heritage Advisory Committee (for information purposes only), to be dealt with at its 22 July meeting.

Mr. Michael Heller, Acting President of the Waldorf Association, addressed Council briefly in support of the application.

There were no further persons wishing to address Council on this matter, and no letters received.

In deference to the Heritage Advisory Committee, who had not yet reviewed the proposal, it was moved by Alderman Downey, seconded by Alderman Stone that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 29 July 1993.

The motion was put and passed.

**Public Hearing Re: Case No. 6728 - 87½ Purcell's
Cove Road (Appeal of Minor Variance Refusal)**

A public hearing into an appeal of a minor variance refusal involving the property located at 87½ Purcell's Cove Road was heard at this time.

Mr. Michael Hanusiak of the City's Development and Planning Department briefly reviewed the staff report concerning this matter of 24 June 1993. He advised Council that at some previous point in time a deck had been constructed without benefit of the necessary municipal permits at this location without benefit of the necessary municipal permits. Although the property owner has indicated his willingness to decrease the size of this addition in order to bring it into closer conformance with the side yard requirements, Mr. Hanusiak pointed out that, under the provisions of the Planning Act, staff were obligated to refuse the owner's request for a minor variance.

There were no persons present wishing to address Council in this matter, and no correspondence being received.

MOVED by Alderman Hanson, seconded by Alderman Adams that City Council accept the appeal with regard to

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the request for a minor variance at 87½ Purcell's Cove Road, and overturn the decision of the Development Officer.

The motion was put and passed.

**Public Hearing Re: Case No. 6723 -
Development Agreement, 3055 Agricola
Street (Oland Breweries Limited)**

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

Mr. Paul Dunphy of the City's Development and Planning Department presented a brief overview of this proposal as outlined in the staff report of 17 June 1993.

Mr. Dunphy began his remarks by advising that the application from Oland Breweries Limited involves the construction of two additional grain silos (ranging in height from 40-48 feet) which are intended to supplement production at the Agricola Street plant. A development agreement is being sought because the C-2 zoning designation, which covers this particular portion of Agricola Street, restricts the as-of-right height of any structure to 35 feet.

Mr. Dunphy went on to point out that although the site is currently designated "Residential Environments," the area itself is not predominantly residential, there being several commercial buildings and parking lots in close proximity to the Oland plant which itself is classified as an industrial use. It is therefore staff's view that the **industrial** policies of the City's Municipal Planning Strategy can be applied to the Oland property.

It was pointed out that two previous development agreements, both involving expansions of a size considerably larger than that currently under discussion, were approved for the Agricola Street site. Furthermore, despite the fact that the two proposed silos exceed the 35 foot as-of-right height limit, they are considered to be comparable to the existing 43 foot high bottle sorting plant and significantly lower than the 93 foot high fermenting and ageing building. Having taken all pertinent factors into consideration, Mr. Dunphy advised that, in staff's opinion, the proposed construction of the two additional grain silos should be considered a minor alteration which is consistent with the Brewery's existing appearance and operation. Under the circumstances, therefore, staff are recommending approval of the requested development agreement.

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Mr. Kenneth Sorenson, Plant Manager at Oland Breweries, addressed Council in support of his company's application. In his remarks, Mr. Sorenson emphasized Oland's commitment to the Agricola Street community and to the City of Halifax as a whole as a "good neighbor and corporate citizen, and a company who prides itself on its ability "as a significant industrial enterprise to successfully co-exist in a predominantly residential area."

Mr. Sorenson went on to point out that the additional grain silos, which are part of an ongoing modernization program, are essential to Oland's ability to compete in a fast-changing market and to ensure the plant's future viability.

It was subsequently moved by Alderman O'Malley, seconded by Alderman Hanson that City Council:

- (1) enter into a development agreement with Oland Breweries Limited to permit the installation of two grain silos at 3055 Agricola Street;
- (2) require that the development agreement shall be signed within 120 days, or any extension thereof granted by Council at the request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**Public Hearing Re: Case No. 6511 -
Stage I, Schedule "K" Application (Glenbourne)**

A public hearing to consider a Stage I application (under the Schedule "K" approval process), with regard to the development of lands owned by the Annapolis Basin Pulp and Paper Company in Mainland North, was held at this time.

A supplementary staff report, dated 14 July 1993, was submitted, together with an Information Report dated 19 July (a staff report dated 4 June 1993 had previously been submitted). Also received was a report dated 15 July from Mr. George Haliburton, P.Eng., Chairman of the Lakes and Waterways Committee.

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Mr. Philip Francis, Subdivision Engineer with the City's Department of Development and Planning, presented an overview of the application for the benefit of members of Council and those members of the public present in the gallery. The following notes are taken from Mr. Francis' presentation:

- 1) the application presently before Council concerns the approval of a Stage I, Schedule "K" development agreement for a 123-acre mixed-use development on a site located west of Rockingham Ridge and the Wedgewood subdivision, and east of the Bicentennial Highway (lands owned by the Annapolis Basin Pulp and Power Company Limited);
- 2) the planning of the Glenbourne proposal has been coordinated with that of approximately 19 acres of City-owned lands to the northeast of the development site;
- 3) the proposal has been designed to meet the objectives of a Schedule "K" residential development which includes the extension of the Mainland North collector roadway system through the Kearney Lake Road, and the establishment of park facilities to serve the needs not only of existing residential areas but also of the proposed development;
- 4) a north-south collector road is proposed from the southern boundary of the Glenbourne site leading to Kearney Lake Road, with Farnham Gate Road being extended to connect with this north-south roadway;
- 5) the extension of the collector roadway through the aforementioned City-owned lands will bisect an area at the eastern end originally planned as an active recreation field. A 10.1 acre park is therefore proposed at the north end of the Glenbourne site to replace the original field as well as to provide recreation facilities for the proposed development;
- 6) the new collector roadway system will allow the development of both the proposed site as well as abutting lands to the north without the threat of an increase in traffic volumes on any of the local streets within existing subdivisions. Furthermore, the extension of the north-south collector to Kearney Lake Road will reduce potential traffic volumes on Farnham Gate Road as well as provide for a more even distribution of traffic;
- 7) provision will be made for a future collector roadway connecting two properties located west of the Bicentennial Highway through the existing underpass;

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- 8) the developer of the Glenbourne subdivision will be responsible for the construction of the collector roadways with the exception of that located on City-owned lands (a distance of approximately 1,040 feet);
- 9) as noted in (5) above, a portion of the proposed 10.1 acre park is intended to replace recreational facilities originally proposed for City-owned lands. A land trade is therefore proposed in which 10.6 acres at the western end of the City lands would be traded for 6.4 acres of active park usage (the remaining portion of active park lands is intended to be conveyed as a component of the open space dedication);
- 10) depending on the funding available, the proposed 10.1 acre park could contain a soccer field, a slow-pitch softball diamond, a double sports court, children's playgrounds, and on-site parking. To aid in the establishment of this park, the developer has agreed to undertake certain site preparatory work. The developer has also agreed to provide early access to this parkland, if required, and to coordinate this project in accordance with City schedules pertaining to the construction of active park facilities;
- 11) in addition to the 10.1 acre park intended for active recreational use, a 15-acre passive park is also planned in the vicinity of the area's two ponds and along its brook. This passive park will include a constructed trail system around the ponds and along the brook uninterrupted by the collector roadway system. Existing vegetation along the brook in the vicinity of the ponds will be maintained to the greatest extent possible (it was emphasized that the proposed methods of preservation will be outlined in greater detail during the Stage II approval process). The creation of this park is considered to be a most desirable feature of the Glenbourne subdivision and one which will provide access by the general public to the natural environment, in accordance with the policies of the City's Municipal Planning Strategy;
- 12) a walkway will be constructed between the end of Beechwood Terrace and the linear park to provide easy access by residents of the Wedgewood Subdivision to the Glenbourne parks;
- 13) the proposed land use for the Glenbourne Subdivision includes 147 single-family dwellings, 116 small-lot single-family dwellings, 90 semi-detached dwellings, 778 apartment units in 9 buildings, and a 2.5 acre neighbourhood commercial shopping centre. The total population is estimated as 2,934 or approximately 20 people per acre;

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- 14) the 116 small-lot single-family dwellings are intended to provide a market alternative for homeowners who wish to acquire a detached dwelling on a separate lot (as opposed to the traditional semi-detached or townhouse arrangement). Minimum width is proposed as 32.5 feet; minimum lot area - 3,250 square feet; minimum separation between buildings - 12 feet;
- 15) architectural themes are intended for individual streets as well as for apartment and commercial buildings. Emphasis will be placed on the retention of existing trees and, where development is scheduled to take place adjacent to existing R-1 dwellings, 20-foot buffer zones at the back of these properties will be provided (again, further details will be forthcoming during the Stage II approval process);
- 16) for the most part, the residential units are intended to be located on cul-de-sacs. While it is acknowledged that this type of street configuration usually results in higher maintenance costs, it is also true that residential units on cul-de-sacs normally have higher assessment values which can then be used to offset increased maintenance costs;
- 17) the proposed commercial property is to be located at the intersection of the collector roadways in the vicinity of the Kearney Lake Road. Neighbourhood-type commercial uses are currently proposed, although the construction of a motel is also an option;
- 18) the Glenbourne proposal also includes the installation of a major off-site sanitary sewer with an existing easement through the Wedgewood Ravine. This sewer system will serve not only the development site itself, but also the approximately 411 acres of upstream lands to the south of the site. In addition, capacity will be provided for possible future servicing of approximately 1900 acres of land to the west of the Bicentennial Highway. It was emphasized that "sensitive techniques" will be used to ensure minimum land disturbance through the Wedgewood Ravine, with further details pertaining to this aspect of the proposed development to be provided during the Stage II approval process;
- 19) a stormwater management parkland system will be conveyed to the City as a completed product, and will include a retention system at the large pond; some upgrading of the smaller pond and connecting brook; the installation of underpasses suitable for pedestrian usage; the construction of boardwalks and pathways around both ponds as well as along the

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streets; and fencing of all private lots which directly abut the brookside park;

- 20) it was emphasized that the proposed stormwater retention system will be designed as specified by the City's Stormwater Master Plans and will be inspected and evaluated by both the Nova Scotia Department of the Environment and the Federal Department of Fisheries). Final details with regard to the design of the stormwater management system, retention of existing vegetation, relationship with abutting development, and appropriate approvals from other government levels are to be provided during the Stage II approval process;
- 21) The project consists of approximately nine (9) phases spread over an 8-10 year period. The first phase would proceed as soon as the necessary approvals are in place, and would include provision of an active recreational space within two years. A request has also been made by the developer that the Stage I approval include a provision to allow for modification of the phasing schedule with City Council's approval;

Concluding his overview, Mr. Francis pointed out that, in staff's opinion, the application meets all the objectives of a Schedule "K" development including the extension of the collector road network and the provision of significant parkland for use by existing and proposed developments. Staff have therefore recommended that the application, together with the proposed land trade and cost-sharing arrangements, be approved.

Mr. Francis went on to make reference to the report dated 15 July 1993 received from the City's Lakes and Waterways Advisory Committee. In his remarks, he pointed out that the concerns raised in this report had been discussed with the developer, and it had been agreed that those matters could and would be addressed during the Stage II approval process.

Mr. Francis also noted that the Glenbourne proposal is currently being reviewed by the Provincial Department of the Environment with regard to the possible disturbance of wetlands around the existing ponds. He emphasized that, unless it is determined that the proposal meets all of the criteria of the Environmental Assessment Act, no construction in the vicinity of the ponds will proceed.

On a final note, Mr. Francis brought to Council's attention the supplementary staff report of 14 July 1993 in which the City's Engineering and Works Department have

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expressed various concerns relating primarily to the proposed stormwater management system, the proposed cul-de-sac configuration, maintenance requirements for the passive park, and certain cost-sharing arrangements.

Responding to a question from Alderman Stone, Mr. Francis advised that the main vehicular access to the Glenbourne subdivision is initially intended to be Farnham Gate Road, although eventually there will be another access route from the southern extension of the north-south collector to Lacewood Drive. A third vehicular access will be provided from Kearney Lake Road. Pedestrian access will be provided from Edward Laurie Drive, from the end of Beechwood Terrace, and through the existing City-owned park in Rockingham Ridge (i.e, at the end of Attenborough Court and Remington Court).

The Chairman then called for presentations from those in the public gallery.

Mr. Hugh MacDonald, a resident of 16 Glenn Drive (Wedgewood Park), briefly addressed Council on behalf of the residents of Civic Numbers 6, 8, 10, 12, 14, 18, 18A, 20, 22 and 24 Glenn Drive, those properties which, in Mr. MacDonald's opinion, will be those most directly affected by the sanitary sewer line proposed for the Wedgewood Ravine.

Mr. MacDonald began his remarks by noting that when residents were informed of the Glenbourne proposal late in 1992, they initially had some considerable concern pertaining to the environmental damage which they felt could result from the installation of a sewer line through the Wedgewood Ravine. Mr. MacDonald went on to note, however, that the residents had subsequently approached the developer (through Alderney Consultants Limited) with their concerns and, after several meetings, are now confident that these matters will be satisfactorily addressed. To quote from Mr. MacDonald's presentation, "we believe this is a situation where, because of the interest of residents and the cooperative attitude of the developer, construction can take place in an environmentally sensitive manner while, at the same time, producing a technically better result at a lower cost."

Mr. Nick Hill, a resident of Truro, Nova Scotia, expressed concern regarding the impacts of the proposed development on what he termed the "wetland areas of significance."

Mr. Hill began his remarks by referring to both the large and small ponds located on the Glenbourne site which, he indicated, are used for educational purposes by students of Mount St. Vincent University and Halifax West

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High School. Mr. Hill emphasized that, in his opinion, the ecological importance of these areas has not been adequately addressed by either the development proposal or the various staff reports, and pointed out that, in addition to the orchids and other rare forms of plant life that have been discovered on this site, there are also unusual amphibians such as the four-toed salamander that are indigenous to the area.

Mr. Hill also made reference to the liability aspect of the proposed development, particularly as it refers to the area in the vicinity of the ponds. In this context, he suggested that a trail could be constructed between the two ponds and the area designated under the Trail Act, thereby requiring the user to assume all responsibility.

Mr. Hill further suggested that the proposed infilling would cause numerous methane emission problems, similar to those experienced in the vicinity of "dumps." It was Mr. Hill's opinion that such emissions would result from infilling areas which consist of a combination of sphagnum and peat. Mr. Hill further suggested that quantities of nitrate would be emitted into the area's streams which ultimately feed Washmill, Kearney and Papermill Lakes.

In conclusion, Mr. Hill indicated that he would be willing to work with the developer in resolving some of these problems, providing consideration can be given to leaving the area's wetlands in their natural state.

Mr. Tom Swanson, President of Alderney Consultants Limited, addressed Council on behalf of Annapolis Basin Pulp and Power Company Limited, the applicant in the Glenbourne proposal. The following notes were taken from Mr. Swanson's presentation:

- Mr. Swanson emphasized that his client, Annapolis Basin Pulp and Paper, are committed to proceeding with this project in a professional and high-quality manner and, above all, to work with City staff, area residents and Provincial agencies "to establish a rapport and a reputation [as a] major developer within the City over the very long term." To that end, Mr. Swanson made reference to the fact that the company has already held a public meeting at which residents were encouraged to voice their concerns and emphasized that changes to the development proposal have been made as a result of those expressed concerns. He went on to note that several meetings have also been arranged with residents in the area of the Wedgewood Ravine for the purpose of developing "designs which cause a minimum of disturbance and disruption" in regard to the

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installation of the trunk sanitary sewer from the Glenbourne site to Donaldson Avenue.

- Referring to remarks made earlier by Mr. Francis of the City's Development and Planning Department, Mr. Swanson concurred that the developer has requested that provision be made in the proposed development agreement to allow phasing modifications if deemed appropriate. In this context, Mr. Swanson submitted an official request from Alderney Consultants Limited, dated 21 July 1993, indicating the following:

That the phasing set out within this development agreement may be modified by mutual agreement between Halifax City Council and the developer without requirement for a further public hearing.

- Mr. Swanson made reference to the 15 July report previously submitted by the City's Lakes and Waterway Advisory Committee. In his remarks, Mr. Swanson emphasized that while the Glenbourne proposal had been addressed by that Committee on two different occasions, the second meeting had not been attended either by himself or by many of the Committees members who had been present on the first occasion during which a detailed presentation concerning the Glenbourne proposal had been made. Mr. Swanson therefore suggested that many of the concerns identified in the 15 July report had been addressed during the initial meeting, and went on to point out that those issues that remain outstanding constitute the type that are normally dealt with during the Stage II approval process (a memorandum, dated 21 July 1993, from Mr. Earle Hickey, Jacques Whitford Environment Limited, was submitted by Mr. Swanson in this regard).
- Still on the matter of the Lakes and Waterways report, Mr. Swanson assured Council that "proper environmental sensitivity will be incorporated into the design and construction of Glenbourne," adding that further presentations will be made to the Lakes and Waterways Committee during the Stage II approval process in order that any concerns put forward by that group can be suitably addressed.
- Mr. Swanson advised that an environmental assessment registration document had been filed with the Nova Scotia Department of the Environment, with a response anticipated not later than 30 July 1993.
- Mr. Swanson made reference to concerns expressed by the City's Engineering and Works Department in its supplementary report dated 14 July, and made the following comment:

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. . . After a negotiated agreement had been reached with staff, which we believed covered all details of street and servicing arrangement and cost-sharing, we were approached by the City on behalf of [a] delegation of residents from the surrounding neighbourhoods and asked to make a contribution well in excess of \$100,000 worth of capital construction work to assist in facilitating the early development of the active park facility. At that point in time, and with no obligation to do so other than the desire to build the reputation with the City and the neighbourhood . . . our client agreed to have the construction carried out at his expense. This is only one of several ways (the others will be summarized in a letter of response to the Engineering Department's comments) in which our client has either accepted costs, which would normally be the City's responsibility, or alternatively has initiated undertakings which will significantly reduce the City's cost.

In closing, Mr. Swanson strongly urged that Halifax City Council grant Stage I approval with regard to the application submitted for the Glenbourne site.

Mr. Swanson subsequently responded to various questions from Alderman Stone.

Mrs. Anne MacMillan, speaking on behalf of the Ward 12 Community Association, opened her remarks by emphasizing that the Association has been extremely pleased with the cooperation received from both City staff and the developer with regard to the concerns expressed by their members.

Mrs. MacMillan went on to refer to the proposed 10.1 acre park, and asked for information as to when this facility will be constructed.

In response, Mr. Francis advised that, under the terms of the proposed development agreement, access to this area is to be provided within two years. He went on to point out that construction of the actual park facility by the City of Halifax remains at Council's discretion, adding that, should the timeframe be sooner rather than later than the suggested two years, the developer has indicated his willingness to undertake the necessary site preparation work and to complete the necessary accesses accordingly.

Mrs. MacMillan went on to make reference to the proposed 3.5 acre park facility, emphasizing that residents of the Ward 12 area have been petitioning for such an active recreational facility for at least 16 years. In this context, she made reference to a newspaper article dated 6 July 1990 outlining the need for this facility, and indicated that she would make copies available to each member of Council prior to their next regular meeting.

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Given the longevity of the community's concerns in this regard, Mrs. MacMillan expressed the hope that Council would undertake to ensure that this park facility is provided as quickly as possible.

Mrs. MacMillan went on to make reference to the Dunbrack Street bog, emphasizing that over the years area residents have **consistently** expressed concern that this wetland area be preserved and protected. In this same context, Mrs. MacMillan suggested that the culminative effects of the development in Mainland North (including Clayton Park West and the City's Industrial Parks, as well as that proposed for the Glenbourne site) may have an extremely negative impact on the area's lake system. She made reference to the fact that a comprehensive watershed management study had recently been approved for this area (supposedly to be completed before any further development could proceed), and asked for information as to the status of that study.

Mrs. MacMillan referred to the developer's request for modification of the phasing schedule, and sought assurances that such modifications could not under any circumstances permit the substitution of higher density development (for example, apartment complexes) for single-family residences.

Mr. Francis responded that the modifications in question would pertain solely to the **timing** of the development phases, not to their content.

Mr. Andre Moore, owner of a property on Oakley Avenue which he described as extending down into the Wedgewood Ravine, expressed concern regarding the impact of the proposed development on the Ravine, particular given the fact that a sewer line is proposed for construction at this site.

Reiterating remarks made during his earlier presentation to Council, Mr. Francis emphasized that the developer is committed to preserving and protecting as much of this very sensitive area as possible. He went on to note, however, that since the development is merely at the "conceptual approval" stage, the specifics as to how this construction will be carried out cannot be provided until Stage II is being considered. At that point information will be available for public review and comment.

Mr. David Messenger, a resident of 18 Julie's Walk, made a brief presentation to Council on behalf of the students of Halifax West with reference to the preservation of the Dunbrack Street bog. Mr. Messenger referred to a petition signed by approximately 110 students (which had been submitted to Council on a previous occasion) and

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emphasized that, despite those stated concerns, the developer has not proposed that the bog be retained.

Mr. Messenger reiterated that the bog is extremely important both as an educational tool and as an eco-system, and urged Council to take definitive steps to preserve it.

Mr. Michael Minick, a resident of 43 Wedgewood Avenue, asked for information as to whether a new development of this magnitude would mean an upgrading of the fire protection services in Mainland North.

In response, Mr. Francis advised that the application now before Council has been reviewed by the Halifax Fire Department who have not indicated that any expansion of services will be necessary in the immediate future.

Mr. Thomas Hackman, a resident of 6 Robert Allen Drive (Wedgewood Park), addressed Council regarding three specific points which, in his opinion, merited consideration before a final decision regarding the Glenbourne proposal is made.

First, Mr. Hackman made reference to the many single-family properties for sale and the apartment vacancies which presently characterize Mainland North and, on that basis, questioned whether a new housing development, particularly one of Glenbourne's magnitude, is actually required in this section of the City.

Secondly, Mr. Hackman questioned the desirability of the Glenbourne site as a location for "high-quality" residential development. In this context, he pointed to the close proximity of the Bicentennial Highway, and described the problems that are already caused by noise and exhaust fumes emanating from the traffic which continually use this roadway. On another but related matter, Mr. Hackman indicated that the schools in this area of the City are already crowded, and questioned whether more classroom space is scheduled for construction in light of the additional children who will undoubtedly live in the Glenbourne Development.

Referring to comments made earlier by Mr. Hugh MacDonald, Mr. Hackman suggested that not all of the residents of Mainland North support this development proposal, primarily because they view it as a threat to the green belt which currently offers a degree of "protection" from the Bicentennial Highway.

Ms. Mary MacGrath, a resident of 33 Hamshaw Drive, made a brief presentation to Council. In her

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opening remarks (and speaking as a member of the Grosvenor Wentworth Parent/Teacher Association), Ms. MacGrath concurred with the concerns put forward by the previous speaker regarding the strain the Glenbourne development will place on already crowded classrooms in the Rockingham area.

As a resident of the Mainland North community, Ms. MacGrath questioned the appropriateness of placing high-density development in close proximity to the waterways which are located in this part of the City. In this context, she noted that while most of the City's lakes (and, in particular, Kearney Lake) are very heavily used, the City has done very little to ensure that suitable amenities such as parking and toilet facilities are also provided. On that basis, therefore, Ms. MacGrath questioned the impact of an additional 3,000 people, many of whom will undoubtedly wish to make use of nearby lakes.

On another but related matter, Ms. MacGrath also expressed concern that some residents of Glenbourne will wish to access other lakes (such as Quarry Lake and Susie Lake) on foot, and will therefore take to walking across the Bicentennial Highway, causing considerable danger to themselves and to passing motorists.

In closing, Ms. MacGrath indicated that she strongly opposed the use of an open waterway as a storm sewer run-off. She went on to point out that, in her opinion, stormwater should **not** be diverted to any natural waterway, particularly in this instance where the run-off will empty into Washmill Lake, and then into Little Kearney Lake (a natural watershed area).

Mr. Archie Hattie, Vice President of the Annapolis Basin Pulp and Power, addressed Council to extend his appreciation to City staff and to the residents of Mainland North for their assistance and cooperation with regard to the Glenbourne proposal.

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

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, 29 July 1993), and that, in the interim, staff develop a report in response to the concerns raised during this evening's meeting.

The motion was put and passed.

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There being no further business to be discussed,
the meeting was adjourned at approximately 10:00 p.m.

DEPUTY MAYOR WALTER FITZGERALD
CHAIRMAN

*K

HEADLINES

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
29 July 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. Following the Lord's Prayer, a moment of silence was held in memory R. Romkey, a former Director of Finance and Acting City Manager of the City, and Inspector Gordon Haley, who both passed away this past week.

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

Her Worship Mayor Ducharme, on behalf of members of Council, welcomed Alderman Elect Pat Pottie who was present in the public gallery. Mayor Ducharme noted that Alderman Elect Pottie will be sworn in on August 18, at a special Council to be called prior to Committee of the Whole on that date.

Halifax Commons - 230th Anniversary

Her Worship advised that tomorrow, July 30th, is the 230th anniversary of the Halifax Common. She noted that there will be a special declaration on the steps of City Hall on July 30th at noon to mark the 230th anniversary of the granting of the Commons.

Statement - Sexual Assault

Before proceeding with the regular agenda, Her Worship Mayor Ducharme read and circulated to the press a statement concerning sexual assault crimes in the City. In her remarks, Mayor Ducharme advised that the Halifax Police

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Department, other community agencies, and concerned individuals are responding in partnership as they work to curb this wave of criminal activity.

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 Award of Tender 93-33: Sidewalk Renewal
- 20.2 Award of Tender 93-32: Sidewalk Renewal and Curb and Gutter Renewal
- 20.3 Approval of Funds to Reinstall SCOOT Loops
- 20.4 Extension - Acting City Manager
- 20.5 Stage II Approval - Clayton Park West Phase 2
- 20.6 Commemoration - J. Albert Walker (Alderman Hanson)
- 20.7 Saint Mary's University Huskies Stadium - Contract

The City Clerk noted that a request was received to add an item relating to a "request for assistance from the Hugh MacLennan House Society". He advised that this item is not proposed to be added at this time, but noted that an information report has been circulated dated 28 July 1993 pertaining to the request.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that the agenda, as amended, be approved.

Motion passed.

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DEFERRED ITEMS

Appointment - Police Commission

This item was deferred to this meeting from the last meeting of City Council held on 15 July 1993.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that this matter be deferred to the next meeting of Halifax City Council to be held on Thursday, 26 August 1993.

Motion passed.

Case No. 6708 - Development Agreement (2222 Brunswick Street)

A public hearing into this matter was held on 21 July 1993.

A report from Beverley Miller, Vice-Chair, Heritage Advisory Committee, dated 23 July 1993 was submitted.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that City Council approve the application for development agreement at 2222 Brunswick Street (also known as 5429 Cornwallis Street), lands of St. George's Church, to permit its use as a school.

The City Clerk noted that Aldermen Meagher and Jeffrey were not in attendance at the public hearing relating to this matter and were therefore ineligible to participate in the vote.

Motion passed with Aldermen Meagher and Jeffrey abstaining.

Case No. 6511: Stage 1 Approval, Schedule "K" - Glenbourne

A public hearing into this matter was held on 21 July 1993.

A supplementary staff report dated 27 July 1993 was submitted.

A letter dated 26 July 1993 from Tom Swanson, P.Eng., Alderney Consultants (1987) Ltd., was also submitted.

Alderman Stone addressed the item and pointed out that the application was for a stage 1 conceptual plan agreement and that there will be more detail involved in the stage 2 approval. He went on to note that submissions were

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presented to Council at the public hearing on July 21 and added that he wished to submit at this time the following correspondence he received since the public hearing: a letter dated 29 July 1993 from Anne E. MacMillan, Past President Ward 12 Community Association; and a letter dated 22 July 1993 from Dr. T. Michael Vallis and Dr. Janice L. Howes, residents of 8 Beechwood Terrace wanting to make sure that their property is not involved in the Wedgewood sewer connection. Alderman Stone noted that this request was presented to the developer who indicated that this would be the case.

Alderman Stone went on to note that the residents along Glenn Drive bordering the Wedgewood Ravine spoke at the public hearing and indicated that they were quite satisfied to accept the proposal. He added that the developer has had a series of meetings both with the public and with the people who abut this development to try to address as many concerns as possible. The Alderman further noted that the supplementary report also addresses a number of concerns and, as well, concerns are addressed in the report from the consultants. Alderman Stone concluded that the developer is prepared to meet on an on-going basis to continue to address the concerns and will meet with staff to have more detailed input before stage 2 approval.

Alderman Stone referred to the correspondence received from the past president of the Ward 12 Community Association expressing concern about the parkland that is proposed particularly Park W. He noted that the letter encourages Council to approve the parkland and the development of this parkland as soon as possible.

MOVED by Alderman Stone, seconded by Alderman Hanson that:

1. The application by Annapolis Basin Pulp & Power Company Limited under Schedule "K", Section 68 of the Land Use Bylaw, mainland area, for Stage I approval of the Glenbourne development including the City lands north and east of the development site, be approved by City Council.
2. The land transaction between the City of Halifax and Annapolis Basin Pulp & Power Company Limited generally as shown on Sketch 3 attached to the staff report dated 14 June 1993, be approved by City Council subject to approval of proposed land use of the City lands by the Minister of Municipal Affairs.
3. City Council approve the acquisition of Lot 1A, containing 18,425 sq. ft., from Donald Hogan Investments for the net price of \$10.00 per sq. ft. (\$184,250) and that a new capital account be

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authorized to charge the purchase to, subject to reimbursement of this account from the proceeds of the sale of the surplus lands identified in the supplementary staff report of 27 July 1993.

4. The following cost sharing formula be approved by City Council subject to detailed cost estimates being reviewed and approved by City Council at the time of Stage II approval:
 - (a) 50/50 for the oversize, off-site trunk sanitary sewer;
 - (b) for collector streets in accordance with the oversize street cost sharing policy with a maximum sharing on 1660 feet of park frontage and additional consideration where the road directly abuts Bicentennial Highway;
 - (c) in the amount of 75 percent of the costs of building a stormwater retention facility at the large pond to a maximum of \$250,000.
5. Council authorize the oversizing of the trunk sanitary sewer to provide service for possible future development of 1900 acres west of the Bicentennial Highway within City boundaries.
6. Council authorize the designation of \$277,000 within the capital budget for the next eight years for the purposes of cost sharing within this development with the appropriate amount of these funds being drawn from the oversize street and sewer accounts.
7. Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk noted that Aldermen Meagher and Jeffrey were not in attendance at the public hearing relating to this matter and were therefore ineligible to participate in the vote.

Motion passed with Aldermen Meagher and Jeffrey abstaining.

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authorized to charge the purchase to, subject to reimbursement of this account from the proceeds of the sale of the surplus lands identified in the supplementary staff report of 27 July 1993.

4. The following cost sharing formula be approved by City Council subject to detailed cost estimates being reviewed and approved by City Council at the time of Stage II approval:
 - (a) 50/50 for the oversize, off-site trunk sanitary sewer;
 - (b) for collector streets in accordance with the oversize street cost sharing policy with a maximum sharing on 1660 feet of park frontage and additional consideration where the road directly abuts Bicentennial Highway;
 - (c) in the amount of 75 percent of the costs of building a stormwater retention facility at the large pond to a maximum of \$250,000.
5. Council authorize the oversizing of the trunk sanitary sewer to provide service for possible future development of 1900 acres west of the Bicentennial Highway within City boundaries.
6. Council authorize the designation of \$227,000 within the capital budget for the next eight years for the purposes of cost sharing within this development with the appropriate amount of these funds being drawn from the oversize street and sewer accounts.
7. Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk noted that Aldermen Meagher and Jeffrey were not in attendance at the public hearing relating to this matter and were therefore ineligible to participate in the vote.

Motion passed with Aldermen Meagher and Jeffrey abstaining.

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PETITIONS AND DELEGATIONS

Petition Alderman Adams Re: Members of the Taxi Industry

Alderman Adams submitted a petition at this time signed by approximately 504 owners and operators of taxis in the City of Halifax stating that they strongly support the regulated limitation on taxi owner and driver licenses. The petition stated that there are an average of 692 licensed taxis, annually, for 114,445 residents of Halifax and that the City of Dartmouth has regulated limitation on 200 taxis for a population of 67,498.

The owners and operators in their petition also stated that they have to work extra long hours for little economic return and that, consequently, they are under continuous stress leading to family breakups, suicides and heart attacks. In view of this grave situation, they urgently requested a regulated limitation on taxis based upon the ratio set in Dartmouth.

Alderman Adams also submitted information from concerned cab drivers in respect of this matter.

Alderman Adams indicated that he would like to have this information forwarded to the Taxi Commission for recommendation and, as Chairman of the Taxi Commission, he indicated that he would attempt to schedule an early date for a meeting to deal with this matter.

**Petition Alderman Jeffrey Re: Capital Works Project
- Borden Street**

Alderman Jeffrey submitted a petition at this time dated 22 July 1993 from approximately 17 residents of Borden Street against the proposed project (curb and gutter and street paving as well as sidewalks on Borden Street) and declare their intention known to City Council by signing this petition.

Petition Deputy Mayor Fitzgerald Re: Traffic on Larch Street

Deputy Mayor Fitzgerald submitted a petition at this time from approximately 48 residents of Larch Street requesting that City Council take immediate action to reduce the speed of traffic on Larch Street. In submitting this petition, the Deputy Mayor asked that the Traffic Authority review the situation.

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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, 7 July 1993, as follows:

Outstanding Citizen Awards - Proposed Committee

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

WHEREAS it is appropriate from time to time that the City of Halifax honour outstanding citizens and non-citizens who may have rendered great services to the City;

AND WHEREAS it is appropriate that there should be a system or method whereby nominations for this honour are made and people selected in a proper and organized way for this honour;

THEREFORE, BE IT RESOLVED THAT a Committee of Council be appointed to look into this question and to report back to Council with a recommendation on how to approach this question. The Committee should seek outside advice from organizations or people familiar with the honour systems when preparing its recommendation.

And, further, that the Committee be comprised of the following members of Council: Alderman Meagher, Chairman; Alderman Holland, Alderman Crowley, and Her Worship Mayor Ducharme.

Motion passed.

Alderman Meagher indicated that he would call the first meeting of the Committee.

**Report: Election Procedures Task
Force Re: Ward Boundaries**

This matter was forwarded without recommendation to Council.

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Alderman Crowley addressed the matter and noted that, further to the Committee of the Whole Council meeting on July 21 regarding the ward boundary changes, she met with staff and the respective Alderman and discussed the necessary figures and changes. In her remarks, Alderman Crowley advised that boundary changes require a spirit of cooperation and adjustment throughout the City and Ward 11 has had to make some shifts. She noted that she was personally saddened at the thought of losing any constituents in the process. However, in order to meet the guidelines of the Election Procedures Task Force, Alderman Crowley stated the following changes:

- changing the northern boundary line between proposed Wards 6 and 9 from the rail line to Micmac Street as far as Bayers Road;
- then, instead of the division line between George Dauphinee Avenue, that it extend from MicMac down Bayers Road to the rail cut up to Mumford Road to Chebucto Road;
- between Wards 8 and 9, the line be moved slightly north of St. Margaret's Bay Road to follow the rail lines and rear property lines of Keating and St. Margaret's Bay Road to the rotary
- Regatta Point would also be in Ward 9.

The Chairman noted that there was also a recommendation from Committee of the Whole that the present boundaries for Wards 1 & 2 remain.

It was therefore MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that the present boundary for Wards 1 and 2 remain and that all of the proposed suggestions be referred back to the Election Procedures Committee for comment.

Alderman Hanson indicated that he had no difficulty with the proposed changes presented by Alderman Crowley.

The Chairman suggested that the matter would go back to the Election Procedures Committee with the proposed recommendations and that they would come back to Council for a final recommendation for the final boundaries.

A discussion ensued and, in response to a question from the Deputy Mayor, the Acting City Solicitor clarified that the City would make an application to the Public Utilities Review Board in respect of the proposed changes. The Acting City Solicitor added that the process would be that the matter would go to the Election Procedures Task Force to review the suggestions made by Council and that the matter would then come back to Council to approve an application being made to the Board.

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In addressing the matter, Deputy Mayor Fitzgerald pointed out that the proposed changes were minor.

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

**Resolutions - FCM National Board
of Directors Meeting**

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the following three (3) resolutions be forwarded to the Federation of Canadian Municipalities for consideration at the FCM's September 1993 meeting:

(1) Federal Social Housing Programs

WHEREAS the Federal Minister of Finance has announced that no new federal commitments will be made to the Non-Profit Housing Program, the Rural and Native Housing Program, the Residential Rehabilitation Assistance Program, the Emergency Repairs Program and the Rent Supplement Program effective January 1, 1994,

AND WHEREAS these programs have provided affordable housing for scores of Canadians,

AND WHEREAS these programs have assisted in the elimination of slum housing in the urban areas of Canada,

AND WHEREAS there remains in Canada people who will require assistance under these programs in order to obtain decent affordable housing,

THEREFORE BE IT RESOLVED THAT the FCM request an immediate meeting with the federal Minister in charge of Housing and the Federal Minister of Finance and policy officials of the Canada Mortgage and Housing Corporation to discuss the future of social housing programs.

(2) Official Language Education

WHEREAS there are a significant number of students in the school systems throughout Canada whose first language is neither English nor French,

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AND WHEREAS the majority of such students are the children of people who have come to Canada under the immigration policies of the Federal Government,

AND WHEREAS the Federal Government has encouraged immigration of people who, due to their financial resources, are able to make an immediate financial contribution to the country,

AND WHEREAS it is difficult for students who are not fluent in either English or French to benefit from local education services until they receive special assistance in one of Canada's official languages,

AND WHEREAS the cost of providing such language assistance made necessary by Federal immigration policy now rests with local school boards and municipalities,

BE IT THEREFORE RESOLVED THAT the FCM ask the Federal Minister of Finance to provide financial assistance to school boards who are providing English or French as a Second Language program to children whose mother tongue is another language.

(3) Young Offenders Act

WHEREAS the incidence of crime and especially serious crime committed by people under 19 years of age is on the increase,

AND WHEREAS children under the age of 12 are increasingly involved in crimes due, in part, to their knowledge and the knowledge of older accomplices that they are not subject to legal sanctions;

AND WHEREAS children under the age of 12 are seriously interfering with the conduct of education in the schools and are ganging up on other children and, on occasion, adults,

AND WHEREAS the penalties for older teenagers involved in serious crimes are woefully inadequate to deter other young offenders,

THEREFORE BE IT RESOLVED THAT the FCM request the Federal Government to extend the application of the Young Offenders Act to children under age 12 who have the capacity to understand right and wrong, and to increase the penalties to which older teenagers would be subject for the commission of serious and especially violent crimes.

The motion was put and passed.

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**Enactment of Ordinance 185,
the False Alarm Bylaw**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Ordinance Number 185 (as attached to the staff report of 13 July 1993) be approved in principle; and further, that staff be instructed to arrange for its formal introduction for adoption by City Council.

Alderman O'Malley addressed the matter and expressed various concerns with respect to the proposed ordinance. The Alderman expressed concern that the citizens of the City who have taken the trouble and gone to the expense of installing various types of alarm systems in their homes, will not know that they now have to register with the Police Department as a result of the ordinance their alarm device. Alderman O'Malley also expressed difficulty with the fact that, under this ordinance, persons will not be allowed to have an automatic dialing device that would dial the police. She added that, if anyone does have any type of automatic dialing device, they are subject to a fine that could amount to \$2000. The Alderman expressed the concern that this fine was very excessive and reiterated her concern that the persons who have alarm systems are being penalized.

A short discussion followed with Alderman Stone suggesting that the Police Department consider allowing the automatic dialing device with the condition that the alarm go to "others" first, as opposed to the Police Department. He further suggested that the person would only be penalized when the false alarm goes to the Police Department.

The motion was put and passed.

Devonshire Rink

MOVED by Alderman O'Malley, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, \$50,000 be transferred from the Hartlen Playground account to the Devonshire Rink account in order to carry out priority repairs/replacement as outlined in the staff report of 12 July 1993.

The motion was put and passed.

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Mainland Common Servicing - Transfer of Funds

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, \$150,000 be transferred from Saint Mary's (Boat Club) Account #97058 to Mainland Common Account #97013 to allow for servicing lands for facility development.

The motion was put and passed.

Write-Off of Accounts

A supplementary staff report dated 26 July 1993 was submitted.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, under Section 184 of the City Charter 1963, City Council excuse the City Treasurer from collection of monies due to the City, as summarized in the staff report dated 8 March 1993, and authorize the write-off of \$607,699.75 less the payments as outlined in the supplementary staff report of 26 July 1993.

During a short discussion, Deputy Mayor Fitzgerald referred to one particular case with respect to the McCully House. He noted that it was understood that the Province, contingent upon a commitment of funds by the Federal Government, would donate \$100,000 for the restoration of the McCully House. The Deputy Mayor pointed out that this amount had to be written off as the Federal Government did not make the commitment. Deputy Mayor Fitzgerald indicated that he would like to have a follow-up in respect of this grant and suggested that Her Worship Mayor Ducharme pursue this matter.

In response to a question from Alderman Stone, the Chairman indicated that it was her understanding the payments listed in the supplementary report would be deducted from the original amount of \$607,699.75.

The motion was put and passed.

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COMMITTEE ON WORKS

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 7 July 1993, as follows:

Traffic on Allen Street and Monastery Lane

This matter was forwarded to Council without recommendation.

Alderman Meagher addressed the matter and, referring to an information report previously submitted dated 19 July 1993, expressed his difficulty with the situation at the Quinpool Centre. Alderman Meagher referred to the original agreement which was signed by the City and Willowgate noting that, at that time, the traffic was to be directed towards Quinpool Road. The Alderman expressed the view that if the sign was reinstated directing traffic onto Quinpool Road, it would resolve a great number of problems for the residents on Allen Street. Alderman Meagher went on to request that staff, on behalf of City Council, approach the owner of the Quinpool Centre to ask that he restore this sign. In his remarks, the Alderman pointed out that this was the only shopping centre with its traffic pouring into a residential neighbourhood.

MOVED by Alderman Meagher, seconded by Alderman Holland that staff approach the owners of the Quinpool Centre to request that, in goodwill to the neighbours, they reinstall the no right-hand turn sign which was located originally at the Quinpool Centre channelling traffic onto Quinpool Road.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from a meeting held on Wednesday, 7 July 1993, as follows:

Halifax Windjammers - Request for Assistance

A private and confidential report dated 29 July 1993 was submitted.

A letter dated 28 July 1993 from Walter O. Newton, President, Halifax Windjammers, was also submitted.

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Deputy Mayor Fitzgerald addressed the matter and with reluctance MOVED, seconded by Alderman Adams that, as recommended by the Safety Committee, the City of Halifax not advance a loan guarantee to the Halifax Windjammers.

In response to a question previously raised by Deputy Mayor Fitzgerald, the Acting City Solicitor advised that when the matter first arose, Mr. Newton's approach initially as he understood it was for a loan guarantee. He noted that this was what he had communicated to Mr. Smith, Director of Finance, and in turn was what Mr. Smith discussed with Mr. Newton.

The Acting City Manager, in response to another question previously raised by Deputy Mayor Fitzgerald as to whether the City has a legal authority to make a loan or guarantee a loan, explained that the City has the authority to make a grant. He added that it would be his view that if the City could approve a grant, then perhaps there is no reason why the City could not approve a grant subject to conditions. Mr. Anstey suggested that the condition could be that it be repaid under certain circumstances which in effect is a loan.

Following a debate with many of the concerns being reiterated as raised at the last Committee of the Whole Council meeting, the motion was put and passed with seven (7) members of Council voting for it and three (3) voting against it as follows:

- FOR: Deputy Mayor Fitzgerald, and Aldermen Holland, Downey, Meagher, O'Malley, Adams, Crowley, and Stone.....7
- AGAINST: Aldermen Meagher, Hanson, and Jeffrey..... 3

Alderman Jeffrey retired from the meeting at this time.

Use of Toxic Chemicals (Referral to Staff for Assistance)

A letter received 28 July 1993 from J. William LaValley, M.D., Medical Wellness Centre of the Maritimes, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Safety Committee, this matter be forwarded to staff for a report.

In moving the motion, Deputy Mayor Fitzgerald referred to the presentation by Dr. David Patriquin at the last Committee of the Whole Council meeting. He noted that Dr. Patriquin made some very reasonable requests by

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recommending the following: that, as a minimum, the City require all users of pesticides to post their properties the day before spraying and while they're spraying; that all users of pesticides have the appropriate safety and health data on hand; that commercial users maintain a list of pesticides that are used; that the City provide a publicized means of safe disposal for the unused or partly used pesticides; and that the City actively encourage people to use alternatives or to explore what they are using. The Deputy Mayor asked that staff, in preparing their report, consider the minimum standards put forth by Dr. Patriquin.

The motion was put and passed.

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

**Amendment to Ordinance 116, the Taxi Ordinance,
Re: Increase in Tuition Fees - Driver
Education Course (SECOND READING)**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 15 July 1993. Following is the recommendation from the meeting of the Finance and Executive Committee, held on Wednesday, 21 July 1993:

(1) that staff be requested to comment on the feasibility of providing funding to the Halifax Taxi Commission for the development of English fluency tests; and that

(2) the City Manager be asked to report on methods by which the suggested \$500 tuition fee for the driver education program can be reduced.

A supplementary report, dated 27 July 1993, was submitted.

MOVED by Alderman Adams, seconded by Alderman Holland that:

- (1) the Taxi Commission receive approval to spend \$13,810.00 as an addition to their budget under Section 201(1), "Authority to Overspend," with the funds to be recovered through a tuition fee of \$275.00 per participant; and further, that
- (2) City Council approved Second Reading of the proposed amendment to Ordinance 116 as outlined in the supplementary staff report of 27 July

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1993; namely, that the tuition fee for the taxi and limousine driver education course be set at \$275.00 per participant.

Alderman Stone indicated that, in his opinion, the tuition fee suggested by the 27 July report was still rather exorbitant, and indicated that he would have to see an itemized list of the expenditures proposed to be covered by these fees before he could support the motion. The Alderman therefore proposed that the matter be deferred until this information could be considered by City Council.

Concurring with Alderman Stone's remarks, Alderman Downey expressed concern that a tuition fee of this magnitude would serve to prevent many individuals already receiving welfare or unemployment insurance from obtaining their taxi licenses. On another but related matter, the Alderman made reference to a petition which had been submitted at an earlier point in the meeting, and suggested that if Council is going to consider the feasibility of license limitation, it seemed pointless in his view to proceed with a driver education course at this point in time.

Alderman Adams, speaking as Chairman of the Halifax Taxi and Limousine Commission, pointed out that the revenues obtained from the program's tuition fees are intended to cover the development of English fluency tests (estimated at approximately \$6,150.00) as well as related administrative and secretarial costs. He went on to point out that the Commission, through cooperation with Tourism RITC, has done its best to keep these costs at a minimum, and emphasized that, given the other costs which are faced by new taxi operators (e.g., vehicle and insurance costs), \$275.00 should not represent a major obstacle to anyone wishing to enter the taxi industry.

Referring in particular to Alderman Downey's comments regarding the petition in support of license limitation, Alderman Adams indicated that he was more than willing to introduce a motion that both operator and vehicle licenses be frozen for the next five years. He pointed out, however, that as much as he was prepared to take this step, he doubted whether at this point in time he could obtain a seconder for that motion.

Her Worship Mayor Ducharme observed that the motion currently on the floor is intended only to increase the amount of the program's tuition fee, not necessarily to direct that a driver education course be scheduled.

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

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PLANNING COMMITTEE

Council considered the report from a meeting of the Planning Committee held on Wednesday, 21 July 1993, as follows:

Case No. 6523: Implementation Policy 3.14

Following is the recommendation from the 21 July meeting of the Planning Committee:

That the matter be deferred to afford staff an opportunity to meet with Mr. Leo Tsmiklis, owner of the Dawn Street property in question, and to devise a mutually-acceptable solution to the problem.

Given Alderman Macdonald's absence from tonight's meeting, it was moved by Alderman Meagher, seconded by Alderman Downey that the matter be deferred to the next regular meeting of Committee of the Whole Council **scheduled for WEDNESDAY, 18 AUGUST 1993.**

The motion to defer was put and passed.

**Case No. 6434: Development
Agreement - 2344-50 Hunter Street**

This matter had been forwarded to Council without recommendation.

Alderman Meagher advised that, having discussed the matter with Mr. Michael Hanusiak of the City's Development and Planning Department, he has concluded that the changes proposed by the developer to the property at 2344-50 Hunter Street are relatively minor.

It was therefore moved by Alderman Meagher, seconded by Alderman Downey that a development permit be issued to permit the construction of a four-unit building at 2344-50 Hunter Street.

The motion was put and passed.

**Case No. 6767: Amendment to Development
Agreement - Melville Ridge**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Committee, City Council amend the amending agreement dated 28 June 1991 for

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Phase IV between Melville Ridge Holdings Limited and the City of Halifax to extend the completion date to 31 December 1996.

The motion was put and passed.

**Increase of Height Precinct
- 5222-30 Tobin Street**

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Planning Committee, City Council amend Zoning Map ZM-17 for the purpose of increasing the height precinct on the property located at 5222-30 Tobin Street to 75 feet.

The motion was put and passed.

Vimy Avenue Apartment Site

Following is the recommendation from the 21 July 1993 meeting of the Planning Committee:

That staff be asked to investigate the cost of acquiring the Vimy Avenue site and to report back to City Council before its next regular meeting **scheduled for Thursday, 29 July 1993.**

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

MOVED by Alderman Stone, seconded by Alderman Holland that staff be asked to investigate the cost of acquiring the Vimy Avenue site and to identify a source of funds for this purpose.

In putting forward this motion, Alderman Stone suggested that a land swap be considered as a means of acquiring some or all of the funding necessary for the acquisition of this property.

The motion was put and passed.

New City Hall Offices

Following is the recommendation from the 21 July 1993 meeting of the Planning Committee:

That the special meeting of Committee of the Whole Council to discuss the proposals for new City Hall offices originally scheduled for

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Tuesday, 27 July 1993, be cancelled and RESCHEDULED to **Wednesday, 25 August 1993 at 1:30 p.m. in the Council Chamber, Halifax City Hall.**

Additional correspondence, dated 26 July 1993, was received from Mr. Peter J.E. McDonough, solicitor for Mr. Robert Stapells, asking that the 25 August meeting date be revised.

MOVED by Alderman Holland, seconded by Alderman Downey that a special meeting of Committee of the Whole Council (to discuss the proposals for new City Hall offices) be scheduled for 13 SEPTEMBER 1993 at 1:30 p.m. in the Council Chamber, Halifax City Hall.

The motion was put and passed.

NOTE: During "Question Period," Alderman Stone asked that members of Council be canvassed as to the feasibility of changing the time of the 13 September meeting to 7:00 p.m.

MISCELLANEOUS BUSINESS

Appointments

A memorandum, dated 29 July 1993, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Adams, seconded by Deputy Mayor Fitzgerald that the following individuals be appointed to the Economic Development Task Force established by Halifax City Council on 29 June 1993:

**Mr. Ivan Duvar, President/CEO
Maritime Tel & Tel**

**Mr. Bill Ritchie, President
Keltic Investments**

**Mr. Bob Shaw, President
Clayton Developments**

**Ms. Liz Crocker, Owner
Woozles Ltd./P'Lovers**

**Mr. Nick Carson, Manager
Prince George Hotel**

**Ms. Pat Bowers, Vice President
SHL Systemhouse Inc.**

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**Mr. Dennis Linton
Toronto Dominion Bank**

**Mr. Iain McAllister
Dalhousie University**

**Admiral Peter Cairns
(or his designate)**

The motion was put and passed.

File #93-138: Firefighters Bunker Clothing

A staff report, dated 26 July 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that the purchase of firefighters bunker clothing (File #93-138) be awarded to the lowest bidder, Safety Supply Canada, at the tendered unit price of \$749.53 and proposed raw materials increase, if necessary, not to exceed \$44.94 per annum (funds to be made available in Account Number 25315.0257 titled "Uniforms Clothing - Current, Special Items").

The motion was put and passed.

File # 913571 - Paper Tender: Annual Usage (Approximately 9 Million Sheets)

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that File #913571 (Paper Tender - Annual Usage) be awarded to Unisource Canada Inc., the lowest bidder) at the prices indicated in the staff report dated 21 July 1993 (funds to be made available from various account numbers).

The motion was put and passed.

**Consultant Services - Whimsical Lake
Sanitary Sewer Renewal**

A staff report, dated 20 July 1993, was submitted.

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

- (1) approve the appointment of **Jacques Whitford and Associates Ltd.** to undertake a geotechnical investigation for the Whimsical Lake Sanitary

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Sewer Renewal at an estimated cost, including GST, of \$10,000.00; and

- (2) approve funds from Capital Budget Account No. 9140-93019, "Whimsical Lake Sanitary Sewer Renewal."

The motion was put and passed.

QUESTIONS

**Question Alderman Adams Re: Municipal
Regulations Pertaining to "Unsightly Premises"**

Alderman Adams made reference to a property located on Mayor Avenue in Ward 7 which, in his opinion and that of many of the neighboring residents, is unsightly. The Alderman went on to point out, however, that despite the fact the building has been boarded up for a considerable period of time and the yard is unkempt, the property still manages to meet the City's minimum requirements in terms of property maintenance.

Under the circumstances, therefore, Alderman Adams asked that staff be directed to review the current definition of "unsightly premises" so that (a) measurable entities are included and (b) the potential for discretionary decision-making by City inspectors is reduced. In this context, the Alderman referred to the Town of Bedford's recent undertaking with regard to the length of lawn grass, and suggested that staff contact that municipality for further information, particularly with regard to enforcement measures.

At the same time, Alderman Adams asked that a City inspector be directed to examine the Mayor Avenue property and to identify various maintenance-related factors that could be addressed under a new definition of "unsightly premises."

**Question Alderman Adams Re:
Use of Layton Road by Trucks**

Alderman Adams reported that a number of heavy trucks appear to be using Layton Road (off Herring Cove Road) as a short-cut to destinations in other parts of Ward 7. Emphasizing that Layton Road is essentially a residential street, the Alderman asked that the Traffic Authority consider erecting signs to prohibit all truck traffic on this roadway, with the exception of local delivery vehicles.

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**Question Alderman Adams Re:
Licensing of Cats**

Alderman Adams advised that he has received a number of inquiries as to why the City of Halifax does not require that cats, like dogs, be licensed. He acknowledged that several staff reports on the matter had previously been submitted to Council, but asked that a "Readers Digest" version of staff's rationale in this matter be made available.

**Question Alderman Adams Re:
Ball Diamonds - Halifax Commons**

Alderman Adams made reference to the siting of certain of the ball diamonds (in particular, Numbers 4, 6 and 10) on the Halifax Commons, pointing out that, when the sun is shining, it is often very difficult for the batter to see the ball. The Alderman went on to note that a recommendation had previously been made that the Commons be redesigned, and asked for information as to whether a more suitable re-positioning of these diamonds is intended to be included in this redesign process.

**Question Alderman Adams Re:
Leiblin Park Area - Damage to Sidewalks**

Alderman Adams advised that the Halifax Water Commission (through a sub-contractor) is now in the process of replacing various water lines in the Leiblin Park area. The Alderman noted that he had been contacted by a resident of the area who reported that a truck belonging to this sub-contractor had done considerable damage to one of the neighborhood's sidewalks.

Emphasizing that, in his view, the City should not have to assume responsibility for repairs, Alderman Adams asked that staff investigate this situation and ascertain whether such damage is covered by the Commission's contract with its sub-contractor.

**Question Alderman Adams Re:
Vehicles Assigned to City Supervisors**

Alderman Adams made reference to the fact that the vehicles assigned to supervisors in the City's Engineering and Works Department are very heavily used in both the winter and summer months, usually under adverse conditions. He therefore asked for information as to the feasibility of supplying four-wheel vehicles to these individuals, rather than the two-wheel variety that are currently purchased.

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**Question Alderman Adams Re:
Tot Lot - Corner of Forbes and Lynnet Road**

Alderman Adams made reference to the tot lot located at the corner of Forbes and Lynnet Road, and requested that Recreation Department staff assess the site in terms of the equipment that is presently provided.

On another but related matter, Alderman Adams noted that the properties surrounding the tot lot contain swamp land full of stagnant water and, in addition, are littered with a considerable amount of rubbish and other discarded materials. The Alderman therefore requested that staff inspect this area, and that letters be forwarded to the property owners in question asking that this refuse be removed as quickly as possible.

**Question Alderman Downey Re:
Letter to Mr. William Mont from City of Halifax**

Alderman Downey made reference to a letter recently forwarded by City staff to Mr. William Mont instructing him to remove his vessel within a specified period of time. The Alderman emphasized that, in his opinion, City Council has not yet reached a decision in this matter, and suggested that the instructions to Mr. Mont be delayed until Council returns from its summer recess on Wednesday, 18 August.

The Acting City Manager pointed out that, in forwarding this letter, staff had been responding to Council's stated refusal to renew Mr. Mont's lease. Mr. Anstey went on to note, however, that if Council wished to have these instructions rescinded, it could do so through a formal motion.

**Question Alderman Downey Re: Provincial
Government Job Creation/Job Training Programs**

Alderman Downey made reference to recent announcements by the new Provincial Government pertaining to the creation of new jobs, and asked that Her Worship Mayor Ducharme obtain information from Premier Savage as to whether there will be job creation or job training programs targeted for the City of Halifax.

**Question Alderman Stone Re:
Baseline Survey - Susie Lake Area**

Alderman Stone made reference to the considerable amount of development that is now scheduled for Mainland North, particularly in the vicinity of the Bicentennial Highway. The Alderman went on to note that, during the

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1993/94 budget review process, an amount of money had been set aside for the purposes of hiring a consultant to undertake an environmental baseline data survey of the Susie Lake area.

Alderman Stone expressed concern that this survey had not yet been undertaken, particularly given the timing of the proposed development, and asked staff either to contract with an appropriate consultant for this work as quickly as possible, or to provide information as to when this survey can be undertaken.

Question Alderman Stone Re: Special Meeting - New City Hall Offices

Alderman Stone made reference to an item considered during an earlier point in tonight's agenda, and asked if consideration could be given to scheduling the requested special meeting of Committee of the Whole Council at 7:00 p.m., rather than at 1:30 p.m.

Her Worship Mayor Ducharme indicated that Council members could be canvassed for their comments in this regard.

Question Alderman Crowley Re: Cemetery - Mumford Road

Alderman Crowley reported that she has received a number of calls regarding the cemetery on Mumford Road, particularly from the perspective of dogs running loose and litter being thrown into the brook that feeds into this site.

The Alderman asked that the situation be investigated (specifically as to whether signs could be erected advising that all dogs must be leashed), and also requested that information be provided as to those responsible for the maintenance of this cemetery.

Question Alderman Crowley Re: Street Improvements

Alderman Crowley requested information as to the number of times a street can be sealcoated and the criteria used to determine whether a roadway should be repaired in this manner or resurfaced. In putting forward this request, the Alderman noted that it has been brought to her attention that some streets have received sealcoating on a number of occasions, giving rise to the question as to whether it would have been less expensive and more effective to simply resurface.

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**Question Alderman O'Malley Re:
Intersection of Lady Hammond Road/Windsor Street**

Alderman O'Malley advised that she is receiving an increasing number of calls regarding visibility problems at the intersection of Windsor Street and Lady Hammond Road where traffic exits from the MacKay Bridge. Noting that it is often very difficult to see cars coming off the Bedford Highway, the Alderman asked for information from the City's Traffic Authority as to whether a left-hand arrow could be added to the traffic signals at this intersection.

**Question Alderman O'Malley Re: Federally-
Owned Site (Corner of Robie Street/Normandy Drive)**

Alderman O'Malley made reference to the fact that the property at the corner of Robie Street and Normandy Drive, owned by the Federal Government, is now up for sale with the building located at that site slated for demolition.

Alderman O'Malley asked for information from staff as to the zoning of this property, the uses that would be permitted under that zoning designation, and whether the City of Halifax has any interest in acquiring the site.

**Question Alderman O'Malley Re:
Letter from Mr. Gregory Arab, By-Design Screen Print**

Alderman O'Malley advised that a letter had recently been forwarded to Her Worship Mayor Ducharme from Mr. Gregory Arab of By-Design Screen Print, a small business owner who has suffered considerable losses as a result of the Buskers Festival.

Her Worship advised that a response to this letter was in the process of being drafted, and assured Alderman O'Malley that a copy of that response, as well as Mr. Arab's letter, would be distributed to members of Council for information purposes.

**Question Alderman Meagher Re:
Priority Projects - Capital Budget**

Alderman Meagher submitted a list of projects (itemized as "Table 2" in a previously-submitted staff report), and asked that staff re-assess the urgency of this work. The Alderman went on to note that, in particular, the sidewalks in the Duncan and Summit Street areas are in poor condition, which causes special problems for the senior citizens and those with physical disabilities who live in these neighborhoods.

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**Question Alderman Meagher Re:
Snowplowing - Streets with Boulevards**

Alderman Meagher indicated that every year requests are made to have City crews plow the snow on boulevarded streets (e.g., Connaught Avenue and Robie Street) **away** from the sidewalks and onto the boulevards, thereby keeping driveways free from obstruction. Emphasizing that this is a chronic complaint that has not yet been resolved, the Alderman asked for a report from staff of the City's Engineering and Works Department as to whether this approach can be taken in future snow removal operations, perhaps by assigning one or two individuals to the removal of snow on boulevarded streets.

**Question Deputy Mayor Fitzgerald
Re: Captain William Spry Centre**

Deputy Mayor Fitzgerald asked for an update from staff as to the court case pertaining to the Captain William Spry Centre.

**Question Deputy Mayor Fitzgerald
Re: Metropolitan Authority's Incinerator**

Deputy Mayor Fitzgerald made reference to the large number of materials which can now be recycled and, on that basis, asked for information as to what is intended to be burned in the Metropolitan Authority's new incinerator.

**Question Deputy Mayor Fitzgerald
Re: Information - Halifax District School Board**

Responding to a question from Deputy Mayor Fitzgerald, the Acting City Manager advised that the requested information concerning the Tower Road School, St. Francis School, and two junior high schools has indeed been received from the Halifax District School Board. Mr. Anstey went on to note that he had subsequently drafted a response to City Council, but had forwarded that draft some 3-4 days ago to Dr. Young with a request that the facts contained therein be verified. The Manager indicated that this information will be distributed to members of Council as soon as it is returned from the School Board.

On other School Board-related matters, Mr. Anstey advised that a report is now being prepared and will be made available in time for the 18 August meeting of Committee of the Whole Council.

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Question Deputy Mayor Fitzgerald

Re: Hugh MacLennan House (1583 South Park Street)

Deputy Mayor Fitzgerald made reference to the Information Report recently received regarding the Hugh MacLennan House, and asked that staff keep Council apprised of the fund-raising efforts in this regard.

Question Deputy Mayor Fitzgerald

Re: Raccoons

Deputy Mayor Fitzgerald made reference to the fact that problems pertaining to raccoons are continuing throughout the City. Noting that he has received several calls from residents who have experienced difficulties acquiring the necessary cages, the Deputy Mayor asked for information from staff as to the number of cages which are available through the City of Halifax and, given the extent of the raccoon "problem," whether additional units should be purchased.

Question Alderman Holland

Re: Tree - Lucknow Street

Alderman Holland indicated that he had been led to believe that for every tree cut down by the City, two more would be planted. He went on to make reference to a very large tree located on the west side of Lucknow Street, just south of Fenwick, which has been cut to a distance of approximately 10-15 centimetres from the ground.

Alderman Holland advised that he had not been able to see any signs of a replacement tree, and asked for information from staff as to when this planting would take place.

ADDED ITEMS

Award of Tender #93-33: Sidewalk Renewal

A staff report, dated 23 July 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that City Council award Tender #93-33 (Sidewalk Renewal) to Ocean Contracting Ltd. for the unit prices quoted, a total bid price of \$137,145.50 and a total project cost of \$164,000.00 (funds to be authorized from Account Numbers 92727, 92699, and 92722, "Sidewalk Renewal").

The motion was put and passed.

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**Award of Tender #93-32: Sidewalk Renewal
and Curb and Gutter Renewal**

A staff report, dated 26 July 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that Tender #93-32 (Sidewalk Renewal and Curb and Gutter Renewal) be awarded to **Ocean Contracting Ltd.** for the unit prices quoted, a bid price of \$61,518.00 and a total combined project cost of \$75,000.00 (funding to be authorized from Account Numbers 92703, 92732, and 92719, "Sidewalk Renewal").

The motion was put and passed.

Approval of Funds to Reinstall SCOOT Loops

A staff report, dated 27 July 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Adams that Council authorize staff to obtain bids to reinstall the City's inoperative SCOOT vehicle detector loops, and that \$20,000.00 be reserved in Capital Account #91518 (Traffic Signal Loop Detectors) to complete that reinstallation work.

While speaking in support of the motion, Deputy Mayor Fitzgerald asked for further information from staff as to the manner in which weather conditions damage these vehicle detector loops.

The motion was put and passed.

Extension - Acting City Manager

This matter had last been discussed during a regular meeting of Halifax City Council held on 3 June 1993.

A memorandum, dated 28 July 1993, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Stone, seconded by Alderman Adams that the appointment of **Mr. Wayne Anstey** as Acting City Manager be extended to 30 September 1993 or until such time within that period that a new City Manager is appointed.

The motion was put and passed.

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Stage II Approval - Clayton Park West, Phase 2

A staff report, dated 28 July 1993, was submitted, together with an Information Report, dated 29 July 1993, from Mr. Daniel F. Gallivan, Chairman of the Halifax Industrial Commission.

MOVED by Alderman Stone, seconded by Alderman Meagher that City Council:

- (1) grant Stage II approval under Schedule "K" of the Land Use Bylaw (Mainland Area) to Phase 2 of Clayton Park West, as shown on Plan Nos. P200/19376 and P200/19378;
- (2) approve the cost-sharing formula for Lacewood Drive extension and the interim pumping system as detailed in the draft agreement attached to the staff report of 28 July 1993;
- (3) approve the sharing of 25 percent of the cost of the semi-permanent pumping system proposed for future phases of Clayton Park West.

The motion was put and passed.

Commemoration - J. Albert Walker

This matter had been added to the agenda at the request of Alderman Hanson, who made reference to the work that has been undertaken over the last several months to commemorate the contributions made by former Alderman J. Albert Walker.

Alderman Hanson went on to advise that he has discussed the matter at some length with members of staff, members of the Ward 8 community, and the Walker family, all of whom support the concept of naming a municipal facility in honor of Mr. Walker.

It was therefore moved by Alderman Hanson, seconded by Alderman Meagher that staff be authorized to take immediate action to designate the Cowie Hill recreation facility in memory of former Alderman J. Albert Walker and that this designation be carried out in an appropriate manner to include an official ceremony and the erection of appropriate signage.

In seconding this motion, Alderman Meagher suggested that consideration also be given to mounting a picture of the former Alderman (complete with an inscription describing Mr. Walker's contribution to the Halifax

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community) at some location within City Hall, perhaps on the wall of one of the committee rooms.

Her Worship indicated that Alderman Meagher's suggestion would be looked into.

The motion was put and passed.

**Saint Mary's University
Huskies Stadium - Contract**

A staff report, dated 29 July 1993, was submitted.

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

- (1) City Council authorize the Mayor and City Clerk to sign the contract with Saint Mary's University for up to four hundred hours (400) of facility time at a cost of eighty dollars per hour plus GST (\$80.00/hour + GST); and that
- (2) payment of seventeen thousand four hundred and sixty-seven dollars and fifty cents (\$17,467.50) be paid 31 July 1993, and the remaining balance, up to an amount of seventeen thousand four hundred and sixty-seven dollars and fifty cents (\$17,467.50) be paid on 1 December 1993, with funds being available in Account Number 01-22606-4032-43927 (Recreation - Sport and Subsidies).

Alderman Meagher asked for information from staff as to whether the City of Halifax is eligible for any GST rebates in this regard.

The motion was put and passed.

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

HER WORSHIP MAYOR MOIRA DUCHARME
CHAIRMAN

MS*K

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**SPECIAL CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
18 August 1993
1:30 p.m.

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

The meeting opened with Her Worship Mayor Moira Ducharme leading members of City Council and those in the public gallery in a recitation of the Lord's Prayer.

PRESENT: Her Worship Mayor Moira Ducharme, Chairman; and Aldermen Holland, Downey, Adams, Hanson, Jeffrey, and Stone.

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

Special Election Results - Ward Six

The City Clerk advised that, in accordance with the provisions of the Municipal Election Act with respect to the election for Alderman for Ward Six of the City of Halifax, the following returns apply:

Blair Stephen Beed	612
Gay Pottie	410
Patrick Pottie	732

Mr. Pottie was therefore declared the duly elected Alderman for Ward Six for a term to expire October 1994.

The Honourable Mr. Justice David MacAdam administered the Oath of Allegiance and of Office to Mr. Pottie and presented him with the Aldermanic Medal. The Council scroll was then signed by Alderman Pottie.

Special Council
18 August 1993

Appointments, Committees, Boards, and Commissions -
Alderman Patrick Pottie

MOVED by Alderman Jeffrey, seconded by Alderman Holland that Alderman Patrick Pottie be appointed to the following committees, boards, and commissions:

Arbitration Committee
Board of Health
Elections Procedures Task Force
Halifax Forum Commission
Halifax Natal Day Committee
Board of Police Commissioners - City of Halifax

Motion carried.

Her Worship then offered congratulations to Alderman Pottie and invited Alderman Pottie, his family, members of City Council, and staff to her office for a brief reception.

At 1:40 p.m. the meeting adjourned.

HER WORSHIP MAYOR MOIRA DUCHARME
CHAIRMAN

/sm

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**SPECIAL COUNCIL
PUBLIC HEARING
MINUTES**

Council Chamber
Halifax City Hall
18 August 1993
7:30 P. M.

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

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

PRESENT: Deputy Mayor Fitzgerald, Chairman; and Aldermen Holland, Downey, Pottie, Adams, Hanson, and Stone.

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

ADDED ITEMS

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

Award of Tender 93-24: New Paving Borrett Avenue

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Committee on Works, Tender #93-24 New Paving - Borrett Avenue for the project, materials and services listed for the unit prices quoted at the total bid price of \$56,850.00 and a total project cost of \$68,000.00 be awarded to K.C. MacPhee Contracting.

Motion carried.

Award of Tender 93-08: New Sidewalk and Asphalt Overlay

MOVED by Alderman Hanson, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-08 for the project, materials and services listed for the unit prices quoted at a total bid price of \$127,290 and a total project cost of \$153,000 be awarded to Standard Paving Maritime Limited, the lowest responsible tender meeting all tender criteria.

Motion carried.

**SPECIAL COUNCIL
18 AUGUST 1993**

Centennial Arena Ice Machine

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, staff be authorized to advance funds from the City Equipment Replacement accounts up to an amount of \$50,000 to permit purchase of an ice surfacing machine by the Centennial Arena Commission, with the amount to be repaid over five years plus interest.

Motion passed.

**Case No. 6716: Peninsula North (Area 4) -
SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Planning Committee, a public hearing date be set to consider the adoption of amendments to the Municipal Development Plan and land use bylaw (as contained in Appendix I of the 9 August 1993 report from the Planning Advisory Committee) for Area 4 of Peninsula North.

The motion was put and passed.

The City Clerk advised that the recommended public hearing would be set for Wednesday, 22 September 1993, at 7:30 p.m. in the Council Chamber.

**Case No. 6759: Development Agreement - 16 Dentith Road
SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Planning Committee, a public hearing date be set to consider the application for a development agreement to permit an amusement centre for a maximum of 20 machines at the South Centre Mall, lands of Devan Properties Ltd., 16 Dentith Road.

The motion was put and passed.

The City Clerk advised that the recommended public hearing would be set for Wednesday, 22 September 1993, at 7:30 p.m. in the Council Chamber.

**SPECIAL COUNCIL
18 AUGUST 1993**

**Case No. 6764: Development Agreement (Lot Modification) -
6275-77 Duncan Street SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Planning Committee, a public hearing be set to consider the application for a development agreement (lot modification) to permit three units at 6275-77 Duncan Streets, lands of Ramzi and Catherine El-Tawil.

The motion was put and passed.

The City Clerk advised that the recommended public hearing would be set for Wednesday, 22 September 1993, at 7:30 p.m. in the Council Chamber.

PUBLIC HEARINGS

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

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

Mr. Gary Porter, Planner, addressed Council and outlined the proposed housekeeping amendments to the existing land use bylaws for the peninsula and mainland portions of the City as contained in the staff report of 27 May 1993. In his presentation, Mr. Porter noted that the purpose of these amendments is to provide continuous and incremental improvement to the existing bylaws so that they remain effective. He further noted that the Planning Advisory Committee is recommending approval of the proposed amendments as outlined in their report to Council of 30 June 1993.

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

MOVED by Alderman Holland, seconded by Alderman Stone that City Council amend the land use bylaw by adopting the amendments attached to the staff report of 27 May 1993.

Motion passed.

**SPECIAL COUNCIL
18 AUGUST 1993**

**PUBLIC HEARING RE: Case No. 6667: Proposed Amendments to the
Land Use Bylaw - Overhanging Signs in C-2A Zone**

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

Mr. E.B. Algee, Development Officer, addressed Council and outlined the proposed amendments to the peninsula and mainland portions of the Land Use Bylaw for the purpose of permitting overhanging signs in the C-2A (Minor Commercial) Zones. Mr. Algee provided background information as contained in the staff report of 16 March 1993 and advised that staff is recommending that the proposed amendments be approved. He further noted that the Planning Advisory Committee is recommending approval of the proposed amendments as outlined in their report to Council of 28 June 1993.

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

MOVED by Alderman Holland, seconded by Alderman Downey that the mainland and peninsula portions of the land use bylaw be amended to include the following provisions:

59D(3) Peninsula
38D(3) Mainland

"A single signboard (illuminated or otherwise) may be placed upon and perpendicular to the front of a building for the purpose of identifying the proprietor or nature of the business permitted therein. Such signboards shall be located immediately above the ground floor windows and shall not exceed 12 square feet (1.12m²) in area on a single surface. A maximum of two such signboards shall be permitted for any building regardless of the number of uses contained therein."

Motion passed.

**PUBLIC HEARING RE: Case No. 6669: Appeal of Minor Variance
Approval - Lot B, Crown Drive**

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

A staff report dated 22 July 1993 was submitted with attached letters of appeal from area residents.

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Mr. E.B. Algee, Development Officer, addressed Council and advised that on 20 January 1993, Mr. Allan Silverman made application for a minor variance of the lot area requirement of the Land Use Bylaw to permit construction of a two unit dwelling on Lot B, Crown Drive. He added that the application was reviewed and, on 25 May 1993, was approved. Mr. Algee further advised that on 11 June 1993, a number of area residents appealed this decision. He then went on to outline the location of the property in question and details of the variance as contained in the staff report of 22 July 1993.

In response to a question from Alderman Stone with respect to the concern raised in a letter to the City that the proposed building would come within 4 feet of the property line, Mr. Algee pointed out that the sideyard requirement was 5 feet.

Alderman Stone went on to question whether, because of the slope of the land, it would be difficult to build on the site in question.

In response, Mr. Algee noted that there was no question that the site was a difficult one. However, he indicated that it would certainly not be impossible to build on and that there were likely many examples around the City where there were lots as bad or worse which have been developed.

Mr. Alan Silverman, applicant, addressed Council and provided information about the variance in question. He began his remarks by noting that the property in question has been owned by his family for over 30 years and that they have owned other properties in the area which have subsequently been sold. Mr. Silverman added that during the past 25-30 years in regard to this particular Lot B, they have been waiting along Crown Drive for services to come by the City. He noted that there were no services on this section of Crown Drive and that his latest information from the Engineering Department is that there will not be any services in the foreseeable future. Mr. Silverman indicated that this was why they have requested the variance in order to build a duplex. He went on to note that they are forced to bring the services personally at their own expense up from the St. Margaret's Bay Road.

Mr. Silverman advised that there is in fact an easement already granted in their neighbour's deed, Mr. Hockey. He added that Mr. Hockey had purchased his property knowing full well that there was an easement on his property. Mr. Silverman went on to note that after many years of waiting for services, they have decided that it is finally time to go ahead and develop this little piece of land. He

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added that it was one of the few vacant pieces of land remaining in the entire area.

Mr. Silverman proceeded to describe the neighbourhood and the types of buildings in the neighbourhood. In his description, he explained that within the area in question, there existed duplexes, triplexes, commercial, single family, and all types of buildings. Therefore, he expressed the view that his proposed duplex would not interfere with the character of the neighbourhood in any way.

During his presentation, Mr. Silverman expressed the view that traffic was not an issue nor the values of properties. He advised that there was an extreme possibility that he would be living in the proposed building and that the other half would be rented. Mr. Silverman indicated that he would like to build an attractive building of good quality and one that would be an asset to the neighbourhood. He went on to note that it was his intent and his architect's desire to preserve as many trees as possible.

In response to a question from Alderman Stone, Mr. Silverman advised that he is prepared to build an over and under duplex which will take up equal to the same plot area as a single family home.

Responding to a further question from Alderman Stone, Mr. Algee advised that the variance would still be required for this application even if the services did exist along Crown Drive. He explained that it would be required because the lot is undersized for a duplex in the zone.

Mr. Silverman also advised, in response to a question from Alderman Stone, that the easement to the St. Margaret's Bay Road was only for services and that the entrance and exit to his property would be from Crown Drive.

Mr. Geoff Keddy, architect for the proposed development, addressed Council and advised that over the last few days he has spent some time, particularly this morning, reviewing the site. He noted that he too was concerned about the neighbouring property owners and how close their backyards were to this particular development. Therefore, he advised that in trying to come up with a design and concept for this property, he thought it was important to try to retain as much of the existing vegetation, foliage, and trees as possible.

Mr. Keddy agreed that the site is admittedly a fairly difficult one. He noted that one asset in favour of the development is that the parking can come off Crown Drive which allows him to take advantage of the coverage of the building which will actually work out to be about 25 to 27

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percent of the site. Mr. Keddy expressed the view that the notion of the duplex made a lot of sense rather than the semi-detached which is a side by side design which would have taken up the full width of the lot, and would have entailed the destruction of more trees.

Mr. Keddy referred to the sewer easement which exists and the concern about how to get machinery in without damaging the trees along the easement. He expressed the view that, if handled carefully, there will not be any damage or minimal damage. Mr. Keddy added that because of the layout and the design, by pushing the property to the north side of the property, he has managed to maintain about 21 feet to the abutting property as opposed to the initial proposal which was for four or five feet.

Mr. Carmon Stone, 7 Glengarry Drive, addressed Council and gave a brief introduction on behalf of seven residents who he noted will be addressing Council as well. Mr. Stone indicated that his concern was primarily with the slope of the land in the area and with respect to the drainage problem. In his remarks, Mr. Stone noted that a number of years ago work was done on the street and the result of this work apparently affected the drainage patterns. As a result, Mr. Stone indicated that their residence has developed a very serious leakage problem and questioned the affect on the drainage pattern as a result of the proposed development.

Using a diagram, Mr. Stone explained that a number of years ago there used to be a stone wall which was situated between their residence and Rita Cormier's residence. He went on to explain that because of the tremendous hydraulic pressure, this wall over a period of time developed a serious buckling problem and had to be removed. Mr. Stone noted that the hydraulic problem still exists, but it has not necessarily been corrected on the slope on Lot B. He indicated that he would like to know how this concern will be addressed.

Mr. Stone also expressed concern with respect to the whole issue of a single dwelling verses a duplex dwelling. While he had no problem with a single dwelling necessarily, Mr. Stone suggested that a duplex constitutes a problem for a number of reasons. He explained that a duplex will result in a massively high wall facing the Doleman residence and the Foley resident particularly. Mr. Stone also expressed concern about having a rental unit and the question of quality and pride being taken in a rental property. He also questioned the type of retaining wall which will be established and whether there were any type of guarantees that the wall will be substantial enough to withstand hydraulic pressure.

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Ms. Kathleen Foley, 5 Glengarry Drive, addressed Council and read and submitted a presentation which outlined her concerns with respect to the proposed variance in terms of property value and environmental impact. During her presentation, Ms. Foley expressed concern about the character of the neighbourhood being affected by the variance for a duplex. She also expressed concern about the property being subsequently sold after the variance is approved, the establishment of a stable retaining wall, soil erosion, water drainage, and the destruction of trees. A copy of Ms. Foley's presentation can be found in the official file for this meeting.

Mr. Sanford Doleman, 3 Glengarry Drive, addressed Council and presented an architect's drawing from 1968 at which time he made an application to the City for a sun room. He noted that his application was refused at that time because his front yard was only 17 feet and 20 feet was the requirement. Mr. Doleman questioned whether the situation has since changed.

In response to Mr. Doleman's question, Mr. Algee advised that the requirement has been reduced from 20 feet to 15 feet.

Mr. Bill Vitale, 71 St. Margaret's Bay Road, addressed Council and, with respect to Mr. Doleman's point, noted that a few feet was very important a number of years ago when Mr. Doleman made application for minor work. With the use of a map, Mr. Vitale went on to describe the location of his house and the proposed development. Mr. Vitale expressed the concern that there are no assurances about how little destruction will be caused and suggested that there will be a considerable destruction of the habitat. Mr. Vitale then presented some pictures showing the green space and the slope. He noted that the site in question was rocky and not a good building site.

Mr. Vitale also presented a topographical map showing the contour lines and steepness of the slope. He reiterated his concern that the site in question was not a good building site and that it will be a very high structure from the back. Mr. Vitale also explained that there were other properties in the area which have large enough lots to build a duplex as of right. He noted that 3 out of 12 properties would require a variance and that the remaining 9 properties could have duplexes as of right. However, he noted that these properties have remained single family dwellings.

Ms. Susan George Otmar, 67 St. Margaret's Bay Road, addressed Council and with the use of a map described the location of her property. She indicated that her biggest concern was with respect to drainage and whether the

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construction will add to the drainage problems in the area. Ms. Otmar also expressed concern about the potential damage to trees and erosion as a result of construction. She added that the height of the proposed building was a concern to her as well as the fact that it will be a rental property. In her remarks, Ms. Otmar referred to the question of snow removal and queried where the snow will be piled from the property in question. She also expressed the concern of salt and sand from the snow running down into the neighbouring yards and causing some destruction. Noting that the easement runs through her property, Ms. Otmar further questioned whether or not her property would be returned to its former state after construction i.e. will the trees on her property and gardens be replaced.

Ms. Otmar went on to express concern about the trench which will have to be dug from the lot through the easement. She noted that both she and Mr. Hockey have the easement coming through their lawns and that there will undoubtedly be damage to their properties as a result of construction. In conclusion, Ms. Otmar indicated that her concerns were mainly with respect to the drainage problem and the high elevation of the proposed building.

Ms. Leslie Bligh, 52 Crown Drive, addressed Council and noted that her property was immediately adjacent to the lot in question. She added that their house was presently under construction and that they are spending a lot of money in this regard. Ms. Bligh went on to note that all of the homes in the immediate area are single family owner-occupied dwellings and expressed the concern about other rental properties in the area which are not being maintained.

Mr. Bill Hockey, 69 St. Margaret's Bay Road, addressed Council and read and submitted a presentation concerning the proposed variance and the development of the site in question. In his remarks, Mr. Hockey expressed concern about drainage and stability of the slope as well as the overall site coverage required by a semi-detached or a duplex. A copy of Mr. Hockey's presentation can be found in the official file for this meeting.

Alderman Holland requested a report from staff with respect to the trenching for one unit as opposed to two units.

The Chairman suggested that the questions and concerns raised tonight will be addressed in a report to Council at its next regular meeting scheduled for 26 August 1993. He added that any additional information can be submitted to Council prior to its next meeting.

Ms. Sharon Stone, 7 Glengarry Drive, addressed Council and clarified that Mr. Hockey, who spoke earlier,

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spoke from the point of view of a professional since he is an architect. She went on to note that when they had their retaining wall built behind their property a number of years ago, they were concerned with the trees on their lot and attempted to retain as many of them as possible. Ms. Stone noted that a lovely mature tree was retained; however, she advised that the tree has subsequently died from root damage.

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

MOVED by Alderman Hanson, seconded by Alderman Adams that this matter be forwarded to the next regular meeting of Halifax City Council to be held on 26 August 1993 without recommendation and that a staff report be provided in response to the questions and concerns raised during this hearing.

Motion passed.

PUBLIC HEARING RE: Case No. 6750: Rezoning from C-1 to C-2A - Clayton Park Plaza Area

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

Mr. Gary Porter, Planner, addressed Council and outlined the application to rezone the Clayton Park Plaza, at the intersection of Lacewood Drive and Glenforest Drive, from C-1 (Local Business Zone) to C-2A (Minor Commercial Zone). As outlined in the staff report of 12 July 1993, Mr. Porter advised that the purpose of the rezoning is to increase the range of commercial uses which are permitted in the plaza and noted that no expansion of the building is proposed. He went on to provide an analysis of the proposed rezoning as described in the 12 July staff report.

In conclusion, Mr. Porter advised that the request to rezone the Clayton Park Plaza from C-1 to C-2A conforms with the policies of the municipal planning strategy and that staff is recommending that the application be approved.

Mr. Russell Walker, 10 Plymouth St., addressed Council as Chairman of the Ward 10 Residents Association. Mr. Walker read and submitted a presentation in opposition to the rezoning of the Clayton Park Plaza from C-1 (Local Business Zone) to C-2A (Minor Commercial Zone). A copy of Mr. Russell's presentation can be found in the official file for this meeting.

Responding to a question from Alderman Adams, Mr. Walker advised that three members of the Executive for the Ward 12 Residents Association met to review this application

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and subsequently made a decision to represent the entire Association. He added that there was not enough time to hold a meeting of the entire Association, but indicated that it was his impression the residents would be submitting a petition to City Council at its next meeting.

Mr. Douglas Bundy, Development Manager for Sobey Leased Properties Ltd., addressed Council. He began his remarks by noting that Clayton Park was built in the early 60's as a neighbourhood shopping centre and, since that time, it has become somewhat run-down. Mr. Bundy went on to note that in reviewing the location after Sobey's vacated the premises, they consequently spent in the neighbourhood of half a million dollars on the site upgrading the facade, upgrading the exterior, and marketing the site.

Mr. Bundy indicated that the uses that are being considered in this rezoning are going to draw from a similar market area that the Sobey's store marketed. He added that the site's use will not change other than having a greater selection of tenants to go after for the site to try and lease it. Mr. Bundy also noted that there will be no physical changes to the building and that they were not asking for anything other than to have a level playing field with the competition, the Fairview Business District.

Mr. Bundy went on to address the liquor license issue noting that they have made inquiries about acquiring a liquor license. He confirmed that they are not permitted to establish a lounge in this area. However, Mr. Bundy noted that they are allowed to establish a dining room.

In summary, Mr. Bundy pointed out that they have spent a lot of money on this site. He also noted that Alderman Macdonald had met with him on several different occasions asking that something be done with the site after Sobey's had vacated the area.

In response to a question from Alderman Stone, Mr. Bundy advised that they have no intention to locate a bowling alley or a theatre on the site.

Responding to a further question from Alderman Stone, Mr. Bundy indicated that they have a fitness centre interested in locating in the site which is their main reason for making the application for a change in the zoning.

MOVED by Alderman Stone, seconded by Alderman Hanson that this matter be forwarded to the next regular meeting of Halifax City Council to be held on 26 August 1993 without recommendation.

Motion passed.

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At approximately 9:15 p.m., there being no further business to discuss, the meeting adjourned.

DEPUTY MAYOR WALTER FITZGERALD
CHAIRMAN

EDWARD A. KERR
CITY CLERK

/MS

HEADLINES

ADDED ITEMS:

Award of Tender 93-24: New Paving Borrett Avenue...565
Award of Tender 93-08: New Sidewalk
and Asphalt Overlay.....565
Centennial Arena Ice Machine.....566
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SET DATE FOR PUBLIC HEARING566
Case No. 6759: Development Agreement -
16 Dentith Road SET DATE FOR PUBLIC HEARING566
Case No. 6764: Development Agreement
(Lot Modification) - 6275-77 Duncan Street
SET DATE FOR PUBLIC HEARING.....567

PUBLIC HEARINGS:

PUBLIC HEARING RE: Case No. 6713: Mainland Land Use
Bylaw - Housekeeping Amendments #7567

PUBLIC HEARING RE: Case No. 6667: Proposed Amendments
to the Land Use Bylaw -
Overhanging Signs in C-2A Zone.....568

PUBLIC HEARING RE: Case No. 6669: Appeal of
Minor Variance Approval - Lot B, Crown Drive.....568

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C-1 to C-2A - Clayton Park Plaza Area.....574

CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
26 August 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. Following the Lord's Prayer, a moment of silence was held in memory of Alfred ("Alf") S. Hamshaw, a former Alderman with the City of Halifax who passed away this past week. Mr. Hamshaw represented Ward 12 from 1979 to 1989.

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

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

Recognition: Iona Allen, Gold Medallist
(Canada Summer Games)

Her Worship left the Chair and approached the podium (with the Deputy Mayor assuming the Chair) and on behalf of City Council presented Ms. Iona Allen with a scroll in recognition of her accomplishments at this year's Canada Summer Games. In her remarks, Her Worship noted that Ms. Allen won three gold medals and one silver medal in various swimming events.

Presentation: Five Year Service Award
- Mr. Eric MacDonald

Her Worship advised that the Canadian Corp of Commissioners is honouring Mr. Eric MacDonald, one of the City's Commissioners, for five years of service as a Commissioner. Her Worship then presented Mr. MacDonald with a pin to mark the occasion.

Her Worship returned to the Chair with the Deputy Mayor assuming his usual seat in Council.

J. Albert Walker Playground

Her Worship advised that it was one year ago today that former Alderman J. Albert Walker passed away. She pointed out that earlier this evening, members of Council observed a service where a plaque was unveiled naming a playground in Cowie Hill after the former Alderman. She added that the Alderman had been a member of the Recreation Commission and the Forum Commission and therefore it seemed appropriate to honour his memory in this manner.

MINUTES

Minutes of the special City Council meeting held on Wednesday, 21 July 1993 and of the regular City Council meeting held on Thursday, 29 July 1993 were approved as circulated on a motion by Alderman O'Malley, seconded by Deputy Mayor Fitzgerald.

APPROVAL OF THE ORDER OF BUSINESS
ADDITIONS AND DELETIONS

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

- 20.1 Streets Improvements
- 20.2 Roof Repair - 2229 Brunswick Street
- 20.3 Tender 93-165 - Computer Network Hardware (Supply Only)

MOVED by Alderman Jeffrey, seconded by Alderman Holland that the agenda as amended be approved.

Motion carried.

DEFERRED ITEMS

Appointment - Police Commission

This matter had been deferred from the 29 July 1993 meeting of City Council.

Noting that members of Council had not yet met with Her Worship on the subject, it was MOVED by Deputy

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Mayor Fitzgerald, seconded by Alderman Downey that this matter be deferred to the next special meeting of City Council, scheduled for Wednesday, 8 September 1993.

Motion carried.

Case No. 6669: Appeal of Minor Variance
Approval - Lot B, Crown Drive

A public hearing into this matter was held on 18 August 1993.

A supplementary staff report dated 24 August 1993 was submitted.

The following correspondence was submitted:

- A letter dated 25 August 1993 from Sara Silverman per Allan J. Silverman.
- A letter dated 25 August 1993 from W.B. Hockey, B. Arch., MEDS, 69 St. Margaret's Bay Road, Halifax, N.S., B3N 1J8.
- A letter dated 24 August 1993 from Barbara Dearborn, 71 St. Margaret's Bay Road, Halifax, N.S. B3N 1J8.
- A letter dated 20 August 1993 from Geoff Keddy, MRAIC, Geoff Keddy & Associates Architecture and Interior Design, Halifax, N.S.

Alderman Hanson addressed the matter and noted that the residents who spoke at the public hearing were of the view that this application is not minor and that it would create an infringement on their privacy. He pointed out that one of the important points expressed at the hearing was that the residents were not anti-development, however they believed this particular application was excessive. Alderman Hanson indicated that after thoroughly reviewing the matter, he also shared this view and advised that he felt the best proposal for the property would be for an R-1 use, which is permitted and which would conform to the immediate area.

MOVED by Alderman Hanson, seconded by Alderman Adams that the decision of the development officer be overturned and the application for a minor variance of the lot size requirement for Lot B, Crown Drive be refused.

The City Clerk noted that the following members of Council were not in attendance at the public hearing relating to this matter and were therefore ineligible to

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participate in the vote: Her Worship Mayor Ducharme, and Aldermen Meagher, O'Malley, Jeffrey, Macdonald, and Crowley.

The motion was carried with Alderman Holland voting in opposition and Aldermen O'Malley, Jeffrey, and Crowley abstaining.

**Case No. 6750: Rezoning from C-1 to C-2A
- Clayton Park Plaza Area**

A public hearing into this matter was held on 18 August 1993.

A petition containing 68 signatures in opposition to the application to rezone the Clayton Park Plaza from C-1 to C-2A, received in the City Clerk's Office on 26 August 1993, was submitted.

Alderman Stone addressed the matter and advised that at the public hearing concern was expressed about the possibility of another facility being constructed such as a lounge, bowling alley, or theatre, if the rezoning is approved. He noted that although it would allow for other possibilities, the applicant has been quite clear that his intention was to only have a fitness centre.

With respect to the concern about the possibility of a lounge, Alderman Stone noted that he checked with staff and was advised that a lounge would not be permitted if it was rezoned C-2A. He pointed out that there is a lounge in the same area, however, it is zoned as a "nonconforming" use which means that if the lounge area was nonexistent for six months it could not be rebuilt.

Alderman Stone went on to add that, in spite of the petition presented, there doesn't seem to be a real concern in the neighbourhood. He indicated that the only concern seems to be about the possibility of other facilities, however the applicant has given his assurance that he intends to build a fitness centre. In this regard, Alderman Stone advised that he had no difficulty in supporting the rezoning with the understanding that it is to allow for a fitness centre.

MOVED by Alderman Stone, seconded by Alderman Hanson that the application to rezone the Clayton Park Plaza, at the corner of Lacewood Drive and Glenforest Drive, from C-1 (Local Business Zone) to C-2A (Minor Commercial Zone) be approved.

Alderman Holland addressed the matter and, noting that Alderman Macdonald was unable to attend this meeting to speak against the proposal, indicated that he concurred

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with Alderman Macdonald and believed that he felt the wishes of the residents should be heard in this situation. Alderman Holland then questioned if there was some way that Council could specify that the rezoning would be contingent on the construction of a fitness centre only.

In response, the Acting City Solicitor advised that at this time, there is no way Council could do this. He also added that if matters such as this get appealed to the Utilities Review Board, the Board tends to look at the use which the applicant has proposed for the site in deciding whether the rezoning should proceed. Mr. Allen pointed out that the Board would not look at the other uses which could be put on the site with the rezoning.

A discussion ensued and concerns were expressed that Council could not legally bind the applicant to the proposal of a fitness centre.

Alderman Downey advised that Council has not seen any concrete plans from the applicant which detail the proposed fitness centre and, in this regard, he indicated that he could not support the motion to approve the rezoning until he saw something more substantial with respect to the applicant's proposal.

Subsequently, it was MOVED by Alderman Downey, seconded by Alderman Downey that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 8 September 1993, and that staff be requested to obtain further information from the applicant which would demonstrate their intention to construct a fitness centre.

The City Clerk advised that the following members of Council were not in attendance at the public hearing relating to this matter and were therefore ineligible to participate in the vote: Her Worship Mayor Ducharme; and Aldermen Meagher, O'Malley, Jeffrey, Macdonald, and Crowley.

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

PETITIONS AND DELEGATIONS

**Petition Alderman Jeffrey Re: Four Way Stop
- Intersection of Rosedale Avenue and Willett Street**

Alderman Jeffrey submitted a petition (with attached photographs) at this time dated 24 August 1993 from approximately 100 residents of Rosedale Avenue, Frederick Avenue, and Central Avenue concerning the number

with Alderman Macdonald and believed that he felt the wishes of the residents should be heard in this situation. Alderman Holland then questioned if there was some way that Council could specify that the rezoning would be contingent on the construction of a fitness centre only.

In response, the Acting City Solicitor advised that at this time, there is no way Council could do this. He also added that if matters such as this get appealed to the Utilities Review Board, the Board tends to look at the use which the applicant has proposed for the site in deciding whether the rezoning should proceed. Mr. Allen pointed out that the Board would not look at the other uses which could be put on the site with the rezoning.

A discussion ensued and concerns were expressed that Council could not legally bind the applicant to the proposal of a fitness centre.

Alderman Downey advised that Council has not seen any concrete plans from the applicant which detail the proposed fitness centre and, in this regard, he indicated that he could not support the motion to approve the rezoning until he saw something more substantial with respect to the applicant's proposal.

Subsequently, it was MOVED by Alderman Downey, seconded by Alderman Holland that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for **Wednesday, 8 September 1993**, and that staff be requested to obtain further information from the applicant which would demonstrate their intention to construct a fitness centre.

The City Clerk advised that the following members of Council were not in attendance at the public hearing relating to this matter and were therefore ineligible to participate in the vote: Her Worship Mayor Ducharme; and Aldermen Meagher, O'Malley, Jeffrey, Macdonald, and Crowley.

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

PETITIONS AND DELEGATIONS

Petition Alderman Jeffrey Re: Four Way Stop
- Intersection of Rosedale Avenue and Willett Street

Alderman Jeffrey submitted a petition (with attached photographs) at this time dated 24 August 1993 from approximately 100 residents of Rosedale Avenue, Frederick Avenue, and Central Avenue concerning the number

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of accidents that have occurred at the intersection of Rosedale Avenue and Willett Street over the past two years and their request for a four way stop to be placed at the intersection of Rosedale Avenue and Willett Street.

In addition, Alderman Jeffrey advised that the residents are requesting this matter be placed on the agenda of the next Committee of the Whole, scheduled for Wednesday, 8 September 1993, and the Alderman asked that staff add this item to the agenda. In this regard, Alderman Jeffrey noted that Mr. Sheldon MacDonald, a resident of Rosedale Avenue, has requested permission to address Council on this matter at the 8 September 1993 Committee of the Whole and he requested that Mr. MacDonald be contacted and informed of the time and place of the meeting.

In submitting the petition Alderman Jeffrey noted that this matter has been before Council previously however nothing has been done. He noted that there were many accidents over the past couple of years and that even last week there was an accident which required two ambulances. Alderman Jeffrey urged the Traffic Authority to take a very serious look at this matter.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 18 August 1993, as follows:

School Board Budget

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, staff be authorized by City Council to look into an improved joint committee between the School Board and the City, and report back to City Council after discussions with the Chairman of the School Board, no later than October 1993 with the Mayor to communicate with the Chairman of the School Board

Motion carried.

**Request for Payment of Account (Training)
Paul Cormier Enterprises Limited**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, approval be granted for the Payment of Account (Training) - Paul Cormier Enterprises Limited as

outlined in the 9 August 1993 staff report in the total amount of \$16,201.01.

Motion carried.

Authorization to Pay Capital Grants

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council formally approve the 1993/94 program of capital grants as indicated on the attached schedule of the 10 August 1993 staff report in the total amount of \$420,000.00, in order that payment may be made.

Motion carried.

Acquisition of Land -
Rockingstone Heights Sports Field

MOVED by Alderman Adams, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Lot 1-A be acquired from G. H. B. Holdings Ltd. for \$28,238.85; with funds being available in the Recreation Open Space Account.

Motion carried.

Acquisition of Kidston Glass Lands

A letter dated 19 August 1993 from Mr. David Harris, 5234 Cornwallis Street, Halifax, NS, B3K 5T6 was submitted.

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

1. the former Kidston Glass Lands at 2100 Brunswick Street, 2085-2099 Maitland Street, 5419-5425 Portland Place and 2103-2107 Maitland Street, be acquired for \$1,050,000, with a closing date of 30 September 1993;
2. funds be temporarily provided from operating funds via the Treasurer's Suspense Account on the understanding that if funds are not placed into the Sale of Land Account sufficient to cover this acquisition prior to the 1994-95 year end, any balance will be funded from the 1995/96 Capital Budget.

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Alderman Adams advised that, as Council was aware, for some time a similar situation has existed with 100 Leiblin Drive. He requested that staff investigate acquiring these lands (100 Leiblin Drive) in the same manner as the Kidston Lands were acquired.

Motion carried.

Acquisition of Parcel WD-9 - 75 Withrod Drive

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Parcel WD-9, 75 Withrod Drive be acquired from Mr. John Drysdale for \$5,384 with funds being available in account no. 91350, the capital account for the project.

Motion carried.

Trunked Radio System Maintenance

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to award maintenance on the radio system backbone, consoles and radios, etc. to **Motorola** at a cost of \$5,000.00 per month (A and B) increasing to \$7,600.00 per month in Year 6 with funds being available in account number 0214-80409 titled Radio Reserve. All rates are subject to escalation at the lessor of \$5 or CPI.

Motion carried.

Award of Tender 93-167:

Roof Retrofit - Metro Centre

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, authority be granted to award the Roof Retrofit requirements (Metro Centre) to **Semple-Gooder Roofing (Maritimes) Limited**, the lowest bidder meeting City of Halifax specifications, in the amount of \$37,300.20 with funds being available in the Account Number 22502.9133.91658 titled Buildings - Other - WTCC/MC Replace Roof.

Motion carried.

File #60369 - 48 User Runtime
License for CASIS Software

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to commit \$82,880.00, plus G.S.T., with Oracle Corporation Canada Inc. for a SUN OS 48 Users Runtime License with funds being available in the CASIS budget (Social Planning) in account #42654 titled Social Planning - Accrual.

NOTE: Cost sharing for this project is 50%-50% sharable with the Province of Nova Scotia.

Motion carried.

Hardware and Software for Network Link to Province

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authorization be granted for payment of \$9,242, plus GST, to IBM for the Purchase of the necessary hardware and software to interface with the Department of Community Services, with funding for this purchase being available in the CASIS budget (Social Planning); the funds were reserved under GL account 42654 entitled "Social Planning Accrual".

NOTE: Of this total amount, 50% (\$4,621) is reimburseable by the Province of Nova Scotia under existing cost sharing agreements.

Motion carried.

1993 Fall Debenture Funding

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Treasurer be authorized to deal with the present intention to participate in a fall 1993 debenture issue in the amount of \$8 million and to take appropriate action with respect to the issue.

Motion carried.

Expropriation of Lands - Bedford Highway Widening

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

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A supplementary staff report dated 24 August 1993 was submitted.

Alderman Stone addressed the matter noting that, at the Committee of the Whole meeting, he expressed some concern about the effect that the expropriation would have on the property of #2 Kelvin Grove, and about people being required to pay local improvement charges when their back yards are affected by local improvements.

Referring to the submitted report, Alderman Stone noted that it states that, following approved City policy, the rates of local improvement charges will be adjusted for abutters whose rear yards are affected by local improvements upon completion of the project. He indicated that he was satisfied with this, however, he felt the matter should come back to Council in a report on what kind of reductions staff are prepared to propose and to possibly look at whether rear yard abutters, who have no access and have retaining wall, should be paying local improvements.

With respect to #2 Kelvin Grove, Alderman Stone noted that the back yard of this property faces the Bedford Highway and that the widening would put the roadway through the owner's garden. With the addition of a retaining wall, Alderman Stone advised that the roadway and wall would end up coming very close to their home. The Alderman advised that it would be unfair to put a roadway so close to a house and he suggested that Council may have to consider expropriating the entire property.

Alderman Stone then presented a number of photographs of the property in question using the overhead camera and he elaborated on where the proposed retaining wall and roadway would be in relation to the house.

In concluding his remarks, Alderman Stone indicated that, in order to see the Bedford Highway widening proceed, he was prepared to move a motion approving the expropriation of three properties as outlined in the staff report.

Alderman Stone added that he would like for staff to revisit the situation of #2 Kelvin Grove and report back on:

1. identifying the location of the retaining wall;
2. how much land will be left in the back yard of the property; and
3. whether it is appropriate for Council to consider expropriating the entire piece of property.

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

1. the parcels of land listed on Attachment "A" of the 12 August 1993 staff report be expropriated by the City of Halifax for street purposes, and that offers of compensation based on appraisals as indicated on Attachment "A", be made to the owners as follows:

Owner	Size	Offer
Earle J. Petite	23.3m ²	\$ 1,254
Mersey Developments	216.9m ²	11,673
All Star Enterprises and Owner J.W. Craig	44.4m ²	2,389
George and Lody Tannous	108.8m ²	5,855

2. the Mayor be authorized to seek Orders of Immediate Possession from the Attorney General for each of the required parcels.
3. staff provide a further report with respect to the expropriation of property at #2 Kelvin Grove.

Motion carried.

Halifax Harbour Clean-Up - GIS Co-operation

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, staff be authorized to negotiate a sharing arrangement with Halifax Harbour Cleanup Inc. on a basis that it does not disadvantage the City and that the Mayor and Clerk be authorized to sign such an agreement.

Motion carried.

Temporary Hire of Technical Specialist

MOVED by Alderman Holland, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, staff be authorized to proceed in acquiring the services of the required technical specialist at a cost not to exceed \$24,000 (excluding tax) of which 50 percent is recoverable from the Provincial Government with funding

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being available within account number 22305-2227 entitled "Outside Personnel Services - CASIS Project."

Motion carried.

**Point Pleasant Park Lodge -
Request for Funding (Repairs)**

This matter was forwarded to Council pending receipt of a staff report identifying appropriate sources of funding.

A supplementary staff report dated 23 August 1993 was submitted.

Alderman Holland addressed the matter advising that the situation of the Gatekeepers Lodge at Point Pleasant Park was at the point that if repairs were not carried out immediately, it would end up costing the City more in the future.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that authorization be granted to transfer \$37,000 from unused funds account #92999 to account #91675 titled Point Pleasant Park Lodge Roof.

Alderman Stone addressed the matter indicating that he supported the idea of immediate repairs to the Lodge, however, he was concerned about where Council was obtaining the money to carry out this work. He noted that the funding comes from savings on awarded tenders and he suggested that Council consider whether it should continue to do this.

Motion carried.

Summer Meetings - Halifax City Council

It was recommended that this matter be forwarded to staff for report.

A staff report dated 24 August 1993 was submitted.

Alderman Adams addressed the matter and advised that M.L.A.'s and M.P.'s have more breaks from their duties than do Aldermen. He pointed out that he supported the idea of members of City Council having additional time off, not to neglect their responsibilities to the people they represent, but to give them a break from the regular City Council and Committee of the Whole Meetings.

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Referring to the submitted report, Alderman Adams noted that staff was recommending the possibility of either an additional two week period in the month of March or the last two weeks in December. The Alderman advised that he supported taking a two week period in March which would correspond with the spring break taken by the public schools in the Province, however he pointed out that Council already takes time off for a Christmas break,.

Alderman Adams noted that, traditionally, things slow down in the summer time and he suggested that either the first two weeks or last two weeks of July would be suitable for an additional break for Council.

MOVED by Alderman Adams, seconded by Alderman Holland that City Council take an additional break of one two-week period in the month of March of each year incorporating the spring break taken by the public schools in the Province, and that staff be requested to investigate the possibility of City Council taking a break either the first or last two weeks in July.

Deputy Mayor Fitzgerald addressed the matter and asked that should Council approve the additional time off, the Committees which Council members serve on be notified of this and that arrangements be made to coordinate the committee meeting schedules with City Council's breaks.

Her Worship noted that the City Clerk's Office make every attempt to inform Council's committees, boards, and commissions of the times when City Council is on break.

Motion carried.

REPORT - COMMITTEE ON WORKS

Council considered the report from a meeting of the Committee on Works, held on Wednesday, 18 August 1993, as follows:

**Award of Tender #93-11:
Melrose Avenue Curb and Gutter**

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Stone that Tender #93-11 (Melrose Avenue - New Concrete Curb and Cutter, and Asphalt Overlay) be awarded to Dexter Construction Limited at a total bid price of \$305,232.00 and a total project cost of \$367,000.00 (funding authorized from Account No. 91223, "New Curb and Gutter Account;" if

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required, \$67,000 is to be authorized from Account No. 92999, "Unused Funds").

The motion was put and passed.

Petition - New Paving and Sidewalk (Borden Street)

This matter had been forwarded to Council without recommendation.

Alderman Jeffrey began his remarks by emphasizing that Borden Street is one of a number of City streets which were annexed from the County and which have never been paved or provided with curb and gutter or sidewalks. The Alderman went on to note that the condition of this street, covered as it is with only crushed stone, presents a number of difficulties for abutting property owners, particularly in terms of stones being thrown onto their lawns and driveways by passing vehicles.

Referring to the presentation made by Mr. Leslie Eldridge during the 18 August meeting of Committee of the Whole Council, Alderman Jeffrey pointed out that despite the street's condition and the obvious need for upgrading, residents (many of whom are on fixed incomes) are generally opposed to the improvements suggested by the City since, in their view, they cannot afford to pay the estimated \$2,000-3000 in local improvement charges.

While sympathizing with these concerns, Alderman Jeffrey pointed out that, in his view, it is incumbent upon the City to provide adequate roadways for all its citizens and that, in circumstances such as Borden Street, upgrading should not be contingent upon the abutters' ability to contribute. In this context, he pointed to the fact that street **renewals** are not subject to local improvement charges, despite the fact that the abutters who benefit most from these improvements are often not the same individuals who paid improvement charges for the original work.

Alderman Jeffrey therefore called upon staff to research this matter further in an attempt to identify streets similar in character and condition to Borden Street, and also a method by which necessary improvements can be effected without undue financial hardship being placed on abutters.

Concurring with Alderman Jeffrey's remarks, Alderman Stone advised that, in his opinion, there are a number of streets throughout the City (Oakley Avenue in Ward 12 being one example) which are badly in need of upgrading but whose residents, because of their financial

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situations, cannot afford to pay the improvement charges. The Alderman therefore agreed that the overall policies pertaining to local improvement charges should be reviewed so that the procedure might be rendered equitable.

It was therefore moved by Alderman Jeffrey, seconded by Deputy Mayor Fitzgerald that the petition submitted to City Council on 29 July 1993 from residents of Borden Street be **tabled**, and that the proposed improvement project (new paving and sidewalk) for this street **not** proceed.

The motion was put and passed.

**Award of Tender #93-24:
New Paving - Borden Street**

This matter had been forwarded to Council without recommendation.

Referring to comments made earlier in the meeting with regard to Agenda Item 11.2 ("Petition: New Paving and Sidewalk - Borden Street"), Alderman Jeffrey reiterated that, at the present time, Borden Street residents are opposed to these proposed street improvements because of the associated local improvement costs.

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

- (a) the improvements proposed for Borden Street (Tender #93-24) **not** proceed; and that
- (b) staff review the feasibility of using a portion of the funds initially set aside for the Borden Street project for the upgrading of Hillcrest Street (between Coronation and Adelaide), specifically in terms of the installation of curb and gutter.

In putting forward this motion, Alderman Jeffrey asked that staff submit a report regarding the Hillcrest Street proposal in time for the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 8 September 1993**, adding that he hoped that a motion could go forward from that meeting to the Special Meeting of Halifax City Council scheduled for 5:00 p.m. on that day.

The City Manager advised that this item would be placed on the agenda for the 8 September Committee of the Whole meeting.

The motion was put and passed.

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**Award of Tender #93-131R: Captain
William Spry Community Centre Restoration**

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

A staff report, dated 18 August 1993, was submitted together with two Information Reports, dated 16 August and 24 August respectively (the latter being forwarded from the Acting City Solicitor).

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

- (1) authority be granted to award Tender #93-131R to **Gem Builders Limited**, the lowest bidder meeting specifications, at a bid price of \$1,490,904.00 and a total project cost of \$2,150,000.00;
- (2) Council approve the transfer of unused funds in Account No. 98002 in the amount of \$147,000.00 to Account No. 98005, and approve an increase in the Library budget by \$280,000.00 in Account No. 98005 for the expansion of the Library to be funded from savings on Capital Projects that will be closed out at the end of 1993/94; and
- (3) Council approve an increase in the funding commitment to Account No. 90005 from \$2,750,000.00 to \$3,675,000.00 in anticipation that the majority of this amount will be recovered through litigation.

The motion was put and passed.

**Award of Consultant Services:
Storm Sewer (Walton Drive)**

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

- (1) Council approve the appointment of **Porter Dillon Limited** for the preparation of engineering design, tender drawings and specifications;
- (2) the compensation to Porter Dillon Limited be made in accordance with guidelines as recommended by APENS estimated at \$48,000.00 plus G.S.T.;

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- (3) funding for payment to the consultant be authorized from Capital Account No. 94032, "Sewers General - Walton Drive Storm Sewer to Dutch Village Road;" and
- (4) Her Worship the Mayor and the City Clerk be authorized to sign the agreement with Porter Dillon Limited on behalf of the City.

The motion was put and passed.

REPORT - PLANNING COMMITTEE

Council considered the report from a meeting of the Planning Committee, held on Wednesday, 18 August 1993, as follows:

**New City Hall Offices -
Change of Meeting Date**

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, the special meeting of Committee of the Whole Council regarding the new City Hall offices (previously scheduled for Monday, 13 September) be **rescheduled** for **TUESDAY, 21 SEPTEMBER 1993** at 7:00 p.m. in the Council Chamber, Halifax City Hall.

The motion was put and passed.

MISCELLANEOUS BUSINESS

**Award of Tender #93-118: Street Improvement
Program - Barrington Street (Gerrish-Devonshire)**

A staff report, dated 5 August 1993, was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Tender #93-118, "Street Improvement Program - Barrington Street (Gerrish to Devonshire)," be awarded to **Dexter Construction Co. Ltd.** at a bid price of \$510,898.00 and a total project cost of \$613,077.00 (funds to be authorized from Account No. 91406, "Street Improvement Program").

The motion was put and passed.

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Auditor's Report - City of Halifax
Financial Statements (Peat, Marwick, Thorne)

A report, dated 23 August 1993, was submitted from E. Kirby, C.A., City Auditor General.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Audit Committee, the City of Halifax's Financial Statements for the year ended 31 March 1993 be approved, and that the Mayor and City Clerk be authorized to sign them on behalf of the City.

The motion was put and passed.

Price Agreement No. 913451: Manhole Frames
and Covers Cast From City-Owned Patterns

A staff report, dated 18 August 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that authority be granted to issue Price Agreement No. 913451 to IMP Group Limited for the casting of manhole covers and frames at the per pound prices quoted in the staff report dated 18 August 1993.

The motion was put and passed.

Leave of Absence (Alderman Vance Macdonald)

A memorandum, dated 24 August 1993, was submitted from Her Worship Mayor Moira Ducharme.

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

- (1) in accordance with Section 18(6) of the Municipal Elections Act, **Alderman Vance Macdonald** be given leave by Council to be absent from regular meetings of City Council until 30 November 1993; and that
- (2) best wishes for a speedy recovery be forwarded to Alderman Macdonald from all of his fellow Council members.

Speaking in support of this motion, both Alderman Jeffrey (Ward 9) and Alderman Stone (Ward 12) indicated that, in Alderman Macdonald's absence, they would be more

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than willing to assist with the concerns of Ward 10 residents.

The motion was put and passed.

QUESTIONS

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

Alderman Jeffrey noted that, as on previous occasions, there is now a considerable amount of grass protruding between the sidewalk slabs on School Avenue. In requesting that this situation be addressed, the Alderman also suggested that a solution be applied to the grass so that it can be permanently removed.

**Question Alderman Jeffrey Re:
Unightly Premise - Andrews Street**

Alderman Jeffrey made reference to a property located at Civic No. 7179-81 Andrews Street, and asked that staff of the City's Inspection Services Division visit the site to ascertain whether, in their view, its condition falls within the City's "unightly premises" regulations. In making this request, the Alderman also asked that staff submit their comments in the form of a written report.

**Question Alderman Jeffrey Re:
On-Street Parking - Retreat Avenue**

Alderman Jeffrey commended staff and the contractor on the street improvements recently completed to Retreat Avenue which, the Alderman noted, are very much appreciated by area residents.

He went on to advise, however, that at the present time motorists are permitted to park on both sides of the street, emphasizing that, because Retreat Avenue is extremely narrow, residents often find it difficult to exit from their driveways in safety. Alderman Jeffrey therefore requested that the City's Traffic Authority review the situation and submit his comments as to the feasibility of erecting "Parking: One-Side Only" signs on this street.

**Question Alderman Stone Re:
Rosebushes - Dunbrack Street**

Noting that he has received a number of "favorable" phone calls from residents in this regard, Alderman Stone asked that his appreciation be conveyed to

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staff of the City's Parks and Grounds Division for their efforts in trimming the rosebushes adjacent to the sidewalks on Dunbrack Street particularly in the area between Knightsridge and Kearney Lake Road.

The Alderman went on to express the view that the procedures previously developed for the systematic trimming of these shrubs appear to be working very well.

Question Alderman Stone Re:
Bicycles on Sidewalks - Dunbrack Street

Alderman Stone reported that he has received a number of complaints concerning the illegal use of bicycles on the sidewalks, particularly along Dunbrack Street in the area between the Northcliffe Recreation Centre and Knightsridge Road. Noting that most of these incidents appear to be occurring in the early evening hours (i.e., 7:00 - 9:30 p.m.), the Alderman requested that the Halifax Police Department's bicycle patrol be asked to monitor this area.

Question Alderman Stone Re:
"Quiet Signs" - Hospital Zones

Alderman Stone reported that, while visiting a friend in the Halifax Infirmary recently, he had been struck by the considerable amount of noise that emanates from the street below. Emphasizing that noise of this nature is undoubtedly an annoyance to patients who are either awaiting surgery or recuperating from it, the Alderman asked for information from staff as to whether "Quiet - Hospital Zone" signs had ever been erected around local hospitals and, if not, whether in staff's view signs of this nature would have any tangible effect on noise reduction in these locations.

Question Alderman Stone Re:
Proposal - Indoor Soccer Facility

Alderman Stone noted that local soccer organizations are presently looking for an appropriate site for an indoor soccer facility to be located somewhere within the Halifax-Dartmouth metropolitan area. Emphasizing that he would prefer that a **Halifax** site be chosen, the Alderman urged that staff bring forward their report on this matter as quickly as possible.

Question Alderman Stone Re:
Increase in UNSM Membership Fees

Responding to a question from Alderman Stone, the Acting City Manager advised that staff have reviewed

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the proposed increases in UNSM membership fees and have concluded that these increases will not cost the City of Halifax any appreciable amount (i.e., somewhere in the range of \$200).

**Question Alderman Pottie Re:
Illegal Truck Traffic - Connaught Avenue**

Alderman Pottie advised that residents are once again experiencing problems with illegal truck traffic on Connaught Avenue during the early morning hours (e.g., 5:00 - 8:00 a.m.), and asked that special police patrols be assigned to this area.

**Question Alderman Pottie Re:
Street Markings - Rainnie Drive**

Alderman Pottie noted that there are still a number of yellow and white line markings left behind on Rainnie Drive as a result of the Moosehead Grand Prix. He suggested that, since this street is in the immediate vicinity of Citadel Hill and therefore heavily frequented by tourists, staff should be asked to ascertain whether the markings could be removed.

Question Alderman Pottie Re: Oxford Street

Alderman Pottie made reference to that part of Oxford Street in the vicinity of its intersection with North, emphasizing that in this particular location there is no grassed area to separate the street from the sidewalk. As a consequence, children on their way to Oxford School find themselves in extremely close proximity not only to passing cars, but also to the buses who use the transit stop at this location.

Under the circumstances, therefore, Alderman Pottie asked staff to consider erecting a sign on the west side of Oxford (immediately following Seaforth Street), advising motorists of the presence of school children and asking for reduced speeds.

**Question Alderman Pottie Re:
Property Adjacent to St. Catherine's School**

Alderman Pottie made reference to the fact that funds had been approved in the City's 1993/94 budget for improvements to the City-owned land adjacent to St. Catherine's School. Noting that no work would appear to have been done to date, the Alderman asked for information

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from Parks and Grounds staff as to when he might expect this project to commence.

**Question Alderman O'Malley Re:
Vandalism - Ward 5**

Alderman O'Malley advised that over the last several weeks she has received a number of calls from Ward 5 residents reporting incidents of vandalism (e.g., shattered windows, cars being broken into). Under the circumstances, therefore, she asked that the Police Department be requested to increase their presence in this area of the City in the hope that future incidents of this nature might be discouraged.

**Question Alderman O'Malley Re:
Proposed Legislation - House of Assembly**

Responding to a question from Alderman O'Malley, the Acting City Solicitor advised that the City's Legal Department receives copies of all bills as they are presented in the House of Assembly. Mr. Allen went on to indicate that if any of these bills appear to have implications for the City of Halifax, staff prepare appropriate reports and submit them for Council's consideration.

**Question Alderman Downey Re:
Incident on Fuller Terrace**

Alderman Downey made reference to a recent incident involving a sexual assault on Fuller Terrace as well as to a number of other incidents of this nature which have occurred in the City over the last several months. The Alderman expressed the view that Halifax streets are becoming considerably less safer for residents, and therefore asked for information from the Chief of Police as to the status of the Halifax police force (e.g., are staff numbers down? are there vacancies to be filled? what further can be done to protect citizens who are being assaulted on the streets?)

**Question Alderman Downey Re:
Elimination of Rent Controls**

Alderman Downey made reference to the recent announcement by the Provincial Minister of Housing with regard to the lifting of rent controls, and asked for information from staff of the City's Social Planning Department as to the impact this announcement will have on

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their clients as well as on the Department's operating budget.

**Question Alderman Downey Re:
Shelter Allowance**

Alderman Downey asked for information from staff as to whether, in their opinion, the new Liberal Government has given any indication that it intends to review the matter of "shelter allowances."

9:50 p.m. - Her Worship Mayor Ducharme retires from the meeting, with Deputy Mayor Fitzgerald assuming the Chair.

**Question Alderman Crowley Re:
Bicycles on Sidewalks (Ward 11)**

Alderman Crowley advised that she had received a number of complaints (particularly from senior citizens) regarding the illegal use of bicycles on City sidewalks. Echoing Alderman Stone's earlier recommendation, the Alderman asked that the Halifax Police Department be asked to monitor the situation closely.

**Question Alderman Crowley Re:
Fence - Lloyd Fox Avenue**

Alderman Crowley made reference to a fence which has been erected on Lloyd Fox Avenue, noting that, unfortunately, a number of young children have taken to climbing over it, causing considerable anxiety to area residents who are concerned with their [the children's] safety.

In light of these safety concerns, Alderman Crowley asked that staff revisit the matter, perhaps from the perspective of erecting a different, less hazardous structure. Noting that the school year is about to begin, the Alderman further requested that this matter be investigated as quickly as possible.

**Question Alderman Crowley Re:
Retaining Wall - Site of Former Hyland Theatre**

Alderman Crowley noted that several months ago she had expressed concern regarding the hazardous condition of the retaining wall at the back of the site formerly occupied by the Hyland Theatre. Emphasizing that she is continuing to receive complaints about this structure, the Alderman asked for information from staff as to whether the

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developer, who is currently in the process of erecting an apartment building at this location, is now responsible for any repairs that may be necessary to the wall.

**Question Alderman Hanson Re:
Flooding Problems - Purcell's Cove Road**

Alderman Hanson made reference to the continual flooding problems experienced by the residents of Civic No. 320 Purcell's Cove Road. Emphasizing that this is a situation of some long standing, the Alderman asked that staff review the matter from the perspective of any new engineering techniques developed in recent years that could be used to resolve this problem.

**Question Alderman Hanson Re:
Signage - Armdale Rotary**

Alderman Hanson reported that retailers along the St. Margaret's Bay Road are continually being asked for directions to Peggy's Cove. Emphasizing that during the height of the tourist season these requests occur at least once a day, the Alderman strongly recommended that an "add-on" to the existing signs mounted at the Armdale Rotary be installed, clearly indicating the route to Peggy's Cove.

**Question Alderman Holland Re:
City-Owned Wharves**

Alderman Holland noted that, of all the City-owned wharves located around the Northwest Arm, there is one sited further down on the Peninsula side which is not equipped with a float. The Alderman went on to point out that this particular wharf is heavily used by young children getting into and disembarking from boats, and asked that staff investigate the matter.

**Question Alderman Holland Re:
Halifax Police Department's Bicycle Patrol**

Alderman Holland commended the Halifax Police Department on its "Bicycle Patrol," emphasizing that despite their relatively limited numbers, it was his view that they are doing an excellent job.

The Alderman went on to make mention of a PBS program which dealt with the Police Bicycle Patrol in operation in the City of Chicago, and suggested that Chief MacDonald consider contacting that city for further details.

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On another but related matter, Alderman Holland asked for information from staff as to what it would cost the City of Halifax to double the strength of its present police bicycle patrol.

Question Alderman Adams Re:
New Curb and Gutter Installations - Ward 7

Alderman Adams made reference to Alderman Jeffrey's earlier comments (under Agenda Item 11.2, "Petition: New Paving and Sidewalk - Borden Street") concerning the City's unpaved streets, and suggested that approximately one-third of those streets are located in Ward 7.

Noting that this situation frequently leads to flooding problems, the Alderman asked that staff contact property owners on the following streets to ascertain whether they would be in favor of having curbs and gutters installed: Sylvia, Aldergrove, Circle Drive and Schnare Street.

Question Alderman Adams Re:
Capital Works Projects - Surplus Funds

Alderman Adams noted that a certain percentage of the City's capital works projects are undertaken by City of Halifax crews. Adding that, in a number of cases, these projects are completed under budget, the Alderman asked for information as to how these surplus funds are utilized.

Question Alderman Adams Re: Eastern
Canada Intermediate "A" Fastball Championships

Alderman Adams advised that during the month of September the City of Halifax will be hosting the Eastern Canada Intermediate "A" Fastball Championships, which he described as being "some of the best ball that Halifax has seen in a long time."

Noting that all of these games will take place on the Canada Games Diamond, the Alderman asked that staff consider erecting a net behind the backstop to prevent balls from going out into the street. Emphasizing that this event is expected to attract a large number of visitors to our City, Alderman Adams also asked if one or two groundskeepers could be assigned to these Games to ensure that the field and its environs are kept in good condition for the duration of the tournament.

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9:50 p.m. - Her Worship Mayor Ducharme returns to the meeting, with Deputy Mayor Fitzgerald assuming his usual seat on Council.

Question Deputy Mayor Fitzgerald Re:
Moorings - Northwest Arm

Deputy Mayor Fitzgerald observed that, owing to the excellent docking facilities now being provided, many more boats appear to be using the Northwest Arm for mooring purposes than was previously the case. Expressing concern about the potential for over-crowding, the Deputy Mayor asked for a brief report as to whether there are regulations governing mooring procedures in this particular waterway.

Question Deputy Mayor Fitzgerald
Re: Injured Animals

Deputy Mayor Fitzgerald expressed concern that while the City provides a service for the removal of dead animals, there would not appear to be any procedures in place for dealing with those that are sick or injured. He therefore asked for comment from staff.

Question Deputy Mayor Fitzgerald Re:
Entrance to the City - Bicentennial Highway

Deputy Mayor Fitzgerald indicated that he has received a number of calls from residents concerning the condition of the various entrances to the City, particularly along the Bicentennial Highway.

The Deputy Mayor made particular reference to the intersection of the BiHi with Northwest Arm Drive, noting that there are a number of large holes at this location which could easily be filled in with some of the City's surplus fill. He further recommended that staff approach the Provincial Department of Transportation to see if a joint undertaking to beautify this area could be undertaken.

In this same context, Deputy Mayor Fitzgerald suggested that a larger, more prominent "Welcome to Halifax" sign is needed along the Bicentennial Highway in the vicinity of the turn-off to the Kearney Lake Road, and asked for a staff report on both these proposals.

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**Question Deputy Mayor Fitzgerald
Re: Parkwood Terrace**

Deputy Mayor Fitzgerald advised of a problem on Parkwood Terrace involving the installation of new sidewalks and repairs to existing ramps, adding that he would appreciate having the Acting City Manager "keep an eye" on this situation.

**Question Deputy Mayor Fitzgerald
Re: Staff Numbers**

Deputy Mayor Fitzgerald made mention of the fact that the Acting City Manager has indicated that, prior to the 1993/94 budget review process, he would be reviewing "staff numbers" and methods by which the City can reduce its costs.

NOTICES OF MOTION

**Notice of Motion Deputy Mayor Fitzgerald Re:
Proposed Ordinance 185, the False Alarm Ordinance**

This matter had last been discussed during a regular meeting of Halifax City Council, held on Thursday, 29 July 1993, at which time the proposal to adopt a bylaw to regulate alarm systems had been approved in principal.

Deputy Mayor Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on **Thursday, 16 September 1993**, he proposed to move the adoption of a bylaw (to be known as Ordinance 185, the False Alarm Ordinance), the purpose of which is to reduce the number of false alarms.

ADDED ITEMS

Streets Improvements

A staff report, dated 24 August 1993, was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that:

- (1) Council delete Capital Projects #91538 Bayers Road (Oxford-Windsor) and #91540 (Realign Intersection - Cunard/Chebucto/Windsor) from the Capital Budget;

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- (2) Council transfer \$600,000.00 from Account #91538 to Account #91406;
- (3) Council transfer \$400,000.00 from Account #91538 to Account #91410;
- (4) Council transfer \$150,000.00 from Account #91540 to Account #91410; and that
- (5) Council authorize staff to negotiate additional streets seal coating work with **Atlantic Colas Ltd.** in the estimated amount of \$150,000.00 (funds to be used from Capital Account #91410).

The motion was put and passed.

Roof Repair - 2229 Brunswick Street

A staff report, dated 25 August 1993, was submitted.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that authority be granted to spend up to \$15,000 for extra work required in the replacement of the roof structure at 2229 Brunswick Street (funds are available in Account No. 48780.8414 titled "Reserve Fund for Major Repair, City of Halifax Non-Profit Housing Society").

The motion was put and passed.

**Tender #93-165: Computer
Network Hardware (Supply Only)**

A staff report, dated 20 August 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that authority be granted to place an order with **Gandalf Canada Limited** for Part A of Tender #93-165 in the amount of \$23,112.00; and with **Tiger Data Systems Limited** for Parts B, C and D in the amount of \$14,429.19, all as outlined in the 20 August 1993 staff report (funds to be made available in Account Number 26114.8300.80435 titled "Computer Equipment - Network Expansion 146599").

The motion was put and passed.

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Award of Tenders - City Manager's Authority

This matter had been added to the agenda at the request of Alderman Pottie, who made reference to the Information Report dated 25 August 1993 entitled "Award of Tenders: 30 July 1993 - 18 August 1993."

At Alderman Pottie's suggestion, it was agreed that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council (**scheduled for Wednesday, 8 September 1993**) in order that Tender #93-118 (Street Improvement Programs), previously awarded by the Acting City Manager, can be confirmed.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 10:00 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR WALTER FITZGERALD
CHAIRMEN

sm*K

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