

**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
5 January 1994
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 the Chairman in the recitation of the Lord's Prayer.

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

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

ADDED ITEMS

At the request of the City Clerk, it was agreed that the following matter would be added to the agenda:

1546 Barrington Street (Old Infirmary Annex) - Motion to Deregister

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

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Planning Committee, a public hearing be scheduled to consider the deregistration of the property generally identified as 1546 Barrington Street and more specifically identified by LRIS Number 40385338 (as outlined on the map attached to the staff report of 22 December 1993).

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 23 FEBRUARY 1994** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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PUBLIC HEARINGS

**Public Hearing Re: Case No. 6833 - Appeal
of Minor Variance Refusal (2734 Dublin Street)**

A staff report, dated 1 December 1993, was submitted together with a petition dated 21 December 1993 from nine residents of the Dublin and Vienna Street neighborhood.

Mr. J. Michael Hanusiak, a Planner II with the City's Development Control Division, provided a brief overview of the 1 December staff report and, in particular, the Development Officer's decision to refuse the application for a minor variance at this Dublin Street location.

Mr. Hanusiak began his remarks by advising that the application in question is being pursued as a means of legalizing the use of 2734 Dublin Street as a three-unit apartment building. In this context, however, he brought to Council's attention that an identical application relating to this property had been submitted (and refused) in 1992, adding that, in staff's view, none of the circumstances surrounding either the building or its environs had changed since that time. Council was advised that one of the primary difficulties with this application is that there is a deficiency in lot area of 3771 square feet, a variance which cannot, in staff's view, be considered to be "minor." Furthermore, staff does not support the theory that the relatively compact size of the Dublin street site can adequately accommodate a three-unit apartment, particularly in terms of parking, accessory building and amenity area requirements.

Mr. Hanusiak concluded his presentation by advising that on at least two occasions the owners of this property have been convicted of illegal occupancy, adding that a petition in opposition to the application has been received by the City from nine Dublin Street residents who live in close proximity to 2734 Dublin Street.

Mr. Duff Harper, solicitor for the owners of 2734 Dublin Street, addressed Council to point out that the three separate units had existed in this building since 1974. He suggested that, because the owner had been convicted of illegal occupancy five years later, the circumstances at this address have been well known to the City for a considerable period of time.

Mr. Harper went on to advise that, when the current owners purchased the building in 1981, they had

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been given to understand that the three units were in fact permitted uses, and it was not until they were first charged with illegal occupancy in 1991 that they realized their mistake. He distributed copies of a petition signed by several property owners in the immediate vicinity of 2734 Dublin Street in support of his clients' application, and pointed out that there have never been any complaints regarding the tenants of the Dublin street apartments nor the manner in which the property has been maintained. Mr. Harper concluded his remarks by emphasizing that his clients are merely attempting to legalize an existing use (rather than to effect external changes to the building), and suggested that given the longevity of the three units at this address, their application should be evaluated using the standards in place when the building was originally converted in 1974.

Mr. Harper subsequently responded to questions from Alderman Holland.

There were no further persons wishing to address Council in this regard and no additional submissions received.

MOVED by Alderman Meagher, seconded by Alderman Downey that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 13 January 1994.

The motion was put and passed.

- (1) Public Hearing Re: Street Closure - Extension of Falkland Street and Brunswick Court
- (2) Public Hearing Re: Street Closure - Portion of Maitland Street

Staff reports, dated 16 November and 2 December 1993, were submitted with regard to the proposed closures of Falkland Street/Brunswick Court and Maitland Street respectively.

Mr. Simpson MacLeod, Supervisor of the City's Real Estate Division, with the aid of maps and diagrams, briefly reviewed the circumstances surrounding the proposed street closures. Commencing with the Maitland Street issue, Mr. MacLeod observed that that portion of the street under discussion is abnormally wide, a factor which has prompted staff to recommend that a new street line be established and that the surplus property be attached instead to the Alexandra Centre site which is now the subject of a development agreement.

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With regard to the Falkland Street/Brunswick Court matter, Mr. McLeod reminded Council that with the City's acquisition of the Kidston Glass properties, the necessity for roadways in this portion of Falkland Street/Brunswick Court has been eliminated. It is therefore's staff recommendation that these street portions be closed and that the property be consolidated with that already owned by the City as a development site.

Speaking in regard to the Maitland Street closure, Alderman Downey pointed out that this area is often used for parking purposes by the congregation of the Cornwallis Street Baptist Church, and asked if consideration could be given to establishing one-hour parking at another location.

Responding to the Alderman's concerns, Mr. MacLeod advised that this matter has already been discussed with the City's Traffic Authority and that steps will be taken to provide a revised configuration for parking in this same vicinity.

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

(1) MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the matter concerning the possible closure of the Falkland Street/Brunswick Court extension be forwarded without recommendation to the next regular meeting of Halifax City Council **scheduled for Thursday, 13 January 1994.**

The motion was put and passed.

(2) MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the matter concerning the possible closure of a portion of Maitland Street be forwarded without recommendation to the next regular meeting of Halifax City Council **scheduled for Thursday, 13 January 1994.**

The motion was put and passed.

**Public Hearing Re: Case No. 6804:
Development Agreement - 299 Herring Cove Road**

A public hearing was held at this time to consider an application by Maritime Tel and Tel for a development agreement with the City of Halifax to enable the erection of a 100 foot tower on the former's property located at 299 Herring Cove Road.

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A staff report, dated 19 November 1993, was submitted.

Mr. Gary Porter, a Planner with the City's Development and Planning Department, briefly overviewed the contents of the 19 November staff report, noting that the application has been evaluated using Section 70 of the Mainland Portion of the Land Use Bylaw with particular attention being paid to the issues of compatibility, design, and appropriateness of the site. In addition, staff have reviewed the application against the criteria established by Industrial Policy 4.6 of the Municipal Planning Strategy and, based on their findings, have recommended approval of the application.

There were no further persons wishing to address Council on this matter and no written submissions received.

MOVED by Alderman Adams, seconded by Alderman Hanson that the application for a development agreement pertaining to the lands of Maritime Telegraph and Telephone Company (299 Herring Cove Road), to permit the erection of a 100 foot non-guyed communications tower, be approved by City Council.

The motion was put and passed.

**Public Hearing Re: Case No. 6797 - Proposed
Rezoning - 314, 316 and 318 Purcell's
Cove Road and 15 Jolly Drive**

A staff report, dated 1 December 1993, was submitted.

Mr. J. Michael Hanusiak, a Planner with the City's Development Control Division, briefly reviewed the contents of the 1 December staff report. In his remarks, Mr. Hanusiak advised that the proposed rezoning is intended to permit the existing dwellings at 314, 316 and 319 Purcell's Cove Road to be serviced from the public watermain near the intersection of Wenlock Grove and Purcell's Cove Road. He went on to point out that, at the present time, these properties are part of a Holding Zone, a designation which allows only on-site water and sewer services. Mr. Hanusiak concluded his remarks by emphasizing that, should the rezoning application be approved, the residents in question intend to assume all expenses relating to the installation of an appropriate water line from the terminus of the public water main at Wenlock Grove.

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There were no additional persons wishing to address Council on this matter, and no written submissions received.

MOVED by Alderman Hanson, seconded by Alderman Adams that the properties at 314, 316 and 318 Purcell's Cove Road and 15 Jolly Drive be rezoned from H (Holding) Zone to R-1 (Single-Family Dwelling) Zone, such rezoning to include the two vacant landholdings to the immediate north of 316 Purcell's Cove Road, namely PID 271023 and 271031.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 8:05 p.m.

DEPUTY MAYOR PAT POTTIE
CHAIRMAN

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HEADLINES

ADDED ITEMS

1546 Barrington Street (Old Infirmary
Annex) - Motion to Deregister 1

PUBLIC HEARINGS

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HALIFAX CITY COUNCIL M I N U T E S

Council Chamber
Halifax City Hall
13 January 1994
8:00 p.m.

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

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

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

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

OATH OF OFFICE - CITY MANAGER, BARRY B. COOPERSMITH

Her Worship Mayor Ducharme addressed Council from the centre table with Deputy Mayor Pottie taking the seat of the Chair.

On behalf of the Council and citizens of the City of Halifax, Her Worship Mayor Ducharme asked Mr. Barry Coopersmith to take the Oath of Office for the City Manager.

Mr. Barry Coopersmith subsequently took the Oath of Office for the City Manager.

Her Worship Mayor Ducharme welcomed Mr. Coopersmith as the City Manager and wished him a long and fruitful relationship with City Council.

Mr. Coopersmith then assumed the usual seat of City Manager.

Her Worship returned to the seat of the Chair with Deputy Mayor Pottie taking his usual seat on Council.

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Before continuing with the regular agenda, Her Worship Mayor Ducharme noted that she wished to say a few words of thanks following comment from the City's new Manager, Mr. Coopersmith.

Mr. Coopersmith addressed Council and indicated that it was with great pleasure that he takes the City Manager's Oath of Office. He remarked that last September, when he and his wife came to visit Halifax, they were made to feel at home. Mr. Coopersmith added that, in the few weeks he has been here, the people of this City have welcomed him with the warmth and sincerity only found in this part of the World. He commented that both the elected and appointed officials have provided him with advice and assistance in an open and sincere manner that he has rarely encountered before. Mr. Coopersmith noted that as he walked around the offices, works yards & parks operations, it was obvious that the strength of the City's operations are the people who work here. He indicated that he felt very fortunate to be joining a team of caring, industrious, and loyal elected and appointed officials.

Mr. Coopersmith went on to note that after the growth and prosperity of the 1970's and 1980's, the 1990's have proven to be a most challenging time. He remarked that downloading by Federal and Provincial Governments have taxed the creative skills of municipal managers across Canada. Notwithstanding these challenges, he advised that it was his impression that both the Council and staff are committed to minimizing the impact of current conditions on the residents and businesses of this City. Mr. Coopersmith noted that Halifax has developed as the heart of the Maritimes in culture, business, economic, educational, and many other areas. He commented that this is a City with a world class mentality and a populous who deliver world class hospitality.

Mr. Coopersmith advised that it was with great pride and with much confidence that he accepts this opportunity to work with Council, the staff, and the people of Halifax. He noted that he looks forward to the challenges of the future and that he was confident that together a good future will be created.

Her Worship Mayor Ducharme advised that on April 10, 1993, at the request of City Council, Mr. Wayne Anstey, Q.C., City Solicitor, took up the position of Acting City Manager when Council began the search for a new Manager. Mayor Ducharme noted that the continued smooth delivery of

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services within the City is due in no small part to the professional leadership shown by Mr. Anstey during his time in the Manager's Office. Her Worship added that the City has been fortunate to have his service and noted that while he has said he learned a great deal about operations of the City of Halifax, many people, Council and staff alike, have learned a great deal about Wayne Anstey. Mayor Ducharme commented that he has shown integrity, understanding, and good judgement in the position. Her Worship added that he has also revealed a keen sense of humour which is not always apparent from the City Solicitor's Chair.

Mayor Ducharme noted that Council joins her in thanking Mr. Wayne Anstey for the excellent service he has given the City of Halifax. Her Worship then called upon the Deputy Mayor.

Deputy Mayor Pottie advised that it was with great pleasure for him to say quite clearly that Mr. Anstey certainly did take pride and care in the Office of the City Manager for the past nine months for the City of Halifax. He advised that this City Council thanks him and that he has done an incredible job. The Deputy Mayor noted that staff has certainly showed their support to Mr. Anstey 100 percent as well as Mr. Anstey showing his care for staff. On behalf of City Council, Deputy Mayor Pottie expressed thanks to Mr. Wayne Anstey for Acting as City Manager for the interim of nine months while waiting for a new Manager.

Mr. Wayne Anstey thanked City Council for the vote of thanks. He remarked that it was with some fear and trepidation when he took on the position last April. However, looking back on it, Mr. Anstey expressed his appreciation for the opportunity of being able to serve the City in a different capacity over that period of time. He further expressed his appreciation for the cooperation and help received from all members of staff and from members of City Council.

On behalf of staff, Mr. Anstey welcomed Mr. Barry Coopersmith to the City and assured him that he and all members of staff will give him the support and cooperation that he and the City and City Council deserves.

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MINUTES

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that the minutes of the special meeting of Halifax City Council held on Wednesday, 8 December 1993, and the regular meeting of Halifax City Council on Thursday, 16 December 1993 be approved.

Motion carried.

**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 93-229:
Crushed Stone, Sand and Gravel
- 20.2 Missions to Seaman (Alderman Fitzgerald)
- 20.3 Halifax County Correctional Centre
(Alderman Fitzgerald)
- 20.4 View Plane Intrusion - CFB Halifax Dockyard

At the request of Alderman Adams, Council agreed to deal with item 10.10 City Hall Review Committee Report as the first item under the Finance and Executive Committee Report.

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

- 20.5 Ogden Martin Letter of 10 January 1994
- 20.6 Dartmouth Anti-Incineration Meeting

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

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DEFERRED ITEMS

**Case No. 6833 - Appeal of Minor Variance Refusal
(2734 Dublin Street)**

A public hearing into this matter was held on Wednesday, 5 January 1994.

MOVED by Deputy Mayor Pottie, seconded by Alderman Fitzgerald that the appeal of minor variance refusal with respect to the lot area requirement of the land use bylaw to legalize an existing three unit apartment building at 2734 Dublin Street be refused and the decision of the Development Officer to refuse the application for the minor variance be upheld.

The City Clerk advised that Aldermen Jeffrey and Stone should not participate in the vote due to non-attendance at the public hearing.

Motion passed with Aldermen Jeffrey and Stone abstaining.

**Street Closure - Extension of Falkland Street
and Brunswick Court**

A public hearing into this matter was held on Wednesday, 5 January 1994.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that a portion of Falkland Street and Brunswick Court identified on Plan No. TT-49-31900 (to the staff report of 16 November 1993) be closed as a street.

The City Clerk advised that Aldermen Jeffrey and Stone should not participate in the vote due to non-attendance at the public hearing.

Motion passed with Aldermen Jeffrey and Stone abstaining.

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Street Closure - Portion of Maitland Street

A public hearing into this matter was held on Wednesday, 5 January 1994.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the closure of a portion of Maitland Street identified on Plan No. TT-49-31871 (of the staff report dated 2 December 1993) in order to consolidate this parcel with the Alexandra Centre site be approved.

The City Clerk advised that Aldermen Jeffrey and Stone should not participate in the vote due to non-attendance at the public hearing.

Motion passed with Aldermen Jeffrey and Stone abstaining.

MOTIONS OF RECONSIDERATION

**Motion Alderman Holland - Reconsideration of Council
Resolution of December 16, 1993, Re: Case No. 6756
Development Agreement - 556-558 Tower Road**

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

An information report dated 6 January 1994 was submitted.

A letter from Ms. Doreen Friis, Clerk, Nova Scotia Utility and Review Board, dated 13 January 1994 to Alderman Holland was also submitted.

At the last meeting of City Council held on 16 December 1993, Alderman Holland advised that he intended to move a Motion of Reconsideration with respect to Council's decision in respect of Case No. 6756 - 556-558 Tower Road.

Alderman Holland addressed the matter and referred to the letter noted above from the Nova Scotia Utility and Review Board noting that it states that, as far as they are concerned, Council can proceed tonight on this matter. Alderman Holland indicated that it was his intention to bring

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the matter forward and, if successfully passed, advised that he will withdraw his objection.

Before proceeding, Her Worship suggested that the City Solicitor should comment in light of the information report received dated 6 January 1994 indicting that since there was no stay of proceedings placed on the motion of reconsideration, and there were no appeals by January 12th, Council could not at this time proceed.

Mr. Anstey, City Solicitor, advised that the issue as to whether or not an appeal had been filed was certainly raised in his information report. He indicated that his broader concern as Solicitor was over the procedure. Mr. Anstey noted that up until a couple of months ago, consistently the opinion was given to Council that there is not, in staff's opinion, a reconsideration from planning matters. He went on to note that while the letter from the Nova Scotia Utilities and Review Board does address the issue as to the Alderman being able to withdraw his notice of appeal, the letter expressly does not comment on the legal implications of Council entertaining a motion of reconsideration and the validity of that position.

Following comments from the City Solicitor, Alderman Holland indicated that an appeal was filed within the time-frame and that the letter from the NS Utility and Review Board is allowing an opportunity to proceed.

MOVED by Alderman Holland, seconded by Alderman Meagher that City Council reconsider its motion of 16 December 1993 as follows:

"THAT the application for a development agreement at 556-558 Tower Road, lands of Nathan T. Allcott and Mary T. Mackenzie as outlined in the 28 September 1993 staff report be approved."

In response to a question from Alderman Stone, the City Solicitor advised that he was just aware of the one appeal (Alderman Holland's) in respect of this matter.

The motion to reconsider was put and resulted in a tie vote. As a result, the Chair, in view of the legal opinion provided, broke the tie by voting against the motion and declared the motion **defeated.**

MOTIONS OF RESCISSION

Motion Alderman Adams - Rescission of Council Resolution of
November 9, 1993, Re: Halifax Harbour Cleanup Project -
Mainland South Plan

At the last meeting of City Council held on 16 December 1993, Alderman Adams gave notice of motion of his intention to rescind Council's motion of 9 November 1993, regarding the Halifax Harbour Cleanup as follows:

"THAT City Council inform the President of the Halifax Harbour Cleanup Inc. as well as the Nova Scotia Department of the Environment that:

1. The present Mainland South section of the Municipal Development Plan has sufficient policy to control development in the backlands area in an appropriate manner;
2. No review of the Mainland South section is required at this time; and
3. HHCI should begin their re-examination of the project for Mainland South and Herring Cove with assistance provided by City staff on development scenarios under the existing Municipal Development Plan policies."

A supplementary staff report dated 12 January 1994 was submitted.

Alderman Adams addressed the matter and indicated that he had spoken with some of the members of the Williams Lake Wild Lands Group who asked to have this matter brought back before Council. The Alderman expressed his thanks to staff and the City Manager for the options provided in the report of January 12th. He noted that previous to this meeting, he had spoken with some of the members of the Committee and expressed support for option two of the staff report. Alderman Adams noted that this option will allow public input and for members of the Wild Lands Working Group to help prevent some of the things that have happened to other lakes in Halifax.

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It was therefore, MOVED by Alderman Adams, seconded by Alderman Hanson that City Council:

Table the motion of reconsideration and ask the Planning Advisory Committee to determine what aspects or matters within the Mainland South Plan, if any, should be reviewed and report back to Council.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Deputy Mayor Pottie Re:
Homeless Youths and Their Demands

Deputy Mayor Pottie submitted a petition presented to Her Worship Mayor Ducharme in support of homeless youths and their demands. He read the petition containing 400 names as follows:

"We, the undersigned, wish to express our concern about the plight of homeless youth in Halifax. The present situation, where youths are forced to live on the street while there is plenty of vacant accommodation in the City, and where youths are denied access to empty buildings by security guards and police, is outrageous and wholly unacceptable. We fully support the youths and their legitimate demands for shared, safe shelter.

We recognize that existing shelters do not meet the needs of young people and therefore we demand that, as a temporary measure, the City open the three Heritage properties on Barrington Street to them. We further demand that the City redirect resources, which are now squandered on hiring of security guards, to make these buildings safe. Finally, we demand that a shelter, run by and for youths, be created."

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The Chair noted that this was a petition presented by a group of young people yesterday to the City.

Deputy Mayor Pottie commented that while the petition does contain 400 signatures, an actual organization is not noted on the petition which will make it difficult for the City to correspond with them.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 5 January 1994, as follows:

City Hall Review Committee Report

Council agreed to deal with this item at this time during the setting of the agenda.

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

A supplementary staff report dated 11 January 1994 with attachments was submitted.

A letter from David F. Garrett, dated 12 January 1994, was also submitted.

Alderman Downey addressed the matter and noted that this item had been deferred from the last Committee of the Whole Council meeting. He noted that Council sometime ago had asked for a call for proposals and established a Review Committee. The Alderman indicated that the Review Committee submitted its report and recommendation last week which he supported. Alderman Downey expressed the opinion that because of tough economic times, and the conditions in the City, as well as the money already spent on the present City Hall in renovations and repairs, this was not the proper time to support a new City Hall being built.

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MOVED by Alderman Downey, seconded by Alderman Jeffrey that City Council approve the Report of the Review Committee for City Office Proposals dated 4 January 1994 which concluded that given the terms of the City's call for proposals and the mandate of the Committee, the proposal from HDL to lease 69,984 square feet of space in Scotia Square, as set out in the terms and conditions of their proposal, dated 15 November 1993, is the most favourable to the City.

Alderman Fitzgerald indicated that he had no difficulty with Alderman Downey's motion. However, the Alderman noted that he just received this evening a copy of staff's supplementary report which proposes other options and recommendations.

It was therefore MOVED by Alderman Fitzgerald, seconded by Alderman Holland that this matter be deferred to the next Committee of the Whole Council meeting to be held on 19 January 1994 for a further discussion.

The motion of deferral was put and passed.

**Award of Tender #93-190: Chocolate Lake Centre -
Mechanical/Electrical Upgrade**

MOVED by Alderman Crowley, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #93-190 to Bell Electric Limited at a bid price of \$153,348.80 (including taxes) and a total project cost of \$180,000.00, with funds being authorized from accounts 22502 9160 97065 and 22502 9160 97066.

Motion carried.

**Price Agreement 914035 - Recycled Asphalt Patching for the
1994 Calendar Year**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place the order for recycled asphalt patching for the 1994 calendar year with Road Savers Maintenance Products Limited, with funds available in various accounts..

Motion carried.

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Birch Cove Lakes Environmental Study

A letter dated 13 January 1994 from Donald L. Mason, P.Eng., Director of Nova Scotia Operations, Washburn & Gillis Associates Ltd., was submitted.

Her Worship Mayor Ducharme commented that in light of the above noted letter which had just been received by staff this evening, staff has indicated that it might be appropriate to defer this item to the next Committee of the Whole Council meeting to provide staff an opportunity to review the information submitted.

Alderman Stone addressed the item and noted that the Birch Cove Environmental Study has been proposed for the last few years and that it was important it be carried forward. Referring to the letter submitted from Washburn & Gillis Associates Ltd., Alderman Stone requested that staff provide information concerning the environmental study process.

Mr. Bernard Moe, Planner II, addressed Council.

Her Worship questioned whether Mr. Moe could explain at this time why, although the figure of \$150,000 was used, staff recommended the more expensive proposal.

Mr. Moe advised that the approved budget last year was \$150,000. At the time of going into the proposal call, he noted that the amount was not known but certainly the \$150,000 was an estimated amount last year. Mr. Moe went on to note that the proposals received ranged from \$150,000 to \$213,000 and that six(6) out of seven(7) were above \$150,000. Therefore, he advised that the proposals indicated that the average price was in fact \$178,000.

Mr. Moe advised that the other factor taken into consideration was the appraisal of the seven(7) proposals received. He noted that a staff committee very carefully reviewed the proposals according to a set of criteria including the qualifications and experience of the proponents, the consultants, as well as the quality of the proposal in terms of methodology presented, etc. Mr. Moe advised that the Committee recommended clearly Porter Dillon as the best considering the quality of the proposal and what

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was thought as an appropriate amount of money to do this study justice and to cover the scope of the study.

Alderman Stone commented that he gathered from Mr. Moe's comments that the \$150,000 suggested to do the study was really just a guesstimate and that, after receiving the proposals and looking at what was needed to do the job in a quality fashion from the proposals, staff's committee found that it was necessary to look at more quality proposals rather than just a limited scope.

Mr. Moe advised that Alderman Stone's understanding was correct.

Alderman Stone then questioned whether, when the call for proposal was made, if there was any indication that it could go beyond the \$150,000.

Mr. Moe advised that everybody had the terms of reference which indicated that the budget available was \$150,000.

Alderman Stone further asked whether there was something that stated that \$150,000 was the limit or that they could suggest something higher depending upon the amount of work that had to be done.

In response, Mr. Moe advised that the bidders chose to do that adding that six(6) out of seven(7) were higher than \$150,000. He explained that the proposals were \$160,000 upwards with five(5) out of seven(7) coming in at \$175,000 plus.

Deputy Mayor Pottie referred to the terms of reference for the proposal call and noted that it states quite clearly that the budget of this project is not greater than \$150,000. The Deputy Mayor added that Council has tried extremely hard this year and in past years to keep within the budgets set for different projects. He went on to express the view that the firm that submitted an amount of \$150,000 certainly tried to meet the \$150,000 budgeted figure and, in his opinion, could carry the work out in the same way as if the City paid \$183,000.

In response to a question asked by Alderman Jeffrey, Mr. Moe reiterated that the staff committee reviewed the proposals very carefully and concluded that Porter Dillon

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would do the best job and would meet the terms of reference the best.

Mr. Coopersmith, City Manager, commented on the process that was carried out by the team. He advised that there were five independent people sitting on the evaluation team who looked at: the project team that was proposed to do the work, the previous experience that the firm had in similar kinds of work, the methodology that they were proposing to carry out the work for the City, the timing of the work schedule they were going to use, the fees that they were proposing to charge, and then an overall quality proposal. Mr. Coopersmith advised that, of the five scorers, four of them picked the one that's being proposed clearly as the number one. He added that overall, the score of this particular group was by far the highest quality proposal.

Alderman Holland questioned whether the \$150,000 included GST and whether the other figures included GST.

Mr. Moe advised that the terms of reference asked for the GST to be included and, in fact, the letter submitted to Council does not include GST. He noted that the figure should be \$160,500 approximately with GST.

The discussion continued with Alderman Meagher expressing concern with the statement that one firm will do a quality job over another firm. He suggested that this matter should be deferred to the next Committee of the Whole Council meeting for further discussion and for those concerned to address Council at that time.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, 19 January 1994, and subsequently dealt with at the Special meeting of City Council scheduled for later on that date.

Alderman O'Malley noted that the staff report indicates that the City advertised in the Herald and Mail Star and sent invitations to a number of consulting firms asking for proposals. She questioned whether the seven firms that are listed in the report, were the seven firms to whom invitations were sent by the City. The Alderman requested a list of those firms for whom the City sent an invitation to tender on this proposal.

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Alderman Crowley questioned the procedure and whether it was practice for the City to look for more quality versus the lowest tender.

The Chairman suggested that perhaps the differential that should be stressed is tender and proposal and the fact that all that was stated was the budgeted amount. Her Worship suggested that perhaps some clarification could be provided for Wednesday's meeting.

Following a short discussion, Alderman Stone asked that clarification on whether this item was a tender or a proposal be given. He also asked whether the additional \$34,000 in the capital budget would increase the budget and whether it would have an affect on the tax rate.

Motion passed.

**Downtown Halifax Business Improvement District
Commission Resolutions**

MOVED by Alderman Crowley, seconded by Deputy Mayor Pottie that, as recommended by the Finance and Executive Committee, the 22 December 1993 staff report responding to the 28 October 1993 report from the Downtown BIDC be tabled pending receipt of the supplementary reports as noted in the 22 December 1993 staff report.

Motion carried.

Assessment Appeals - Sentinel Square

MOVED by Alderman O'Malley, seconded by Deputy Mayor Pottie that, as recommended by the Finance and Executive Committee, the 23 December 1993 staff report regarding Assessment Appeals - Sentinel Square be tabled.

Motion carried.

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Point Pleasant Park Lodge

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council approve an additional \$6,400 for the Point Pleasant Gate House with funds to be provided on the same basis as the original \$49,000 approved 14 October 1993.

Motion carried.

Staff Response to Task Force on Future of Port of Halifax

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

1. Council endorse the recommendation of the Task Force on the future of the Port of Halifax and the contribution made by the Halifax-Dartmouth Port Development Commission in attempting to further these recommendations.
2. City Council call upon the Province of Nova Scotia to commence immediate discussions with the Federal Minister of Transportation to bring about the creation of an autonomous Port/Airport Management and Promotional body to assume responsibility for all transportation aspects of the Port of Halifax including co-ordination and promotion of rail and intermodal facilities and the adjacent and increasingly related airport, and that the City be represented in this process.
3. Council send a letter to the Federal Transport Minister supporting the Task Force's opposition to removing the reference to regional economic development now within the National Transportation Act.

Motion carried.

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Report - City Charter

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the City Solicitor be instructed to commence a consolidation and revision of the Halifax City Charter and that the City Manager provide an update on the project in due course.

Motion carried.

Acquisition - Lot 10 Pioneer Avenue

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, Council approve the recommendation as contained in the confidential staff report of 23 December 1993.

Motion carried.

View Plane Intrusion - CFB Halifax Dockyard

This item was added during the setting of the agenda at the request of the City Clerk. The item was deferred from the Special Committee of the Whole Council meeting held on 12 January 1994.

At the suggestion of the Chair, Council agreed to deal with this item at this time.

Mr. Richard J. Matthews, Director of Development and Planning, addressed Council and commented that there was an indication of some slight confusion as to what Council was asked to do. He pointed out that Council has not been asked to do anything and that what had been arranged yesterday was a presentation to explain a situation that had arisen. Mr. Matthews indicated there really was no request for specific action for Council to take and that the appropriate thing to do would simply be for Council to receive the explanation that was given at the special meeting yesterday.

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It was therefore MOVED by Alderman O'Malley, seconded by Alderman Meagher that City Council receive and table the report provided at the special Committee of the Whole Council meeting on 12 January 1994 and express its thanks to the representatives for their presentation.

Alderman Fitzgerald expressed the view that, out of courtesy, a number of the citizens who worked hard on the preservation of view planes i.e. Elizabeth Pacey, the Heritage Advisory Committee, any other groups, should be advised of the action that is being taken, to which Council agreed.

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

PLANNING COMMITTEE

City Council considered the report of the Planning Committee from its meeting held on 5 January 1994 as follows:

Report from Planning Advisory Committee Re: East Side of Windsor Street between North and Willow Streets

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Committee, a date for a public hearing be set to give notice of Council's intention to adopt Policy 8.4 of Section XI of the Municipal Development Plan and subsection 16AH(b) of the Land Use Bylaw (Peninsula Area) to allow consideration of amendments to the development agreement for 2571 Windsor Street, as contained in Appendix I (of the Planning Advisory Committee's report of 14 December 1993).

Motion carried.

The City Clerk advised that the recommended date for the public hearing is **Wednesday, 23 February 1994**, at **7:30 p.m.** in the Council Chamber, Halifax City Hall.

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Case No. 6770 - East Side of Windsor Street between North
and Willow Streets and City Wide Ability to Amend Existing
Development Agreements

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, City Council send the matter of development agreements under a repealed schedule (as outlined in Appendix II of the 15 November 1993 staff report) to the Planning Advisory Committee for a public meeting and advice to Council.

Alderman Stone noted that, at the Committee of the Whole meeting he expressed concern that this could become a City wide policy. He indicated that, in particular, his concern was with respect to the possibility of Council making amendments to development agreements and the affect this will have. Alderman Stone explained that when Council approves a development agreement, the agreement has certain conditions in it which the public expects will be upheld, and to start amending the agreement opens it up to a wider scope. He added that he hoped when this matter goes to the Planning Advisory Committee, that the Committee consider the concerns of individuals who may not attend a particular meeting by the Planning Advisory Committee because the matter does not affect them at that time, but that could affect them in the future.

Motion carried.

Case No. 6839 - Schedule "C" Development Agreement
5780-88 West St., 2400 Agricola St. and
5785-87 Sarah St. (King Edward Inn)

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a date for a public hearing be set to consider the application for a development agreement with Standard Trust Company to permit use of the King Edward Inn as a rooming house in conformance with the submitted plans.

Motion carried.

The City Clerk advised that the recommended date for the public hearing is **Wednesday, 23 February 1994**, at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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QUESTIONS

Question Deputy Mayor Pottie Re: Snow Clearing

Deputy Mayor Pottie advised that he has received complaints regarding snow removal in his ward. He added that he feels the problem is that certain streets are cleaned up by approximately 4:00 p.m. and there are some streets that don't have the "first cut" by 7:00 p.m. or 8:00 p.m. and the residents are frustrated by this. He added that he would like to have the opportunity to discuss it with the City Manager and see if something could be done to help the situation.

Question Deputy Mayor Pottie Re: Snow Banks at Intersections in Ward 5

Deputy Mayor Pottie advised that when the snow plows go through Connaught avenue, the snow which piles up in the intersections at Almon, Edinburgh, London, Liverpool, and Cork Streets, is so high that it makes it difficult and dangerous for the cars (travelling south) making a turn at one of the intersections. He added that, on occasion, he has contacted City Hall and has had the snow banks knocked down and he asked if this could be part of the routine snow clearing process.

Question Deputy Mayor Pottie Re: Employee Suggestions

Deputy Mayor Pottie indicated that he was pleased to announce that, at a Police Commission meeting held this week, his suggestion of obtaining employee input from the members of the Police Department was endorsed by the Commission. He explained that a letter will be sent out, under the Chairman's signature, to all members of the Halifax Police Department asking for their ideas and suggestions with respect to cutting costs, streamlining operations, etc. which they feel could make improvements in the Police Department. Deputy Mayor Pottie added that he would like to take this idea further and expand it to include all employees of the City and he suggested that the City Manager send a letter to all employees with the same request. The Deputy Mayor indicated that one of the strengths of the City is its employees and, noting that the City was facing a \$4 million shortfall this year, he believed that perhaps suggestions from employees could contribute to reducing this amount.

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Her Worship retired from the meeting and Deputy Mayor Pottie assumed the seat of the Chair.

Question Alderman Adams Re: Seniors Centre Recreational Programs - Ward 7

Alderman Adams advised that a seniors centre in Ward 7 hold various seniors events, however they are looking for some direction and would like someone to help them coordinate their events. He asked if the Recreation Department would look into this matter and see if someone from the Department could provide some assistance. He added that he would submit a contact name to the City Clerk for the Recreation Department.

Question Alderman Adams Re: Violence in City Schools

Alderman Adams noted that he received a call from a lady today who was very concerned about some of the situations happening in the schools across the City with respect to peer pressure and students threatening other students. He advised that some children are very scared to attend classes and to even go to school. The Alderman requested if staff could, through the school board, ask the school principals to make announcements on this matter and, if there are problems, that they be prepared to talk to the children.

Question Alderman Adams Re: Options for Homeless Youth

Alderman Adams made reference to a petition read and submitted by the Deputy Mayor earlier in the meeting concerning homeless youth, and he asked staff to explore the possibility of using the former Grace Maternity Hospital and/or the Halifax Infirmary, when it becomes vacant, for these individuals. He suggested that the building could be made available to them as housing and that the individuals would be responsible for the maintenance of the building. Alderman Adams also suggested that perhaps the buildings could provide low cost housing to some senior citizens or other individuals in need, and he added that specific areas of the building could be designated for the homeless youth and for the senior citizens.

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**Question Alderman Adams Re: Update -
Industrial Commission Audit**

Alderman Adams requested an update on the Industrial Commission audit, particular with respect to how far the process has gone regarding the letters of intent.

Question Alderman Adams Re: Snow Clearing Criteria

Alderman Adams asked if staff could arrange to send out to the citizens of Halifax the criteria the City follows with respect to snow clearing, and he suggested that perhaps this information could be included in the water bills. Alderman Adams noted that he has explained to some of the residents in Ward 7 which streets receive priority after a snow storm and the rationale for this. He added that he has found this to be most helpful and it gives the residents a better understanding of the snow clearing process.

Question Alderman Adams Re: Dobbin Lane

Alderman Adams questioned how Dobbin Lane, which is a private road in Ward 7, could be deeded to the City. He explained that there were only two individuals living on the street and they are having a difficult time because, although they pay the same amount of taxes as other individuals in similar housing, they do not receive the City's sewer & water service, snow removal service, or City services that others are accustomed to receiving.

**Question Alderman Fitzgerald Re: Increase in Unemployment
Insurance Premiums**

Alderman Fitzgerald advised that an increase in the Unemployment Insurance contributions was recently announced and he questioned how much this will cost the City of Halifax in the 1994/95 budget.

Question Alderman Fitzgerald Re: Budget Deliberations

Alderman Fitzgerald requested an update on when Council will begin actual budget discussions.

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Question Alderman Fitzgerald Re: Snow Clearing at Corners

Alderman Fitzgerald advised that the concerns he has heard most about with respect to snow clearing is the street corners, and that people who have corner lots have to clear a substantial amount of snow once the snowplow piles it up. He added that a number of people have suggested to him that it would be advantageous if the City would first clear the intersections where there are traffic lights first, noting that this is a high traffic area.

Question Alderman Fitzgerald Re: City Response Regarding Violations of Snow Clearing of Sidewalks

Alderman Fitzgerald noted that time and time again he has suggested that the City take quicker action with respect to people who do not clear the sidewalks in front of their properties. He indicated that the unfortunate thing about the City's policy on taking action against violators is that it involves various steps before real action is taken, and it gives the impression that the City is not doing anything about the violators. Alderman Fitzgerald added that he has previously suggested an environmental friendly dye be used by the inspector, pointing out that it would at least indicate that the inspector is aware of the problem and has either warned or ticketed the property. Alderman Fitzgerald asked that staff look into this idea and provide a report.

Question Alderman Fitzgerald Re: Task Force on Prostitution

Alderman Fitzgerald requested an update on the status of the Task Force on Prostitution.

Deputy Mayor Pottie advised that he raised this question at the Police Commission meeting which was held this week, and the Chief was clear in stating that it was not his intention to take another police officer from the Task Force.

Question Alderman Fitzgerald Re: Homeless Youth

Alderman Fitzgerald referred to the petition submitted by the Deputy Mayor concerning homeless youth and advised that he was informed by the former Director of Social Planning, Mr. Harold Crowell, that each night in the City of Halifax there are 30 beds available for such individuals.

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Alderman Fitzgerald requested that a staff person from the Social Planning Department attend the next regular meeting of the Committee of the Whole, scheduled for **Wednesday, 19 January 1994** to briefly explain to Council how Adsum House, Phoenix House, and Turning Point function, the relationship they have with the City, and how the City goes about providing apartments for some individuals who are between the ages of 16 and 18 years.

Alderman Fitzgerald added that he felt it was important for the public to know what the City is doing in regards to homeless youth and that Council should be up to on the matter.

As well, Alderman Fitzgerald suggested that a representative from the petitioners could also be invited to the Committee of the Whole to provide their point of view.

**Question Alderman O'Malley Re: Presentation by Staff
Concerning Homeless Youth**

Referring to Alderman Fitzgerald's request for a staff presentation on services available to homeless youth, Alderman O'Malley advised that she received a call this evening from a resident who expressed concern when she read in a newspaper about the \$57 per diem rate, and the Alderman added that she would also welcome a presentation by Social Planning staff in this regard.

**Question Alderman O'Malley Re: Snow Clearing -
Needham Street**

Alderman O'Malley noted that every ward in the City has trouble spots when it comes to snow clearing and in her ward, Needham Street was one such spot. She explained that it is a dead end street and has gates at the end of it which lead to Fort Needham. Alderman O'Malley added that when the snowplow clears the street, the snow gets piled up and over the gates, but at the same time, the property owner at the end of Needham Street is blocked in so that he cannot enter or exit his driveway. She advised that this past Sunday she had to call City Field to come and rectify the situation. Noting that this was only one troubled spot, she requested a report from staff on what staff consider to be the trouble spots in the City.

Question Alderman O'Malley Re: Snow Clearing Service
for Seniors

Alderman O'Malley advised that there were some seniors in her ward who were disappointed by the service provided by All Season Maintenance and are now looking to have someone clear their snow. She questioned if Magna Services was still being operated by HRDA and, if it is, what is the criteria for a senior to get on their list for services.

Question Alderman O'Malley Re: Duffus Street Pumping Station

Alderman O'Malley advised that she is continuing to receive more calls about the odour from the Duffus Street Pumping Station. Noting that the last time she raised this matter, she was given to understand that it would take six weeks to clean, and that she would receive a written report. The Alderman indicated that she has not received the report to date.

Alderman O'Malley noted that this afternoon she received a call from Superline Fuels who informed her that they were losing customers because of the odour on Barrington Street. She advised that this matter was something that City staff should give top priority and she asked for a written report on when something is going to be done on this site.

Question Alderman Stone Re: Infrastructure Funding Projects

Referring to the infrastructure funding program established by the Federal Government, Alderman Stone asked for a report from staff on what projects the City is proposing to partake in this program.

Question Alderman Stone Re: Connector Road - Lacewood Drive
and the Bi-Centennial Highway

Alderman Stone noted that there is now a connecting road between Lacewood Drive and the Bi-Centennial Highway, however, there is still a problem in connecting to the downtown. He asked for a report from staff on, if the Vimy Bypass was approved, what would be the best route for the roadway in relation to cost and the impact on the adjacent properties. Alderman Stone indicated that he believed this

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would be an ideal project for the infrastructure funding, but it doesn't appear that it is far enough along that it would qualify.

Question Alderman Stone Re: Street Lights - North Side of Willett Street

Alderman Stone complimented staff for their efforts in seeing that street lights were installed in the area of Willett Street, between Westridge Drive and Lacewood Drive.

Question Alderman Stone Re: RA 5 Control

Alderman Stone referred to the area of Willett Street, between Westridge Drive and Lacewood Drive, and noted that an RA5 control has been set up for pedestrians to cross the street in this area. He advised that he monitored this on a number of occasions and has concluded that publicity is needed on how this actually works because the public still have trouble crossing the street, due to the fact that motorists do not understand they have to stop.

Alderman Stone also noted that there has been a relocation of "Stop" signs which make Lacewood Drive a through street and he believed that people are becoming aware of this.

Question Alderman Stone Re: Shaunslieve Drive - Traffic Circulation and Crosswalk Concerns

Alderman Stone advised that he was pleased staff responded to his question regarding the traffic circulation and crosswalk concerns in the area of Shaunslieve Drive. He noted that because of the time of the year, staff is going to look at this in the spring.

Question Alderman Stone Re: Pioneer Avenue Upgrading

For the information of his constituents on Pioneer Avenue, Alderman Stone noted that he received a report from staff as to what is being done and what will not be done in relation to the Pioneer Avenue upgrading. He added the work that is not being done is delayed because of the weather and will be completed when the snow is gone.

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**Question Alderman Crowley Re: Snowbanks - Bayers Road
and Pennington**

Alderman Crowley advised that it has been brought to her attention that the median on Bayers Road and Pennington has snowbanks which is reducing the visibility of motorists going up the Bi-Centennial Highway, and she asked that staff look into this matter.

Question Alderman Crowley Re: Application by Mr. John MacNab

Alderman Crowley thanked staff for the report on the application of Mr. John MacNab for the sculpture on Horseshoe Park, and which involves Ward 2, Ward 8, and Ward 11. She added that it was an excellent presentation and that she hoped the letter has gone out to the community.

**Question Alderman Crowley Re: Snow Clearing - Trouble Areas
of Olivet Street and Ashburn Avenue**

Alderman Crowley indicated that she shared the same concerns as mentioned by other aldermen regarding snow plowing procedures and she noted that, like Alderman O'Malley, she had a number of trouble spots in her Ward, one of which is on Olivet Street where there is still a problem with flooding. She added that the apartment building superintendents are doing their best to clear away snow from the catch basins, however, it is an ongoing problem and she requested that staff focus on this area again.

Alderman Crowley noted that another problem area is Ashburn Avenue. She indicated that she revisited this problem and, nothing that there is a matter presently before the courts concerning this area, she asked that staff also focus on this area again.

Question Alderman Crowley Re: Bus Bays on Mumford Road

Alderman Crowley advised that there were a number of bus bays on Mumford Road and they were unique in that some were opposite each other. She explained that if there are large amounts of snow, people waiting for the bus end up waiting on the street. Areas of particular concern were at Olivet and Mumford and Ralston and Mumford. Alderman Crowley advised that people end up standing on the street which has

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a blind curve, and there is a wall at Olivet Street and this makes the situation extremely dangerous.

Question Alderman Crowley Re: Sidewalk Snow Removal

Alderman Crowley requested an updated report on what alternatives there are for seniors in regards to snow removal. She noted that she receives a lot of calls on this issue because there were some seniors who are unable to get anyone to clear their snow and are worried that they are going to be ticketed. She asked that staff provide suggestions and perhaps contact other communities to see what they are doing.

Question Alderman Holland Re: City of Halifax Deficit

Alderman Hoiland requested a report from staff on what Council can expect the deficit to be this year. He added that the last information Council received on this matter was that the deficit was expected to be 3.9 million dollars, and he asked if there had been any change in this figure.

Question Alderman Holland Re: Tickets Regarding Sidewalk Clearing Violations

Alderman Holland noted that he has received complaints about ice and snow on sidewalks, in particular, areas on South Park Street, Inglis Street, Barrington Street, Victoria Road, and Tower Road. The Alderman asked for a report on how many tickets (first and second time tickets) were issued over the last thirty days.

Question Alderman Downey Re: Provincial Report Recommending the Elimination of Primary Classes

Alderman Downey made reference to a recommendation to cut out primary classes which was contained in a report to the Provincial Minister of Education, and he requested a report from staff on the financial implications to the City if this recommendation were carried out.

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**Question Alderman Downey Re: Homeless Youth/Vacant City
Public Housing Units**

Alderman Downey referred to the petition submitted by the Deputy Mayor from homeless youth in which they requested that the City open the heritage buildings on Barrington Street to accommodate them, and advised that he strongly disagreed with this suggestion. However, Alderman Downey pointed out that there are over 50 units of public housing in the City which are being heated but are not being used. Noting that this housing is cost-shared with the Province and Federal Government he requested that Her Worship speak to the Minister of Housing about the vacant units and that a report be provided from the Housing Authority this matter, i.e. the number of units that are vacant and could be put into use to accommodate the homeless youth.

Question Alderman Downey Re: Snow Clearing

Alderman Downey advised that he felt the snowplow operators did an excellent job during the recent snow storms.

The Alderman indicated that his only concern about the situation of high snowbanks is that some motorists who park on the narrow streets don't leave enough room in the event an emergency vehicle has to get through.

Her Worship returned to the meeting and Deputy Mayor Pottie assumed his usual seat in Council.

NOTICES OF MOTION

**Notice of Motion Deputy Mayor Pat Pottie Re: Amendment to
Legislation Regarding the Halifax Forum Commission**

Deputy Mayor Pottie gave notice of motion that at the next regular meeting of Halifax City Council to be held on Thursday, the 27th day of January, 1994, he will propose to move a motion that staff be instructed to seek an amendment to legislation regarding the Halifax Forum Commission. The purpose of the amendment is to provide for two additional citizen members of the Halifax Forum Commission.

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**Notice of Motion Alderman Adams Re: Amendment to
Ordinance 180, the Streets Ordinance**

Alderman Adams gave notice of motion that at the next regular meeting of Halifax City Council to be held on Thursday, the 27th day of January, 1994, he will propose to introduce a motion to amend Ordinance 180, the Streets Ordinance, to better control vending in the Grand Parade.

ADDED ITEMS

Tender 93-229 - Crushed Stone, Sand and Gravel

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

A staff report dated 6 January 1994 was submitted.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that Tender 93-229 for Crushed Stone, Sand and Gravel be awarded to the lowest bidder for each commodity as indicated by a "<" in the 6 January 1994 staff report.

Motion carried.

Missions to Seaman (Alderman Fitzgerald)

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

Alderman Fitzgerald referred to recent press reports and noted that this item has been somewhat controversial and he added that he hoped that Reverend Craig would not be penalized for speaking on behalf of those who are less fortunate.

Alderman Fitzgerald asked that Her Worship, on behalf of City Council, express to the Halifax Dartmouth Port Development Commission Council's concern about the matter and that a letter explaining Council's view be forwarded to the Commission, to which Council agreed.

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Halifax County Correctional Centre (Alderman Fitzgerald)

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

Alderman Fitzgerald advised that, it was his understanding the City of Halifax contributed to the upkeep of the Halifax County Correctional Centre in the amount of approximately 2½ million dollars. Noting that the City contributes funding, Alderman Fitzgerald indicated that he would appreciate receiving a copy of the recent report with respect to this matter by the Provincial Government.

Ogden - Martin Letter of 10 January 1994 (Alderman Fitzgerald)

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

Alderman Fitzgerald noted that he received a letter by FAX this evening in the Aldermen's Office and advised that he would like to table it and have staff provide comments. He explained the letter, from Ogden Martin Systems, Inc. to a local company, was more or less threatening court action if they go before any Metro City Council and put forth ideas which might be applicable in the future.

Alderman Fitzgerald advised that he considered this letter to be intimidating and he asked that it be forwarded to the City Solicitor for comment.

Dartmouth Anti-Incineration Meeting (Alderman Fitzgerald)

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

Alderman Fitzgerald noted that last evening, a number of Aldermen attended an anti-incineration meeting which was held in Dartmouth. He advised that Halifax City Council has always spoke out against incineration and he added that he was very pleased with the representation at this meeting. Alderman Fitzgerald advised that he believed City Council should express its gratitude to these individuals and encourage them to continue in the fight against incineration.

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Their being no further business to discuss, the meeting adjourned at 10:00 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
DEPUTY MAYOR PATRICK POTTIE
CHAIRMEN

ms/sm

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
19 January 1994
7:30 P.M.

A special meeting of Halifax City Council was held at this time. The meeting was opened with members of Council joining in the recitation of the Lord's Prayer.

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

ALSO PRESENT: G. Goneau, representing the City Solicitor; E. A. Kerr, City Clerk; and other members of City staff.

PUBLIC HEARINGS

**Public Hearing Re: Case No. 6874: Appeal of Minor Variance
Refusal - 6462 London Street**

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

A staff report dated 13 December 1993 was submitted.

Mr. Mike Hanusiak, Planner II, addressed Council and outlined the appeal of the decision of the City's Development Officer which refused a three part variance request for the property at 6462 London Street. He advised that the purpose of the variance was to facilitate a day care operation. As described in the staff report of 13 December 1993, Mr. Hanusiak provided Council with information pertaining to the application.

In his remarks, he noted that it was staff's opinion that the property was simply too small to accommodate a day-care operation relative to the requirements of the Land Use Bylaw. He added that most of the properties in the area are also too small to accommodate this type of development. Mr. Hanusiak advised that the application was reviewed against the requirements of the Planning Act, was found to be incompatible with the three requirements, and was therefore refused.

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Responding to a question from Alderman Crowley, Mr. Hanusiak advised that he was not aware of any specific cases, but that it would not surprise him if there have been exceptions similar to this situation in the City of Halifax and that such applications have been approved.

Ms. Sharon Slaunwhite addressed Council and advised that she and Susan Dorey have applied for the application for a day-care centre at 6462 London Street. She began her remarks by advising that their application was rejected because of the size of the lot. Ms. Slaunwhite went on to note that they had renovated the property in question to make it a safe and cheerful place for children. She also advised that Day-Care Services visited the property and have indicated that, as far as their requirements were concerned, there was enough space for 20 children inside and outside the property. Ms. Slaunwhite then presented some pictures illustrating the property.

Ms. Slaunwhite read and submitted a letter from James & Deanna Whitford, 6486 London Street, in support of their application. Ms. Slaunwhite also submitted letters from: Peter & Beth Fader, 6427 Edinburg Street; Lisa and Jeff Horn, 6452 London Street; and H. Joyce Kelly, 6444 London Street (all in support of their application).

Ms. Slaunwhite responded briefly to questions from members of Council.

Ms. Margaret Fader, 6466 London Street, addressed Council and spoke in support of the application.

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

MOVED by Alderman O'Malley, seconded by Alderman Adams that this matter be forwarded to the next meeting of City Council scheduled for 27 January 1994 without recommendation.

Motion passed.

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**Public Hearing Re: Case No. 6253: Appeal of Minor
Variance Refusal - 3549 Claremont Street**

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

A staff report dated 13 December 1993 was submitted.

Mr. Paul Dunphy, Planner, addressed Council and reviewed the appeal of minor variance refusal for a variance of the side yard requirement of the land use bylaw to legalize the existing rear deck at 3549 Claremont Street. As described in the staff report of 13 December 1993, Mr. Dunphy provided details concerning the variance application.

Mr. Damien Byrne, 3549 Claremont Street, applicant, addressed Council and advised that they built the deck with no prior knowledge of the necessity of the building permit. He expressed the view that, as felt by some of their neighbours, the deck improves the look of the property.

Mr. Byrne referred to a letter from the neighbour whose sideyard clearance the deck encroaches upon. He read and submitted a copy of the letter at this time from Frank Portrusching, 3555 Claremont Street. In his closing remarks, Mr. Byrne indicated that he and his wife would like to keep the deck which has existed for over three years and which, in their opinion, is an enhancement to the property.

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

MOVED by Alderman O'Malley, seconded by Alderman Crowley that this matter be forwarded to the next meeting of City Council scheduled for 27 January 1994 without recommendation.

Motion passed.

**Public Hearing Re: Case No. 6775: Schedule "Q"
Development Agreement - 6116 Almon Street**

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

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Correspondence dated 19 January 1994 from Mr. Philip Pacey, 6269 Yukon Street, was submitted.

Mr. Paul Dunphy, Planner II, addressed Council and, as detailed in a staff report of 23 November 1993, outlined the application for a development agreement to construct a 12 storey, 88 unit building with an underground parking garage at 6116 Almon Street. In his remarks, Mr. Dunphy indicated that staff is of the opinion that the proposal conforms with the requirements of the Municipal Planning Strategy and has recommended that the application be approved.

Mr. Dunphy responded briefly to questions from Alderman Meagher.

Mr. Peter McDonough addressed Council on behalf of the applicant. In his remarks, he advised that this is an application made under the new Area 2 section of the Peninsula North Detailed Plan which took effect in June 1993. Mr. McDonough commented that the Plan was only developed after a long series of public input and eventual passage by Council. He added that the policies of that Plan as they apply to this particular site promote commercial and residential re-development rather than the retention of the existing structures and land use patterns. During his presentation, Mr. McDonough made reference to various sections of the staff report.

Mr. McDonough presented and submitted letters of support from the following commercial businesses in the area:

- a letter dated 12 January 1994 from Robert A. Gillis, Acadian Lines Limited;
- a letter dated 12 January 1994 from J. Darrell Robinson, President, Scotia Tire Service Ltd.;
- a letter dated 22 December 1993 from T.E. Taylor, President, Halifax/Dartmouth Discount Car and Truck Rentals;
- a letter dated 21 December 1993 from Peter Corkum.

In addition to the above letters of support, Mr. McDonough indicated that verbal endorsement of the application was obtained from Mr. Guy Woodland, Executive Director of C.N.I.B. He added that they have received the

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active support of most of the businesses and the C.N.I.B. that surround this particular site.

Mr. McDonough pointed out that the site in question is presently paying approximately \$15,000 in taxes yearly to the City of Halifax. He advised that Mr. Willwerth, Duffus Romans Kundzins Rounsefell Ltd., has estimated that this project will cost approximately \$8,000,000.00 which does not include any further re-development that may be encouraged by the building. Mr. McDonough noted that Mr. Willwerth has also estimated that there would be some 250 construction associated jobs created to build this project at a time when they are desperately needed.

In summary, Mr. McDonough suggested that there were a number of very significant reasons why this development agreement should be permitted: 1) the Municipal Planning Strategy and the Peninsula North Plan encourages this very type of re-development; 2) the surrounding commercial enterprises are supportive of the project; 3) if this building is permitted, it may encourage further re-development of this rather dilapidated area of the City; 4) staff has recommended approval of it and they have given detail consideration to both the design and layout of the building; and 5) it will provide substantial increases to the tax base of the City and will create badly needed construction jobs.

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

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

Motion passed.

**Public Hearing Re: Proposed Rezoning -
Lands of St. Mary's University**

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

Mr. J. Michael Hanusiak, Planner II, addressed Council and outlined the application by Saint Mary's University to rezone a number of its landholdings located on Robie Street and Gorsebrook Avenue. With the use of the overhead monitor, Mr. Hanusiak described the existing zoning for Saint Mary's University and surrounding areas.

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As described in the staff report of 25 November 1993, Mr. Hanusiak indicated that the properties that are located at 883 Robie Street, 867 Robie Street, and the lands located immediately south of 867 Robie Street to Gorsebrook Avenue, are currently zoned R-1. He noted that the University is requesting that these properties be rezoned to U-1 (low density university). Mr. Hanusiak advised that the short and foreseeable plans of the University are to retain the two buildings that are currently on the property and to use those for academic support purposes. He added that no long term plans have been identified for this area.

In reviewing the application, Mr. Hanusiak noted that the second part of the application calls for the clarification of the boundary line that currently exists between the U-1 zone and the U-2 zone along Gorsebrook Avenue. Using the overhead monitor, he pointed out that the zoning line currently falls on a number of buildings in the University. Mr. Hanusiak advised that the purpose of the rezoning here is to remove this line and to simply clarify it and to remove any potential non-conformity.

Mr. Hanusiak continued to review the application as contained in the staff report and, in conclusion, indicated that the changes were considered by staff to be reasonable and in keeping with all relevant policies of the Plan.

Following staff's presentation, Alderman Holland raised a couple of questions to which Mr. Hanusiak responded using the sketches provided.

Mr. Peter McDonough, representing Saint Mary's University, addressed Council and advised that Mr. Guy Noel, Vice President Administration, Saint Mary's, was present with him this evening and is willing to respond to any questions or concerns that Council may have. Mr. McDonough began by addressing a question from Alderman Holland. He advised that the University has no concern if the desire of Council is to follow the zoning line along the outline of the Loyola Building and the buildings on Gorsebrook Avenue.

Mr. McDonough went on to point out to Council that prior to even making an application, under the auspices of the President of Saint Mary's, the residents on Robie Street were invited to a meeting attended by Alderman Holland at which time the President and Mr. Hanusiak explained to the residents exactly what was being proposed. Mr. McDonough advised that it was his impression at the meeting that the residents in attendance were satisfied with the reasons Saint Mary's wanted the rezonings and the

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fact that the Municipal Planning Strategy permits the request. He explained that the University was requesting to implement what the Municipal Planning Strategy already calls for.

Mr. McDonough noted that he just heard that there may be some concern from certain residents on Gorsebrook Avenue relating to the U-2 zoning that faces Gorsebrook. He advised that Alderman Holland's suggestion to make the zoning line follow the buildings is appropriate and that the University would endorse a motion to that effect.

Mr. Edward Rafuse, 5880 Gorsebrook Avenue, addressed Council and presented some concerns and questions with respect to the rezoning. He questioned what the rezoning would do to the tax revenue of the R-1 buildings at the moment. Mr. Rafuse suggested that by changing them to U-1, they will then become tax neutral and the City will lose the tax revenue those buildings produced over a number of years. Mr. Rafuse advised that he was also concerned with the fact that the University has no specific plans for these new acquisitions and questioned why the zoning is being changed now when it is not known what they intend to do with the buildings.

Mr. Rafuse went on to express concern with respect to the heating plant on Gorsebrook Avenue which is a low rise structure. He noted that this plant was noisy, foul smelling, and not a very nice addition to the neighbourhood. Mr. Rafuse indicated that he was concerned that if new buildings were built on the newly rezoned U-1 property, they will be added to this already overtaxed heating system.

In conclusion, Mr. Rafuse advised that his major concern was with respect to what the University intended to do with this new property and the impact it could have on the residential street of Gorsebrook Avenue and Robie Street.

With respect to the tax issue raised by Mr. Rafuse, Mr. Hanusiak commented that his knowledge of the assessment procedures is that assessments and taxes are not based on zonings, but based on actual use. He therefore noted that the change in zoning proposed would have no impact necessarily on taxation. Mr. Hanusiak suggested that perhaps the City Solicitor could respond further if required.

The Chair suggested that a report concerning the matter could be provided.

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With respect to plans for the property, Mr. Hanusiak noted that the University has made it clear that the Robie Street properties and buildings will be used for academic support services now and into the foreseeable future. He added that the vacant property that is currently used in part for parking at the end of Gorsebrook next to Robie Street will continue to be used in the fashion that it is presently used. Mr. Hanusiak also pointed out that the single family dwellings under the current R-1 zone cannot be used for University uses and that this was why the zoning was now being requested. With respect to the issue on Gorsebrook, Mr. Hanusiak advised that they do not anticipate from this particular adjustment of the zoning line, any future increase in development potential.

Ms. Sonya Grogono, 5854 Gorsebrook Avenue, addressed Council and expressed concern about the proposed amendment affecting the Vanier Residence. She registered her objection to the rezoning of the Vanier residence bordering on Gorsebrook Avenue on the grounds that this will clear the way for the University to build high rise or high density buildings on Gorsebrook Avenue at a future date. Ms. Grogono expressed the concern that it is impossible to foresee what might happen in the future.

Ms. Grogono went on to note that the proposed boundary of U-2 zoning would be much closer to Gorsebrook Avenue than as permitted on Tower Road, Inglis Street, and Robie Street. She also asked for confirmation that the "Oaks" would remain a heritage house and zoned R-1, and that the University state the purpose of 867 and 883 Robie Street. As well, Ms. Grogono requested that the University clarify the site of the proposed School of Business Administration.

In conclusion, Ms. Grogono requested that City Council take into consideration that Gorsebrook Avenue is a residential street which is already subjected to much commotion from the comings and goings of large delivery trucks to the Saint Mary's service entrance, and the considerable through traffic from the fire lane and students and staff parking on Gorsebrook Avenue.

Ms. E. Murphy, property owner, 5818 Gorsebrook Avenue, addressed Council and read and submitted a letter dated 19 January 1994 (a copy of which can be found in the official file for this meeting). Ms. Murphy raised various concerns as noted in her letter, and requested that Council not grant the application to rezone the lands along Gorsebrook avenue from U-1 (low-density university) to U-2 (high-density university).

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Mr. David Bluteau, 5888 Gorsebrook Avenue, addressed Council and expressed concern with the long term intent of the Robie Street property. He asked that the University clarify the long term intent of the Robie Street property and the reasoning for the rezoning from R-1 to U-1. Mr. Bluteau also expressed the concern that once these properties are no longer non-conforming, what will stop them from being rezoned from U-1 to U-2.

Ms. M. Knox, 5872 Gorsebrook Avenue, addressed Council and advised that she wished to go on record as disagreeing with the rezoning of the Vanier Residence to U-2. Having lived in this area for 18 years, Ms. Knox indicated that they have been inconvenienced considerably from the heating plant and trucks on the street.

Responding to a question from Alderman Holland, Mr. Hanusiak advised that the high rise aspects, like the low rise, are in fact University residences which are permitted in the U-1 zone. He went on to address the non-conformity issue and the height limit concern. Mr. Hanusiak advised that he would provide a supplementary staff report concerning these matters.

Mr. Donald Knox, 5882 Gorsebrook Avenue, addressed Council and with respect to the buildings in questions, explained that there were two high rises at either end connected by a low rise (the Vanier building). Mr. Knox pointed out that in the Municipal Development Plan, the southend area plan section 4.5.5, it says that pursuant to policies 4.5.1 and 4.5.2, the City shall amend its zoning bylaw to provide for two university zones (a high density zone which would allow all university uses and a low density zone with a height limitation of 35 feet or four storeys...). Mr. Knox noted that the concern that most of the residents living on Gorsebrook Avenue have is that if the rezoning is to U-2, there is unrestricted height and that the Vanier building could at some later date be elevated to the same level of height of the two to three hundred feet of the other buildings.

The Chair advised that Mr. Hanusiak has agreed to address these concerns in a supplementary staff report.

Dr. Basil Grogono, 5854 Gorsebrook Avenue, addressed Council and expressed concern with respect to the proposed rezoning of the building to U-2. He noted that if the building was rezoned to U-2, then it would have unlimited access.

There were no further persons wishing to address Council.

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MOVED by Alderman Holland, seconded by Alderman Fitzgerald that this matter be forwarded to the next meeting of City Council scheduled for 27 January 1994 without recommendation pending a further report from staff.

Motion passed.

ADDITIONS

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

Call for Proposals - Re: Limitation of Taxi Licenses

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the firm of Hara Associates be appointed as the City's consultant under the terms and conditions outlined in the staff report of 10 January 1994 at a cost of \$30,930 plus GST, and that the costs of the study be approved as a supplementary expenditure for the fiscal year 1993-94 pursuant to Section 201 (1) of the City Charter.

Motion carried.

**Regionally Applied Police Information
Delivery System (RAPID)**

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

- (a) authority be granted to negotiate and enter into a contract for installation of an upgraded responsive RAPID System, utilizing existing software that will address the current and future requirements of the City of Halifax, the City of Dartmouth and the Town of Bedford at a cost not to exceed \$10,752.00 per month (GST to be applied to current and proposed monthly expenditures; funds to be provided in the municipal budgets of Halifax, Dartmouth and Bedford on an ongoing basis);

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- (b) a copy of the 7 January 1994 staff report be forwarded to the Department of Municipal Affairs as capital leases require approvals as outlined on p. 3100 - Accounting and Report manual.

The motion was put and passed.

Halifax North Branch Library

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, approval be granted with regard to change orders in the amount of \$21,517.60 relating to work carried out on the Halifax North Branch Library by **Blunden Construction** (funds to be made available from Capital Account No. 98003 - "North Branch Library Upgrading").

The motion was put and passed.

**Award of Tender #93-225: Graves Oakley
Slowpitch Facility #2 (Parks and Grounds Division)**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Committee on Works, Tender #93-225 (Graves Oakley Slowpitch Facility #2) be awarded to **Terra Nova Landscaping**, the lowest bidder meeting specifications (funds to be made available from Account Number 25206.9160.97071 entitled "Graves Oakley Recreational Field").

The motion was put and passed.

**File #914076 - Incandescent, Fluorescent
and High-Pressure Sodium Lamps**

MOVED by Alderman Stone, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the tender for incandescent, fluorescent and high-pressure sodium lamps (File #914076) be awarded to **Litemor Distributors** for a two-year period based on their tender (funds to be made available from various account numbers).

The motion was put and passed.

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Environmental Review Committee

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

- (1) the firm of **Willms & Shier**, Barristers and Solicitors, be retained for an amount of \$10,000;
- (2) the firm of **GlobalTox International Consultants Inc.** be hired to make a presentation on the health risk assessment to the Committee for an amount of approximately \$2,500;
- (3) a professional economist be hired, based on the recommendation from Angus Environmental Ltd., to review the Metropolitan Authority economic proposal and to make a presentation to the Environmental Review Committee, at a total additional cost of \$5,500;
- (4) additional funds are available in the Design Engineering Reserve Account Number 22310-8306.

The motion was put and passed.

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

HIS WORSHIP DEPUTY MAYOR POTTIE
CHAIRMAN

EDWARD A. KERR
CITY CLERK

/MS

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Council
27 January 1994
8:00 P.M.

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

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

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

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

Congratulations - Alderman-Elect Walker

Her Worship noted that Mr. Russell Walker, who was sitting in the public gallery, was recently elected Alderman of Ward 10. On behalf of Council, she congratulated Mr. Walker and added that she looked forward to him joining Council at the next Council meeting.

MINUTES

MOVED by Alderman Holland, seconded by Alderman Downey that the Minutes of the special meeting of Halifax City Council held on Wednesday, 5 January 1994, and the regular meeting of Halifax City Council held on Thursday, 13 January 1994 be approved as circulated.

Motion carried.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Mayor and Alderman's Stipend
- 20.2 Withdrawal From Sinking fund Surplus

20.3 Appointments

20.4 Case No. 6907: Proposed Development Agreement (Lot Modification) - Halifax Forum, 2901 Windsor Street - SET DATE FOR PUBLIC HEARING

20.5 Case No. 6906: 3763-71 Dutch Village Road - SET DATE FOR PUBLIC HEARING

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

DEFERRED ITEMS

Application of Mr. John MacNab
- Sculpture, Horseshoe Park

This item was deferred from the 16 December 1993 City Council Meeting.

The following correspondence in opposition to the proposed location was submitted:

- A letter dated 26 January 1994 from Graham Read, Vice President, Northwest Arm Heritage Association.
- A letter dated 25 January 1994 from Valerie Baker, 85 Spinnaker Drive, #711, Halifax, N.S.
- A letter dated 25 January 1994 from Rachel H. Green, 7121 Quinpool Road, Apt. 4, Halifax, N.S.
- A letter dated 17 January 1994 from Remy Richard, 111 Anchor Dr., 6200 Shirley Street, and 2540 Maynard Street, Halifax, N.S.
- A letter dated 25 January 1994 from A. Taylor, 1991 Prince Arthur Street, Halifax, N.S.
- A FAX transmission dated 23 January 1994 from Gerald A. and Andree F. Klassen, 6955 Armview Avenue, Halifax, N.S.
- A letter dated 21 January 1994 from Peter B. Corkum, 5774 Ogilvie Street, Halifax, N.S.
- A letter dated 18 January 1994 from Mary L. Corkum, 170 Spinnaker Drive, Halifax, N.S.
- A letter dated 17 January 1994 from S. M. Yates, 176 Spinnaker Drive, Halifax, N.S.

- A letter dated 19 January 1994 from Barbara Blouin, 6940 Tupper Grove, Halifax, N.S.
- A letter dated 16 January 1994 from Sarah Morris, Spinnaker Drive, Halifax, N.S.
- A letter dated 15 January 1994 from F. Foster.

The following correspondence in favour of the proposed location was submitted:

- A letter dated 23 January 1994 from Kathy and Murray Brown, 24 Armshore Drive, Halifax, N.S.
- A letter received in the City Clerk's Office 26 January 1994 from Matthew Dick 7010 Armview Avenue, Halifax, N.S.
- A letter dated 18 January 1994 from Michael Gross.

Alderman Fitzgerald advised that staff had sent out a notice to residents of three wards requesting comments on the proposal to place Mr. John MacNab's sculpture in Horseshoe Park. He added that, through various telephone calls and correspondence, the overwhelming feeling is that this particular piece did not blend into the Northwest Arm; it had no historic value or significance to the area; and the actual location was too small.

Alderman Fitzgerald complemented Mr. MacNab for bringing forth his idea and he suggested staff work with him to find another location.

MOVED by Alderman Fitzgerald, seconded by Alderman Crowley that the application by Mr. John MacNab to place a sculpture on Horseshoe Park be refused.

In seconding the motion, Alderman Crowley indicated that she also received a number of comments and she wanted Mr. MacNab to know that, although many did not want the sculpture located at Horseshoe Park, they did commend his efforts.

Her Worship added that she felt this point should be conveyed to Mr. MacNab, noting that many people did not want it at the proposed location, however, they did admire the piece.

Motion carried.

Case No. 6874: Appeal of Minor Variance
Refusal - 6462 London Street

A public hearing into this matter was held on Wednesday, 19 January 1994.

Deputy Mayor Pottie addressed the matter and advised that he had received only one call from an individual expressing concern about this matter. He added that during the public hearing, there was no objection from members of Council, and he advised that there seemed to be a lot of public support in the neighbourhood for this application. For these reasons, the Deputy Mayor, indicated that he would support granting the minor variance.

MOVED by Deputy Mayor Pottie, seconded by Alderman Stone that the decision of the Development Officer be overturned, and that the request for a minor variance for the lot frontage, lot area and side yard requirements of the land use bylaw for the property located at 6462 London Street, be granted.

The City Clerk advised that Alderman Jeffrey should not participate in the vote due to non attendance at the public hearing.

Motion carried with Alderman Jeffrey abstaining.

Case No. 6253: Appeal of Minor Variance
Refusal - 3549 Claremont Street

A public hearing into this matter was held on Wednesday, 19 January 1994.

Deputy Mayor Pottie advised that at the public hearing a letter from the abutting neighbour was submitted to Council stating that he had no difficulty with the deck and suggested that it should remain.

MOVED by Deputy Mayor Pottie, seconded by Alderman Adams that the decision of the Development Officer be overturned and the request for a minor variance of the side yard requirement of the land use bylaw to legalize the existing rear deck at 3549 Claremont Street, be granted.

The City Clerk advised that Alderman Jeffrey should not participate in the vote due to non attendance at the public hearing.

Motion carried with Alderman Jeffrey abstaining.

Case No. 6775: Schedule "Q" Development
Agreement - 6116 Almon Street

A public hearing into this matter was held on Wednesday, 19 January 1994.

Alderman Meagher advised that he did not support this application and, after outlining his reasons, he would move a motion to refuse it.

In reviewing his reasons for opposing, the Alderman advised that overall, he felt this high-rise building was not in keeping with the surrounding area. He indicated that although there are industrial and commercial components in the immediate vicinity, they would not be affected by a high rise apartment building, but it would intrude into the residential neighbourhood.

Alderman Meagher also pointed out that he believed the density would be too high, there is not enough green space and recreational area, water runoff has not been adequately addressed, and the frontage of the property would be 65 ft. as opposed to the 90 ft. which is required.

Alderman Meagher advised that this application should be "sent back" and the plans reworked so that it would fit in better with the residential neighbourhood.

MOVED by Alderman Meagher, seconded by Alderman Adams that the application for a development agreement to permit construction of an apartment building at 6116 Almon Street be refused.

Deputy Mayor Pottie addressed the matter and spoke in opposition to the motion. Referring to the staff report, he noted that staff was recommending approval of the agreement and that staff have stated that the proposal conforms with the policy for encouraging redevelopment and quality and design. Deputy Mayor Pottie advised that the location was close to his ward and he felt this application was needed to bring residential infill into the area. Presently, Deputy Mayor Pottie noted, the property was in a very deteriorated state and it was detracting from the area. The Deputy Mayor advised that the building would be far enough away from the residential area that its height would not have a negative impact.

The Deputy Mayor referred to Alderman Meagher's concern about proper storm water drainage, and pointed out that this matter has been addressed, advising that the water would be gathered and distributed into the City's storm sewer at a slow rate so that it would not cause difficulty with the sewers in the immediate areas. The Deputy Mayor added that for these reasons he would be voting against the motion.

Aldermen Stone and Fitzgerald addressed the matter and spoke in support of the application and expressed the view that they believed it would be a good development for the area.

The City Clerk advised that Alderman Jeffrey should not participate in the vote due to non attendance at the public hearing.

Following further comments, the motion was put and defeated with Alderman Jeffrey abstaining.

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

1. City Council enter into a development agreement with Mr. Eric M. MacLellan to permit construction of an apartment building at 6116 Almon Street.
2. The development 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 or 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.

Motion carried with Aldermen Meagher, O'Malley, and Adams voting against, and Alderman Jeffrey abstaining.

Proposed Rezoning - Lands of St. Mary's University

A public hearing into this matter was held on Wednesday, 19 January 1994.

A supplementary staff report dated 24 January 1994 was submitted.

A letter dated 22 January 1994 from the residents of Robie Street and Gorsebrook Avenue (with an attached petition containing 23 signatures) in opposition to the rezoning was submitted by Alderman Holland.

Alderman Holland addressed the matter and advised that he was prepared to move the recommendation of 24 January 1994 staff report. He indicated that this recommendation was different from the recommendation contained in the 25 November 1993 staff report. Referring to the physical plant at the University, the Alderman noted that the rezoning will not include the area where the smoke stack is attached to the building which houses the baffles on the southern side of the physical plant. He added that this will remain in the U-1 zone and will be acknowledged as nonconforming.

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MOVED by Alderman Holland, seconded by Alderman Hanson that:

1. Civic Nos. 867 and 883 Robie Street be rezoned from R-1 (Single Family Dwelling) Zone to U-1 (Low Density University Zone).
2. Lands to the immediate south of 867 Robie Street be rezoned from R-1 (Single Family Dwelling) Zone to U-1 (Low Density University) Zone.
3. Lands currently occupied (in part) by the Vanier Residence, the Loyola Residence and Academic Complex and the McNally Building, be rezoned from U-1 (Low Density University) Zone to U-2 (High Density University) Zone, in accordance with sketch 3 as attached to staff's supplementary report of 24 January 1994.

A brief discussion ensued and Mr. Hanusiak, Planner II, addressed Council and responded to questions.

The City Clerk advised that Alderman Jeffrey should not participate in the vote due to non attendance at the public hearing.

Motion carried with Alderman Jeffrey abstaining.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 19 January 1994, as follows:

Northcliffe Tennis Club

A supplementary staff report dated 20 January 1994 was submitted.

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

1. The City approve an amendment to the lease to reflect reduced rentals and term as calculated in Section (1) of the staff report dated 7 December 1993, totalling \$46,179 over the 7 year term.
2. The washroom fees be reduced from \$250 to \$50 per month.

3. The City forgive \$2,500 in outstanding washroom fees on the condition that the club pay \$500 in cash over the remainder of 1993, as well as supplying \$500 worth of free non-peak court time for program scheduling.

Motion carried.

Electrical Ordinance #130

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Electrical Ordinance be amended to adopt the 1994 Canadian Electrical Code.

Motion carried.

Natal Day Committee - Terms of Reference

A memorandum (with attachment) dated 26 January 1994 from Deputy Mayor Patrick Pottie, Chairman, Halifax Natal Day Terms of Reference Committee was submitted.

Deputy Mayor Pottie advised that he circulated the submitted memorandum, which contained the proposed terms of reference for the Natal Day Committee, to members of Council earlier this week. He added that he was prepared to respond to any questions from Council and, if there were none, he would move a motion approving the terms.

MOVED by Deputy Mayor Pottie, seconded by Alderman Holland that the terms of reference for the Halifax Natal Day Committee as attached to the memorandum dated 26 January 1994, be approved.

Alderman Downey advised that he received the terms of reference only this evening and suggested that the matter be deferred to the next regular meeting of the Committee of the Whole.

Her Worship noted that appointments to the Committee were on the agenda for approval, however, she added that, if Council wishes to debate this matter further, these appointments could be deferred.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 9 February 1994.

Motion carried.

Her Worship noted that this matter is being deferred to Committee of the Whole with the understanding that it will be forwarded to the special City Council meeting held afterwards on that date, so the Committee can be appointed and begin its work on planning Natal Day.

City Hall Review Committee Report

A supplementary staff report dated 25 January 1994 was submitted.

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

- (i) invite all previous proponents to submit a revised proposal for the City's administrative accommodation within three weeks of receipt of the letter of invitation;
- (ii) issue an addendum to the call for proposals to all previous proponents, clarifying some aspects of the City's requirements and requesting further information;
- (iii) secure outside professional service to assist in the preparation of an addendum to the proposal call;
- (iv) review the submissions with the already established Review Committee, and make a recommendation to Council within six weeks of the closing date for revised submissions, on the understanding that Council will not entertain any further amendments to these submissions.

Aldermen Stone, Downey, Adams and Jeffrey advised they could not support the motion. The Alderman expressed concern about delaying the matter an additional three months, and indicated that they supported the recommendation of the Review Committee which, essentially, recommends that the City Hall offices remain where they are presently located.

Motion carried.

Property Tax Exemption

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

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- (1) the City Solicitor prepare and submit amendments to the Halifax City Charter, Section 227, to quote income on a household basis, being that of owner(s)/spouse and other persons resident in the dwelling; that provision be made to ignore ownership and income of an absent non-contributing assessed owner, and that claims for exemption must be received by the City Collector within the year of taxation for which exemption is claimed;
- (2) the exemption sum for the 1994 taxation year be \$370, but that such exemption shall not reduce taxation to less than \$100.00;
- (3) the income limit (household) for 1994 be \$25,000;
- (4) the administration of the exemption program include submission by the owner of proof of income; and, further that
- (5) over the next several months staff be directed to review the implications of (a) eliminating exemption categories or (b) decreasing the age of eligibility for seniors from 65 to 60.

Alderman Meagher addressed the matter and advised that he supported the motion, however, he questioned if it would be permissible to make an amendment to increase the income limit to \$27,000 and, secondly, to indicate that next year the age of eligibility will be lowered from 65 to 64.

Her Worship advised that the amendment as suggested by Alderman Meagher would not be in order, explaining that it would actually be a new motion. She added that if the Alderman wanted to proceed, the motion on the floor would have to be defeated and a new motion presented. Her Worship also noted that part 5 of the motion asks staff to review, over the next several months, a change in the age eligibility from 65 to 60.

Alderman O'Malley referred to part 4 of the motion and questioned what the City would require as proof of income.

In response, the City Manager advised that staff is still trying to define what they can legally be entitled to ask in this regard. He added that their intention would be to ask for some of the tax information, if they were permitted to do so, however, if this was not allowable, then staff would develop another form the individuals would have to fill out and attest to.

Motion carried.

FCM Resolution - Grants in Lieu of Taxes

MOVED by Alderman Stone, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the following resolution be forwarded to the Executive of the Federation of Canadian Municipalities (FCM) for adoption as a national issue:

WHEREAS the Federal Government froze payments of grants in lieu of taxes in fiscal 1993 and presently proposes to do so again in 1994; and

WHEREAS the Crown corporations and agencies are placing variations of their own interpretation on the overall thrust to freeze grants in lieu payments, resulting in uneven treatment of payments to municipalities by the Federal Government and Crown corporations and agencies; and

WHEREAS it is a fundamental principle, long established, that the Federal Government and its agencies should recognize the taxing levels of local government in the determination of grants in lieu of taxes,

BE IT RESOLVED THAT the Federal Government be called upon to pay full grants in lieu of taxes equivalent to municipal taxation and, in so doing, to refrain from downloading its problems onto the hard-pressed municipal tax base and through them onto the individual homeowner and the commercial taxpayer.

Motion carried.

Change of Meeting Date - Halifax City Council

MOVED by Alderman Adams, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the regular City Council meeting of Thursday, 31 March 1994, be rescheduled to **WEDNESDAY, 30 MARCH 1994** to avoid the eve of Good Friday.

Motion carried.

Communications Network Maintenance

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Pottie that, as recommended by the Finance and Executive Committee, authority be granted to pay **Century Analysis Incorporated** \$56,513.50 US for annual software maintenance (funds to be made available from Account No. 25358.8300.80436, "Network Maintenance").

Motion carried.

The Plumbing Ordinance

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Ordinance 132, "The Plumbing Ordinance," be amended to reflect the present practice respecting the imposition of plumbing fees by removing the imposition of a separate fee for each inspection in the manner set out in Appendix "A" of the 7 January 1994 staff report.

Motion carried.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from a meeting held on Wednesday, 19 January 1994, as follows:

Intermodal Roadway

Following is the resolution from the 19 January 1994 meeting of the Committee on Works:

THAT the Information Report of 7 January 1994 be tabled, and that no further action be taken in this regard.

Deputy Mayor Pottie advised that, since the 19 January meeting, he had met with Ceres representatives to put forward the suggestion that the building in question be relocated.

Having been told, however, that the removal of the building would only create other problems, it was moved by Deputy Mayor Pottie, seconded by Alderman Adams that the City Manager's Office be asked to contact Ceres to discuss this matter in greater detail.

The motion was put and passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from a meeting held on Wednesday, 19 January 1994, as follows:

W. N. White and Company Limited,
213-215 Bedford Highway

Following is the report from the Planning Committee meeting of 19 January 1994:

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THAT staff meet with representatives of W. N. White & Company Ltd. and come to a suitable arrangement for the property in question and report back at the next regular meeting of City Council, scheduled for **Thursday, 27 January 1994.**

A confidential supplementary staff report, dated 24 January 1994 was submitted.

Mr. Simpson MacLeod responded to various questions from Alderman Jeffrey concerning the discrepancy between the appraised and assessed values of the property in question.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, with regard to its negotiations with **W. N. White & Company Limited**, Halifax City Council approve Option Three of the 24 January 1994 confidential staff report which includes the following conditions:

- (a) the City will purchase the Bedford Highway property outright for a price of \$514,000;
- (b) the company will relocate to the Bayers Lake Industrial Park;
- (c) the company will waive its right to make any claim for compensation for business disturbance, injurious affection, or moving expenses;
- (d) the company will bear the entire cost of any environmental clean-up required at its Bedford Highway site, should that be found necessary following the findings of an approved study carried out at the City's expense.

In the ensuing discussion, Alderman Holland expressed concern that the City, in adopting this approach to W. N. White & Company, may be setting a dangerous precedent in terms of future claims of this nature by other businesses similarly affected by highway widening projects.

The City Manager and the City Solicitor responded to questions from various members of Council after which the motion was put and passed.

Case No. 6316: Amendment to Development Agreement - 1336-44 Hollis Street

This matter had been forwarded without recommendation from the 19 January meeting of the Planning Committee.

A supplementary staff report, dated 21 January 1994, was submitted.

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MOVED by Alderman Downey, seconded by Alderman Fitzgerald that:

- (1) City Council enter into an amending agreement with **Templeton Place Limited**, thereby amending the existing development agreement known to the City of Halifax as Case No. 6316 and registered at the Registry of Deeds in Book 5222 at Pages 940-946, to extend the completion date for the development for a further two years;
- (2) City Council require that the amending agreement shall be signed within 120 days, or any extension thereof, by Council upon request of the applicant, from the date of final approval by Halifax City Council; otherwise, this approval shall be void and obligations arising hereunder shall be at an end.

Alderman Holland asked for information from staff as to what the City has asked for in return for amending this development agreement.

The motion was put and passed.

MOTIONS

**Motion Deputy Mayor Pottie Re: Amendment to
Legislation Regarding the Halifax Forum Commission**

Notice of Motion with regard to the above-noted amendment had been given by Deputy Mayor Pottie during a regular meeting of Halifax City Council held on 13 January 1994.

MOVED by Deputy Mayor Pottie, seconded by Alderman Adams that staff be instructed to seek an amendment to the legislation regarding the Halifax Forum Commission, the purpose of such amendment to provide for the appointment of two (2) additional citizen members.

The motion was put and passed.

The Chairman advised that the City's Legal Department would be instructed to bring forward the necessary legislation.

**Motion Alderman Adams Re: Amendment to
Ordinance 180, the Streets Ordinance
(Vending in the Grand Parade) - FIRST READING**

Notice of Motion had been given by Alderman Adams concerning the above-noted matter during a regular meeting of Halifax City Council held on Thursday, 13 January 1994.

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MOVED by Alderman Adams, seconded by Alderman Holland that Council give FIRST READING to the following amendment proposed for Ordinance 180, the Streets Ordinance:

Section 54 is amended by adding as subsection (3) the following:

- (3) *a person vending at a site in the Grand Parade shall not conduct his business in such a way as to interfere with performances being conducted in the Grand Parade.*

and further, that the matter be forwarded to the next regular meeting of the Finance and Executive Committee (scheduled for Wednesday, 9 February 1994) for consideration and report.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Award of Tender #93-197: Conversion of 1987 Pierre Thibault 100 Foot Aerial to Quint Configuration

A staff report, dated 20 January 1994, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that authority be granted to spend \$10,982.00 for additional safety-related enhancements to the 1987 Pierre Thibault 100 foot aerial unit as outlined in the 20 January 1994 staff report (funds to be made available from the "Vehicle Reserve Account").

The motion was put and passed.

File #63203 - Annual License Renewal for Database Software Package Called "TOTAL"

A staff report, dated 18 January 1994, was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that authority be granted to pay Cincom Systems Incorporated \$7,590.00 (U.S. Funds) for annual license renewal for the database software package "TOTAL" (funds to be made available in Account Number 25358.0050 titled "Computer Software and Maintenance - Operations, MIS).

The motion was put and passed.

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QUESTIONS

**Question Alderman Holland Re:
Itinerant Traders**

Alderman Holland noted that he has had a number of complaints from local merchants (primarily haberdashers) who have brought to his attention the fact that itinerant travellers make a practice of coming to the City for a brief period of time and doing business from their hotel. The Alderman went on to emphasize that sales by these traders are normally quite considerable, a fact that is very much to the detriment of local entrepreneurs.

Under the circumstances, therefore, Alderman Holland asked for suggestions from staff as to whether the licensing fees for itinerant tradesmen of this nature could be adjusted to better reflect the amount of business they are likely to do as well as their impact on the local business community.

**Question Alderman Holland Re:
Snow Clearing Violations**

Alderman Holland noted that he had received a response from the Halifax Police Department with regard to a question he had raised pertaining to tickets issued for snow clearing violations on several streets in the City's south end. The Alderman went on to express concern that it would appear from the contents of that report that no tickets have yet been issued, despite the fact that, according to Alderman Holland, several individuals have fallen and injured themselves.

Alderman Holland therefore asked for information as to what steps have to be taken before the necessary tickets are issued.

**Question Alderman Holland Re:
Sidewalk Accident - Clyde Street**

Alderman Holland submitted a letter dated 17 January 1994 from an individual who had fallen some weeks ago on a Clyde Street sidewalk and broken his glasses, and asked that staff be directed to follow up on this matter as quickly as possible. In making this request, the Alderman requested that staff direct their response to **him** so that he, in turn, could pursue the matter with the individual involved.

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**Question Alderman Adams Re:
Snow Removal - Leiblin Park**

Alderman Adams made reference to a recent meeting of the Ward 7 Residents Association where the issue of primary concern appeared to be snow removal in the Leiblin Park area, particularly with regard to the manner in which it impacts on corner properties.

The Alderman asked for information from the City's Legal Department as to how court cases involving these kinds of situations could be resolved in a manner favorable to the City as well as ways by which similar problems could be avoided in the future (in this latter context, Alderman Adams wondered if property owners could sign some sort of waiver absolving the City of Halifax of any responsibility for the snow piled on front lawns in the Leiblin park neighborhood, property which is, in fact, owned by the City).

**Question Alderman Adams Re:
Intersection - Ardwell Avenue/Rockingstone Road**

Alderman Adams requested that the City's Traffic Authority be asked to investigate the intersection of Ardwell Avenue and Rockingstone Road, and to make recommendation as to how traffic flows could be improved. Pointing out that, at the present time, vehicles frequently intrude on the lawns of properties nearby, the Alderman emphasized that he wished information on what can be done to remedy the problem, rather than what action cannot be taken.

**Question Alderman Adams Re:
Long Lake Provincial Park**

Alderman Adams advised that he had received an inquiry from an individual concerning the Long Lake Provincial Park. The Alderman indicated that he would leave the gentleman's name and address with the City Clerk, with the request that a response be forwarded as quickly as possible.

**Question Alderman Adams Re:
Noise Levels - PetroCan Station**

Alderman Adams made reference to a lady who resides in close proximity to the PetroCan Station and who has been extremely inconvenienced by the noise emanating from that facility. Noting that the individual in question has documentation from the Department of Health to substantiate her complaint, the Alderman asked if there was anything City staff might do to alleviate this problem.

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**Question Alderman Adams Re:
Collection of City Fines**

Alderman Adams made reference to a suggestion made to him by a constituent with regard to the City's difficulties in collecting fines from parking tickets. The strategy, which would be taken on a one-time only basis, would involve reducing the amount of the fine by say, 25-30 percent, providing that the balance was paid within a five-day timeframe.

The Alderman asked for staff comment as to whether, in their view, such an approach would be beneficial, how much it could be expected to achieve in terms of revenues to the City, and how much it would cost to implement.

**Question Alderman Adams Re:
Recreation Centre - Spryfield Lions Rink**

Alderman Adams made reference to the recreation centre attached to the Spryfield Lions Rink which, several years ago, was open every night to offer neighborhood youth "a place to go." Noting that he had recently visited the facility fairly early in the evening and found it closed, the Alderman asked to be provided with information as to who had been responsible for the programs which previously offered from this centre and, more importantly, if consideration could be given by the City's Recreation Department to including the facility as part of their programs for youth in Ward 7.

**Question Alderman Hanson Re:
Snow Removal - Local Lakes**

Alderman Hanson noted that he has recently received a number of phone calls inquiring as to whether the City could undertake to remove some of the snow from certain of the local lakes, Chocolate Lake and the Frog Pond, in particular.

The Alderman went on to point out that while he appreciated that other matters must take priority in terms of staff's snow removal obligations, conditions are now ideal for outdoor skating activities. In this same context, Alderman Hanson suggested that consideration might be given to holding the Mayor and Aldermen's Skating Party at one of these locations.

**Question Alderman O'Malley Re:
Proposed Alarm Ordinance**

Alderman O'Malley made reference to the Alarm Ordinance which had been approved by Halifax City Council

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several months ago and which has now been forwarded to the Province for final approval. The Alderman went on to note that it had come to her attention that the documentation now before the Province includes a clause giving the City "the ability to license" alarm systems installed by residential or commercial property owners to protect their property.

Alderman O'Malley indicated that she could not recall such a clause being part of the Ordinance deliberated by Council, and asked for clarification.

**Question Alderman O'Malley Re:
Catering Contract - City of Halifax**

Alderman O'Malley asked for information from staff as to whether the City of Halifax had issued a Tender Call vis a vis catering on an as-required basis and, if so, whether a contract was eventually let. If indeed a contract has been signed, the Alderman asked to be advised of its terms.

**Question Alderman Crowley Re:
Intersection - Bayers Road/Romans Avenue**

Alderman Crowley noted that she has received a number of calls from senior residents of Westwood Lodge who have found that the lights at Bayers Road/Romans Avenue do not afford them sufficient time to cross to the other side. The Alderman therefore asked that the City's Traffic Authority be requested to investigate the situation to see if these lights could be adjusted.

**Question Alderman Crowley Re:
Snow Plowing - Ralston Avenue**

Alderman Crowley asked for information from staff as to whether the manner in which snow is plowed on Ralston Avenue has been altered for the 1993/94 winter season.

**Question Alderman Crowley Re:
Unpaid Leave Requirements**

Alderman Crowley made reference to the five days of unpaid leave now required from municipal employees by the Provincial Government, and asked for information as to how these days off are assigned.

In her remarks, the Alderman noted that it had been brought to her attention that certain groups of workers have the option of choosing their days off, while others have their "furloughs" assigned to them. Suggesting that the

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difference may be attributed to whether or not an employee is considered to be part of an "essential service," the Alderman asked for an information report on the matter from the City Manager.

**Question Alderman Stone Re:
Traffic Lights - Mainland North**

Alderman Stone expressed his appreciation to staff for their recently-submitted reports on traffic patterns and RA-5 controls in Mainland North.

On another but related matter, the Alderman asked for information as to whether traffic lights are being considered for the intersection of Willett Street and Lacewood Avenue, or whether in fact they will be installed at the two entrances to the shopping center.

**Question Alderman Stone Re:
Proposed RA-5 Controls - Mainland North**

Alderman Stone asked for clarification as to whether the RA-5 control proposed for Dunbrack Street is, in fact, intended for the area immediately adjacent to the Northcliffe Recreation Centre and, if so, when it is likely to be installed.

**Question Alderman Fitzgerald
Re: Traffic - Quinpool Road**

Alderman Fitzgerald observed that, with the installation of the City's new traffic loops several months ago, traffic on Quinpool Road seemed to move quite efficiently. He emphasized, however, that in recent weeks traffic appears to have slowed considerably, noting, in particular, that it seems to take "forever" to get to Windsor Street from Connaught Avenue.

Noting that he has received numerous complaints in this regard, the Alderman requested a report from the Traffic Authority as to how this situation can be satisfactorily addressed.

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

Alderman Fitzgerald made reference to the fact that, several months ago, there was some concern that the incinerator at the Victoria General Hospital was not operating in an efficient manner. The Alderman noted that

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a report on the matter had been submitted at that time, but asked that Council now be updated on the situation.

**Question Alderman Fitzgerald Re:
George Cuff Report**

Responding to a question from Alderman Fitzgerald, Her Worship Mayor Ducharme made reference to a memorandum recently received from the City Manager in which it was suggested that a report on this matter will be submitted to Council within the next two weeks, once staff have completed their review.

**Question Alderman Fitzgerald Re:
Tender for Stale Bread**

Alderman Fitzgerald asked for clarification from staff as to the tender call for "stale bread" which recently appeared in the local newspapers.

**Question Alderman Meagher Re:
Traffic Lights - Quinpool Road**

Alderman Meagher noted that he has received a number of complaints from pedestrians who have experienced difficulty in crossing Quinpool Road before the lights change. The Alderman therefore asked that the City's Traffic Authority be requested to investigate the matter and make the appropriate adjustments.

**Question Alderman Meagher Re:
Flooding - Egg Pond**

Alderman Meagher reported that he has received a number of calls from residents interested in having the Egg Pond on the Central Commons flooded for outdoor skating. While noting that it is probably too late for anything to be done this season, the Alderman asked that this request be forwarded to the Recreation Department for possible action during the winter of 1994/95, and further that the report on this matter previously submitted be recirculated.

**Question Alderman Meagher Re:
Snow Banks - Quinpool Road/Connaught Avenue**

Alderman Meagher made reference to the fact that the intersection of Quinpool Road/Connaught Avenue is very heavily used by school children. He therefore asked that the Director of Engineering and Works take steps to have some of the snow removed from the east side of Connaught Avenue

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so that the views of oncoming motorists might not be obstructed.

**Question Alderman Jeffrey Re:
Overnight Parking Ban**

Alderman Jeffrey asked for clarification as to the definition of the City's overnight parking ban. In his remarks, the Alderman made reference to an incident involving a night employee who came home for an hour for something to eat, only to find on emerging from his home that his car had been ticketed. Alderman Jeffrey expressed the view that, since the car had been parked on the street for less than an hour, the ticket was unfair and therefore asked for the criteria that is used by the Police Department in ticketing vehicles in these kinds of circumstances.

**Question Alderman Jeffrey Re:
Traffic Lights - Titus Street/Main Avenue**

Alderman Jeffrey made reference to the traffic signals now installed at the corner of Titus and Main Avenue, pointing out that, in his opinion and that of many of the residents of Wards 9 and 10, these lights could be better utilized at the corner of Dutch Village Road and Titus Street (directly across from the Titus Smith School). The Alderman went on to suggest that a four-way stop sign could be used in place of the lights at Titus and Main.

Alderman Jeffrey therefore asked that this suggestion be forwarded to the Traffic Authority for review and recommendation.

**Question Alderman Downey Re:
Snow - Northwood Centre**

Alderman Downey indicated that he has received a number of complaints regarding the lack of parking spaces for individuals visiting friends or relatives at Northwood Centre. Noting that parking has now been restricted to one side of the street, the Alderman asked that City staff take special precautions to ensure that as much snow as possible is removed so that all parking spaces will be accessible.

**Question Alderman Downey Re:
Hamilton Sports Franchise - Metro Centre**

Alderman Downey made reference to a recent newspaper article in which it was noted that the Hamilton sports franchise is currently considering a move to Dartmouth. The Alderman expressed concern that Halifax is

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not also under consideration, and asked for a report in this context from Mr. Kenneth Mounce of the Halifax Metro Centre.

NOTICES OF MOTION

**Notice of Motion Alderman Meagher Re:
Proposed Amendment - Ordinance 170,
the Tax Concession Ordinance**

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, 17 February 1994, he proposes to introduce a motion to amend Ordinance 170, the Tax Concession Ordinance and, in particular, Schedule "B."

ADDED ITEMS

Mayor and Aldermen's Stipend

A report, dated 18 January 1994, was submitted from the City Solicitor together with a private and confidential report, dated 26 January 1994, also submitted by Mr. Anstey.

Her Worship Mayor Ducharme opened the debate by reading from the following press statement:

The matter of a raise in stipend has been a matter of public debate recently. As Mayor I have attempted to clarify the process that has taken place to date on the proposed raise in stipend for members of Council without taking a position.

The need for approval of an amendment to Administrative Order #5 to carry out the January 11, 1990 motion of Council has been described as a housekeeping item. In fact, the need for an amendment to the Administrative Order is a requirement of the City Charter, Section 16.

Administrative Order #5 must be amended to implement an increase in stipend. To debate why it was not approved in 1990 is fruitless at this time. The amendment to the Administrative Order is now before Council for first reading.

A great deal of debate has taken place in the media over the last two days. This is unfortunate as the democratic process can only be prejudiced when votes are declared publicly prior to a Council meeting at which facts and additional information may be provided. This can also lead to erroneous information being placed before the citizens without opportunity for clarification.

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Council must now deal with an issue first raised in 1988, approved in 1991, and never implemented. Many statements have been made publicly, but the decision made this evening should be made based on principle and on the facts which are placed before Council this evening.

Speaking in support of the proposed amendment to Administrative Order #5, Alderman Hanson emphasized that, as a result of a comprehensive investigation into the matter, the motion to increase salaries for members of Council had been approved by a previous Council several years ago. He therefore expressed concern that recent events have been, in his words, "blown totally out of proportion," and that the current Council have been depicted as the "villains" of the situation.

Alderman Hanson went on to emphasize that, even if the proposed amendment to Administrative Order #5 were approved, every member of Council has the option under Section 16(6) of the Halifax City Charter of refusing the increase in stipends simply by advising the City Clerk in writing.

It was therefore moved by Alderman Hanson, seconded by Alderman Holland that Administrative Order #5 respecting stipends be repealed, and that the new Administrative Order #5 (attached to the 18 January 1994 report from the City Solicitor and marked Appendix "A") be given First Reading by Halifax City Council.

While concurring with the remarks put forward by the previous speakers, Alderman Stone suggested that conditions have changed dramatically in the City of Halifax since the increase in stipends was initially approved in 1990. In this context, the Alderman made reference to the wage freezes, the lay-offs, the deficit and the service reductions with which the present Council is faced, and emphasized that, in his view, members cannot accept raises for themselves when they are asking others to cut back. He therefore indicated that he would not be supporting the motion.

Speaking in support of the motion, Alderman Jeffrey made reference to Council's workload and to the demands (many of them, in the Alderman's words, "beyond the call of duty") made not only on the Aldermen themselves but also on their families.

Both Alderman Crowley and Alderman Meagher advised that they would not be supporting the motion at this time owing to the economic hardships which now characterize the Halifax community.

Alderman Downey spoke in support of the motion, suggesting that all members of Council had been made aware

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of the impending increase several weeks ago and had raised no objection at that time.

Alderman Adams advised that he would be voting against the motion, adding that, in his view, it would not be appropriate for members of Council to accept a salary increase when they are simultaneously asking City staff to deal with economic restraints.

Concurring with Alderman Adams' remarks, Alderman Fitzgerald indicated that, in his opinion, Council must take a leadership role in this matter and refuse the proposed increase.

Deputy Mayor Pottie indicated that, in his view, Council's motion of 1990 (i.e., to approve a salary increase for future members of Council) was an appropriate one, given the circumstances at the time. He went on to emphasize, however, that the City of Halifax is now undergoing some very difficult economic problems and, on that basis, suggested that it would be unwise for Council to proceed with a salary increase.

Alderman Holland, speaking in support of the motion, made reference to the many hours that members of Council must devote to the City, emphasizing that there are few employers who would allow their staff members that much time away from their regular duties. The Alderman went on to suggest that by not accepting the salary increase Council were creating an "elitist" group of individuals -- those in special circumstances who can financially afford to contribute to the City as a member of Council.

After some further debate and questioning of staff, the motion was put and defeated.

Withdrawal from Sinking Fund Surplus

A staff report, dated 20 January 1994, was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that Council authorize the Mayor and City Clerk to sign the resolution attached to the 20 January 1994 staff report, authorizing the withdrawal of the 1991 sinking fund surplus totalling \$225,000 to be used for capital expenditures relating to streets, subject to the approval of the Minister of Municipal Affairs; and further, that two copies of the resolution be submitted to the Minister for approval.

The motion was put and passed.

**AMENDED PAGE
CITY COUNCIL
27 JANUARY 1994**

Appointments

A confidential memorandum, dated 24 January 1994, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that the following appointments be made:

**ADVISORY COMMITTEE ON THE
CONCERNS OF AGING**

Ward 4 - Arnold Grantham
Ward 6 - Ray Coolen
Ward 11 - Betty Flemming
Senior Citizens Council - Lucy Riley
Independent Chair - Mary Wile
(Terms to expire 31 January 1996)

ART ALLOCATION COMMITTEE

Wallace Brennan
Lorraine Colpitts
Anthony Cook
(Terms to expire 31 January, 1996)

BOARD OF HEALTH

Deidre McGinn
Trudy Vik
(Terms to expire 31 January 1996)

BOARD OF HARBOUR CITY HOMES

George Cotaras
Syed Hussain
Michael MacPhee
K. Raju
(Terms to expire 31 January 1996)

CANADA DAY COMMITTEE

Glen Lush
Carol Dobson
Christine Murphy
Robert Kroll
Rodney Casey
(Terms to expire 31 January 1996)

COURT HOUSE COMMISSION

Gavin Giles
(Term to expire 31 January 1996)

BARRINGTON STREET B.I.D.C.

William Hardman
Bill Perkins
Bernard Riordon
Michel Lindthaler
William Lydon
Michael Ardenne
Richard Murphy
(Terms to expire 31 January 1996)

HALIFAX FORUM COMMISSION

Christopher Spurdakes
T. Fowler
F. Huelin
(Terms to expire 31 January 1997)

HALIFAX-HAKODATE COMMITTEE

Connie Carruthers
(Term to expire 31 January 1996)

HALIFAX WATER COMMISSION

John Dick
Lawrence White
(Terms to expire 31 January 1997)

HERITAGE ADVISORY COMMITTEE

James Leppard
Grant Chisholm
Mary Jane Walker
T. E. Smith-Lamothe
Mark Laing
Hal Forbes
(Terms to expire 31 January 1996)

HALIFAX INDUSTRIAL COMMISSION

Bernard F. Miller, Jr.
Bill Schiebel
G. Lummis
P. Conrod
Judy Steele

(Terms to expire 31 January 1997)

LAKES AND WATERWAYS ADVISORY COMMITTEE

Fred Harrington (citizen)
H. J. Muzerie
Kevin Riles
Rick Gagne
Joel Matheson

(Terms to expire 31 January 1996)

LIBRARY BOARD

John Kitz

(Term to expire 31 January 1996)

MAINLAND SOUTH COMMUNITY CENTRE

Menashe Cieplinski

(Term to expire 31 January 1996)

PLANNING ADVISORY COMMITTEE

Kevin Conley

(Term to expire 31 January 1996)

Philip Pacey

Judy Wells

Michael de la Ronde

John K. MacDonald

(Terms extended to 30 September 1994)

POINT PLEASANT PARK

Ed Fitzpatrick

(Term to expire 31 January 1996)

HALIFAX RECREATION COMMITTEE

George Athanasiou

Michael Cadue

Andrew Ritcey

(Terms to expire 31 January 1996)

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SPRING GARDEN ROAD B.I.D.C.

G. Kirt Bulger

Catherine Covey

(Terms to expire 31 January 1996)

HALIFAX TAXI COMMISSION

Robert Kelley

Ronald Doucet

Michael J. Barter

(Terms to expire 31 January 1996)

TOURISM HALIFAX

Joe Gillivan

Joan Jones

(Terms to expire 31 January 1996)

TRANSIT ADVISORY COMMITTEE

Carl Goodwin

Dorothy Stoddard

Eric Michaud

William L. Hyde

(Terms to expire 31 January 1996)

and further, that appointments to the Halifax Natal Day Committee be deferred.

Her Worship Mayor Ducharme made reference to the fact that Agenda Item 10.3, "Natal Day Committee - Terms of Reference," had earlier been deferred to the 9 February meeting of Committee of the Whole. She therefore suggested that both that item and "Appointments to the Natal Day Committee" could be finalized at a special meeting of Halifax City Council to be held subsequent to the 9 February Committee of the Whole.

The motion was put and passed

Case No. 6907: Proposed Development Agreement/
Lot Modification - Halifax Forum, 2901 Windsor
Street (SET DATE FOR PUBLIC HEARING)

A staff report, dated 26 January 1994, was submitted.

MOVED by Alderman Pottie, seconded by Alderman Meagher that City Council set a date for a public hearing to consider a development agreement (lot modification) to permit

**AMENDED PAGE
CITY COUNCIL
27 JANUARY 1994**

the construction of a new civic arena to the immediate north of the Halifax Forum building on Windsor Street, said building to substantially conform with Plan Nos. P200/19734-37 of Case No. 6907.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 23 FEBRUARY 1994 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Case No. 6906: 3763-71 Dutch Village
Road (SET DATE FOR PUBLIC HEARING)**

A staff report, dated 26 January 1994, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that:

- (1) City Council set a date for a public hearing to permit by development agreement a mixed residential/commercial building for the property at 3763-71 Dutch Village Road;
- (2) the development substantially conform with Plan Nos. P200/19730-33 of Case No. 6906.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 23 FEBRUARY 1994 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

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

**HER WORSHIP MAYOR MOIRA DUCHARME
CHAIRMAN**

**E. A. KERR, CMC
CITY CLERK**

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**CITY COUNCIL
27 JANUARY 1994**

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
9 February 1994
1:30 P. M.

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

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

ALSO PRESENT: Mr. Barry B. Coopersmith, City Manager; Mr. Wayne Anstey, City Solicitor; Mr. E. A. Kerr, City Clerk; and other members of staff.

Special Election Results - Ward Ten

The City Clerk advised that Mr. Russell Walker had obtained the largest number of votes (namely, 441) in the Special Election held on 22 January 1994 for the position of Ward Ten Alderman. The following represents the official returns from that election:

Steve Rimek	13
Mac Bennett	105
Bob Hamilton	149
D. Ray Pierce	253
Charles R. Baxter	342
Art Flynn	370
Russell Walker	441

In accordance with the provisions of the Municipal Election Act with respect to the Election of Aldermen, therefore, Mr. Kerr declared Mr. Walker duly elected as Alderman for Ward 10 of the City of Halifax for a term to expire October 1994.

Following Mr. Kerr's announcement, the Honourable Mr. Justice David MacAdam administered the Oath of Allegiance and of Office to Mr. Walker, and presented him with the Aldermanic Medal.

The Council scroll was signed by Alderman Walker, who subsequently received congratulations from Her Worship the Mayor and the other members of City Council.

**SPECIAL MEETING
HALIFAX CITY COUNCIL
9 FEBRUARY 1994**

Appointment - City Boards and Committees

MOVED by Deputy Mayor Pottie, seconded by Alderman Downey that Alderman Russell Walker be appointed to the following committee, for a term to expire 31 October 1994:

Art Allocation Committee
Audit Committee
Heritage Advisory Committee
Snow Committee
Tax Concessions and Grants Committee
Canada Day Committee

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 1:45 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
CHAIRMAN

*K

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
9 February 1994
5:00 P.M.

A special meeting of Halifax City Council was held at this time. The meeting was opened with members of Council joining in the recitation of the Lord's Prayer.

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

ALSO PRESENT: Barry B. Coopersmith, City Manager; Wayne Anstey, City Solicitor; Edward A. Kerr, City Clerk; and other members of City staff.

Natal Day Committee - Terms of Reference

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

MOVED by Deputy Mayor Pottie, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, the new Terms of Reference for the Halifax Natal Day Committee, as set out in a report from Deputy Mayor Patrick Pottie dated 26 January 1994, be approved.

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

Appointments - Halifax Natal Day Committee

A confidential report from Her Worship Mayor Ducharme dated 9 February 1994 was submitted.

MOVED by Deputy Mayor Pottie, seconded by Alderman Fitzgerald that the following persons be appointed to the Halifax Natal Day with terms to expire 31 January 1996:

**SPECIAL COUNCIL
9 FEBRUARY 1994**

Allan J. Snow
Kevin Johnson
Robert A. Cohn
Linda Shaffner
Paula Jane Milson
Bob Bezanson
Henry Moulton
Colin McDevitt

Alderman Meagher proposed an amendment to the motion to include Mr. Douglas Partridge as a member to the Natal Day Committee.

In response to a question from Alderman Downey, Her Worship Mayor Ducharme advised that her office would contact the persons on the Natal Day Committee whose terms had not yet expired to see if they wished to be re-considered for the Committee.

Further to Alderman Meagher's proposed amendment, Deputy Mayor Pottie expressed concern with departing from the process which Council has abided by with respect to appointments. He suggested instead that the proposed appointee should submit an application.

Alderman Meagher subsequently withdrew his amendment.

The motion was put and passed.

Appointments - Halifax Industrial Commission

A confidential report from Her Worship Mayor Ducharme dated 9 February 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that the following person be appointed to the Halifax Industrial Commission, term to expire 1 November 1994:

Alderman Mary Ann Crowley

Motion passed.

Appointments - Court House Commission

A confidential report from Her Worship Mayor Ducharme dated 9 February 1994 was submitted.

**SPECIAL COUNCIL
9 FEBRUARY 1994**

MOVED by Alderman Hanson, seconded by Deputy Mayor Pottie that the following persons be appointed to the Court House Commission, terms to expire 31 January 1996:

Marcel Petrella
Edward Gores

Motion passed.

Birch Cove Lakes Environmental Study

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

MOVED by Alderman Stone, seconded by Alderman Adams the Finance and Executive Committee recommend that:

- (1) Council approve the appointment of **Porter Dillon Limited** to carry out the Birch Lakes Area Environmental Study in accordance with the Terms of Reference, at a total cost not to exceed \$183,573.00 (including G.S.T.);
- (2) Council approve an amount of \$34,000 in additional funds as a recommitment of the 1994 Capital Budget for this project (No. 91661);
and
- (3) the Mayor and City Clerk be authorized to enter into an agreement with the consultant.

The motion was put and passed.

P. & E. Pizzeria Enterprises

This matter was referred to this meeting from the Planning Committee meeting held earlier on this date.

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Planning Committee, the Legal Department visit the property to view the site, preferably in the company of the inspector who completed the pre-construction survey.

Motion passed.

**SPECIAL COUNCIL
9 FEBRUARY 1994**

Purchase of Lot 1A Kearney Lake Road

This matter was referred to this meeting from the Planning Committee meeting held earlier on this date.

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

1. approve the use of surplus capital funds, in the amount of \$184,250, plus normal closing adjustments and GST, to facilitate the purchase of Lot 1A Kearney Lake Road in anticipation of Ministerial approval for the use of land sales proceeds;
2. authorize a transfer of unused funds in account #92999 to account #96006.

Motion passed.

**Certificate of Merit - White Cane Week
(Deputy Mayor Pottie)**

This item was added at this time at the request of Deputy Mayor Pottie.

Deputy Mayor Pottie advised that he had the pleasure to attend the annual event for the Canadian National Institute for the Blind on behalf of Her Worship Mayor Ducharme members of Council. He noted that the Canadian Council of the Blind has found fit to award seven certificates of merit. The Deputy Mayor presented the certificate of merit awarded to Her Worship and Members of Council at this time.

Appointments (Alderman Fitzgerald)

This item was added at this time at the request of Alderman Fitzgerald.

Alderman Fitzgerald noted that sometime ago Council ran into difficulty with appointments. He noted that it was his understanding that if a person (citizen) was appointed to fill a vacancy, it would not count as part of their term.

Her Worship advised that the Alderman was correct.

**SPECIAL COUNCIL
9 FEBRUARY 1994**

Responding to a further question from Alderman Fitzgerald, Her Worship advised that there were no three year appointments.

Alderman Fitzgerald indicated that he would discuss a particular problem in private with Her Worship.

At approximately 5:10 p.m. there being no further business to discuss, the meeting adjourned.

HER WORSHIP MAYOR DUCHARME
CHAIRMAN

/M

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HALIFAX CITY COUNCIL M I N U T E S

Council Chamber
Halifax City Hall
17 February 1994
8:00 p.m.

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

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

Following the Lord's Prayer, Her Worship Mayor Ducharme, members of Council, and all present, observed a moment of silence in memory of Alfred Jeffrey, brother of Alderman Tom Jeffrey.

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

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

MINUTES

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that the minutes of the special meeting of Halifax City Council held on Wednesday, 19 January 1994, and the regular meeting of Halifax City Council on Thursday, 27 January 1994 (as amended) be approved.

Motion carried.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

20.1 Appointments

- 20.2 Renaming of the Building on Cornwallis Street -
Major Donald J. MacDonald (Alderman Downey)

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

- 20.3 Halifax Homeowners Association
(Deputy Mayor Pottie)

- 20.4 Conveyance of Lands - Northwood Terrace -
Halifax Senior Citizens Housing Corporation Limited
(Alderman Downey)

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

PETITIONS AND DELEGATIONS

Petition Alderman Adams Re: Jollimore Recreation

Alderman Adams read and submitted a petition signed by approximately 231 persons requesting that the City give consideration to two new baseball fields for the children of this area.

Petition Alderman Adams Re: Bus Routes

Alderman Adams read and submitted a petition signed by approximately 72 persons requesting that the Metro Transit Authority keep the following buses on their routes:

- A) #8 Windsor leaving downtown Halifax at 7:00 a.m. Monday to Friday;
- B) #20 Herring Cove leaving Mumford bus terminal at 12:30 a.m. Monday to Friday.

Alderman Adams asked that in addition to the economic cost of the bus route, the social costs as well be considered.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 9 February 1994, as follows:

Claim for Injurious Affection
- 86-88 Withrod Drive

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, City Council approve the settlement of the claim of Dawn E. MacLachlan, the owner of civic number 86-88 Withrod Drive in the total amount of \$11,209.87 plus interest at 6% per annum, less \$4,125.00 already paid, in full and final settlement of the claim of Dawn E. MacLachlan.

The motion was put and passed.

Provincial-Municipal Service Exchange

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

- (1) Council express concern to the Provincial Minister of Municipal Affairs regarding the implications of service exchange by forwarding a copy of Addendum "A" (attached to the staff report dated 27 January 1994) in advance of the projected meeting with the Minister;
- (2) that, prior to submission of Addendum "A," the document be amended to include a request for additional cost-sharing vis a vis street improvement projects on major arteries; and that
- (3) Council request the Minister to initiate discussions between staff members of her department and City staff on these concerns at the earliest opportunity.

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

CITY COUNCIL
17 FEBRUARY 1994

**Downtown Halifax Business Commission Strategic Plan:
"Downtown Halifax - Toward the Year 2000"
REPORT TO BE TABLED**

An information report dated 16 February 1994 was submitted.

MOVED by Alderman Crowley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the report entitled "Downtown Halifax - Toward the Year 2000" be tabled until the Economic Development Task Force present their recommendations to Council.

Responding to a question from Alderman Fitzgerald concerning a study on a new parking garage in the area of the Central Business District, the City Manager advised that the report should be presented to Council within the next three to four weeks.

Responding to a further question from Alderman Fitzgerald, the City Manager indicated that both the BIDC and the Halifax Task Force on Economic Development have identified the waterfront as a prime area. He added that the Halifax Economic Task Force will be making a number of substantial recommendations to Council with regard to the waterfront.

Addressing a question concerning the unsightliness of the Nova Scotia Power Corporation's property on the waterfront, the City Manager advised that staff have had discussions with the Power Corporation but have not yet realized anything concrete to date.

The motion was put and passed.

**Downtown Barrington Improvement District Commission:
Request for Funding Advance**

MOVED by Alderman Crowley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve an advance in the amount of \$17,351 to the Downtown Business Improvement District commission, subject to approval of its application for funding to the Community Opportunities Fund.

The motion was put and passed.

CITY COUNCIL
17 FEBRUARY 1994

Province of Nova Scotia Community
Opportunities Fund City Project: Royal
Heritage Walking and Driving Route

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

- (1) Council authorize staff to submit an application for funding to the Community Opportunities Fund in the amount of \$20,000 (total project costs equal \$40,000 with the Province and the City of Halifax contributing in equal shares);
- (2) Council authorize staff to expend a \$20,000 advance from the 1994 Mainstreet Account 91664, if Provincial cost-sharing under the Community Opportunities Fund is approved; and that
- (3) Council authorize staff to call for proposals for a contractor to undertake the proposed project subject to approval of Provincial funds as described in the terms of reference and call for proposals attached as Appendix "B" to the 28 January 1994 report.

The motion was put and passed.

C.F.B. Gagetown - Request for Use of Coat of Arms

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the City support and grant permission to allow the mural crown and sprig element of the City Coat of Arms to be used as the central element in the crest of J Company, 2nd Battalion, The Royal Canadian Regiment, as requested.

The motion was put and passed.

Continued Secondment of City Personnel
to Province of Nova Scotia

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Halifax City Council authorize the continuation of the secondment of the three Social Planning Department

**CITY COUNCIL
17 FEBRUARY 1994**

employees to the Province of Nova Scotia until 31 March 1994, at no cost to the City of Halifax; and that the Mayor and the City Clerk be authorized to execute on behalf of the City an agreement with the Province to that effect.

The motion was put and passed.

File #62914 - Class III Driving Training

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, authority be granted to pay the invoiced amount of \$9,865.85 (G.S.T. not included) to Commercial Safety College (funds to be made available from Account Number 22301.501, titled "Training and Education").

The motion was put and passed.

Signing Authority - City Manager

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

1. Council increase the City Manager's signing authority from the present \$7,500 to \$50,000 where funds are available in an approved budget, with all items in excess of the amount being required to be brought before Council and that the Province be requested to amend the City Charter accordingly;
2. monthly reports be submitted to Council showing the items between \$7,500 to \$50,000 that have been approved.

Motion passed.

**Street Closure - A Portion of Arts Street
- SET DATE FOR PUBLIC HEARING**

A supplementary staff report dated 11 February 1994 was submitted.

CITY COUNCIL
17 FEBRUARY 1994

Alderman Downey expressed some concern with the closing of the street. He indicated that it was his opinion the City could make use of the land by using the vacant land for rental parking.

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

1. a portion of Artz Street identified on Plan No. TT-49-31980 (of the staff report dated 26 January 1994) be closed as a street;
2. in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close a portion of Artz Street as shown on Plan No. TT-49-31980.

The motion was put and passed.

The City Clerk advised that the recommended date for a hearing would be scheduled for Wednesday, 23 March 1994, 7:30 p.m., in the Council Chamber.

Comprehensive Audit - Industrial
Commission (Terms of Reference)

A supplementary staff report dated 10 February 1994 was submitted.

MOVED by Alderman Adams, seconded by Alderman Crowley that Halifax City Council approve the revised terms of reference, attached to the supplementary staff report of 10 February 1994, as the basis of a comprehensive audit of the Halifax Industrial Commission in substitution for the terms of reference approved by City Council on 16 December 1993 and direct City staff to proceed with the call for proposals for the comprehensive audit as previously approved.

Alderman Fitzgerald noted that at the last Committee of the Whole Council meeting, it was recommended that Council meet with the Industrial Commission as soon as possible to discuss some issues.

**CITY COUNCIL
17 FEBRUARY 1994**

The Chair advised that the matter of a joint meeting was discussed at the Industrial Commission's meeting Monday night and it was suggested that the date be set for Monday, 7 March 1994.

Alderman Adams noted that the issues raised by Alderman Fitzgerald will be covered by the audit and therefore suggested that the matters should be discussed after completion of the audit.

The Chair noted that the City Manager has suggested that perhaps the March 7 date for the joint meeting was not appropriate because of Council's break. Mayor Ducharme advised that Council's comments would be considered when a date is chosen.

Alderman Stone concurred with Alderman Fitzgerald's comment that the meeting should be scheduled as soon as possible, but agreed that because of other commitments it would likely be difficult to hold a meeting before March 7.

The motion was put and passed.

Earth Cycle Opportunities

MOVED by Deputy Mayor Pottie, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, this matter be deferred until after the results of the environmental review of the incinerator are known.

Alderman Fitzgerald suggested that Council meet with Earth Cycle Opportunities at the next Committee of the Whole Council meeting to be held on Wednesday, 23 February 1994, and it was indicated that the item was already on that agenda.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 9 February 1994, as follows:

Naming of Streets - Park Drive

Reiterating his comments at the last Committee of the Whole Council meeting, Alderman Stone spoke in favour of renaming the street from Willett to the Bicentennial Highway or "Park Drive." Alderman Stone indicated that the name "Park Drive" is appropriate to be considered because it fronts the new Mainland Common, is in the Clayton Park West area, and is the roadway to the City's Industrial Park.

Alderman Stone noted however, as explained at the last Committee of the Whole Council meeting, that the name would necessitate a change of address for two apartment complexes and would affect some businesses on Lacewood Drive. He therefore agreed with the name "Lacewood Drive" and expressed the hope that the sign would read something like "Lacewood Drive to the Industrial Park."

It was subsequently moved by Alderman Stone, seconded by Alderman Walker that, as recommended by the Committee on Works:

- (1) the newly constructed roadway between the Mainland North Linear Park and the Bicentennial Highway be named "Lacewood Drive;"
- (2) the unnamed roadway between the Bicentennial Highway and Chain Lake Drive be named "Lacewood Drive;"
- (3) Council rescind its motion of 27 February 1992, and amend the motion to delete all references to "Park Drive;" and
- (4) Council direct staff to initiate appropriate action to designate Lacewood Drive between Chain Lake Drive and Dunbrack Street as a daytime truck route.

The motion was put and passed.

Consultant Services - New
Paving (Lower Water Street)

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

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- (1) Council approve the additional payment of \$4,700.00 + G.S.T., for soils investigation work, to CBCL Limited;
- (2) Council approve the payment of \$18,000 + G.S.T., for additional work, to CBCL Limited; and
- (3) funding for the additional payments be authorized from Capital Account No. 91354, "New Paving - Lower Water Street."

The motion was put and passed.

Request for Public Hearing - Ruinous
Building, Civic No. 8 Main Avenue

MOVED by Alderman Stone, seconded by Alderman Walker that, as recommended by the Committee on Works, the date of Thursday, 3 March 1994, be set as the date for a hearing with the assessed owner of Civic No. 8 Main Avenue, with a view to issuing an order that the owner demolish the building and clean the site.

The motion was put and passed.

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

Proposed Amendment to Ordinance 180, the Streets Ordinance
(Vending in the Grand Parade) - SECOND READING

First Reading with respect to this Ordinance was given at the last meeting of Halifax City Council held on 27 January 1994.

MOVED by Alderman Adams, seconded by Alderman O'Malley that Council give SECOND READING to the following amendment proposed for Ordinance 180, the Streets Ordinance:

Section 54 is amended by adding as subsection (3) the following:

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(3) a person vending at a site in the Grand Parade shall not conduct his business in such a way as to interfere with performances being conducted in the Grand Parade.

Alderman Fitzgerald advised that he received suggestions from various of the vendors. The Alderman suggested that Her Worship Mayor Ducharme determine the status of the Streets Committee and possibly arrange a meeting to deal with these suggestions, to which Her Worship agreed.

Motion passed.

PLANNING COMMITTEE

City Council considered the report of the Planning Committee from its meeting held on 9 February 1994 as follows:

Report from Staff and also Planning Advisory Committee Re: Case No. 6738: Amendment to the Municipal Development Plan and Land Use Bylaw - Residential Development District Zone - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the amendments as set out in Appendix "B" of the 11 January 1994 staff report.

Motion passed.

The City Clerk advised that the recommended date for a hearing would be scheduled for Wednesday, 23 March 1994, 7:30 p.m., in the Council Chamber.

Report from Planning Advisory Committee, Case No. 6670: Amendment to Municipal Development Plan and Land Use Bylaw to Permit Proposed Townhouse Development (35 Coronation Avenue) - SET DATE FOR PUBLIC HEARING

This matter was forwarded to City Council without recommendation pending a report from staff.

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A supplementary staff report dated 14 February 1994 was submitted.

MOVED by Alderman Stone, seconded by Alderman Walker that:

1. Council adopt Appendix I (as attached to the supplementary staff report of dated 14 February 1994) as the proposed Municipal Development Plan (Fairview Secondary Planning Strategy) and land use bylaw amendments for 35 Coronation Avenue;
2. Council direct staff to:
 - a) commence negotiations with W.H. Fares and Associates to formalize the development agreement for the 10 unit townhouse project at 35 Coronation Avenue based on this proposed policy; and
 - b) prepare the discharge of the 27 April 1979 agreement for 35 Coronation Avenue.
3. Upon the completion of the above and receipt of the relevant staff reports, Council give its notice of intention to adopt the Municipal Development Plan (Fairview Secondary Planning Strategy) and Land Use Bylaw amendment as contained in Appendix I and set Public Hearing dates for the plan amendment, the development agreement for 35 Coronation Avenue and the discharge of the 27 April 1979 agreement for 35 Coronation Avenue.

Motion passed.

**Case No. 6881: Development Agreement - 5788 North Street
- SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the application for a development agreement, lands of Maritime Telegraph and Telephone Company Limited, 5788 North Street to permit a 125 sq. ft.± one storey addition as shown on Plan

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No. P200/19674 of Case 6881 (attached to the staff report of 25 January 1994).

Motion passed.

The City Clerk advised that the recommended date for a hearing would be scheduled for Wednesday, 23 March 1994, 7:30 p.m., in the Council Chamber.

**Case No. 6876: Development Agreement to Permit Expansion of a Non-Conforming Use - 20 Battery Drive
- SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the application for a development agreement with Pelham electric and Refrigeration Ltd. to permit construction of an addition to a non-conforming use at 20 Battery Drive.

Motion passed.

The City Clerk advised that the recommended date for a hearing would be scheduled for Wednesday, 23 March 1994, 7:30 p.m., in the Council Chamber.

**Case No. 6725: Modification Land Use Bylaw
- 2760-64 Windsor Street - SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the application for a development agreement (modification of the side yard requirement) as shown on Plans No. P200/19638, 19639, 19641 and 19678 (of the staff report dated 20 January 1994).

Motion passed.

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The City Clerk advised that the recommended date for a hearing would be scheduled for Wednesday, 6 April 1994, 7:30 p.m., in the Council Chamber.

**Case No. 6907: Proposed Development Agreement
(Lot Modification) - Halifax Forum, 2901 Windsor Street
- SET DATE FOR PUBLIC HEARING**

The City Clerk advised that the public hearing with respect to this matter was scheduled at the meeting of City Council on January 27, 1994, for Wednesday, 23 February 1994, 7:30 p.m., in the Council Chamber and that no further action was necessary.

**Report from Heritage Advisory Committee Re:
Heritage Advisory Committee Annual Report for 1993**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Committee, the recommendations as contained in the report from Dr. Paul A. Erickson, Chair, Heritage Advisory Committee, dated 14 January 1994, be forwarded to staff for consideration.

Motion passed.

NOTICES OF MOTION

**Motion Alderman Meagher Re: Proposed Amendment to
Ordinance 170, the Tax Concession Ordinance - FIRST READING**

Notice of Motion with respect to this matter was given at the last meeting of City Council held on Thursday, 27 January 1994.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that City Council give **FIRST READING** to the proposed amendment to Ordinance 170, the Tax Concession Ordinance, as follows and refer the matter to the next Committee of the Whole Council meeting to be held on Wednesday, 23 February 1994 for consideration and report:

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1. Schedule "B" of Ordinance 170 is amended by adding to the list of properties the following:

"100870 Canadian Hostelling Association
1253 Barrington Street"

Motion passed.

**Administrative Order Number 5 - Council Stipends
- FIRST READING**

MOVED by Alderman Hanson, seconded by Alderman Adams that Administrative Order 5 Respecting Stipends be amended in accordance with Appendix "A" (attached to the staff report of 2 February 1994), be given First Reading, and that it be referred to the immediately following regular meeting of Halifax City Council for Second Reading.

Motion passed.

NOTICES OF MOTION

Notice of Motion Re: The 1994 Canadian Electrical Code

Alderman O'Malley gave notice of motion that at the next regular meeting of Halifax City Council to be held on Thursday, the 3rd day of March, 1994, she proposes to introduce a motion to amend Ordinance 130, the Electrical Ordinance, the purpose of which is to adopt the 1994 Canadian Electrical Code.

ADDED ITEMS

Appointments

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

A report from Her Worship Mayor Ducharme dated 17 February 1994 was submitted.

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

HALIFAX TAXI & LIMOUSINE COMMISSION

John Swinimar - Term to expire January 31, 1997

**HALIFAX ADVISORY COMMITTEE ON THE STATUS OF PERSONS
WITH DISABILITIES (FIVE STAR COMMITTEE)**

Darrell Robar
Doreen Archibald
Catherine Irving
Lynn L. Atwell
John (Jake) s. Bryant
Andrew S. Fuller
Margaret MacDonald
Donald Mullins
Peggy Brown
Margaret Hiltz
Kathleen (Peggy) Shaw
Anne MacRae

Terms to expire January 31, 1997

Alderman Mary Ann Crowley
Alderman Russell Walker

Terms to expire November 1, 1994

ADVISORY COMMITTEE ON CONCERNS OF AGEING

Mona B. Guillemette
Term to expire January 31, 1997

CANADA DAY COMMITTEE

Major Bob Burns
Term to expire January 31, 1997
(representing the Nova Scotia TATOO)

**SPRING GARDEN ROAD BUSINESS IMPROVEMENT
DISTRICT COMMISSION**

Chris Chisholm
Term to expire January 31, 1997

Motion passed.

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**Renaming of the Building on Cornwallis Street
- Major Donald J. MacDonald (Alderman Downey)**

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

Alderman Downey addressed the item and noted that the building in question used to be called Cornwallis Court. He advised that he received a number of calls concerning the renaming of the building. Alderman Downey went on to question the policy of the City with respect to the procedure for naming and renaming buildings.

The Chair noted that staff could provide information in this regard.

MOVED by Alderman Downey, seconded by Alderman Holland that this matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 23 February 1994, pending a report from staff.

Motion passed.

Halifax Homeowners Association (Deputy Mayor Pottie)

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

Deputy Mayor Pottie addressed the item noting that it has come to his attention that the Halifax Homeowners Association have some concerns and problems with Halifax City Council. He advised that he was informed that it has been suggested at some meetings that the President bring those concerns before Council. The Deputy Mayor pointed out that during his term on Council, he could not recall the Homeowners Association ever making a presentation to Council regarding any concerns or disagreements they have with Halifax City Council.

MOVED by Deputy Mayor Pottie, seconded by Alderman Adams that Mr. Jim Vaughan, President, Halifax Homeowners Association, be invited to the next Committee of the Whole Council meeting scheduled for Wednesday, 23 February 1994, 5:00 p.m., to bring forth any problems or concerns they wish

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to present to City Council, and that any member or former member(s) of the Association also be invited to bring forth any concerns.

Motion passed.

**Conveyance of Lands - Northwood Terrace
Halifax Senior Citizen's Housing Corporation Limited**

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

A staff report dated 17 February 1994 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Halifax City Council approve the release of the option to repurchase the lands situated on Northwood Terrace in the City of Halifax which lands are more particularly described as "Lands to be Leased to the Halifax Senior Citizens' Corporation Limited" on a plan dated 15 July 1966 and being on file in the Engineering and Works Department as Plan No. TP-6-16658 for the sum of \$110,000.00 payable in 10 equal annual instalments of \$11,000.00.

Motion passed.

QUESTIONS

**Question Alderman Holland Re:
Snow Clearing Violations**

Alderman Holland made reference to a question raised during the 27 January meeting of Halifax City Council concerning the number of tickets that have been issued for violations of the City's snow removal regulations.

Referring to an Information Report (dated 14 February 1994) received in response from the Chief of Police, the Alderman expressed surprise that, given the number of violations he personally had noticed throughout the City, only 60 tickets had been issued between 29 December - 27 January. He therefore asked for further information as to

whether those tickets represented "warnings," prosecutions or instances in which City staff had been required to remove the snow themselves and then invoice the property owner for their work.

**Question Deputy Mayor Pottie Re:
Snow Removal - Bus Stops/Bus Shelters**

Deputy Mayor Pottie advised that he had received a number of complaints concerning the manner in which the City's contractors have been removing snow from local bus stops and bus shelters. In his remarks, the Deputy Mayor pointed out that, in many instances, two backhoes and a large truck are involved in the process which tends to block traffic on both sides of the street and which, in his view, represents a safety hazard since no flag men are provided to direct vehicular movement. Deputy Mayor Pottie also advised that there have been many complaints that, while the snow is being removed from the bus stops, a large amount of it is frequently left on adjacent sidewalks, much to the concern of abutting property owners.

The Deputy Mayor asked that the City Manager discuss this matter with his staff in an attempt to rectify these problems.

**Question Deputy Mayor Pottie Re:
Truck Traffic: Connaught Avenue**

Deputy Mayor Pottie reported that the use by heavy trucks of Connaught Avenue (southbound between Bayers Road and Windsor Street) is again causing problems, adding that these vehicles are now using this route on an almost continuous basis, both day and night.

The Deputy Mayor therefore asked that the Chief of Police be requested to increase the enforcement of the traffic regulations on this thoroughfare, and that he be provided with a report as to the success of this monitoring process at a later date.

**Question Alderman Fitzgerald Re:
Snow Removal from City Street**

Alderman Fitzgerald reported that he has received a number of complaints that snow is allegedly being removed from secondary streets during a time when there are still large deposits on more heavily-travelled roadways. The Alderman therefore asked to be advised as to the criteria used by the City vis a vis snow removal from City streets.

**Question Alderman Fitzgerald Re:
Street Improvements - Quinpool Road**

Alderman Fitzgerald made reference to the extremely poor condition of Quinpool Road, adding that it was his understanding that funds for badly-needed improvements have been set aside in the 1994/95 Capital Budget.

**Question Alderman Fitzgerald Re:
Public Housing Units**

Alderman Fitzgerald asked to be provided with an update as to the number of public housing units now vacant in the City of Halifax.

**Question Alderman Fitzgerald Re:
Clock Tower - Halifax City Hall**

With reference to a question from Alderman Fitzgerald, Her Worship Mayor Ducharme indicated that a report would be provided concerning the estimated cost of the clock for the tower at Halifax City Hall indicating it was an expensive proposal.

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

With reference to a question from Alderman Fitzgerald, Her Worship Mayor Ducharme advised that staff are currently working with the owner of the former Halifax Infirmary site to ensure that the area is appropriately cleared.

**Question Alderman Fitzgerald Re:
1994 Grand Prix**

Alderman Fitzgerald asked for information as to whether any indication has been received from Moosehead Breweries with regard to the 1994 Grand Prix.

**Question Alderman Fitzgerald Re:
All-Season Maintenance**

Alderman Fitzgerald made reference to the many complaints he has received from Halifax residents with regard to All-Season Maintenance. He emphasized, however, that, in the opinion of the City's Legal Department, any monies paid to this company represented an arrangement between private individuals and a private contractor; therefore, there is nothing that Halifax City Council can do to resolve these difficulties.

Question Alderman Fitzgerald Re:
View Plan Intrusion - CFB Halifax Dockyard

Alderman Fitzgerald made reference to a letter recently submitted to Council from the Heritage Advisory Committee concerning the intrusion into one of the City's view planes by a proposed development, and asked that this document be forwarded to the appropriate personnel at the CFB Halifax Dockyard.

Question Alderman Stone Re:
Proposed RA-5 Controls - Mainland North

Alderman Stone expressed his appreciation to staff for their prompt response to his questions regarding proposed traffic controls in Mainland North.

Referring, in particular, to the RA-5 signs proposed for Dunbrack Street at Clayton Park Drive (adjacent to the Northcliffe Recreational Centre), the Alderman expressed the hope that this equipment will be installed as soon as it is received (and weather conditions permit).

Question Alderman Stone Re:
Community Mail Boxes - Lansdowne Drive

Alderman Stone made reference to concerns brought to him by several residents of Lansdowne Drive regarding the recent relocation of their community mailbox (from the corner of Lansdowne and Remington Court) to a site on Oakley Court and the difficulties that relocation has caused. The Alderman advised that, in response to a letter forwarded to Canada Post, residents had been advised that the Oakley Court site had been selected because there did not appear to be a more acceptable location closer to Lansdowne Drive.

Under the circumstances, therefore, the Alderman requested that staff of the City's Engineering Department investigate the area to ascertain whether, in their opinion, an acceptable location could be found for this community mailbox nearer to Lansdowne Drive.

Question Alderman Adams Re:
City Council's "Question Period"

Alderman Adams indicated that he would appreciate receiving comments from staff with regard to "Question Period;" more specifically, whether, in their view, "Question Period" should continue to be included at the end of regular Council meeting agendas. The Alderman also asked for an estimate, both in staff time and in dollars, of the costs

required to respond to these questions in their current format. He went on to suggest that if Question Period was eliminated in its entirety and members of Council required to submit questions in the form of memoranda, the result would be shorter, more concise answers and a consequent reduction in staff time and effort.

Question Alderman Crowley Re:
Snow Removal - Quinpool Professional Centre

Alderman Crowley reported that she has received a number of complaints with regard to the snow accumulation at the Quinpool Professional Centre. In her comments, the Alderman advised that many of the Centre's clientele are senior citizens who are experiencing considerable difficulty accessing parking meters at this site because of the surface conditions. She therefore asked that staff investigate the situation to see if these problems could be resolved.

Question Alderman Crowley Re:
Signage - St. Andrew's School Site

Alderman Crowley expressed concern regarding the number of signs that have been erected adjacent to Bayers Road advertising the tenants and services offered by the St. Andrew's School Centre. Emphasizing that, in her view, this multiplicity of signs is extremely unattractive (particularly given the fact that Bayers Road is a major thoroughfare in and out of the City), the Alderman asked for information as to whether staff could not construct a more visually attractive sign that could incorporate all this information.

Question Alderman Crowley Re:
Snow Clearing Services for Seniors

Alderman Crowley advised that she continues to receive calls from senior residents searching for someone to help them clear their driveways and sidewalks of snow. In this context, the Alderman suggested that consideration be given by staff to developing a computerized listing of individuals (be they youth, unemployed persons, etc.) who would be interested in providing this service in various areas of the City.

Question Alderman Walker Re:
Status Reports - Lots in Ward 10

Alderman Walker asked to be provided with a status report on two lots in Ward 10; one being Lot B1-D on Vimy Avenue (previously expropriated by the City) and the second being B-1 on Evans Avenue (earlier part of a proposed land swap involving 100 Leiblin Drive and the former Titus Smith School property)

Question Alderman Downey Re:
Letter of Condolence - Bob Bowness

Alderman Downey made reference to the passing on 16 February 1994 of Mr. Robert S. (Bob) Bowness, a well-known local athlete and the father-in-law of Mr. Stewart McInnes, the former Chairman of the Mayor's Task Force on Drugs, and asked that a letter of condolence be forwarded to the Bowness family by Her Worship the Mayor on behalf of all members of Council.

Question Alderman Downey Re:
Social Planning Department - Dental Plan

Alderman Downey made reference to a recent court decision pertaining to compensation for dental expenses incurred by a social assistance recipient. The Alderman indicated that, in his view, this decision may set a precedent for other claims of this nature, and asked for a report on this matter from the City's Social Planning Department.

Question Alderman Downey Re:
Claims Against the City

Alderman Downey made reference to the problems caused by the potholes now evident on many of the City's streets, and asked for information from staff as to the procedure which should be followed by individuals wishing to submit claims against the City for damages caused by these poor surface conditions. The Alderman went on to note that it would seem that some claims are honored, while others are not, adding that it would be helpful to know how the incident should be reported and what proof is required to substantiate the claim.

Question Alderman O'Malley Re:
Halifax Housing Authority

Alderman O'Malley expressed concern that, excluding the budget review sessions, Council rarely has any communication with the Halifax Housing Authority, a situation which has been exacerbated by the fact that there is no longer a Council representative on the Authority's Board of Directors. Under the circumstances, therefore, the Alderman strongly recommended that efforts be made to improve the "lines of communication" between Council and the Authority, particularly in the context of providing regular updates as to the number and location of unoccupied units.

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

Alderman O'Malley asked for a report concerning the current status of the City's Pollution Control Account.

**Question Alderman O'Malley Re:
Surface Condition - Agricola Street**

Alderman O'Malley expressed concern regarding the condition of Agricola Street (particularly the boulevarded section between Young and Duffus Streets) and asked for information from staff as to what is proposed for this roadway in the way of improvements once the frost is out of the ground.

**Question Alderman Meagher Re:
Halifax Housing Authority**

Alderman Meagher made reference to a letter recently received by Halifax City Council from the Honourable Guy Brown concerning a proposed operational audit of metro-area housing authorities. Expressing concern that the Province may be intending to "destroy" these authorities by turning them over to the private sector, Alderman Meagher submitted a copy of Mr. Brown's letter to the City Clerk and asked to have comments submitted on the matter from staff of the Social Planning Department.

**Question Alderman Fitzgerald Re:
Entrepreneurial Approach - Recreation Department**

Alderman Fitzgerald made reference to an Information Report recently received from the Recreation Department regarding their proposed "entrepreneurial approach" to recreation services in the City of Halifax. The Alderman commended both the Director of Recreation and his staff on their report, and strongly recommended that Mr. Cameron be asked to present a 10-15 minute overview of his 27 January report at a future meeting of Committee of the Whole Council.

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

**HER WORSHIP MAYOR MOIRA DUCHARME
CHAIRMAN**

**EDWARD A. KERR
CITY CLERK
M/K**

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
3 March 1994
8:00 P.M.

A regular meeting of Halifax City Council was held at this time. The meeting commenced with Deputy Mayor Pat Pottie leading those present in the recitation of the Lord's Prayer.

A moment of silence was subsequently observed in memory of the late Mr. Alexander Joseph Pottie, father of Deputy Mayor Pat Pottie, who passed away on Tuesday, 1 March.

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

ALSO PRESENT: Mr. Wayne Anstey, Q.C., Acting City Manager; E. A. Kerr, City Clerk; and other members of City staff.

Proclamation:
- "National Engineering Week 1994"

Deputy Mayor Pottie made the following proclamation on behalf of Her Worship Mayor Moira Ducharme:

PROCLAMATION

National Engineering Week '94

WHEREAS *National Engineering Week '94 is a national celebration of Engineers of Nova Scotia (APENS) and four national engineering organizations; the Canadian Council of Professional Engineers (CCPE), the Association of Consulting Engineers of Canada (AECC), the Engineering Institute of Canada (EIC) and the Canadian Academy of Engineering, as well as provincial counterparts; and,*

WHEREAS *National Engineering Week '94 takes place March 5 - 12, 1994, with the theme "Engineering: Our Future", and will involve some 150,000*

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Professional Engineers and their employers in a wide range of activities coast to coast, as well as reaching out to students, educators and parents; and,

WHEREAS *This special Engineering Week has two primary objectives: to increase the public's awareness of the important part engineering plays in our everyday life, and to encourage young people to consider engineering as their career of choice.*

NOW, THEREFORE, I, MOIRA DUCHARME, MAYOR OF THE CITY OF HALIFAX, DO HEREBY PROCLAIM THE WEEK OF MARCH 5 - 12, 1994, AS NATIONAL ENGINEERING WEEK '94 IN THE CITY OF HALIFAX IN RECOGNITION OF APENS' OBJECTIVES, THE CONTRIBUTIONS OF ENGINEERS TO THE CITY, AND THE ROLE OF ENGINEERING IN OUR SOCIETY.

**DATED AT HALIFAX, NOVA SCOTIA
MARCH 5, 1994**

MINUTES

Minutes of two (2) special meetings of Halifax City Council, held on Wednesday, 9 February 1994, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 17 February 1994, were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Stone.

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

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

- 20.1 Winter Parking Ban (Alderman Downey)
- 20.2 Amalgamation of Police Forces (Alderman Fitzgerald)
- 20.3 Duffus Street Pumping Station (Alderman O'Malley)

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

20.4 Shortage of Funds - Halifax Police Department

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

20.5 Parking Lot Lighting

The agenda, as amended, was approved on a motion by Alderman Stone, seconded by Alderman O'Malley.

DEFERRED ITEMS

**Deregistration of a Heritage Property:
1546 Barrington Street (Former Infirmary Annex)**

A public hearing to consider this matter had been held on Wednesday, 23 February 1994.

MOVED by Alderman Downey, seconded by Alderman Adams that Halifax City Council deregister the property generally identified as 1546 Barrington Street and more specifically identified by L.R.I.S. number 40385338 (as shown on the map attached to the staff report dated 22 December 1993).

The City Clerk advised that all members of Council in attendance at tonight's meeting had also been present for the 23 February hearing and were therefore entitled to vote.

The motion was put and passed.

**Case No. 6389 - Schedule "C" Development
Agreement: 5780-88 West Street, 2400 Agricola Street, and 5785-87 Sarah Street (King Edward Inn)**

A public hearing to consider this matter had been held on Wednesday, 23 February 1994.

Correspondence, dated 1 March 1994, was received from Mr. Ian A. Rankin, President of AFM Consultants, together with material (submitted by Alderman Meagher) from

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two residents of Moran Street, one from Sarah Street, and the fourth from West Street.

Mr. Paul Dunphy, a Planner with the City's Development and Planning Department, made reference to the aforementioned letter from Mr. Rankin, noting that the current owners of the King Edward Inn have asked that this matter be deferred. In this context, Mr. Dunphy advised that if this request is granted, a meeting will be held during the week of 7 March between staff and the Inn's owners to attempt to address the concerns raised by area residents during the 23 February public meeting.

Alderman Meagher strongly recommended that, following this initial discussion between staff and the owners, a second meeting be scheduled which time he and area residents might also be invited.

It was therefore moved by Alderman Meagher, seconded by Alderman Fitzgerald that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Wednesday, 30 March 1994.

The motion was put and passed.

**Case No. 6906: Development Agreement -
3763-71 Dutch Village Road**

A public hearing concerning this matter had been held on Wednesday, 23 February 1994.

Alderman Jeffrey noted that certain area residents had initially expressed concern with regard to this proposed development, particularly on the basis of the scope and number of commercial uses that might be permitted at this site. The Alderman emphasized, however, that commercial uses will be kept to a minimum, adding that, in his opinion, the proposed development is extremely compatible with the surrounding neighborhood.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Hanson that City Council grant approval for a development agreement to permit a mixed residential/commercial building at 3763-71 Dutch Village Road (as outlined on Plan Nos. P200/19730-33 of Case No. 6906).

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The City Clerk advised that all members of Council in attendance at tonight's meeting had also been present for the 23 February hearing and were therefore entitled to vote.

The motion was put and passed.

Case No. 6770 - Amendment to Development Agreement, 2571 Windsor Street

A public hearing with regard to this matter had been held on Wednesday, 23 February 1994.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that Halifax City Council adopt Policy 8.4 of Section XI of the Municipal Development Plan and subsection 16AH(b) of the Land Use Bylaw (Peninsula Area) to allow consideration of amendments to the development agreement for 2571 Windsor Street, as contained in Appendix I of the report dated 14 December 1993 from the Planning Advisory Committee.

The City Clerk advised that all members of Council in attendance at tonight's meeting had also been present for the 23 February hearing and were therefore entitled to vote.

The motion was put and passed.

Recommended Heritage Properties: 2085-99 Maitland Street, 5419 Portland Place, and 5425 Portland Place (Redevelopment of the Former Kidston Glass Lands)

This matter had been the subject of a public hearing held on Wednesday, 23 February 1994, at which time the following motions were approved:

That the buildings located at 5419 and 5425 Portland Place be included in the Municipal Registry of Heritage Properties.

That the buildings located at 2085-99 Maitland Street be included in the Municipal Registry of Heritage Properties.

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A supplementary report, dated 25 February 1994 was submitted.

Moved by Alderman Downey, seconded by Alderman Walker that Council:

1. with respect to the property at 2085-2099 Maitland Street, authorize staff to proceed with its sale for commercial use;
2. with respect to the properties at 2103-2107 Maitland Street and the former street, Brunswick Court:
 - (a) authorize staff to consolidate them with the adjacent Alexandra Centre site;
 - (b) authorize staff to prepare a report amending the Development Agreement for the former Alexandra Centre site, approved in December 1993, to extend the boundary of the site and modify the "Building Location" and "Landscape" plans to incorporate the added area for submission to Council at which time a date will be set for a public hearing;
3. take no action on a Call for Proposals for the balance of the Kidston Glass lands and the property formerly at 2111 Brunswick Court until the City has had an opportunity to assess the response to the Call for Proposals for the former Alexandra Centre site that will be issued shortly.

Speaking on the motion, Alderman Stone observed that the supplementary report of 25 February appears to indicate that there are certain budgetary implications to be considered in conjunction with Council's decision on 23 February to register the properties at 5419 and 5425 Portland Place as heritage properties. Emphasizing that, in his opinion, these implications are considerable, the Alderman asked for clarification from staff.

Mr. Richard J. Matthews, Director of the City's Development and Planning Department, advised that the effect of Council's 23 February motion (i.e., to register the Portland Place lands as heritage properties) is to limit the potential re-use of the Portland Place site. In other words, a substantial portion of the redevelopment

value for which this land assembly was initially undertaken will be removed. Mr. Matthews added that the motion also implies that either the City (as the owner of these buildings) will undertake the necessary renovations, or that the buildings will be sold and the cost of those renovations will become a liability against the properties. In either case, there is a budget implication in that the property will be less valuable for the developed use than that which was originally envisioned.

Mr. Matthews went on to point out that Council had every right to approve this heritage designation; however, he suggested that the full budgetary implications of this action might not have been underscored during the 23 February meeting.

On another but related matter, Mr. Matthews advised that, technically speaking, the registration of the Portland Place properties had not yet taken place since staff had been unable to complete the necessary paperwork in the time which had elapsed since 23 February.

Following a lengthy discussion and questioning of staff, the motion was put and passed with Alderman Stone indicating that he intended to give a Notice of Motion to rescind Council's 23 February motion at a later point in the meeting's agenda.

PUBLIC HEARINGS

Hearing - Ruinous Building: Civic No. 8 Main Avenue

This matter was last discussed during a regular meeting of the Committee on Works held on Wednesday, 9 February 1994.

A staff report, dated 17 February 1994, was submitted.

Mr. W. D. Campbell, Development Administrator, briefly overviewed the contents of the 17 February report, emphasizing that, because the building in question is considered to have reached an advanced state of disrepair and is consequently extremely dangerous, staff have recommended that it be immediately demolished.

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Responding to a question from Alderman Meagher, Mr. Campbell advised that notice of tonight's hearing had originally been forwarded to the owner of 8 Main Avenue by registered mail. However, that letter having been returned to the City, a staff member with the Inspection Services Division had hand-delivered a second notice to the owner's wife.

A discussion ensued as to whether, under the circumstances, the property owner could legally be considered to have received adequate notice of the hearing. The Acting City Manager expressed concern that proof could not be shown that the owner had actually received this notice, and added that in situations where the demolition of property belonging to a private citizen is concerned, Council would be best advised to proceed with caution. In this context, Mr. Anstey suggested that a bailiff attached to the City Court system could be requested to personally deliver this notice to the property owner in question.

After some further discussion, it was moved by Alderman Fitzgerald, seconded by Alderman Meagher that the hearing concerning the ruinous building at Civic No. 8 Main Avenue be rescheduled for the special meeting of Halifax City Council to be held on WEDNESDAY, 23 MARCH 1994 at 7:30 p.m., and that, in the interim, appropriate notice be delivered to the property owner by a bailiff of the Courts.

The motion was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 23 February 1994, as follows:

Appointments - Forum Commission, Industrial
Commission and Water Commission

Following is the recommendation from the 23 February meeting of the Finance and Executive Committee:

That Council consider any comments received from members of the three commissions (Forum, Industrial, and Water) and, if it wishes to apply its policy respecting appointments to those commissions, that it request an appropriate amendment to the Forum Commission

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Act, the Industrial Commission Act and the Halifax Water Commission Act.

Responding to a question from Alderman Fitzgerald, the Acting City Manager advised that no comments of an official nature had been received from members of any of the three above-named commissions.

After some further discussion and questioning of staff, it was moved by Alderman Meagher, seconded by Alderman Adams that the amendments proposed to the Forum Commission Act, the Industrial Commission Act, and the Water Commission Act (as attached to the 24 January 1994 report from the City Solicitor) be approved; and further, that staff be directed to forward these amendments to the Nova Scotia Legislature for adoption.

The motion was put and passed.

Write-Off of Accounts

An Information Report, dated 1 March 1994, was submitted.

MOVED by Alderman Adams, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, under Section 184 of the City Charter (1963), Council excuse the City Treasurer from collection of monies due to the City, as summarized in the staff report of 10 February 1994, and authorize the write-off of \$361,447.63.

The motion was put and passed.

Personal Liability - Members of Boards and Commissions

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Halifax City Council, in consideration of a member of a Board or Commission of the City having agreed to serve or upon agreeing in the future to serve on such Board or Commission, undertakes on behalf of the City of Halifax to indemnify and save harmless the members and his estate against any liability incurred by him by reason of his serving or having served as a member of the Board or Commission of the City, including, if necessary, the provision of legal representation to the member at no cost

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to the member, in respect of such liability, and that the City Solicitor be requested to communicate this undertaking to the present members of the Boards and Commissions of the City and to future members at the time of their appointments.

The motion was put and passed.

Technical Specialist - Social Services Program

MOVED by Alderman Fitzgerald, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Council authorize staff to acquire the continuing services of a Synerlogic Technical Specialist for Social Services Program Development at a cost not to exceed \$36,000 (excluding tax).

The motion was put and passed.

Amendment to Terms of Reference
- Canada Day Committee

MOVED by Alderman Crowley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Terms of Reference for the Canada Day Committee be amended to provide for representation from the Nova Scotia International Tattoo in the Committee's composition.

The motion was put and passed.

Grand Casino - Halifax Industrial Park

Following is the recommendation forwarded from the 23 February meeting of the Finance and Executive Committee:

That City Council forward the matter of Casinos to the Province of Nova Scotia with a request that they act as quickly as possible.

Reiterating remarks made during the 23 February meeting, Alderman Jeffrey provided a brief overview of the Grand Casino proposal for the Industrial Commission lands and quoted the following estimates as previously provided by Peat Marwick:

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The Grand Casino proposal, if approved, would see the creation of over 2000 on-site jobs with an additional 1100 off-site. Capital expenditures would be expected to be in the \$102 million range. Annual revenue for the Provincial Government - \$22m, with the City of Halifax receiving roughly \$3.1m per year through property taxes. The project would be expected to attract approximately 690,000 people annually which would, in turn, result in a 15 percent increase in downtown hotel/motel room demand. Off-site tourism expenditures are estimated to be approximately \$49m annually.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Stone that:

- (1) Halifax City Council write to the Minister of Municipal Affairs and the Premier of Nova Scotia to communicate its strong support for the development of a tourist destination resort casino for the Halifax-Dartmouth metropolitan area; and that
- (2) the Government of Nova Scotia proceed with such a development without delay.

Alderman Adams indicated that while he concurred that a decision on the "casino" matter by the Province is long overdue, he could not support Alderman Jeffrey's motion because, in his view, it limited the development of a destination resort to the Industrial Commission lands. In this context, the Alderman pointed out that, given the size and scope of the Grand Casino proposal, there was simply no site other than the Commission lands that could be considered to be appropriate.

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

Bus Route #20

This matter was last discussed during the 23 February meeting of the Finance and Executive Committee at which time a staff report had been requested.

An Information Report, dated 2 March 1994, was submitted.

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Referring to the contents of the 2 March Information Report, Alderman Adams indicated that the budgetary implications of maintaining Route #20 appear to make it economically inadvisable to pursue at this time.

Alderman Adams therefore suggested (and it was so agreed) that the City Manager be asked to write to the MLA for the area presently serviced by Bus Route #20 (with a copy also being forwarded to the Premier) bringing this matter to their attention and emphasizing that the cutbacks which have been forced on the City of Halifax by the Province are hindering Council's ability to remedy situations such as this.

Earth Cycle Opportunities

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

1. City Council endorse the beneficial activities of the EarthCycle proposal; and
2. Refer the proposal to staff for a report responding to the request relating to a site and either grants, loans, or loan guarantees, including the viability of such a project with or without the proposed regional incinerator.

The motion was put and passed.

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

**Administrative Order Number 5 -
Council Stipends (SECOND READING)**

First Reading with regard to this proposed amendment to Administrative Order Number 5 was given by Halifax City Council at a regular meeting held on 17 February 1994.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that Halifax City Council give **SECOND READING** to the amendment proposed for Administrative Order Number 5,

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Respecting Council Stipends, in accordance with Appendix "A" of the staff report dated 2 February 1994.

The motion was put and passed.

**Proposed Amendment to Ordinance 170, the
Tax Concessions Ordinance (SECOND READING)**

First Reading with regard to this proposed amendment to Ordinance 170 was given by Halifax City Council at a regular meeting held on Thursday, 17 February 1994. The matter was further considered at a meeting of the Finance and Executive Committee held on Wednesday, 23 February 1994.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Halifax City Council give SECOND READING to the following amendments proposed for Ordinance 170, the Tax Concessions Ordinance:

1. *Schedule "B" of Ordinance 170 is amended by adding to the list of properties the following:*

*"100870 Canadian Hostelling Association 1253
Barrington Street"*

The motion was put and passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Wednesday, 23 February 1994, as follows:

**Renaming - Building on Cornwallis Street:
- Major General Donald J. MacDonald**

Alderman Downey brought to Council's attention that the name actually being proposed for this particular facility is the "Major General Donald J. MacDonald" building.

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Planning Committee, the Information Report, dated 18 February 1994, be tabled.

The motion was put and passed.

MOTIONS

**Motion Alderman O'Malley Re: Proposed
Amendment to Ordinance 130, the Electrical
Ordinance (Adoption of 1994 Canadian Electrical
Code) - FIRST READING**

Notice of Motion with regard to the above-noted amendment was given by Alderman O'Malley during a regular meeting of Halifax City Council held on Thursday, 17 February 1994.

MOVED by Alderman O'Malley, seconded by Alderman Stone that the amendment to Ordinance 130, as contained in Appendix "A" of the staff report dated 3 March 1994, be given FIRST READING; and further, that the matter be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 23 March 1994) for consideration and report.

The motion was put and passed.

NOTICES OF MOTION

**Notice of Motion Alderman Stone Re:
Rescission of Council Resolution (23 February 1994)**

Alderman Stone gave Notice of Motion that at the next regular meeting of Halifax City Council he proposes to introduce a motion to rescind City Council's decision of Wednesday, 23 February 1993, to register as heritage properties the properties located at 5419 and 5425 Portland Place until such time as the Call for Proposals relevant to these lands is undertaken and dealt with.

It was also moved by Alderman Stone, seconded by Alderman Adams that a stay of proceedings (with regard to the registration of 5419 and 5425 Portland Place as heritage properties) until this matter had been dealt with.

After a lengthy discussion, the motion was put and defeated.

Alderman Stone then gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Wednesday, 30 March 1994, he proposes to introduce a motion that Council schedule a public hearing to consider

the de-registration of the properties located at 5419 and 5425 Portland Place.

**Notice of Motion Alderman Adams Re: Proposed
Amendment to Ordinance 132, the Plumbing Ordinance**

Alderman Adams gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for **Wednesday, 30 March 1994**, he proposes to introduce for First Reading an amendment to Ordinance 132, the Plumbing Ordinance.

The purpose of this amendment is to reflect the present practice respecting the imposition of plumbing fees.

ADDED ITEMS

Winter Parking Ban

Alderman Downey asked that the City Traffic Authority be reminded to place his usual notice in the local newspapers regarding the lifting of the winter parking ban.

Amalgamation of Police Forces

This matter had been added to the agenda at the request of Alderman Fitzgerald who made reference to recent media reports pertaining to the proposed amalgamation of police forces. The Alderman went on to note that while he had received no reports on this matter, he had been somewhat surprised to learn from the media that the proposed amalgamation would affect only the municipalities of Halifax, Dartmouth and Bedford, with the County of Halifax being excluded.

Alderman Fitzgerald expressed concern that, by excluding the County, full cost efficiencies might not be realized by the amalgamation of police services, and therefore requested a complete report on this matter from the Chief Vincent MacDonald at a future meeting of Committee of the Whole Council.

Duffus Street Pumping Station

This matter had been added to the agenda at the request of Alderman O'Malley who, referring to the odors emanating from the Duffus Street pumping station, called the situation an "environmental crisis" and demanded that action be taken immediately to rectify this problem. In her remarks, the Alderman emphasized that residents of the area have been forced to live with this "stench" for an extended period of time, being unable to open their windows, allow their children to play outdoors, or simply to partake in the quiet enjoyment of their property. She went on to point out that the odor has now reached the point where it is overwhelming and all-pervasive, causing considerable hardship particularly to the elderly or those with breathing disorders.

Emphasizing that residents are now considering suing the City for compensation, Alderman O'Malley proposed that the funds necessary to repair the Duffus Street pumping station (estimated at \$1.1 million) be removed from the City's Pollution Control Account; and further, that repairs to this facility be undertaken without delay.

Mr. Peter Connell, Director of the City's Engineering and Works Department, addressed Council to issue assurances that everything possible is being done to have the necessary repairs effected as quickly as possible. While noting that work is expected to begin early next week, Mr. Connell also advised that staff will be circulating throughout the Duffus/Barrington Street neighborhood bringing residents up to date on the action already taken by the City and providing information as to what they can expect over the weeks to come. Referring, in particular, to Alderman O'Malley's proposed motion, however, Mr. Connell emphasized that, to his knowledge, any delays which might have occurred over the last several weeks could not be attributed to the lack of funding.

The Acting City Manager, referring to a portion of the Alderman's proposed motion, observed that under the provisions of the City Charter, a motion to expend funds could not be approved by Council unless it is accompanied by a report from the City Manager. Mr. Anstey therefore suggested that Alderman O'Malley give Notice of Motion at tonight's meeting of her intention to allocate these funds so that by the next meeting of City Council a staff report on the matter can be made available.

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With reference to Mr. Connell's remarks, Alderman O'Malley indicated that, in her view, the problems caused by the Duffus Street pumping station are exacerbated by the fact that residents have never been told what steps, if any, are being taken to remedy the odor problem. She therefore urged that staff proceed with their information distribution process as quickly as possible.

The following motion was therefore MOVED by Alderman O'Malley, seconded by Alderman Hanson that staff be instructed to proceed as quickly as possible with the action necessary to repair the Duffus Street pumping station and, as part of that process, to ensure that area residents are fully informed as to this project; and further, that a full report on the matter be available for the next regular meeting of Committee of the Whole Council scheduled for 23 March 1994.

In putting forward this motion, Alderman O'Malley also noted that she would be making a Notice of Motion regarding the allocation of necessary funds from the Pollution Control Account at a later point in the meeting's agenda.

The motion was put and passed.

NOTICES OF MOTION (CONT'D)

Notice of Motion Alderman O'Malley Re:
Allocation of Funds - Duffus Street Pumping Station

Alderman O'Malley gave Notice of Motion that at the next regular meeting of Halifax City Council (to be held on Wednesday, 30 March 1994) she proposes to introduce a motion to allocation approximately \$1.1 million from the City's Pollution Control Account toward the repairs of the Duffus Street Pumping Station.

The Alderman requested that the necessary report from the City Manager on this proposal be made available as quickly as possible.

ADDED ITEMS (CONT'D)

Shortage of Funds (Halifax Police Department)

This matter was added to the agenda at the request of Alderman Fitzgerald who expressed his very deep

concern regarding recent media reports that an important undercover assignment had had to be terminated owing to the lack of funding.

Under the circumstances, therefore, Alderman Fitzgerald asked for a complete report from Chief Vincent MacDonald, not only on the incident referred to by the media, but also on other areas of police service which will be directly affected by budgetary restrictions.

Echoing Alderman Fitzgerald's comments, Alderman Downey observed that he has always been concerned that there may not be sufficient police personnel "on the street" to ensure the safety of Halifax residents. The Alderman therefore asked for assurances from Chief MacDonald that current police manpower is adequate for the community's needs.

Parking Lot Lighting

This matter had been added to the agenda at the request of Alderman O'Malley who noted that she has received a number of calls from workers who leave their vehicles in commercial parking lots. The Alderman pointed out that many of these lots are poorly lit which causes considerable anxiety to those who must retrieve their cars from them during the evening hours.

It was therefore moved by Alderman O'Malley, seconded by Alderman Fitzgerald that staff be requested to explore the feasibility of amending the City's Land Use Bylaw to require that outdoor commercial parking lots are adequately lighted.

The motion was put and passed.

QUESTIONS

Question Alderman Fitzgerald Re: Sale of Shipyards

Alderman Fitzgerald asked for information as to whether there will be any financial implications to the City of Halifax as a result of the recent sale of the shipyards to the Irvings.

**Question Alderman Fitzgerald Re:
Proposed Tax on Commercial Property**

Alderman Fitzgerald indicated that he understood that the Province of Nova Scotia is contemplating a tax on commercial property, such revenues to be used to assist those municipalities who cannot meet their financial obligations under the terms of the proposed amalgamation of services. The Alderman asked for information from staff as to the anticipated percentage of this tax and the amount that would be collected from the City of Halifax if the tax is imposed.

**Question Alderman Fitzgerald Re:
Implications - Freedom of Information Act**

Responding to a question from Alderman Fitzgerald, the Acting City Manager advised that staff are currently reviewing the Freedom of Information Act legislation, and will be submitting a report as to its implications for the City of Halifax administration at a future meeting of Committee of the Whole Council.

**Question Alderman Fitzgerald Re:
Improvements - Connaught Avenue**

Alderman Fitzgerald emphasized that the surface of Connaught Avenue is currently in a very poor condition and, noting that he had not seen this project mentioned in the Capital Budget, asked for information as to how and when the necessary repairs will be undertaken.

**Question Alderman Fitzgerald Re:
Federal Infrastructure Program - Municipal Share**

Alderman Fitzgerald asked for information as to where the City will acquire the \$9 million as its share, should the application to the Federal Infrastructure Program be approved.

**Question Alderman Stone Re:
Federal Infrastructure Program**

Alderman Stone asked for further information regarding the Infrastructure Program (specifically related

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to Category #1, "Waste Disposal and Water Supply") concerning the details of sanitary sewer and water supply in the area of the Bedford Highway and the Kearney Lake Lodge.

**Question Alderman Crowley Re:
Potholes - Mumford Road**

Alderman Crowley made reference to the extremely poor condition of Mumford Road, and asked that staff be requested to investigate this matter as quickly as possible. While acknowledging that repairs could be prevented at this point in time by winter conditions, the Alderman suggested that perhaps signs might be posted warning motorists of approaching potholes.

**Question Alderman Crowley Re:
Bus Stops - Ward 11**

Alderman Crowley noted that approximately a year ago she and Metro Transit representatives had toured various "problem" bus stops in Ward 11. One of these sites had been at the corner of Leppert and Mumford Road (across from St. Agnes Church) where the adjacent property had been considerably damaged by transit users; the other is on Desmond Avenue adjacent to the Bayers Road Shopping Centre.

Alderman Crowley asked to be provided with an update from Metro Transit staff as to what action has since been taken with regard to these bus stops.

**Question Alderman Downey Re:
Former President/CEO - Trade Centre Limited**

Alderman Downey asked that a letter of appreciation be forwarded by Her Worship Mayor Moira Ducharme on behalf of all members of Council to Mr. Kenneth M. Mounce, former President and Chief Executive Officer of the Trade Centre Limited, in gratitude for his nine years' of service to the City.

There being no further business to be discussed, the meeting was adjourned at approximately 10:20 p.m.

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DEPUTY MAYOR PAT POTTIE
CHAIRMAN

SUBMITTED BY:
E. A. KERR, CMC
CITY CLERK

*K

**HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
30 March 1994
8:00 p.m.

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

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

A moment of silence was observed in memory of the Mayor of the Town of Antigonish, Colin Chisholm, who passed away on this date after serving as Mayor for 24 years.

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

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

**Presentation of Retirement Scroll: Mr. Hugh MacEachern
(33 Years Service), Development & Planning Department,
Inspection Services Division**

On behalf of members of Halifax City Council, Her Worship Mayor Ducharme presented Mr. Hugh MacEachern (33 years service) with the City's Long Service Award in recognition of his dedicated service with the City's Inspection Services Division.

Mr. MacEachern addressed Council and remarked that it was a real pleasure to have worked as an employee with the City of Halifax.

MINUTES

MOVED by Alderman O'Malley, seconded by Alderman Holland that the minutes of the special meeting of Halifax City Council held on Wednesday, 23 February 1994, and the regular meeting of Halifax City Council on Thursday, 3 March 1994 be approved.

Motion carried.

APPROVAL OF THE ORDER OF BUSINESS,
ADDITIONS AND DELETIONS

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

- 20.1 Tabling of 1994/95 Current and Capital Budget
- 20.2 Mortgage - Carleton House
- 20.3 Public Access - Williams Lake
(Alderman Hanson)
- 20.4 Dartmouth Ferry Ordinance (Second Reading)

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

- 20.5 Infrastructure Program (Alderman O'Malley)

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

Tabling of 1994/95 Current and Capital Budget

This item was added during the setting of the agenda.

Mr. Barry B. Coopersmith, City Manager, addressed Council and advised that it was with great pleasure that the administration of the City of Halifax tables the 1994/95 Operating Budget and the three year Capital Budget forecast. He commented that Council will note that the budget format is different than in previous years. This is the first year of

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a multi-year process to improve information related to program objectives and performance measures.

The City Manager advised that the proposed business and residential tax rate increase recommended in this budget is zero percent. In order to achieve this target, he advised that a number of significant decisions were made as follows:

- a) The anticipated shortfall of nearly \$5,000,000.00 in 1993/94 has been eliminated as a result of the herculean effort of the staff at all levels of this organization. Staff were given a challenge to stop spending and reduce the deficit creatively and they responded extremely positively.
- b) Seventy One (71) positions in the staff complement are proposed to be eliminated. All affordable means at our disposal will be utilized to have these eliminations happen through attrition or early retirement.
- c) A new waste water management charge similar to those in some neighbouring municipalities will be introduced. This charge will spread the cost of sewers over the entire user population rather than only those that pay property taxes. The rate is proposed at 12 cents per cubic metre and the average homeowner will be asked to pay \$2.50 per month approximately.
- d) The budget assumes a zero (0) percent increase in compensation paid to all City employees excepting those who have previous agreements in place.
- e) Much to our chagrin, the Metropolitan Authority is requesting a tax increase for their portion of this budget at about fifteen (15) percent. Council will be asked to identify this fact on the tax bill and staff will be making suggestions on how Council might wish to deal with it.

Mr. Coopersmith went on to advise that the budget review dates are scheduled to begin April 16th and be completed hopefully on April 23rd. He indicated that it is hoped that Council will be prepared to move a motion to approve the final budgets at a special meeting anticipated on May 3, 1994.

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In closing, Mr. Coopersmith thanked the public who attended his budget input meetings in February and all staff who worked so diligently in preparing these documents.

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that the City of Halifax 1994/95 Operating Budget and three year Capital Budget forecast be tabled.

Motion passed.

The City Manager retired from the meeting at this time with Mr. Wayne Anstey, Q.C., becoming the Acting City Manager.

DEFERRED ITEMS

Case No. 6839: Schedule "C" Development Agreement:
5780-88 West Street, 2400 Agricola Street, and
5785-87 Sarah Street (King Edward Inn)

This item was deferred to this meeting from the last meeting of Halifax City Council held on 3 March 1994.

A supplementary staff report dated 28 March 1994 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the development agreement application for the King Edward Inn be deferred to the next meeting of City Council to allow a meeting to be held with the applicant, neighbours and Alderman for the area.

Motion passed.

Case No. 6895: Appeal of Minor Variance Approval,
71 Main Avenue

A public hearing on this matter was held on Wednesday, 23 March 1994.

Correspondence dated 25 March 1994 from Gelindo Gobbo was submitted.

AMENDED PAGE

Correspondence dated 27 March 1994 from R. & J. Ryan, 76 Main Avenue, was also submitted.

Alderman Walker advised that it was evident at the public hearing on this matter that the area residents were against this minor variance application because they feel it would ruin their neighbourhood and their property values.

MOVED by Alderman Walker, seconded by Alderman Jeffrey that the appeal of minor variance approval with respect to 71 Main Avenue be approved and the decision of the Development Officer's approval be overturned.

The City Clerk recorded that Aldermen Meagher and Crowley should not participate in the vote on this item.

Motion passed with Aldermen Meagher and Crowley abstaining.

Case No. 6881: Development Agreement, 5788 North Street

A public hearing on this matter was held on Wednesday, 23 March 1994.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the application for a development agreement, lands of Maritime Telegraph and Telephone Company Limited, 5788 North Street to permit a 125 sq. ft. ± one storey addition as shown on Plan No. P200/19674 of Case 6881 be approved by City Council.

The City Clerk recorded that Aldermen Meagher and Crowley should not participate in the vote on this item.

Motion passed with Aldermen Meagher and Crowley abstaining.

Case No. 6738: Amendment to Municipal Development Plan and Land Use Bylaw (Residential Development District)

A public hearing on this matter was held on Wednesday, 23 March 1994.

An information report dated 24 March 1994 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that the amendments as set out in Appendix "B" of the 11 January 1994 staff report be approved.

The City Clerk recorded that Aldermen Meagher and Crowley should not participate in the vote on this item.

Motion passed with Aldermen Meagher and Crowley abstaining.

Case No. 6901: Development Agreement, Block "M",
1521 Lower Water Street

A public hearing on this matter was held on Wednesday, 23 March 1994.

MOVED by Alderman Downey, seconded by Alderman Holland:

1. That City Council enter into a development agreement to permit construction of a multiple unit dwelling on Block M, 1521 Lower Water Street, provided that the development is substantially the same as depicted in Plan Nos. P200/19715-24 and 19765 of Case 6901.
2. That the development agreement be signed within 120 days or any extension thereof by City 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 any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.
3. That upon the execution of the aforementioned agreement, City Council

agrees to discharge the present development agreement governing the subject property, said agreement being registered at the Registry of Deeds in Book 45052, Pages 52-57.

4. That the development agreement provide for a three year completion date.

The City Clerk recorded that Aldermen Meagher and Crowley should not participate in the vote on this item.

Motion passed with Aldermen Meagher and Crowley abstaining.

Case No. 6717: Peninsula North (Area 5)

At the request of Alderman Meagher, Council agreed to deal with this item at this time.

This matter was forwarded to Council without recommendation.

The following correspondence was received:

- a letter dated 25 March 1994 from Sandra Lanz, 5529 Macara Street.
- a letter dated 28 March 1994 from Norma Lee & Iain MacDonald, 5537 Macara Street.
- a letter dated 24 March 1994 from P.A. Wournell, North End Business Men's Association, 2940 Doug Smith Street.
- a letter dated 29 March 1994 from Bruce Kierstead & Susan Warr, 5533 Macara Street.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that Council give its notice of intention to adopt the Municipal Development Plan and Land Use Bylaw amendments as contained in Appendix I for Area 5 of Peninsula North and set a date for a public hearing.

Motion passed.

The City Clerk advised that the recommended date for a public hearing was May 4, 1994, 7:30 p.m., in the Council Chamber.

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

PETITIONS AND DELEGATIONS

Petition Alderman O'Malley Re: Halifax City Regional Library,
Booktrailer Service

Alderman O'Malley submitted a petition with 263 signatures concerning the Booktrailer service and urging the Library Board to rescind the recommendation that the service be discontinued. She also submitted an accompanying letter from Valerie MacDonald, 3555 Leaman Street, concerning this matter.

The Alderman asked that the petition be circulated in the usual manner to members of Council and submitted to the City Manager for information.

Petition Alderman Meagher Re: Sidewalks - Duncan Street

Alderman Meagher submitted a letter from Joy & Scott Moulton, 6278 Duncan Street, concerning the condition of their sidewalks. The Alderman asked that the City Clerk submit a copy of this letter to staff for consideration.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 23 March 1994, as follows:

Award of Tender 94-53 - Rental of Crawler Dozer for
the 1994 Construction Season

A supplementary staff report dated 27 March 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the establishment of Price Agreements with the two (2) lowest bidders, Mardo Construction and B. & L. Contracting on an as and when requested basis for a period of one (1) year. The second low bidder will only be used when the low bidder is not available.

Motion passed.

Cost Recovery Measures - Coast Guard Services

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council actively support the Port Development Commission's recommendations with respect to possible cost recovery on Coast Guard Services by bringing this matter to the attention of the Premier of Nova Scotia, and both the Federal and Provincial Ministers of Transportation.

Motion passed.

Legislation to Transfer Dormant Trust Funds from
City of Halifax to Halifax Foundation

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

1. Council authorize the transfer of two dormant Trust funds currently held by the City and identified as the Basinview Home Patient Trust Fund (\$21,328.60) and the City Home Trust Fund (\$280,065.02), both amounts as of January 1, 1994, to the Halifax Foundation.

2. Council approve the attached legislation for presentation to the Legislative Assembly to effect the transfer of these funds to the Halifax Foundation (Attachment A of the staff report dated 22 February 1994).

Motion passed.

BFI Waste Systems - Solid Waste Management

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council take every opportunity to recommend the responsible, but less costly modern landfill alternative, to their fellow Councillors on the metro municipal councils and raise the matter of the impact of unnecessary costs of the incineration option with them whenever possible.

Motion passed.

Pollution Control Charge 1994

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

Council confirm the 1994/95 pollution control charge at a level unchanged from 1993/94;

the Pollution Control charge for 1993/94, as called for under Section 4(2) of Ordinance #156, be set at \$0.2016 per cubic meter (\$0.91 per 1,000 gallons).

Motion passed.

Omission of GST from Council Authorized Expenditure

MOVED by Alderman Jeffrey, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Council authorize the addition of \$1,785.12 tax to the original approved cost of \$59,500.

Motion passed.

Communication Strategy

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

1. the City issue a request for proposals to address the media/communications needs of Council, Boards, Commissions and Departments.
2. the Cuff Report be tabled publicly at this meeting of Halifax City Council.

Motion passed.

Provincial Single Parent Transition Programme

MOVED by Alderman Jeffrey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council authorize staff to continue to administer the programme on behalf of the Province of Nova Scotia and that the Social Planning Department be given the authority to spend to a maximum of \$300,000 gross, cost shared at 100% by the Province of Nova Scotia. There is no net City cost.

Motion passed.

Returning Officer - 1994 Municipal Election

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council appoint City Clerk, Edward A. Kerr, to be

the Returning Officer for the 1994 Municipal Election pursuant to Section 3(1) of the Municipal Elections Act.

A short discussion followed with Mr. Edward A. Kerr, City Clerk, responding to various questions from members of Council.

Alderman Stone asked that the Returning Officer give consideration to setting up a polling station in the area of Ocean Brook Court, Shaunslieve, and Fernleigh Park.

Motion passed.

Pesticides and Fertilizers

A letter dated 30 March 1994 from Katalin Allen, Chair of Pesticide Committee, Ecology Action Centre, was submitted.

Her Worship Mayor Ducharme addressed Council and advised that she knew a significant number of persons who suffer from the effects of pesticide and fertilizer spraying. Mayor Ducharme therefore suggested that the motion from Committee of the Whole be changed to request that the Province be "called upon" rather than be "urged" to introduce legislation to regulate the use of pesticides and fertilizers in the City of Halifax.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that:

1. City Council not enact a bylaw to regulate the use of pesticides and fertilizers on private property.
2. City Council call upon the Province to consider such regulation pursuant to the proposed Environment Act.

Alderman Jeffrey agreed that there were a significant number of residents in the City of Halifax affected by pesticides and fertilizers. He referred to a particular case in his Ward advising that when a certain street is sprayed, it causes health problems for a resident. The Alderman asked that he be made aware of any spraying to

be done in his Ward so that he could notify this particular resident in his Ward.

Motion passed.

Strategic Plan - City of Halifax

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

1. the City of Halifax look favourably at undertaking a Strategic Plan. Stakeholders including citizens, elected officials and staff be provided with an opportunity to participate in the Strategic Planning Process.
2. Sir Graham Day, Hantsport, Nova Scotia, be contacted to provide elected officials and management team with an overview and explanation of the Strategic Planning Process. Time frame could be May or June 1994.

Responding to a question from Alderman O'Malley, the Acting City Manager clarified that the purpose in asking Sir Graham Day to become involved was not to have him act as a facilitator for the whole process, but merely to make a presentation to Council on the issue of strategic planning and also to provide Council with information on various processes that are possible. He added that it was staff's understanding and hope that he will be prepared to do this as a public service.

Motion passed.

Acquisition - Parcel H-258, Civic No. 156 Herring Cove Road

MOVED by Alderman Hanson, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Parcel H-258, Civic No. 156 Herring Cove Road be acquired from Mr. Rex M. and Mrs. Joan E. Lohnes for \$4,781 as settlement in full, and that funds be approved from Account No. 91504.

Motion passed.

Downtown Business Improvement District Commission -
Resolutions

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

1. the responses to the Downtown Halifax Business Improvement District Commission's resolutions of 9 November 1993 regarding maintenance, garbage and snow removal, contained in the report of 14 March 1994, be approved;
2. the responses subsequently be forwarded to the BIDC for use in its strategic planning process; and
3. discussions continue between the City and the BIDC on alternative approaches to pursuing downtown maintenance objectives proposed by the BIDC, at the lowest possible cost.

Motion passed.

Duffus Street Pumping Station

An information report dated 28 March 1994 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, City Council direct staff to include an item in the 1994/95 Proposed Capital Budget titled "Duffus Street Pumping Station - Upgrading" at an estimated cost of \$1.1 million and that this project be included in the Pollution Control classification of the budget.

Motion passed.

1994 Spring Debenture Funding

MOVED by Alderman Holland, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the City issue \$6 million of debentures in 1994 in two components, one in the Spring and one in the Fall.

The motion was put and passed.

Tag Day Application - Kiwanis Club

A supplementary staff report dated 25 March 1994 was submitted.

Referring to the supplementary report from the City Solicitor dated 5 February 1994, Alderman Stone noted that the City Solicitor suggests that if approval of the event is made subject to the indemnity agreement and liability insurance, the exact wording of the agreement and of the policy could be reviewed administratively by staff. Alderman Stone therefore requested that the motion be amended to include the words and, further, that staff ensure that the insurance is adequate prior to the license being granted.

MOVED by Alderman Holland, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the application from the Kiwanis Club be approved, on condition that the Club assumes liability for all claims against it and that it carry adequate liability insurance to cover all its liability obligations and, further, that staff ensure that the insurance is adequate prior to the license being granted.

The Chair noted that the City Clerk should make sure that before the license is approved, the insurance is agreed upon by staff.

The motion was put and passed.

Interim Solution for Waste Disposal

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

- (1) Halifax City Council request the Metropolitan Authority to rescind its motion regarding the closure of the Sackville Landfill site in June of 1994; and further, that
- (2) the Authority be requested to re-examine the report previously submitted by Halifax City Council concerning a landfill for seven municipalities in the East Kemptville Region.

Alderman Stone requested that a letter be sent to the Minister of Municipal Affairs asking the Department to consider either buying or expropriating the gypsum mine owned by National Gypsum for a possible landfill site.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 23 March 1994, as follows:

Feasibility of Relocating Traffic Signals - Main Avenue/Titus Street

A supplementary staff report dated 28 March 1994 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Stone that this matter be deferred to the Committee of the Whole Council meeting scheduled for Wednesday, 18 May 1994.

Motion passed.

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

Proposed Amendment to Ordinance 130, the Electrical Ordinance
(Adoption of 1994 Canadian Electrical Code)

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that the amendment to Ordinance 130, as contained in Appendix "A" of the staff report dated 3 March 1994, be given **SECOND READING.**

Motion passed.

PLANNING COMMITTEE

City Council considered the report of the Planning Committee from its meeting held on 23 February 1994 as follows:

Case No. 5949: Park West Shopping Centre,
Lacewood Drive and Dunbrack

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

1. the time frame for completing Commercial Unit #2 of the Park West Centre, as depicted in Plan No. P200/17744 of Case No. 5949 be extended to 30 March 1995;
2. the developers be permitted to erect a 30 foot high pylon sign along Dunbrack Street on the condition that they forfeit their right to construct a similar sized sign along Lacewood Drive.

Motion passed.

Civic No. 1586 Argyle Street
- Encroachment License

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, an Encroachment License be approved for the construction of an encroaching awning across the face of the building known as Civic No. 1586 Argyle Street.

Motion passed.

Case No. 6717: Peninsula North (Area 5)

This item was dealt with earlier in the meeting.

Discussion Draft - Nova Scotia Environment Act

This matter was forwarded to Council without recommendation.

MOVED by Alderman Stone, seconded by Alderman Walker that Council endorse the document as attached to the staff report of 10 March 1994 as the City of Halifax submission to the Nova Scotia Department of Environment on the Discussion Draft of the Nova Scotia Environment Act.

Motion passed.

MOTIONS

Motion Alderman Stone Re: Deregistration of 5419
- 5425 Portland Place (Proposed Public Hearing)

Alderman Stone gave Notice of Motion at the last meeting of City Council held on 3 March 1994 that he intended to introduce a motion that Council schedule a public hearing to consider the de-registration of the properties located at 5419 and 5425 Portland Place.

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A report from Beverly W. Miller, Chair, Heritage Advisory Committee, dated 14 March 1994, was submitted.

Alderman Stone addressed the matter and expressed the view that Council acted too hastily in registering the properties in question. The Alderman indicated that while he supports the registration of heritage properties, he was of the opinion that Council should be cognizant of the ramifications of the registration of the Portland Place properties, the former Kidston Glass lands, as heritage properties. Alderman Stone indicated that it was his concern the registration of these heritage properties would limit the development potential of these lands and would restrict the market value of the kidston lands.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that Council schedule a public hearing to consider the de-registration of the properties located at 5419 and 5425 Portland Place.

Speaking in opposition to the motion, Alderman Downey referred to the letter received from Ms. Beverly Miller, Chair, Heritage Advisory Committee. He pointed out that the Heritage Advisory Committee, at a meeting held on March 10th, voted unanimously to urge Council to retain the heritage registration of these properties.

The Motion was put and defeated.

Motion Alderman Adams Re: Proposed Amendment to Ordinance 132, the Plumbing Ordinance (Fees) - FIRST READING

Alderman Adams gave Notice of Motion at the last meeting of City Council that he proposed to introduce for First Reading an amendment to Ordinance 132, the Plumbing Ordinance. The purpose of this amendment is to reflect the present practice respecting the imposition of plumbing fees.

A staff report dated 22 March 1994 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Stone that the amendment to Ordinance 132 attached as Appendix "A" to the staff report of 22 March 1994 be given FIRST READING and referred to the next Committee of the whole Council for consideration and report.

Motion passed.

ADDED ITEMS

Mortgage - Carleton House

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

A staff report dated 28 March 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Downey that Council approve the opening of the second mortgage to permit an increase in the first and that Council authorize the Mayor and City Clerk to execute the Postponement Agreement attached to the staff report of 28 March 1994.

Motion passed.

Public Access - Williams Lake
(Alderman Hanson)

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

Alderman Hanson addressed the item and submitted correspondence dated 22 March 1994, 25 February 1994, and 9 January 1992, pertaining public access to Williams Lake.

While the City has no legal responsibility, Alderman Hanson expressed the view that it certainly should encourage the Province to act in a way that would allow public access to Williams Lake. The Alderman went on to refer to the letter of 9 January 1992, noting that the City Solicitor had forwarded a letter to the Attorney General of Nova Scotia at that time urging him, as the protector of public rights of way in the Province, to defend the interests of the public in the pathway to Williams Lake.

Alderman Hanson suggested that another letter should be forwarded to the Province from the City's Legal Department supporting public access to the Lake.

MOVED by Alderman Hanson, seconded by Alderman Holland that the City Solicitor forward a letter to the

Attorney General of Nova Scotia reiterating the request, as contained in the letter of 9 January 1992, concerning public access to Williams Lake.

Motion passed.

Dartmouth Ferry

A staff report dated 18 March 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that Council give SECOND READING to Ordinance 187 in the style attached to the staff report of 18 March 1994 as Appendix "B" and direct staff to forward the ordinance to the Minister of Municipal Affairs for approval.

Motion passed.

Infrastructure Program (Alderman O'Malley)

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

Alderman O'Malley addressed the matter and noted that there was an announcement in the press on this date concerning a package of \$90 million for municipalities in the Province of Nova Scotia. The Alderman questioned whether Halifax would receive any of this infrastructure money and whether there would be further announcements.

The Acting City Manager advised that it was his understanding there would be further future announcements. As of this moment, he indicated that it was not clear whether Halifax will be included or to which extent.

For the information of Council, the Deputy Mayor added that Municipal Affairs Minister Sandy Jolly had announced on this evening's news that the City of Halifax, while not represented in the program, will receive news from the Federal Government within the next four to six weeks concerning funding in excess of \$50,000,000.00.

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Alderman Stone expressed the view that the City should pursue this infrastructure program and encourage Government to bring it forward as quickly as possible because of cost implications to the City of Halifax.

The Deputy Mayor noted that the Mayor would send a letter to the Federal and Provincial Governments in this regard.

QUESTIONS

Question Alderman Jeffrey Re: Grand Casino

Alderman Jeffrey referred to a letter sent to the Province pertaining to Grand Casino. What date was the letter sent from the City to the Province regarding Grand Casino. Has there been a follow-up? Has there been any comments received from the Province?

Question Alderman Jeffrey Re: Comment from Mr. Allan Ruffman
- Mr. Michael Hanusiak

Alderman Jeffrey noted that last week at the public hearing respecting Case No. 6901, 1521 Lower Water Street, Mr. Allan Ruffman addressed Council. Alderman Jeffrey suggested that he made some derogatory remarks about one of the City employees, Mr. Michael Hanusiak. Saying he would like to set the record straight, Alderman Jeffrey advised that since Mr. Hanusiak has been with the City of Halifax, he has received numerous comments that he is one of the best planners the City has ever had. Alderman Jeffrey indicated that he would like to pass that information on to Mr. Ruffman.

Question Alderman O'Malley Re: Halifax Foundation

What are the names of the people who serve on the Halifax Foundation? How are they appointed and what is the length of their term?

Question Alderman O'Malley Re: ALEXANDRA MACKAY SCHOOL

The future of the Alexandra MacKay School is being discussed at Management Committee. Is the City Manager able to share with Council what the plans are for the Alexandra MacKay School?

Question Alderman O'Malley Re: POTHoles - COMMISSION STREET

Commission Street has some very large holes in it. Is there some way that temporary repairs can be done as soon as possible before things get worse?

Question Alderman Holland Re: FORUM COMMISSION REPORT

The recent Forum Commission Report states that one of the groups who used the Forum in the past have now moved to Dartmouth, and I would like to know why.

Question Alderman Holland Re: ILLEGAL EMISSIONS
- VICTORIA GENERAL INCINERATOR

What, if anything, is staff doing about the illegal emissions from the Victoria General Incinerator?

Question Alderman Holland Re: ASSAULTS ON SPRING GARDEN ROAD

Are the police investigating the assaults that were portrayed on the front page of the March 29th edition of The Daily News?

Question Alderman Walker Re: OLD CIVIC ARENA

It is not clear to me from the recent report what is happening to the old Civic Arena. I had seen tenders for its demolition in the paper, but there seems to be some provision for renting it out once the new Civic is built. My understanding is that it was to be demolished and used for parking and I wonder if I might have a report from staff clarifying this matter for me?

Question Alderman Walker Re: TRUCK ROUTE VIOLATIONS

I would like to have a report from the Police Department on the number of tickets and warnings issued for truck route violations in Ward 10 since January 1, 1994

Question Alderman Jeffrey Re:
FOLLOW-UP - LETTER TO PROVINCE RE GRAND CASINO

What date was the letter sent from the City to the Province regarding the Grand Casino matter, and has there been any follow-up?

Question Alderman Fitzgerald Re: STATUS REPORT
- VESSEL MOORED AT CHEBUCTO LANDING

Would you be kind enough to provide me with an update concerning the status of a vessel owned by Mr. W. Mont that is moored at Chebucto Landing. Are we having any success in having it moved?

Question Alderman Fitzgerald Re: INVENTORY OF
SURPLUS CITY-OWNED LAND

Some time ago Alderman Hanson asked for an inventory of surplus City-owned land that could be sold. What progress are we making compiling this list and in selling this surplus land?

Question Alderman Fitzgerald Re: RECREATIONAL VEHICLE PARK

The City of Halifax has been trying for years to get tourists and visitors to stay a few extra days in our capital city. Many people are now travelling in Recreation Vehicles/trailers. Could I have a report on the feasibility of establishing a Recreational Vehicle Park somewhere here in Halifax?

Question Alderman Fitzgerald Re: POLLUTION CONTROL FUND

The City of Halifax has in the past paid the Pollution Control fund a certain percentage of interest and placed the extra interest in the City's General Revenue Account. Would it be more reasonable to charge the Sewer Pollution Fund a fixed service fee and keep all the earned benefits in the Pollution Control Fund?

Question Alderman Fitzgerald Re: SINKING MANHOLES

Sinking manholes cause motorists a great deal of grief and cost the City hundreds of thousands of dollars each year. What did it cost the City to raise those sunken manholes in 1992 and 1993? How many were fixed for this amount? Do we have any idea how many have to be fixed this year and what has been budgeted for this item.

Question Alderman Fitzgerald Re: PHOTOGRAPHS OF AN
ASSAULT IN MARCH 29 EDITION OF THE DAILY NEWS

A terrible picture depicting an act of violence appeared in yesterday's front page of The Daily News (Tues., March 29/94). Could I have a report of what course of action the Police Department can take in regards to this incident?

Question Alderman Fitzgerald Re: SEWER PROJECT
- NORTH WEST ARM

One of the major future sewer projects planned by the City was the replacement or rebuilding of the North West Arm Sewer. What is happening with regard to this sewer? Is the present sewer still doing an adequate job? Cost? Other information.

Question Alderman Downey Re: Local 108 Seasonal Employees

The budget book tabled this evening does not appear to affect the establishment of the Local 108 seasonal employees. Could I have a report on this item at the next Committee of the Whole Council meeting. The callback last year took place in May for these employees who had been laid-off. I am wondering how many will be called back and at one time.

Question Alderman Meagher Re: Letter
- Twinning Halifax with Havana

Alderman Meagher referred to a letter which was circulated to members of Council from Cuban citizens residing in Halifax. He asked that this item be placed on the Committee of the Whole Council agenda for April 6th.

It was noted that the item has already been placed on the agenda for April 6th and suggested that the City Clerk inform the residents concerned to see if they wished to address Council on the item.

Appointment - Halifax Dartmouth Port Development Commission

This item was added at this time.

MOVED by Alderman Meagher, seconded by Alderman Holland that Mr. Thomas J. Hayes be appointed to the Halifax Dartmouth Port Development Commission for a term to expire January 31, 1997.

Motion passed.

Their being no further business to discuss, the meeting adjourned at 9:40 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR PATRICK POTTIE

EDWARD A. KERR
CITY CLERK

/MS

CITY COUNCIL
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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
14 April 1994
8:00 P.M.

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

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

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

ALSO PRESENT: Mr. Barry Coopersmith, City Manager; Mr. Wayne Anstey, Q.C.; City Solicitor; Mr. E. A. Kerr, City Clerk; and other members of City staff.

Signing of Twinning Agreement - Calderdale (Halifax), England and Halifax, Nova Scotia

A welcome was extended by Her Worship Mayor Moira Ducharme, on behalf of all members of Halifax City Council, to His Worship Mayor Anthony Mazey and Mayoress Mazey of the Borough of Calderdale (Halifax), England, who had travelled to the Province to take part in the official "twinning" of the two cities of Halifax.

In her remarks, Mayor Ducharme outlined the association which Halifax, Nova Scotia has enjoyed with its British counterpart in the past, emphasizing that, through tonight's official recognition of that relationship, it is hoped that the affiliation will not only continue but will flourish.

In his address to Council, His Worship Mayor Mazey made reference to the visits that have been made by various officials of Halifax to their respective counterparts in Canada and in England over the last several decades, stating that, in his view, the twinning agreement to be signed this evening will greatly assist in forging

even closer cultural and economic ties between the two cities.

Her Worship Mayor Ducharme and His Worship Mayor Mazey, assisted by Mr. Edward A. Kerr, City Clerk, added their signatures to the official twinning documents.

Following the signing ceremony, several gifts were exchanged between the two Mayors in honor of the occasion.

8:30 p.m. - The meeting adjourned for a brief recess.

8:45 p.m. - The meeting reconvened, the same members being present with the exception of Her Worship Mayor Ducharme (Deputy Mayor Pottie assuming the Chair).

MINUTES

Minutes of a special meeting of Halifax City Council, held on Wednesday, 23 March 1994, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

Minutes of the last regular meeting of Halifax City Council, held on Wednesday, 30 March 1994, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Municipal Service Exchange (Alderman Fitzgerald)
- 20.2 Case No. 6914 - Development Agreement: Lot M-2, Rocklyn Road (Alderman Hanson)
- 20.3 Service Exchange - A Response to the Province's Proposal

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

20.4 Curb - Corner of Brook Street and Palmer Hill Road

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

20.5 Crosswalk - Corner of Agricola and Duffus Streets

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

DEFERRED ITEMS

Case No. 6839: Schedule "C" Development Agreement - 5780-88 West Street, 2400 Agricola Street, and 5785-87 Sarah Street (King Edward Inn)

This matter had been deferred from the last regular meeting of Halifax City Council held on Wednesday, 30 March to provide an opportunity for a meeting to be held with the applicant, Alderman Meagher and area residents.

A supplementary staff report, dated 13 April 1994, was received from the Director of Development and Planning.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the matter be deferred to the special meeting of Halifax City Council scheduled for Wednesday, 20 April 1994 at 7:30 p.m.

The motion to defer was put and passed.

Case No. 6725: Development Agreement - 2760-64 Windsor Street

A public hearing concerning this matter was held on Wednesday, 6 April 1994.

A supplementary staff report, dated 11 April 1994, was submitted from the Director of Development and Planning.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as requested by staff, the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 28 April 1994.

The motion to defer was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman Jeffrey Re: Halifax City Regional Library Book Trailer Service

Alderman Jeffrey presented a petition submitted to him by Mr. Mark MacPhee of 36 Springvale Avenue which contains the signatures of approximately 175 names in opposition to the proposed cancellation of the Halifax City Regional Library's book trailer service.

Petition Alderman Stone Re: Request for Three-Way Stops - Cresthaven Drive Intersections

Alderman Stone presented a petition submitted to him by approximately 65 residents of Cresthaven Estates asking that three-way stops be established at the intersection of (a) Cresthaven Drive and Lily Pond Way and at (b) Cresthaven Drive and St. Laurent Place.

Alderman Stone asked that this matter be forwarded to the City Traffic Authority for review and recommendation.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 6 April 1994, as follows:

Twinning with Havana, Cuba

It was agreed that this matter would be deferred to a later point in the meeting's agenda until Her Worship Mayor Ducharme could be present.

Vimy Avenue - Lot B-1D (Expropriation)

MOVED by Alderman Walker, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Halifax City Council abandon the expropriation of Lot B-1D, Vimy Avenue.

Reiterating remarks made during the 6 April meeting of the Committee of the Whole Council, Alderman Stone advised that he would be voting in opposition to the motion. The Alderman went on to emphasize that, in his view, by abandoning plans to expropriate the Vimy Avenue site, Council is "closing the door" on one of the last solutions to the traffic problems in Mainland North, particularly as they affect the residents of Bayview Road. He made reference to the transportation study scheduled to be released by UMA Engineering in late April/early May and strongly recommended that Council reserve its decision on the expropriation matter at least until the findings of that study are known.

Mr. Richard J. Matthews, Director of Development and Planning, responded to questions from Alderman Fitzgerald concerning the alternatives now available to Council pertaining to the traffic problems in Mainland North. In his remarks, Mr. Matthews noted that the recommendations put forward on this matter by the City's Task Force on Traffic in 1991 are being considered as part of the UMA study now underway.

In closing the debate, Alderman Walker indicated that he would be working with staff and residents of his ward on this issue over the next several months, and would be bringing a recommendation back to Council as quickly as possible. The motion was put and passed with Alderman Stone voting in opposition.

Acquisition - Civic No. 130 Herring Cove Road

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Civic No. 130 Herring Cove Road be acquired from Mr. Todd and Mrs. Susan Pye for \$113,898.32 (plus any GST) that may be applicable as settlement in full (funds are available in Account No. 91504 - Herring Cove Road Widening).

The motion was put and passed.

Ratification - Special Christmas Payment to
Downtown Churches to Permit Payment for Christmas Food

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the previous actions of Council be formally ratified and that amounts of payment of \$500.00 each be ratified for St. Patrick's Church (Brunswick Street); Trinity Church (Cogswell Street); St. George's Church (Brunswick Street); the Brunswick Street United Church and the Cornwallis Street Baptist Church. The motion was put and passed.

Animal Control - Joint Proposal Call
(Cities of Halifax and Dartmouth)

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the contract for Animal Control Services be awarded to the lowest evaluated bidder, Harbour City Veterinary Hospital, for a five-year contract, based on the annual unit costs outlined in the 25 March staff report, in accordance with Schedule "B" - Call-Out Service.

The motion was put and passed.

Committees, Boards and Commissions

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the City of Halifax establish a joint committee of elected officials and management to undertake a detailed analysis of existing Committees, Boards and Commissions.

The motion was put and passed.

Payment of Grants to Community Agencies

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council authorize the payment of grants to community agencies as listed in the staff report of 22 March 1994, at the 1993/94 grant rates until the 1994/95 City operating budget is approved.

The motion was put and passed.

Testing and Inspection Tender #94-42

An Information Report, dated 27 March 1994, was submitted.

MOVED by Alderman Downey, seconded by Alderman Stone that Tender No. 94-42 (Testing and Inspection 1994) be awarded to Maritime Testing (1985) Ltd., the lowest bidder meeting specifications.

Alderman Adams spoke in opposition to the motion, noting that the difference between the lowest bid (received from a company located outside Halifax) and that received from a local firm was roughly 0.68 percent. The Alderman went on to emphasize that, in his view, the City's tendering practices do very little to promote Halifax companies, pointing to the fact that the business taxes in Dartmouth, the County and in Bedford are considerably lower than those in Halifax. Taking that factor into consideration, Alderman Adams strongly recommended that a mechanism be put in place whereby Council could "reward" local businesses for establishing themselves in the City. In this context, he suggested that if there is a difference of two percent or less in the low bids received from a local firm and from an outside firm, the Halifax-based company would be awarded the contract.

Alderman Adams asked that his recommendation be considered by the City's Tendering Practices Committee.

After some discussion, the motion was put and passed.

9:15 p.m. - Mayor Ducharme returns to the meeting assuming a seat on Council.

Twinning with Havana, Cuba

Correspondence, dated 13 April 1994, was received from Mr. Mark R. Rushton of the Nova Scotia-Cuba Association (NSCUBA).

The following motion had been defeated during the 6 April meeting of the Finance and Executive Committee:

THAT the matter be forwarded to staff for review and recommendation.

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Her Worship Mayor Ducharme made reference to statements put forward during the 6 April meeting of Committee of the Whole Council; namely, that it would be inappropriate for a municipal government such as the City of Halifax to become involved in trying to influence the politics and the economy of a foreign country. In this context, Her Worship quoted from a booklet published by the Federation of Canadian Municipalities as follows: "twinning is a municipal business [which] grows out of the desire to increase mutual understanding between people in very different parts of the world. This aim is idealistic but the methods employed are usually very practical."

Her Worship went on to acknowledge that Cuba is very different from Canada in many respects as are Havana and Halifax. She noted, however, that twinings between Canadian cities and other very dissimilar European and Latin American municipalities have been successful in the past, adding that, given certain conditions, there was no reason in her view why a Halifax-Havana relationship could not also succeed. In this context, however, Mayor Ducharme emphasized that the intent of the motion put forward on 6 April was not to proceed with the twinning, but rather to gather as much information about the situation as possible so that Council could then make an informed decision.

It was subsequently moved by Mayor Ducharme, seconded by Alderman Jeffrey that staff be requested to provide as much information as possible concerning the feasibility of establishing a twinning relationship between the City of Halifax and the City of Havana so that Council can make an informed decision on the matter.

Responding to a question from Alderman Fitzgerald, the City Manager advised that he would undertake to re-circulate a report written several years ago on a proposed twinning between Halifax and Kingston, Jamaica.

Following a lengthy discussion, a recorded vote was requested.

A tie resulted with six (6) members of Council voting in support of the motion and six (6) against as follows:

FOR: Her Worship Mayor Ducharme; and
Aldermen Holland, Downey, Adams, Jeffrey and
Walker (6)

AGAINST: Aldermen Fitzgerald, Meagher,
O'Malley, Hanson, Crowley and Stone (6)

Deputy Mayor Pottie broke the tie by voting against the twinning proposal, and declared the motion to be defeated.

9:45 p.m. - Mayor Ducharme retires from the meeting.

Award of Tender #94-62:
Hot Dense Graded Asphaltic Material

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Council authorize the establishment of a price agreement, as outlined in the staff report of 25 March 1994, with the lowest bidder meeting specifications, Dexter Construction Company Limited.

The motion was put and passed.

File 914252 - Loamy Topsoil

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council authorize the establishment of a price agreement with the lowest bidder meeting specifications, Elmsdale Landscaping Limited, at \$9.50 per cu.yd.

The motion was put and passed.

File 914277 - Hauling Liquid Asphalt

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the establishment of a price agreement with the lowest bidder meeting specifications, Dexter Construction Co. Limited, for \$.50 per gallon for the 1000 gallon tank truck and \$.42 per gallon for the 3000 gallon tank truck.

The motion was put and passed.

Provision of Security Services
- City of Halifax

It was agreed that this matter would be deferred to a later point in the meeting's agenda until Her Worship Mayor Ducharme could be present.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 6 April 1994, as follows:

Monastery Lane

Following is the recommendation from the 6 April meeting of the Committee on Works:

THAT the City Traffic Authority contact Mr. Hugh K. Smith, President of F.S. Industries Ltd., with a view to having the informational signage proposed by F.S. Industries and outlined in 3 February Information Report installed as quickly as possible.

Alderman Meagher noted that the Traffic Authority has been requested to make arrangements with the management of the Quinpool Centre for the prompt installation of appropriate signage which, it is hoped, will facilitate traffic movement in the Monastery Lane/Allen Street area.

It was therefore moved by Alderman Meagher, seconded by Alderman O'Malley that this matter be deferred to the regular meeting of the Committee on Works scheduled for Wednesday, 1 June 1994, and that the Traffic Authority be requested to provide an update on the situation at that time.

The motion was put and passed.

Bedford Highway Upgrading -
Bayview to Kearney Lake Road

An Information Report, dated 8 April 1994, was submitted from the Director of Engineering and Works.

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

- (a) approve additional payments of up to \$55,000 to **Halloran Campbell Consultants Ltd.** to complete the engineering design and tender documents for the upgrading of the Bedford Highway (Bayview Road to Dunbrack Street) for a total revised cost of \$355,000; and
- (2) approve \$55,000 gross and \$27,500 net from Capital Budget Account No. 91506, Bedford Highway Improvements (Bayview Road to Kearney Lake Road).

The motion was put and passed.

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

**Proposed Amendment to Ordinance 132, the
Plumbing Ordinance (Re: Fees) - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Wednesday, 30 March, and had been further considered during a regular meeting of the Finance and Executive Committee held on Wednesday, 6 April.

MOVED by Alderman Fitzgerald, seconded by
Alderman Hanson that Council give SECOND READING to an
amendment proposed to Ordinance 132, attached as Appendix
"A" to the staff report of 22 March 1994.

The motion was put and passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Wednesday, 6 April 1994, as follows:

**Case No. 6835: Amendment to Development
Agreement, 6151 Lady Hammond Road**

Following is the recommendation from the 6 April meeting of the Planning Committee:

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THAT City Council refuse the request for the application to amend the development agreement at 6151 Lady Hammond Road.

A letter, dated 14 April 1994, was submitted from Mr. James Georgantas asking that his application be withdrawn.

Owing to Mr. Georgantas' request to withdraw his application for a development agreement at 6151 Lady Hammond Road, it was agreed that this matter be deleted from the agenda.

**Sale - Parcel BS-1, Portion of
the Former Bright Street**

MOVED by Alderman O'Malley, seconded by Alderman Walker that, as recommended by the Planning Committee, Council approve alternative two (2) in the staff report of 24 March 1994 as follows:

The lot consolidation be rescinded and new streetlines laid down, to reinstate Bright Street to its former dimensions.

The motion was put and passed.

10:17 p.m. - Her Worship Mayor Ducharme returns to the meeting, with Deputy Mayor Pottie assuming his usual seat on Council.

**Provision of Security Services
- City of Halifax**

Following is the motion approved during the 6 April meeting of the Finance and Executive Committee:

THAT Council approve the acceptance of the **Canadian Corps of Commissionaires'** proposal for the provision of security services which achieves savings of approximately \$110,000 to the City in 1994/95.

Her Worship advised that she had received several calls earlier in the day from members of the Corps of Commissionaires asking that Council request the Corps to rescind its proposal regarding reductions in rank. Mayor Ducharme emphasized that, in bringing this information forward for Council's consideration, she was merely

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MOVED by Alderman Downey, seconded by Alderman Holland that the Mayor and the City Clerk be empowered to sign the attached resolution authorizing the withdrawal of \$1,050,000 from the Sale of Land Account as funds become available, subject to the approval of the Minister of Municipal Affairs; and furthermore, that two copies of the resolution be submitted to the Minister for her approval.

The City Manager responded to various questions from Alderman Meagher.

The motion was put and passed.

NOTICES OF MOTION

Notice of Motion Alderman Walker Re:
Proposed Amendments to Ordinance 155,
the Truck Route Ordinance

Alderman Walker gave notice that, at the next regular meeting of Halifax City Council, scheduled for Thursday, 28 April 1994, he proposes to introduce for First Reading an amendment to Ordinance 155, the Truck Route Ordinance.

The purpose of this amendment is to designate Lacewood Drive, between Highway 102 and Dunbrack Street, as a daytime truck route.

10:10 p.m. - Alderman Holland retires from the meeting.

ADDED ITEMS

- (1) Municipal Service Exchange (Alderman Fitzgerald)
- (2) Service Exchange - A Response to the Province's Proposal

It was agreed that the above-noted items, added by Alderman Fitzgerald and the City Manager respectively, would be dealt with simultaneously.

A staff report, dated 14 April 1994, was submitted by the Directors of Finance, Social Planning, Development and Planning, and the Chief of Police.

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MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that Halifax City Council resolve to bring its concerns regarding service exchange to the attention of the Provincial Minister of Municipal Affairs and all Municipal Councils in Nova Scotia by issuing the letter attached to the staff report of 14 April 1994, and by calling upon those municipalities to pass similar resolutions as follows:

BE IT RESOLVED THAT this Council express its concern at the present Service Exchange proposals as put forward by the Province, calling upon the Province to reconsider its position and to meet with representatives of the municipalities in an effort to achieve a more acceptable proposal.

Speaking in support of the motion, Her Worship Mayor Ducharme recommended (and it was so agreed) that the letter referred to above be published in full in the local newspapers so that all Haligonians can be fully apprised of the situation.

The motion was put and passed with unanimous consent.

**Case No. 6914 - Development Agreement:
Lot M-2, Rocklyn Road (Alderman Hanson)**

This matter had been added to the agenda at the request of Alderman Hanson.

A staff report, dated 14 April 1994, was submitted from the Director of Development and Planning.

MOVED by Alderman Hanson, seconded by Alderman Walker that a public hearing be scheduled to consider an application for a development agreement to permit the construction of a single-family dwelling on Lot M-2, Rocklyn Road in conformance with Plan Nos. P200/19747-51 of Case No. 6914.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 4 MAY 1994** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Curb - Corner of Brook Street and
Palmer Hill Road (Alderman Jeffrey)

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

Alderman Jeffrey addressed the matter noting that he had raised this matter at Council last year. The Alderman explained that Palmer Hill Road is a street which is not owned by the City of Halifax, narrow, and not up to grade. He added that a new development in the area has caused a problem for the owner of the corner street at Palmer Hill and Brook Street because every time it rains, the rain comes down the street onto his property.

Alderman Jeffrey advised that he had spoken to the Director of Engineering and Works regarding this matter and it appears that about 50 feet of curb will be required costing approximately \$1000.00. The Alderman therefore requested that staff investigate the situation and provide a report for the next Committee of the Whole Council meeting to be held on **Wednesday, 20 April 1994**.

Crosswalks - Corner of Agricola and
Duffus Streets (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 explained that there was a crosswalk for school children at the corner of Agricola and Duffus Streets. However, she advised that, over the last few years, the situation has changed in so far as the Highland Park School has become a junior high and the young children going to the elementary school are crossing on the opposite corner to where the crossing guard is positioned.

Alderman O'Malley went on to explain that there has been a change in crossing guards and the situation has arisen where very young children travelling to St. Stephen's School are really not being properly assisted through the intersection. The Alderman asked that staff arrange an on-site meeting involving all the players (the Police Department, the Traffic Authority, Pinkerton Security, the Principal of St. Stephen's School, and herself as the Alderman for the area) in an effort to find a satisfactory resolution to the problem.

QUESTIONS

**Question Alderman Meagher Re:
Supervision of Tree Trimming**

Does our Parks and Grounds Division supervise the trimming of trees by the Nova Scotia Power Corporation?

**Question Alderman Meagher Re:
Concern Over Early Retirement**

There has been concern expressed by our retired employees that we will be taking money from the Pension Fund for early retirement from City Hall.

Question Alderman Meagher Re: Crosswalks

When can we expect crosswalks to be painted in the Quinpool Road and Chebucto Road area?

**Question Alderman Stone Re:
Traffic Signs - Playground**

Wedgewood subdivision has a children's playground that has an entrance at the intersection of Wedgewood Avenue and Beechwood Terrace. Would staff have a look at this area with the view of placing signs indicating "Children Playing" or "Playground Entrance" to help slow the motor vehicles and ensure the safety of the children.

**Question Alderman Stone Re: Traffic Signs For
Playground - Sheffield in the Park**

With respect to my previous question, I would like staff to look at the Sheffield In the Park subdivision. The Sheffield in the Park playground on Lincoln Cross also requires some signage to make the motor vehicles aware of children in the area.

Question Alderman Stone Re: Problem With Jet Skis

With summer approaching, I am concerned about the problem of the use of jet skis on Kearney Lake. These recreational vehicles are a danger to both swimmers and

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canoeists. Could signage be placed at the boat launch which would prohibit the use of jet skis on the lake?

**Question Alderman Stone Re: Program to
Encourage Dog Owners to Carry "Pooper Scoopers"**

Another annual summer problem is dog owners who do not clean up after their animals. Is there a program that could be launched which would make people aware of the ordinance pertaining to this matter, and which would encourage people to carry "pooper scoopers" when walking their dogs?

**Question Alderman Walker Re: Bylaws or
Regulations - Commercial Garbage Receptacles**

I would like to have a response from the Fire Chief as to whether or not there are any by-laws or regulations about how close commercial garbage receptacles can be placed to buildings. On April 2, I witnessed a large blaze in the commercial garbage bin behind "Nubodys" on Lacewood Drive. Because the bin was against the building, there might have been significant damage to the building if the fire had not been sighted and the fire department called immediately.

**Question Alderman Walker Re: Parking
Meters - Fairview Medical Clinic**

Could the Police Chief advise me if the parking meters in the area of the Fairview Medical Clinic, near 3635 Dutch Village Road and on the opposite side of the road, are monitored? If they are, how often, and by whom?

**Question Alderman O'Malley Re:
Duffus Street Pumping Station**

I would like an update on the "design" stage of the Duffus Street Pumping Station and, also, when is it expected to go out to tender.

**Question Alderman O'Malley Re: Derelict
Building - 3606 Highland Avenue**

The building at 3606 Highland Avenue has been boarded up for some time. I would like staff to look into this matter to determine whether the owner (Mr. Adams) has

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any plans for the building in the near future. I would also like staff to carry out an inspection of the premises.

Question Alderman Fitzgerald Re: Consultant Fees

In the Director of Finance's third quarter report to City Council dated April 5, 1994, it was noted that the City of Halifax spent \$739,763.96 on consultant fees.

1. How much did we spend in each of the other quarters this year?
2. What was the quarterly break down for last year?
3. Is there any reasonable way these fees could be reduced?

Question Alderman Fitzgerald Re: False Alarms

According to the 1993 Halifax Fire Department's Annual Report, close to 40% of the Department's calls were false alarms. What can and is being done to reduce these false alarms?

Question Alderman Fitzgerald Re: Manhole Covers

In 1992, the Works Division repaired and rebuilt 247 manholes at a cost of \$248,168. In 1993, 302 manholes were rebuilt and repaired at a cost of \$268,829.

This year it is estimated that 400 manholes will have to be fixed. The cost and numbers seem to be increasing yearly. Are there steps that can be explored or can we review our construction methods to eliminate this necessary yearly cost?

**Question Alderman Fitzgerald Re:
Sewer Pollution Control Fund - Interest**

The Sewer Pollution Control Fund was established in 1973 in order to help cover the cost of the Pollution Control Program. Many items have been added to the list covered by this fund. Why are we now taking the interest from this fund and applying it to General Revenue rather than placing it in the fund for which it was intended?

**COUNCIL
14 APRIL 1994**

**Question Alderman Fitzgerald Re:
Hourly Rate for Summer Students**

Halifax City has always provided much needed summer employment for students. It has been brought to my attention that some students are paid \$6.50 per hour while others receive \$12.50 per hour.

Do we have a hiring policy in the City for summer students? Should we have a policy that would enable all students to receive a fair wage?

**Question Alderman Fitzgerald Re:
Old Halifax City Club**

Could I have an update on the progress with respect to renting or selling the Old Halifax City Club?

**Question Alderman Fitzgerald Re:
Museum in Recognition of Canadian Immigrants**

There has been some talk about making a museum at Pier (?) where Canada received tens of thousands of immigrants over the years. This has a real built-in historical attraction and could be of immense benefit to the City's tourism effort. I believe the City should support and aggressively pursue the idea.

Would staff look into the status of the proposal and report back to the Committee of the Whole on this matter?

**Question Alderman Fitzgerald Re: City Property
- Corner of Robie Street and Coburg Road**

Years are passing and yet no work has started on much needed repairs on the City-owned property at the corner of Robie Street and Coburg Road. I request that Council be provided with an update on this project and the matter be brought to the next Committee of the Whole.

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

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HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR PAT POTTIE
CHAIRMAN

EDWARD A. KERR, CMC
CITY CLERK

*K/MS

**HALIFAX CITY COUNCIL
SPECIAL MEETING
MINUTES**

Council Chamber
Halifax City Hall
20 April 1994
7:30 P.M.

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

The meeting opened with Deputy Mayor Pat Pottie leading those present in the recitation of the Lord's Prayer.

PRESENT: Deputy Mayor Pat Pottie, Chairman; and Aldermen Holland, Fitzgerald, Downey, Meagher, O'Malley, Adams, Hanson, and Walker.

ALSO PRESENT: Mr. Barry Coopersmith, City Manager; Ms. Sharon Glynn, representing the City Solicitor; Mr. Edward A. Kerr, City Clerk; and other members of City staff.

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

It was agreed that the following matters would be added to the meeting's agenda:

**Case No. 6839: Schedule "C" Development
Agreement - 5780-88 West Street, 2400 Agricola
Street, and 5785-87 Sarah Street (King Edward Inn)**

This matter had been deferred from the last regular meeting of Halifax City Council held on Thursday, 14 April.

A supplementary staff report, dated 18 April 1994, was submitted from the Director of Development and Planning.

Alderman Meagher advised Council that after a series of meetings with staff, representatives of the King

Edward Inn, and area residents, he was confident that an arrangement which was satisfactory to all had been reached.

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

- (1) City Council enter into a development agreement with the King Edward Inn to permit its use in conformance with the plans submitted to the public hearing of 27 February 1994, with the exception that those plans attached to the staff report of 18 April 1994 be substituted for the site plan and the floor plan;
- (2) Council require that the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

Forum - New Civic Arena

This matter had last been discussed during a Budget Review meeting held on 16 April 1994.

A report, dated 18 April 1994, was submitted from the General Manager of the Halifax Forum Commission.

MOVED by Alderman O'Malley, seconded by Alderman Downey that Council approve the \$2,000,000 in the Capital Budget, Project Number Rec 23 Year 94/95, for construction of a new Civic Arena.

The motion was put and passed.

Battle of the Atlantic Commemoration

A report, dated 19 April 1994, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the City of Halifax send greetings to the

City of Liverpool on the occasion of the fifty-first anniversary of the Battle of the Atlantic which will take place on Sunday, 1 May 1994.

The motion was put and passed.

Case No. 6897 - Modification of Land Use
Bylaw: Proposed Lot 62-B, Carnation
Crescent (SET DATE FOR PUBLIC HEARING)

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

MOVED by Alderman Adams, seconded by Alderman Walker that, as recommended by the Planning Committee, a date for a public hearing be scheduled to consider the application from Spryview House Cooperative Limited for a development agreement (modification of the lot frontage requirement), as shown on Plan No. P200/19632, at proposed Lot 62-B, Carnation Crescent.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, 18 MAY 1994 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 6847: 5880 Spring Garden Road - Rezoning
from R-3 to RC-3 (SET DATE FOR PUBLIC HEARING)

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

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Committee, a public hearing be scheduled to consider the application from Mr. James Filliter to rezone from R-3 (Multiple Dwelling Zone) to RC-3 (High-Density Residential/Minor Commercial) the property located at 5880 Spring Garden Road.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, 18 MAY 1994 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 6670 - Proposed Plan Amendment
and Development Agreement (Plan and Bylaw
Amendment), 35 Coronation Avenue:
SET DATE FOR PUBLIC HEARING

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

MOVED by Alderman Walker, seconded by Alderman Adams that, as recommended by the Planning Committee, a public hearing be scheduled to consider the following:

- (1) proposed amendments to the Municipal Development Plan (Fairview Secondary Planning Strategy) and Land Use Bylaw for the property located at 35 Coronation Avenue, as set out in Appendix I of the staff report dated 8 April 1994;
- (2) a proposed discharge of the 27 April 1979 agreement for 35 Coronation Avenue, as set out in Appendix II of the staff report dated 8 April 1994;
- (3) a proposed development agreement for the properties at 35 Coronation Avenue for the purpose of permitting the development depicted in Plan Nos. P200/19826-30 of Case No. 6670 and as contained in Appendix III of the staff report dated 8 April 1994.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 18 MAY 1994** at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 6929 - Proposed Land Sale and
Development Agreement: Community YMCA,
2269 Gottingen Street (SET DATE FOR PUBLIC HEARING)

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a public hearing date be set to consider the following:

- (1) the proposed sale of an area of land, measuring approximately 1870 square feet, to the YMCA, to be added to the parcel of approximately 5700 square feet already approved for sale to the YMCA on 14 January 1993, to permit the construction of a gymnasium;
- (2) the sale price of the entire parcel of 7570 square feet be set at \$28,500, plus the usual closing adjustments, including any GST that may be applicable, and that the Mayor and City Clerk be authorized to execute a purchase and sale agreement on behalf of the City;
- (3) a proposed development agreement with the YMCA to permit the construction of an addition to the Community YMCA building at 2269 Gottingen Street.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, 18 MAY 1994 at 7:30 p.m. in the Council Chamber, City Hall.

Amendments to the Halifax City Charter

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council approve the bill pertaining to proposed amendments to the Halifax City Charter, as attached to the report from the City Solicitor dated 11 April 1994.

The motion was put and passed.

Acquisitions: Parcel H-240, Civic No.
112 Herring Cove Road and Parcel H-241,
Civic No. 114 Herring Cove Road

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee:

- (a) Parcel H-240, Civic No. 112 Herring Cove Road be acquired from Nhan C. and Loan B. Le for \$4,550 as settlement in full, plus the usual closing adjustments including any GST that may be applicable;
- (b) Parcel H-241, Civic No. 114 Herring Cove Road be acquired from Leslie L. and Lorna V. Marriott for \$3,826 as settlement in full, plus the usual closing adjustments including any GST that may be applicable;
- (c) funds be made available from Account No. 91504.

The motion was put and passed.

Mainland South Branch Library Name

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Council approve a change in name of the Mainland South Branch Library to the Captain William Spry Public Library, to take effect when the branch library reopens in its permanent location in the Community Centre in May 1994.

The motion was put and passed.

Amendments to the Halifax Superannuation Act

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee and pursuant to advice received from the Retirement Committee, Halifax City Council request that the amendments to the Superannuation Act, as outlined in

**PUBLIC HEARINGS
20 APRIL 1994**

the report from the Retirement Committee dated 19 April 1994, be enacted by the Legislature.

The motion was put and passed.

Early Retirement Package

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the proposed changes to the City's normal retirement provisions, as outlined in the report from the Director of Finance dated 19 April 1994, be approved.

The motion was put and passed.

Vending Locations

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the Committee charged with reviewing committees, boards and commissions place a priority on the review of the Streets Committee; and further, that a freeze be instituted on the vending locations which have not been awarded by tender until the matter is submitted to Council by the Streets Committee.

The motion was put and passed.

PUBLIC HEARINGS

**Public Hearing Re: Case No. 6910 -
Application to Amend Development Agreement,
1326 Barrington Street (Former Case No. 6394)**

Mr. Dan Norris, Heritage Planner with the City of Halifax, provided a brief overview of the staff report on this matter dated 7 March 1994.

In his remarks, Mr. Norris advised that on 20 March 1992 the City had entered into a development

**PUBLIC HEARINGS
20 APRIL 1994**

agreement with the owner of the registered heritage property located at 1326 Barrington Street. The purpose of that agreement was to increase the reuse potential of the building as well as to ensure improvements to the structure's external appearance. Council was advised, however, that as a result of a site inspection in early December 1993 it had been discovered not only that the repairs outlined in the development agreement were still outstanding but also that the building's slate shingles had replaced with asphalt shingles, an undertaking not permitted by the original agreement.

Mr. Norris indicated that the owner of the property in question is now seeking an amendment to the 1992 agreement "to allow asphalt shingles instead of slate shingles on the mansard roof of the building" located at 1326 Barrington Street. He went on to point out that, in staff's view and in the opinion of the Heritage Advisory Committee, the terms of the original agreement have been contravened to the point that the heritage value of the property has been considerably diminished. A recommendation has therefore been made that Council refuse the proposed amendment.

Mr. Robert Logan, speaking on behalf of his grandfather, Mr. Arne Benson (owner of the property under consideration), advised that approximately two years ago extensive damage had been caused to the upper storeys of the structure at 1326 Barrington Street as a result of leakage from the roof. Contractors were immediately called and, according to Mr. Logan, their consensus was that the application of asphalt shingles represented the most effective solution to the problem. In this context, Mr. Logan pointed out that, in the opinion of those same individuals, the use of slate shingles is now considered by the construction industry to be both an "obsolete and costly option," adding that estimates provided to his grandfather included an overall cost of \$21,000 for the use of slate and only \$6700 for the asphalt. Mr. Logan emphasized that, in deciding to proceed with the asphalt shingles, Mr. Benson had made every effort to choose a style and color that coincided with those of two other heritage properties in close proximity to his own.

Mr. Logan then made a brief video presentation depicting his grandfather's property and its relationship to the surrounding neighborhood. He concluded his remarks by distributing copies of a letter written by Mr. Benson on 14 January 1994 to the Development and Planning Department and by emphasizing the considerable emotional and financial

distress that would be caused his grandfather should he be forced to remove the asphalt shingles from his building at this point in time.

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

It was subsequently moved by Alderman Downey, seconded by Alderman Meagher that City Council approve the application for an amendment to the development agreement with regard to Civic No. 1326 Barrington Street (Case No. 6910).

The motion was put and passed.

**Public Hearing Re: Civic No. 8
Main Avenue - Ruinous Building**

This matter had been deferred from a special meeting of Halifax City Council held on Wednesday, 23 March 1994.

An Information Report, dated 19 April 1994, was submitted from the Director of Development and Planning advising that the building in question has now been demolished by its owner.

On the recommendation of Alderman Adams, it was agreed that no further action would be taken in this regard.

**Public Hearing Re: Case No. 6925 - Lot A, Young
Avenue; Lot B, McLean Street (Former Owen Street)**

Mr. Gary Porter, a Planner with the City's Development and Planning Department, briefly overviewed the contents of the 15 March 1994 staff report, noting that this public hearing relates to a variety of housekeeping matters resulting from Council's decision to include Lot A, Young Avenue as part of an exchange for lands at 100 Leiblin Drive.

Alderman Holland made reference to the proposed subdivision of the former Owen Street into Lots A and B, and asked that staff obtain an estimate from an external source prior to the 28 April meeting of City Council as to the value of the two lots proposed under the revised plan.

PUBLIC HEARINGS
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There were no persons wishing to address Council on this matter, and no further questions of staff.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 28 April 1994. The motion was put and passed.

Public Hearing Re: Case No. 6848 -
Proposed Development Agreement (Lot Modification), 2344 and 2350 Hunter Street

Mr. J. Michael Hanusiak, Planner II with the City's Development and Planning Department, provided Council with a brief overview of the staff report dated 2 March 1994. In his remarks, Mr. Hanusiak advised that the proposal now under consideration replicates an application which was approved by City Council for the same site in 1992. It was noted, however, that because of financing problems, the applicant had been forced to allow the original agreement to lapse.

Responding to a question from Alderman Meagher, Mr. Hanusiak indicated that, in terms of physical characteristics, there were no dissimilarities between the original development proposal and that which is now under consideration.

There were no further questions of staff and no one in attendance wishing to address Council on this matter.

It was therefore moved by Alderman Meagher, seconded by Alderman Adams that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 28 April 1994.

The motion was put and passed.

Public Hearing Re: Case No. 6886 -
Lot Modification Development Agreement (6409-11 Cloverdale Road)

Mr. Gary Porter, Planner with the City's Development and Planning Department, presented Council with a brief overview of the 2 March 1994 staff report. Mr.

**PUBLIC HEARINGS
20 APRIL 1994**

Porter noted that the proposal for a lot modification development agreement is intended to legalize an existing unauthorized unit in the basement of the duplex located at 6409-11 Cloverdale Road.

Mr. Mark Nahas, representing Facade Investments Limited (owner of the property in question), advised Council that he and his partners had purchased the Cloverdale building during a Sheriff's Sale in 1991. He added that, at the time of purchase, the structure contained three separate dwelling units (each with their own front and back entrances) as well as parking facilities for six vehicles. Mr. Nahas went on to point out that removal of the third unit would pose considerable financial problems for the owners, adding that, in his opinion, the continued existence of this unit would not appear to offer any negative implications for the surrounding neighborhood.

Responding to a question from Alderman Holland, Mr. Nahas advised that a lawyer had been used by his company during the acquisition of the Cloverdale Road property.

Alderman O'Malley submitted a petition signed by approximately 35 residents of the neighborhood in the immediate vicinity of 6409-11 Cloverdale Road, asking that Council support staff's recommendation; namely, that the application for a lot modification development agreement be refused.

As there were no further persons wishing to address Council on this matter, it was moved by Alderman O'Malley, seconded by Alderman Fitzgerald that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 28 April 1994.

The motion was put and passed.

**Public Hearing Re: Case No. 6878 -
5206 Tobin Street (Rezoning from RC-2 to RC-3)**

Mr. Paul Dunphy, Planner with the City's Development and Planning Department, briefly overviewed the contents of the 1 March staff report, noting that the rezoning is being requested so that the new owners of the Tobin Street property can provide additional outdoor parking spaces for their tenants.

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Mr. George Athanasiou, representing the owners of the complex at 5206 Tobin Street, addressed Council to seek their support for his rezoning application.

Mr. Blair Beed, a resident of 6531 Summit Street, made a brief presentation in support of Mr. Athanasiou's application.

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

Having commended Mr. Athanasiou on the quality of his Tobin Street development project, it was moved by Alderman Holland, seconded by Alderman Fitzgerald that the application to rezone the southern portion of 5206 Tobin Street from RC-2 (Residential/Minor Commercial) to RC-3 (High Density - Residential/Minor Commercial) be approved.

The motion was put and passed.

Public Hearing Re: Case No. 6791 - Amendment
to Development Agreement (Alexandra Centre Site)

Mr. Paul Dunphy, Planner with the City's Development and Planning Department, briefly overviewed the contents of the 4 March 1994 staff report pertaining to this matter.

There were no questions from members of Council and no persons in the public gallery wishing to make presentations on this matter.

It was therefore moved by Alderman Downey, seconded by Alderman Fitzgerald that City Council amend the development agreement for the Alexandra Centre site by:

- (1) deleting the "Building Locations" and "Landscape Zones" plans which were approved on 16 December 1993; and
- (2) adopting the proposed "Building Locations" and "Landscape Zones" plans attached to the staff report of 4 March 1994.

The motion was put and passed.

**PUBLIC HEARINGS
20 APRIL 1994**

There being no further business to be discussed,
the meeting was adjourned at approximately 8:25 p.m.

**DEPUTY MAYOR PAT POTTIE
CHAIRMAN**

**SUBMITTED BY:
EDWARD A. KERR, CMC
CITY CLERK**

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HEADLINES

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
28 April 1994
8:00 p.m.

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

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

A moment of silence was held in recognition of April 28th, the day declared by the Canadian Labour Congress as a day of mourning for everyone who died on the job.

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

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

Proclamation from the Canadian Labour Congress

Her Worship Mayor Ducharme read a proclamation received from the Canadian Labour Congress and proclaimed, on behalf of members of Council, April 28 as an annual Day of Mourning in the City of Halifax in recognition of workers killed, injured or disabled on the job.

MINUTES

MOVED by Alderman O'Malley, seconded by Alderman Fitzgerald that the minutes of the special meeting of Halifax City Council held on Wednesday, April 6, and the regular meeting of Halifax City Council on Thursday, April 14, be approved.

Motion carried.

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

There were no additions or deletions by the City Clerk.

The City Clerk pointed out an error in the Finance and Executive Committee Report with respect to item 10.8: "Report from the Halifax Industrial Commission - Installation of Sewer and Water Services - Ragged Lake Area, Halifax Business Park." He noted that the report should have indicated that the recommendation in relation to this item was defeated rather than recommended by the Finance and Executive Committee.

With respect to the Order of Business, Alderman Adams asked that "Added Items" be dealt with before "Questions", to which Council agreed.

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

20.1 Daily News Article Re: City of Halifax Tax Rate for the last Two Years

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

Daily News Article Re: City of Halifax Tax Rate for the Last Two Years (Alderman Crowley)

Council agreed to deal with this item at this time.

Alderman Crowley addressed the matter noting that there was an article in the Daily News recently which reported that the tax rate in the City of Halifax had risen 15 percent in the past two years. She asked that the Director of Finance provide clarification for the citizens of Halifax in this regard.

**CITY COUNCIL
28 APRIL 1994**

Mr. B.G. Smith, Director of Finance, addressed Council and advised that the average rate of increase was 1.7 percent last year and 3.9 the prior year, therefore, over the two years, it averaged 5.6 percent.

Alderman Holland asked that the City Manager write a letter to the author of the article to explain the situation so that the citizens of Halifax, as well as the author, will be informed.

Deputy Mayor Pottie expressed concern that the author of the article, Mr. Vaughan, President of the Halifax Homeowners' Association, was misinformed. He noted that Mr. Vaughan was asked to appear before Council on previous occasions in order for Council to address any questions or concerns he had. However, the Deputy Mayor advised that Mr. Vaughan has declined Council's invitation. Once again, Deputy Mayor Pottie indicated that Mr. Vaughan was welcome to address Council.

DEFERRED ITEMS

Case No. 6725: Development Agreement - 2760-64 Windsor Street

A public hearing into this matter was held on 20 April 1994.

A supplementary staff report dated 19 April 1994 was submitted.

Correspondence from a resident at 6257 Windcrest Terrace was also submitted.

Deputy Mayor Pottie referred to the report of April 19th which addresses many of the questions raised at the public hearing. However, in discussing the report with some of the residents in the neighbourhood, he noted that the concern was raised that it does not provide a clear description of what will actually happen in the area.

It was therefore MOVED by Deputy Mayor Pottie, seconded by Alderman Meagher that this matter be forwarded to the next meeting of Halifax City Council to be held on 12 May 1994 and that, following the conclusion of the next Committee

of the Whole Council meeting next Wednesday, the developer or his representative meet with staff, the Alderman for the area and any other member of Council, as well as the residents in the area to address concerns respecting this development.

Motion passed.

**Case No. 6925 - Lot A, Young Avenue; Lot B, McLean Street
(Former Owen Street)**

A public hearing into this matter was held on 20 April 1994.

Alderman Holland addressed the item noting that he would like to discuss this further with City staff because he was not satisfied with the information he received.

MOVED by Alderman Holland, seconded by Alderman Meagher that this matter be deferred to the next meeting of Halifax City Council to be held on 12 May 1994.

Responding to a question from Alderman Adams, Alderman Holland indicated that he would like more input as to the basis upon which the evaluations have been made from both the public and the private sectors.

Motion passed.

**Case No. 6848 - Proposed Development Agreement
(Lot Modification), 2344 and 2350 Hunter Street**

A public hearing into this matter was held on 20 April 1994.

MOVED by Alderman Meagher, seconded by Alderman Downey that:

1. Council approve the entering into of a development agreement for the properties at 2344 and 2350 Hunter Street for the purpose of permitting the development depicted in Plan Nos. P200/19771-73 of Case 6848.

2. Council requires that the development 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 any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

**Case No. 6886 - Lot Modification Development Agreement
(6409-11 Cloverdale Road)**

A public hearing into this matter was held on 20 April 1994.

Deputy Mayor Pottie addressed the item and referred to the petition submitted at the public hearing with approximately 36 signatures of residents opposing the application. In response to this petition in opposition, the Deputy Mayor noted that he received a petition on this date signed by 35 residents in support of the proposed development agreement. The Deputy Mayor presented this petition and asked that it be circulated to members of Council.

MOVED by Deputy Mayor Pottie, seconded by Alderman Walker that this matter be deferred to the next meeting of Halifax City Council to be held on 12 May 1994.

Motion passed.

PETITIONS AND DELEGATIONS

**Petition Alderman Fitzgerald Re: United Cab Drivers
Association of Halifax**

On behalf of the United Cab Drivers, Alderman Fitzgerald submitted a petition signed by approximately 348 taxi drivers requesting that the Halifax Taxi Commission be dissolved.

Her Worship Mayor Ducharme advised that the petition would be referred to the Committee that is reviewing Boards and Commissions.

Petition Alderman Jeffrey Re: Halifax West High School

Alderman Jeffrey submitted a petition from concerned students and staff of the Halifax West High School regarding the present level of traffic safety on Lacewood Drive below Dunbrack Street. The petition requested that the City of Halifax thoroughly study and upgrade the safety standards of this traffic area.

**Petition Alderman Crowley Re: Bookmobile Service
- St. Agnes School Area**

Alderman Crowley gave notice of petition from a number of residents regarding the bookmobiles in the St. Agnes School area.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 20 April 1994, as follows:

City of Halifax Economic Development Task Force Report

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the final report of the Halifax Economic Development Task Force be tabled and submitted to staff for comment.

Motion passed.

Social Services Computer Program

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

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Committee, Council authorize staff to acquire technical services from Synerlogic Inc., Halifax, at a cost not to exceed \$39,000 (excluding tax).

Motion passed.

City of Halifax Insurance Claim #69-773

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to sign the release form (as attached to the staff report of 7 April 1994) in the amount of \$6,384.95, which represents 100% recovery from Canadian Home Assurance Company and their insured Cathy Brown.

Motion passed.

Purchase of Lot 1A, Kearney Lake Road

A supplementary staff report dated 21 April 1994 was submitted.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve the use of surplus Capital funds to be the permanent funding source for the purchase of Lot 1A Kearney Lake Road in the amount of \$184,250 plus normal closing adjustments and GST.

Motion passed.

Temporary Beer Gardens

MOVED by Alderman Adams, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee:

1. City Council permit the use of designated City outdoor recreation facilities to set up temporary Beer Gardens during special events providing user groups meet all proposed criteria and regulations.

2. If City Council approves the concept and associated procedures, the Recreation Department act as the central City coordinating body for the facilities.

Motion passed.

Former Dartmouth II Ferry

A supplementary staff report dated 28 April 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Hanson that City Council accept Mr. Mont's offer to remove the boat from the Chebucto Landing site by 31 May 1994 for the sum of \$35,000 from the City once the boat is removed.

Motion passed.

Industrial Commission Audit

This matter was forwarded to Council without recommendation pending a report from the City Manager with respect to the question pertaining to conflict of interest and any other pertinent information.

A supplementary staff report dated 22 April 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Hanson that the contract for the comprehensive audit of the Halifax Industrial Commission be awarded to KPMG at a cost of \$50,000 plus GST and expenses.

Following a lengthy debate, the motion was put and passed with eight (8) voting for it and four (4) voting against it as follows:

FOR: Deputy Mayor Pottie, and Aldermen Holland, Downey, Meagher, O'Malley, Hanson, Crowley, and Stone (8)

AGAINST: Aldermen Fitzgerald, Adams, Jeffrey, and Walker..... (4)

Motion passed.

Report from the Halifax Industrial Commission
Re: Installation of Sewer and Water Services
- Ragged Lake Area, Halifax Business Park

A letter from Mary C. Clancy, M.P., Halifax, dated April 28 was submitted.

The following motion was defeated at the last Finance and Executive Committee meeting:

that Halifax City Council authorize the Industrial Commission to proceed with the application to install sewer and water services in the Ragged Lake Area of the Halifax Business Park at an estimated cost of \$2,400,000.00 providing the project is approved under the Federal Government Infrastructure Program, and is shared one-third each by the Federal Government, Provincial Government, and the Halifax Industrial Commission; and further approve adding the required additional capital budget in the amount of \$800,000.00 to the Halifax Industrial Commission's current 1994/95 Fiscal Budget.

Alderman Fitzgerald addressed the matter and expressed the opinion that the project for the installation of sewer and water services on the Prospect Road for the servicing of the Industrial lands should be approved. He went on to point out that the Halifax Industrial Commission has made this request and that the project for the installation of service in Ragged Lake has been forwarded to the Minister of Municipal Affairs.

Alderman Fitzgerald went on to note that it was his understanding that Council had missed the deadline to submit an application. However, he advised that he had information that the Minister of Municipal Affairs does have the proposal that was submitted by the Industrial Commission and the application is being processed along with many other applications that are before the Province.

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Her Worship pointed out that the Mayor has to sign all applications according to the rules and she noted that she was never asked to sign.

Alderman Fitzgerald indicated that he could provide a memo which says that the application is being processed at the present time.

Her Worship indicated that she would pursue the matter with the Minister tomorrow.

Alderman Fitzgerald referred to a letter from Mary Clancy, MP, Halifax, stating clearly that she supports the project and the belief that it is crucial to ensure the attraction of high tech business at Ragged Lake. The Alderman also referred to letters from Bruce Holland, MLA for Timberlea - Prospect, and Wayne Gaudet, NS Dept. of Agriculture and Marketing, registering their support for the project.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that Halifax City Council authorize the Industrial Commission to proceed with the application to install sewer and water services in the Ragged Lake Area of the Halifax Business Park at an estimated cost of \$2,400,000.00 providing the project is approved under the Federal Government Infrastructure Program, and is shared one-third each by the Federal Government, Provincial Government, and the Halifax Industrial Commission; and further approve adding the required additional capital budget in the amount of \$800,000.00 to the Halifax Industrial Commission's current 1994/95 Fiscal Budget.

A discussion followed with Her Worship Mayor Ducharme addressing Council and Deputy Mayor Pottie taking the seat of the Chair.

Her Worship Mayor Ducharme spoke in opposition to the motion. She began her remarks by noting that mention has been made to other levels of government support. Mayor Ducharme referred to Mary Clancy's statement that the project's acceptance was crucial to ensure the attraction of high tech business to Ragged Lake. Her Worship advised that this was not true and that Ms. Clancy had been misinformed noting that there were 780 net developable acres in Ragged Lake (8 of which are sold at the moment). Mayor Ducharme indicated that the services were not crucial at this time and

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pointed out that staff has identified crucial issues to be addressed through the infrastructure program, this not being one of them.

Her Worship Mayor Ducharme went on to suggest that Mr. Holland and Mr. Gaudet were in support of this project because it would benefit the Atlantic Winter Fair site which is located in the County of Halifax. Mayor Ducharme noted that, in essence, the City would be giving an infrastructure benefit to the County at the expense of the City.

Her Worship added that staff has identified crucial projects and cautioned that, if this one is approved, the Duffus Street Pumping Station project could be jeopardized. She urged Council to listen to its own management staff who prioritized the crucial issues for the City and do not support this motion at this time.

Mayor Ducharme returned to the seat of the Chair with Deputy Mayor Pottie taking his usual seat on Council.

The discussion continued with the City Manager addressing Council. He referred to a memo provided by Mr. R.D. Corkum, Executive Director of the Halifax Industrial Commission, and circulated it at this time. The City Manager briefly reviewed Mr. Corkum's memo which provides information on the Industrial Parks and, using a map, provided details showing the extent of servicing in the area.

Responding to a question from Alderman Stone, the City Manager advised that it was his understanding that the Red Cross may not need the project. He added that if Grand Casino did locate in the Industrial Park, any required servicing would become a priority.

Alderman Stone expressed concern that, if the project was approved at this time, tax dollars would be used for something which was not crucial. He added that the project would only be needed to accommodate the proposed Red Cross or Grand Casinos projects. Alderman Stone therefore suggested that the matter be deferred until such time as it becomes known whether Grand Casinos or the Red Cross projects will locate in the Park.

It was subsequently MOVED by Alderman Stone, seconded by Alderman Holland that this item be deferred to the next meeting of City Council scheduled for 12 May 1994.

On a point of clarification, Alderman O'Malley referred to the comment by Her Worship with respect to the Duffus Street Pumping Station project. The Alderman expressed concern that the comment that this project might not go forward will cause a great deal of concern to the citizens in the area of the Duffus Street Pumping Station. She pointed out that Council approved a motion on March 30th directing staff to include an item in the 1994/95 proposed capital budget titled "Duffus Street Pumping Station Upgrading" at an estimated cost of 1.1 million dollars and that this project be included in the pollution control classification of the project. Alderman O'Malley added that the item was placed on the infrastructure wish list hoping that the Federal Government would fund it. However, she pointed out that the project is not hinging on the infrastructure program.

Further to Alderman O'Malley's concern, Her Worship apologized and advised that the City Manager will provide clarification regarding the Duffus Street Pumping Station and any other clarification before the next Council meeting.

The motion to defer was put and resulted in a tie vote. Her Worship broke the tie by voting in favour of the deferral and declared the motion to defer passed.

Mandatory School Funding

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City request that the Provincial Government, as suggested by the Funding Review Work Group, reduce its tax on mandatory funding from 39 cents to 37.775 cents pending a report from staff at Council on the ramifications of this and if it is the proper step to take.

Motion passed.

Electrical Inspection Division

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council approve Option 3 (as outlined in the staff

report of 20 April 1994), Maintain Electrical Inspection Services, increase fees to break even point (approximately doubling them).

Motion passed.

MOTIONS

Motion Alderman Walker Re: Proposed Amendments to Ordinance 155, the Truck Route Ordinance - FIRST READING

Notice of Motion in respect of this matter was given at the last meeting of City Council held on 14 April 1994.

A staff report dated 19 April 1994 was submitted.

MOVED by Alderman Walker, seconded by Alderman Adams that Ordinance 155, the Truck Route Ordinance be amended in accordance with Attachment A (of the staff report dated 19 April 1994) for the purpose of designating Lacewood Drive between Highway 102 and Dunbrack Street as a daytime truck route and, further, that the matter be referred to the next Committee of the Whole Council meeting to be held on 4 May 1994 for consideration and report.

Motion passed.

MISCELLANEOUS BUSINESS

Voting Delegates - Union of Nova Scotia Municipalities

It was agreed that the following members of Council be the voting delegates at the Regional meeting of the Union of Nova Scotia Municipalities:

Alderman Fitzgerald
Alderman Stone
Alderman O'Malley
Alderman Downey
Alderman Crowley
Alderman Holland (alternate)

Appointments

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that Mr. David Oyler be appointed to the Halifax Natal Day for a term to expire 31 January 1997.

Motion passed.

NOTICE OF MOTION

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

Alderman Adams gave notice of motion that at the next regular meeting of Halifax City Council to be held on **Thursday, 12 May 1994**, he proposes to introduce a motion to amend Ordinance 116, the City of Halifax Taxi Ordinance.

The Alderman advised that the purpose of this amendment is to exempt operators of "dual purpose" (accessible) taxis from the licensing moratorium now in effect for Halifax taxi operators.

QUESTIONS

Question Alderman Holland Re:
Point Pleasant Park - Hirings

Alderman Holland advised that the Point Pleasant Park Commission would like to hire a number of individuals (some of whom may be students) through a Federal employment program at no cost to either the City of Halifax or its taxpayers.

He added, however, that there would appear to be some difficulty in doing this because of the agreement with one of the City's unions. The Alderman therefore asked for information as to what could be done to pursue the benefits offered by the Federal program.

**Question Alderman Jeffrey Re:
Piercey Field Playground Equipment**

Alderman Jeffrey advised that he had received a number of complaints from parents in his area who feel that the playground equipment at Piercey Field is both inadequate and in poor shape. The Alderman therefore asked if there are plans in place to either replace or add equipment at this site.

**Question Alderman Jeffrey Re:
Bulldozer - Mainland North Common**

Alderman Jeffrey reported that a large bulldozer was recently hired by the City to work on the Mainland North Common. The Alderman asked for information from staff as to the cost per day of this equipment and the length of time it is expected to be used. In this context, Alderman Jeffrey also queried why City of Halifax equipment and personnel could not have been used for this project.

**Question Alderman O'Malley Re:
Federally-Owned Land - Robie Street/Normandy Drive**

Alderman O'Malley asked for an up-dated report on the status of the Federally-owned land at the corner of Robie Street and Normandy Drive, particularly as to whether the property is intended to be landbanked or offered for sale.

**Question Alderman O'Malley Re:
Odor - Duffus Street Pumping Station**

Alderman O'Malley advised that she has received calls from a number of residents concerning the recurrence of the odor at the Duffus Street Pumping Station. The Alderman asked that this situation be investigated by staff and that steps be taken without delay to clean the area.

**Question Alderman Fitzgerald Re:
Contracting Out of City Services**

Alderman Fitzgerald indicated that he would appreciate receiving a report as to why certain City services

are contracted out while others are not. In this context, the Alderman also asked to be provided with information as to the City's policy on proposals that are submitted to staff.

**Question Alderman Fitzgerald Re:
City-Owned Property (Spring Garden/Robie Street)**

Alderman Fitzgerald noted that several years ago Council approved the allocation of funds for repairs on a City-owned property at the corner of Spring Garden Road and Robie Street. The Alderman went on to note that he had been under the impression that this work, which was said to be essential, was to have been carried out immediately. He emphasized, however, that he now understood that no work on this site has been undertaken and that one of the apartments has been vacant for almost three years.

Alderman Fitzgerald expressed concern that this situation had been allowed to continue, and asked for a report from staff as to why the work has not been undertaken on this property.

**Question Alderman Fitzgerald Re:
1994 Visit - Her Majesty Queen Elizabeth**

Alderman Fitzgerald asked for a breakdown of the \$50,000 which is proposed to be spent during the forthcoming visit to the City of Halifax by Her Majesty Queen Elizabeth.

**Question Alderman Fitzgerald Re:
Vacant Land - Halifax Waterfront**

Alderman Fitzgerald asked for information as to the amount of vacant waterfront land that remains available for development purposes.

**Question Alderman Fitzgerald Re:
Special Concession - Private Company**

Alderman Fitzgerald strongly recommended that a letter be forwarded by City Council condemning the actions by the Provincial Government in allowing a private company to make substantial profits while at the same time reducing their taxation payments to the City of Halifax, an action

which, in the Alderman's view, serves only to benefit the company and hurt the taxpayer.

Question Alderman Fitzgerald Re: Public Gardens

Noting that he has received a number of calls on this matter, Alderman Fitzgerald asked for information on the following:

- (a) people are concerned that the Public Gardens are not yet open (many would like to see the Gardens opened as quickly as possible).
- (b) there are also concerns that the City appears to be cutting down numerous trees -- callers wish to see these trees not only replaced but protected.

**Question Alderman Fitzgerald Re:
Early Closing - Camp Hill Cemetery**

Alderman Fitzgerald noted that the signs posted at the Camp Hill Cemetery regarding the site's open and closing hours appear to be in contradiction to the hours in which the Cemetery is actually open.

**Question Alderman Fitzgerald Re:
Pumping Stations**

Alderman Fitzgerald asked for information from the City Manager as to whether pumping stations (such as those at Duffus Street and in Armdale) are funded through the Pollution Control Surcharge.

**Question Alderman Walker Re:
Mainland North Common**

Alderman Walker asked for information as to whether there are regulations in place pertaining to the type of fill that is appropriate for use at the Mainland North Common and, if so, the manner in which these regulations are monitored.

**Question Alderman Walker Re:
Swings - Northcliffe Playground**

Alderman Walker asked for information from staff as to when it is anticipated that the swings will be re-installed at the Northcliffe Playground.

**Question Alderman Stone Re:
Attack Dog - Residential Area**

Alderman Stone noted that he has received a number of calls regarding a resident of Sheffield-in-the-Park who uses a dog for the protection of his property at 35 Chartwell Lane. The Alderman went on to point out that the animal in question has been described as a large attack dog, which has broken loose on a number of occasions causing considerable concern both for the neighbors' children and for their domestic animals.

Alderman Stone therefore asked that either the Police Department or the Animal Control Officer investigate this situation and advise Council as to the steps which can be taken to address this sort of problem when it occurs in a residential area.

Their being no further business to discuss, the meeting adjourned at 10:05 p.m.

**HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR PATRICK POTTIE**

**EDWARD A. KERR
CITY CLERK**

/MS

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
(1994/95 Tax Rate & Budget)
M I N U T E S**

Council Chamber
Halifax City Hall
3 May 1994
8:00 P.M.

A special meeting of Halifax City Council was held at this time for the purpose of setting the 1994/95 tax rate and budget.

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

ALSO PRESENT: Mr. B. B. Coopersmith, City Manager; Mr. W. Anstey, City Solicitor; Mr. E. A. Kerr, City Clerk; Mr. B.G. Smith, Director of Finance; Mr. Al Leblanc, Budget Office; Ms. L. Jackson, Budget Analyst; and other members of City staff.

Her Worship Mayor Ducharme began the meeting by noting that this year, in proceeding with the budget process, a system of public hearings was introduced and a series of meetings with staff. As a result, Her Worship noted that the budget proposed is one in which staff and the public feel some ownership. She added that the City's management team was dedicated to following Council's instruction to bring in a budget with a zero percent increase in taxes. Mayor Ducharme commended the City Manager and the management team who have worked collectively with Council as a team to bring to bring about this zero percent increase proposed budget.

Setting of 1994/95 Tax Rate & Budget

The following information was distributed:

- Motions Re: Setting of 1994/95 Tax Rate & Budget

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- Impact of 1994/95 Projected Tax Rates on Sample Properties
- 1994 - 1996 Capital Budget Summary (000's)
- 1994/95 Operating Revenue Summary
- 1994/95 Operating Expenditure Summary

A debate ensued with staff addressing various questions from members of Council.

Alderman Adams referred to the offer made by the Canadian Corps of Commissionaires which provided for a saving of \$111,000.00 to the City as a result of reducing the seniority levels of the Commissionaires provided to the City. Referring particularly to the Commissionaires at City Hall, the Alderman expressed the concern that it was inappropriate to reduce their ranks because of the fact that the individuals are in a very high profile situation and because of the significant quality of service they provide. Alderman Adams went on to suggest that in order to assure that these same individuals will provide the same level of service to which the City is accustomed to, an additional \$6363.00 should be added to retain the present rank level of these commissionaires.

Following a short discussion, it was MOVED by Alderman Adams, seconded by Alderman Fitzgerald that an additional \$6363.00 be included in the 1994/95 budget in order for the Commissionaires at City Hall to retain their present ranks.

After a further debate, the motion was put and defeated.

Responding to a concern from the Deputy Mayor, Her Worship Mayor Ducharme advised that she would write to the Canadian Corps of Commissionaires and ask for clarification with respect the affect on the present level of service provided by the Commissionaires at City Hall as a result of the reduction in their ranks.

With respect to the School Board proposed motion #3, the Director of Finance and City Manager explained that while the discretionary funding aspect had not been

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confirmed 100 percent, it was understood that the City would recover 51.05 percent of 3 percent of the relevant teachers' salaries which would be an amount of \$476,529.00 and that these funds would be turned over to the School Board. Mr. Smith advised that at the last meeting when the Board appeared before Council, the difference between the Board's request and the City's position was \$794,000.00 indicating that this would now result in a difference of \$318,000.00.

Referring to motion #17 recommending that the budget for pay as you go be increased by \$150,000.00 for the 1994/95 operating budget, Alderman Stone suggested that this amount should instead be placed in the City Manager's contingency account.

It was therefore MOVED by Alderman Stone, seconded by Deputy Mayor Pottie that the City Manager's Contingency be increased by \$150,000.00 for the 1994/95 operating budget.

Motion passed.

Alderman O'Malley indicated that she received a number of calls from homeowners concerning the \$4,000,000.00 allocated for a downtown parking garage. She noted that it was her understanding that information was forthcoming which would provide details in respect of this item.

Responding to Alderman O'Malley's question, the City Manager noted that a report has been completed and could be presented at tomorrow's Committee of the Whole Council meeting. He confirmed that the item is included in the 1994/95 capital budget pending Council's authorization and approval and that the monies would be funded through the sale of land account.

Alderman Crowley referred to the proposed cuts to the Police Department's budget and asked that over the next few months, as the Department effects their changes, that Council be kept updated on the status of the Department. She also referred to the \$150,000.00 which was just added to the City Manager's Contingency Fund and suggested some of this money could be used if problems arise in relation

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to the Police Department as a result of the budget reductions.

MOVED by Alderman Hanson, seconded by Alderman Adams that \$100,000.00 be added to the budget for the Captain William Spry Centre.

After a discussion, the motion was put and defeated.

Deputy Mayor Pottie referred to the budget for the Halifax Natal Day Committee. He explained that the Committee is usually very good at fund raising. However, the Deputy Mayor noted that it has come to light that all of the budgets of all of the corporations are pretty much spent for the summer months and, as a result, this year's fund raising will be very limited.

The Deputy Mayor went on to advise that the Natal Day Committee, in order to ensure a reasonably good celebration, requires an additional \$25,000.00. Deputy Mayor Pottie therefore proposed a motion that Council approve an additional cash grant for the Halifax Natal Day Festival 1994 out of the City Manager's Contingency Account.

At the suggestion of the Chair, Deputy Mayor Pottie withdrew his motion and agreed to raise the matter at a future Council meeting.

1. MOVED by Alderman Holland, seconded by Alderman Fitzgerald that City Council ratify the decisions of the Committee of the Whole Council with respect to the 1994/95 Operating Budget, as per the summary of Revenue and Expenditures for 1994/95 (attached to the report on the Setting of 1994/95 Tax Rate & Budget).

Motion passed.

2. MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the Operating Budget for the period April 1, 1994 to March 31, 1995 be fixed at \$246,651,923.

Motion passed.

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3. MOVED by Alderman Downey, seconded by Alderman Meagher that the Mandatory Tax for education for the Halifax District School Board for the 12 month period April 1, 1994 to March 31, 1995 be set at \$24,829,657 and that discretionary funding for the Halifax District School Board be set at \$12,466,268 for a total of \$37,295,925.

Motion passed.

4. MOVED by Alderman Meagher, seconded by Alderman O'Malley that the interest rate on all reserves be fixed at 0% for the period April 1, 1993 to March 31, 1994.

Motion passed.

5. MOVED by Alderman O'Malley, seconded by Deputy Mayor Pottie that the interest rate on all reserves be fixed at 4% for the period April 1, 1994 to March 31, 1995.

Motion passed.

6. MOVED by Deputy Mayor Pottie, seconded by Alderman Adams that City Council ratify the motion of the Committee of the Whole Council with respect to the content and amount of the 1994 to 1996 Capital Budget as per the summary and detail (attached to the report on the Setting of 1994/95 Tax Rate & Budget) with a gross of \$21,763,000.

Motion passed with Alderman Meagher voting in opposition.

7. MOVED by Alderman Adams, seconded by Alderman Hanson that Halifax City Council appropriate \$122,725 from Capital Surplus to be applied to the 1993/94 deficit.

Motion passed.

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8. MOVED by Alderman Hanson, seconded by Alderman Jeffrey that Halifax City Council appropriate \$415,000 from Sinking Funds Surplus to be applied to the 1994/95 Operating Budget.

Motion passed.

9. MOVED by Alderman Jeffrey, seconded by Alderman Walker that the Municipal Incentive reserve be closed out in the amount of \$3,326.70 and be applied to the 1993/94 deficit.

Motion passed.

10. MOVED by Alderman Walker, seconded by Alderman Crowley that the interest rate on past due taxes be set at 1 1/4% per month effective May 4, 1994.

Alderman Adams noted that, unless an annual interest rate is stated, then it automatically becomes 5 percent. He therefore asked that the motion be amended to state that "the interest rate on past due taxes be set at 1 1/4% per month or 15% per annum."

The City Solicitor confirmed that it would not harm to state an annual rate, but calculated monthly.

Motion passed as amended.

11. MOVED by Alderman Crowley, seconded by that Alderman Stone that the Forest Fire Contingency account be closed out in the amount of \$19,910.98 as of March 31, 1994, and be applied to the 1993/94 deficit.

Motion passed.

12. MOVED by Alderman Stone, seconded by Alderman Holland that the Non-Profit Cultural Reserve be closed out in the amount of \$20,811.80 as of March 31, 1994, and be applied to the 1993/94 deficit.

Motion passed.

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13. MOVED by Alderman Holland, seconded by Alderman Fitzgerald that City Council authorize a transfer of \$200,000 from the Social Rehabilitation Reserve to be applied to the 1993/94 deficit.

Motion passed.

14. MOVED by Alderman Fitzgerald, seconded by Alderman Downey that City Council authorize a transfer of \$37,829.72 from the Sports Field Damage Reserve to the Recreation Computerized Registration system to reduce the yearly charges.

Motion passed.

15. MOVED by Alderman Downey, seconded by Alderman Meagher that the Engineering & Works budget be increased by a net of \$20,000.00 to extend the pick-up program to include magazines, telephone books, egg cartons, and plastic bags.

Motion passed with Alderman Meagher voting in opposition.

16. MOVED by Deputy Mayor Pottie, seconded by Alderman Adams that City Council approve in principle a reduction in the discount on parking tickets for early payment from \$7.50 to \$3.00.

Motion passed.

17. MOVED by Alderman Meagher, seconded by Alderman O'Malley that the City Manager's Contingency be increased by \$150,000 for the 1994/95 operating budget.

Motion passed.

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18. MOVED by Alderman Adams, seconded by that Alderman Holland that Council approve in principle an amendment to Ordinance 156 which would permit the levying of a Waste Water Management Charge of \$0.1123 per cubic meter of water used to be levied on all persons using the City sewers generally on the same base as the Pollution Control Charge.

Motion passed.

NOTICE OF MOTION

19. Alderman Jeffrey gave notice of motion that at the next regular meeting of Halifax City Council to be held on **Thursday, 12 day of May 1994**, he intends to introduce for first reading an amendment to the Bylaw of the City of Halifax respecting parking meters. The said amendment will decrease the reduction permitted under section 16 of the Bylaw for early payment of tickets respecting parking meter violations from \$7.50 to \$3.00.

NOTICE OF MOTION

20. Alderman Crowley gave notice of motion that at the next regular meeting of Halifax City Council to be held on **Thursday, 12 day of May 1994**, she intends to introduce for first reading an Ordinance repealing Ordinance #170, the Tax Concessions Ordinance.

NOTICE OF MOTION

21. Alderman Stone gave notice of motion that at the next regular meeting of Halifax City Council to be held on **Thursday, 12 day of May 1994**, he intends to introduce for first reading an amendment to Ordinance #156, the Pollution

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Control Charge, for the purpose of which will be to create a Waste Water Management Charge under this Ordinance.

22. MOVED by Alderman Holland, seconded by that Alderman Fitzgerald that the provisions of Section 41(2) to (9) inclusive, of the Assessment Act, shall not apply to the City of Halifax, with the result that there shall be no residential occupancy tax in the City of Halifax for taxation year April 1, 1994 to March 31, 1995.

Motion passed.

23. MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the tax rate for the period April 1, 1994 to March 31, 1995 be set at \$3.8116. This rate shall be applied to:

- (a) The full assessed value of property of a business character and nature; and 0.376050 of a residential character and nature; and
- (b) Occupancy taxes as follows:
 - 1) The tax rate applied to 50% of the assessed value of the property of a business character or nature as determined by the Assessor under Section 7(1) of the Assessment Act.
 - 2) 25% of the assessed value of the properties as set out in Section 7(2)(a) of the Assessment Act, as determined by the Assessor.
 - 3) 75% of the assessed value of the properties as set out in Section 7(2)(b) of the Assessment Act, as determined by the Assessor.

Motion passed.

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24. MOVED by Alderman Downey, seconded by Alderman Meagher that the Fire Protection Rate be set at 0.052 dollars of assessment for the period April 1, 1994 to March 31, 1995.

ADOPTED RATES:	1993/94	1994/95		
	Tax Rate	Tax Rate		\$ Increase
	Per \$100 of	Per \$100 of	% Increase	Per \$100 of
	Assessment	Assessment		Assessment
Residential	\$1.4853	\$1.4853	0.00%	\$0.00
Business Occupancy	\$3.8166	\$3.8116	-0.13%	(\$0.01)
Commercial Property	\$3.8636	\$3.8636	-0.00%	(\$0.00)
Fire Protection	\$0.0470	\$0.0520	10.64%	\$0.00
Split	0.376850	0.376050	-0.21%	(\$0.00)
Ratio Comm/Res	\$2.6012	\$2.6012	-0.00%	-\$0.00

Motion passed.

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

HER WORSHIP MAYOR DUCARME
CHAIRMAN

EDWARD A. KERR
CITY CLERK

/M

HEADLINES

Setting of 1994/95 Tax Rate & Budget.....274

**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
4 May 1994
7:30 P.M.

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

The meeting was called to order and those present, led by Deputy Mayor Pat Pottie, joined in the recitation of the Lord's Prayer.

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

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

ADDED ITEMS

It was agreed that the following matters would be added to the meeting's agenda:

Appointments

A report, dated 4 May 1994, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that Mr. Douglas W. Partridge be appointed to the Halifax Natal Day Committee for a term to expire 31 January 1997.

The motion was put and passed.

Vimy Avenue - Lot B-1D

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Walker, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council authorize the payment of Invoice #3306 for \$27,523.93, and Invoice #3207 for \$4,344.74 to Coastal Real Estate Appraisals Ltd. for consultation and appraisal services.

The motion was put and passed.

Bloomfield Centre Complex/Fielding Building

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman O'Malley, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, City Council place the management of the Fielding Building at the Bloomfield Centre Complex under the Recreation Department.

The motion was put and passed.

**Case No. 6957: Rezoning of 132 Purcell's Cove Road;
and Plan Amendment Request - 132 Purcell's Cove Road**

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

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Committee, the issue of a Plan amendment and rezoning for the property at 132 Purcell's Cove Road (to allow three dwelling units) be referred to the Planning Advisory Committee for public meeting and advice. A redesignation of the property to Medium Density Residential and a rezoning to R-2P (General Residential) Zone would be required.

The motion was put and passed.

**Case No. 6896: Portion of Cresthaven
Estates - Rezoning from R-2 to R-1**

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

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MOVED by Alderman Walker, seconded by Alderman O'Malley that, as recommended by the Planning Committee, a date be set for a public hearing to consider the application to rezone the area shown as Lots 22, 23, 45-66, 73-78 and 101-113 all inclusive, as shown on Plan No. P200/19709, from R-2 (Two Family Dwelling) to R-1 (Single Family Dwelling Zone) be approved by City Council.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for 5:00 p.m. on WEDNESDAY, 1 JUNE 1994 in the Council Chamber.

Case No. 6530: Proposed Amendments to Municipal Development Plan and Land Use Bylaw Affecting Lots A-1B and K-9A-1, Stoneybrook Court

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

MOVED by Alderman Walker, seconded by Alderman Hanson that, as recommended by the Planning Committee, the existing R-2AM zoning for Lot K-9A-1 be retained; and further, that the proposal to amend the Municipal Development Plan and Land Use Bylaw to provide for high-density residential uses by development agreement at this site be rejected.

The motion was put and passed.

Award of Tender #94-74: Mainland North Linear Park (Naturalized Landscaping and Tree Planting)

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council authorize the award of Tender #94-74 (Mainland North Linear Park - Naturalized Landscaping and Tree Planting) to the lowest bidder, Turf Masters Landscaping, at a bid price of \$60,705.36.

The motion was put and passed.

Request from the Princess Louise Fusiliers

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the City accept a gift from the Princess Louise Fusiliers in celebration of their 125th anniversary to be placed within City Hall with the location to be arrived at with the City Architect.

The motion was put and passed.

PUBLIC HEARINGS

Public Hearing Re: Case No. 6914
- Development Agreement (Lot M-2 Rocklyn Road)

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

Mr. J. Michael Hanusiak, Planner II with the City's Development and Planning Department, briefly reviewed the contents of the 14 April staff report on this matter. In his remarks, Mr. Hanusiak advised that the purpose of the development agreement is to permit construction of a single-family dwelling on Lot M-2, Rocklyn Road. He added that the project cannot proceed as-of-right owing to the fact that the lot is located on a road that is neither owned nor maintained by the City.

Council were advised that, in staff's opinion, the proposal is in keeping with all pertinent aspects of the Municipal Development Plan and the Land Use Bylaw, particularly in terms of use, size, setbacks and parking. In addition, staff are satisfied that the project, which will be serviced by a domestic well and septic field, will have no effect on the Northwest Arm, and that the existing roadway provides sufficient access for emergency vehicles, including firefighting apparatus.

Responding to a question from Alderman Hanson, Mr. Hanusiak indicated that the concerns put forward by a neighboring property owner had been discussed with the

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applicant, who has agreed to take these matters into consideration during the construction process.

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

Correspondence was received from Ms. Shirley MacPherson of 19 Rocklyn Road, Halifax, B3P 2H8.

MOVED by Alderman Hanson, seconded by Alderman Adams that:

- (1) City Council enter into a development agreement to permit construction of a single-family dwelling on Lot M-2, Rocklyn Road, provided the development substantially conforms with Plan Nos. P200/19747-51 of Case No. 6914;
- (2) Council require that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**Public Hearing Re: Case No. 6717: Proposed
Amendments to the Municipal Development Plan
and Land Use Bylaw - Peninsula North (Area 5)**

A report, dated 9 March 1994, was received from the Vice-Chairman of the Planning Advisory Committee. A staff report in the form of a dissenting opinion and dated 14 March 1994 was submitted from the Director of Development and Planning.

Ms. Shelley Dickey of the City's Development and Planning Department (using existing and proposed maps of the neighborhoods in question) explained the zoning and land use designation changes proposed for Area 5 of the Peninsula North Secondary Planning Strategy.

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

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Mr. Perry Wournell, owner of property located at 2814 Isleville Street, addressed Council on behalf of the North End Businessmen's Association which, he advised, was established in 1978 when land use planning for this area was initiated.

In his remarks, Mr. Wournell pointed out that during the past 16 years his Association has worked with other property owners in the area, staff and the Planning Advisory Committee to ensure that the interests of commercial property owners are taken into consideration. He went on to refer to the report most recently submitted by the PAC, adding that, for the most part, the Association is pleased with its recommendations.

Mr. Wournell emphasized, however, that many of the commercial property owners in Area 5 remain concerned that Schedule "Q" (i.e., the requirement for a contract agreement) is still being proposed for much of this portion of Peninsula North. He noted that, in the Association's view, the application of schedules such as this merely constitutes another level of bureaucracy which costs developers both time and money. Mr. Wournell went on to suggest that, if the area is rezoned as suggested by the Association, there would be no need for additional development controls and, in this context, referred to a recent petition from local property owners which appears to support that view (NOTE: This petition, together with a map of the area in question, was later submitted to the City Clerk for inclusion in the official file of the 4 May meeting).

Mr. Wournell advised that the Association is also concerned that the "pockets" of R-2 and R-3 uses that are distributed throughout Area 5 are proposed for retention as residential zones, adding that it would seem more beneficial to their owners to have these small pieces of land rezoned to C-2. He went on to suggest that commercial zoning (complete with an 80 foot height limit) should be extended across Bloomfield Street and as far north as Kaye, as well as on the east side of Agricola Street between North and Bloomfield Streets. In this context, Mr. Wournell pointed out that during a recent canvass of the area, there was no objection from any of the owners to the concept of having their properties rezoned to Commercial. Mr. Wournell further advised that, in his opinion, a rezoning to Commercial would add value to these properties and would also allow more latitude in terms of future development and growth in the area.

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As a point of clarification, Ms. Dickey advised that the proposed zoning map referred to by Mr. Wournell in his comments is entitled "Map 3, Zoning" (dated 7 February 1994) and follows Page I-4 in the PAC's 9 March report.

Continuing with his presentation, Mr. Wournell made reference to statements made in the report of 26 October 1993 which appear to indicate that staff view Area 5 as being predominantly "residential" in nature. Mr. Wournell indicated that he and his Association disagree with that description, and indicated that with the exception of certain small residential pockets in the area of Bloomfield, Gottingen, North and Agricola Streets, the majority of Area 5 is primarily commercial.

Mr. Peter Lavell of 2628 Belle Aire Terrace took exception to the previous speaker's suggestion that the character of Area 5 is predominantly commercial in nature. In this context, Mr. Lavell made reference to the fact that his children attend the St. Joseph's/A. MacKay School in the company of a large number of children from the Macara/Russell Street neighborhood, an area which Mr. Wournell had described as being primarily commercial. Mr. Lavell therefore suggested that the considerable number of residential pockets scattered throughout Area 5 are equally deserving of consideration in this planning exercise.

On another but related matter, Mr. Lavell advised that several years ago at a time when area residents were petitioning for a down-zoning to R-2, he had canvassed the owners of six properties located on the east side of Agricola Street just north of North Street. Mr. Lavell noted that at that time all of these individuals wished to see their properties rezoned to R-2.

In concluding his remarks, Mr. Lavell spoke in support of the 35 height limit proposed for those properties on the east side of Agricola Street, pointing out that the construction of a tall building on the lot abutting his back yard would have what he referred to as an "unpleasant" effect on his property.

Mr. Gary Mumford, the owner of 5555 Almon Street, advised Council that, while assisting Mr. Wournell to develop the petition submitted earlier in the meeting, he himself had canvassed property owners along Almon and Bilby Streets. Mr. Mumford emphasized that of those individuals who live on their own premises, no one had any objection to the Association's proposal that the area be rezoned to

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C-2 nor did they feel that Schedule "Q" should be applied. In this latter context, Mr. Mumford made reference to a petition which was submitted to the PAC earlier in the year and to the presentations made on this matter during a public meeting held on 11 January, pointing out that, in his view, property owners had made their opinions well known at that time. He therefore questioned why both the PAC and staff were continuing to recommend that a schedule be applied to this planning area.

Responding to a question from Alderman Fitzgerald, Mr. Mumford clarified that the area to which he was referring is the R-3 portion between Agricola and Isleville Streets. While acknowledging that C-2 zoning has been proposed by the PAC for this particular portion of Area 5, Mr. Mumford emphasized that that zoning classification is recommended in conjunction with the application of Schedule "Q." He went on to suggest that all the owners of single-family units and the smaller buildings with flats located in the Almon/Macara Street area support the C-2 zoning **without** Schedule "Q." Mr. Mumford indicated that, in his view, this approach would increase property values and provide owners with more options in terms of future development.

Ms. Jane Hart, a long-term resident of 2709 Fuller Terrace and a member of the Bloomfield Residents Association, spoke in support of the Plan as it is presently being proposed, describing it as the result of many years of planning and community input.

In her remarks, Ms. Hart noted that while she herself resides in a part of Area 5 for which no real changes are proposed, she had some considerable concern for the other primarily residential areas which could be negatively affected by an influx of high-rise apartment buildings and/or commercial operations. Ms. Hart went on to emphasize that there are many in this part of the City who wish to make their neighborhood a stable and safe residential place in which to raise their families, adding that it is this objective which at times brings them into conflict with the owners of commercial properties whose primary concerns are understandably quite different. She suggested, however, that in these times of economic hardship it is most usually residential properties which are appreciating in value rather than those of a commercial nature, and pointed to the damage vacant and run-down commercial structures can do to an otherwise residential neighborhood.

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In acknowledging that Area 5 is a "mixed-use" community, Ms. Hart advised that the Bloomfield Residents Association would like to see some protection offered to residential neighborhoods so that they would not be totally encroached upon by commercial interests and high-rise/high-density apartment buildings. In this context, Ms. Hart suggested that it will be extremely difficult to maintain a "neighborhood" setting in this portion of North End Halifax if commercial property owners are permitted to develop and/or expand without some restrictions on height and density.

Mr. Richard Dube, owner of properties on Isleville and Agricola Streets, advised Council that he too had assisted Mr. Wournell with the petition submitted earlier in the meeting. Speaking in support of the comments put forward by Mr. Wournell, Mr. Dube indicated that, by his calculations, some 90 percent of the property owners canvassed endorsed the concept of C-2 zoning but without the application of Schedule "Q." In this context, Mr. Dube suggested that the use of Schedule "Q" will only serve to delay development in this area of the City as well as add considerably to its cost. Mr. Dube also noted that, when he purchased property in Area 5 some years ago, he did so knowing that it and the surrounding area were zoned for commercial use. He therefore suggested that if a down-zoning to Residential were approved, property values would be negatively affected.

On another but related matter, Mr. Dube made reference to that portion of Area 5 north of Bloomfield Street (between Isleville and Almon Streets north to approximately Kaye Street) in which he owns 10-12 properties. He went on to point out that a proposal has been made to down-zone this area to R-2 or R-3, an approach, in Mr. Dube's opinion, would serve only to "confuse" matters. He emphasized, however, that he had no objection to the area south of Bloomfield Street remaining as "Residential."

Referring to comments put forward earlier in the meeting by Ms. Hart concerning vacant and abandoned commercial buildings, Mr. Hart suggested that these properties can only be salvaged through innovative development techniques, something which, in this view, cannot be accomplished under the restrictions of a schedule.

On a point of clarification, Mr. W. B. Campbell, Senior Planner with the City's Development and Planning

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Department, advised that Schedule "Q" is not intended to affect commercial properties rights but rather will be applied only to residential uses containing over four units (i.e., R-3 uses).

Mr. Michael Moore, solicitor for Plastics Maritime Limited, advised that his client currently owns a C-2 property at Civic No. 5523 Bloomfield Street which runs which is presently used for warehousing. Mr. Moore asked to have it noted that Plastics Maritime is opposed to the application of Schedule "Q" in C-2 Zones, primarily because of the restrictions the schedule is likely to pose for redevelopment to multi-unit residential uses.

Mr. Moore went on to make reference to comments made earlier in the meeting regarding the fact that more and more businesses appear to be relocating away from Peninsula Halifax either in the suburbs or in the City's industrial parks. In this context, he suggested that one of the primary reasons for these relocations is the number of development restrictions (including the use of contract agreements) that are now being applied to businesses situated on the Peninsula. Mr. Moore went on to indicate that, in his view, if development regulations were relaxed, there would be more incentives for commercial property owners to renovate and refurbish structures that have been left vacant for a number of years.

Mr. Chris Alexander of 2619 Robie Street began his remarks by emphasizing that commercial property owners in Area 5 are strongly committed to accommodating the concerns of their residential counterparts wherever possible. He indicated that, in his view, this is the only reasonable approach to take, particularly when both residential and commercial property owners live and work in such close proximity.

In this context, Mr. Alexander suggested that one of the problems facing both sides is that of being able to find sufficient parking. He made reference to the numerous on-street parking spots which are taken over daily by Stadacona and MT&T employees, and strongly recommended that (a) one-hour parking be initiated on these Area 5 streets; and that (b) each residence be provided with one on-street parking sticker allowing them to park in front of their homes.

Reference was made to the petition submitted earlier in the meeting by Mr. Wournell. Mr. Alexander advised that he personally had contacted 90.3 percent of

the property owners in the Robie/North/Almon/Agricola Street area and had received what he referred to as "a resounding, absolutely no change, no Schedule Q" response. Mr. Alexander went on to point out that, according to his calculations, only two percent of this portion of Area 5 consists of owner-occupied residential uses; he therefore questioned the allegation that this is a "growing residential" neighborhood.

Referring in particular to the application of Schedule "Q," Mr. Alexander concurred with the concerns put forward by certain of the previous speakers, adding that, in his view, such restrictions will only attract more potential developers to the City of Dartmouth where there are no such "bureaucratic nightmares."

Mr. Lloyd Brown, President of Northwood Care Incorporated, 2615 Northwood Terrace, addressed Council on behalf of the Board of Governors for Northwood Care to ask that approval be given to an amendment to the Area 5 Plan now under consideration. In his remarks, Mr. Brown emphasized that the provision of adequate parking spaces for Northwood's residents, staff, volunteers and visitors has been a problem of some long-standing and that, having engaged professional consultants to review the situation, the Board has now decided on one of five options.

Mr. Brown went on to advise that the preferred option (i.e., the subject of the proposed Plan amendment) will provide for the addition of 70 parking spaces; does not require any additional property acquisition by Northwood Care, does not infringe upon any property on Fuller Terrace or on Black Street, and will provide for a 30-35 foot buffer between the proposed parking lot and adjacent property lines. He noted, however, that the parking lot will also require the demolition of seven of Corporation-owned properties.

Mr. Brown concluded his remarks by acknowledging that news of this proposal would not be welcomed by neighborhood residents and further apologized for what he termed this "eleventh hour" request. He emphasized, however, that in Northwood's opinion the proposal represents the best balance between the Corporation's needs and those of its neighbors, and therefore called on Council to give the Plan amendment request its approval.

Responding to questions from Aldermen Meagher and Downey, Mr. Campbell advised that the amendment proposed by Northwood Care is too significant in nature to be dealt

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with as part of the current approval process. He added that, as with similar incidents in the past, Council could proceed with its approval of the overall Plan for Area 5 but at the same time return Northwood's proposal to the Planning Advisory Committee for a further public meeting and subsequent recommendation.

Mr. Tom Creighton, a resident of 2623 Fuller Terrace, addressed Council on behalf of the Bloomfield Residents Association. In his remarks, Mr. Creighton made reference to prolonged discussions between area residents and Northwood Care in 1983 which resulted in Northwood making a commitment to their neighbors that there would be no more parking lots and no further demolition of housing stock. He therefore expressed concern that Northwood is reneging on its commitment to "stabilizing land use" in this neighborhood and called upon Council to reject the amendment proposal.

Ms. Carol Norton of 2678 Fuller Terrace also spoke in opposition to the Northwood proposal, and strongly recommended that Council reject the amendment. She expressed the view that the amendment would "qualitatively change the nature of the surrounding R-2 neighborhood," and added that area residents and members of Council should be given an opportunity to review Northwood's other options so that a more acceptable solution could be mutually devised.

Mr. David Robert, solicitor for City Investing Limited, City Centres Limited and Merchant Limited, briefly addressed Council. Mr. Robert advised that his clients, who own a number of residential and commercial properties in the area bounded by Young, Agricola, North and Robie Streets, wish to go on record as supporting the proposal to designate the area in which their properties are located as Major Commercial with C-2 zoning. He further noted that his clients do not support the application of Schedule "Q" which, in their view, is a "millstone around the neck of small business persons."

Ms. Judith Meyrick of 5546 Black Street spoke in opposition to the Northwood proposal for a Plan amendment, noting that, in her view, it is merely another attempt to erode the surrounding residential neighborhood.

After a brief discussion and questioning of staff, it was moved by Alderman Fitzgerald, seconded by Alderman O'Malley that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 12 May 1994.

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The motion was put and passed.

The following written submissions were received:

- Correspondence, dated 24 March 1994, from Mr. P. A. Wournell, North End Businessmen's Association, 2940 Doug Smith Drive, Halifax, B3L 3T7
- Correspondence, dated 25 March 1994, from Ms. Sandra Lanz, 5529 Macara Street, Halifax, B3K 1W1
- Correspondence, dated 28 March 1994, from Normal lee and Iain MacDonald, 5537 Macara Street, Halifax, B3K 1W1
- Correspondence, dated 29 March 1994, from Bruce Kierstead and Susan Warr, 5533 Macara Street, Halifax, B3K 1W1

There being no further business to be discussed, the meeting was adjourned at approximately 9:20 p.m.

DEPUTY MAYOR PAT POTTIE
CHAIRMAN

E. A. KERR, CMC
CITY CLERK

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**HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
12 May 1994
8:00 P. M.

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

The meeting was opened by Her Worship Mayor Moira Ducharme, who led those present in the recitation of the Lord's Prayer.

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

ALSO PRESENT: Mr. Barry Coopersmith, City Manager; Mr. Wayne Anstey, Q.C., City Solicitor; Mr. E. A. Kerr, City Clerk; and other members of City staff.

Moment of Silence - Lord Provost of Glasgow, Scotland

A moment of silence was observed in memory of the Honourable Robert Innes, Lord Provost of Glasgow, Scotland, who had visited Halifax during the summer of 1993 and who had recently passed away after a brief illness.

On the recommendation of Alderman Holland, it was agreed that a letter of condolence be forwarded to Mrs. Innes and to the members of the Glasgow Council by Her Worship Mayor Ducharme; and further, that a small donation be made by Halifax City Council to the Madame Marie Curie Centre in the Lord Provost's name.

Announcement - Chair of Freetown, Sierra Leone

Her Worship Mayor Ducharme advised that a letter had been received earlier in the day announcing that the new Chair (or Mayor) of Freetown, Halifax's twin city in Sierra Leone, is Mrs. Florence Dillsworth. The Mayor added that the letter also asks that Council encourage exchange programs between the two cities so that school children

might become better informed about the relationship between Nova Scotia and Sierra Leone.

On behalf of Alderman Graham Downey (who could not be present for this evening's meeting because of illness), it was moved by Alderman Fitzgerald, seconded by Alderman Holland that a letter of congratulations be forwarded to Mrs. Dillsworth on the occasion of her appointment as Chair of Sierra Leone.

The motion was put and passed.

Welcome - Boy Scout Troop

Alderman Hanson, on behalf of Halifax City Council, welcomed the members of the First Jollimore Scout Troop who were present in the public gallery with their leader, Mr. Darren Ibsen.

MINUTES

Minutes of a special meeting of Halifax City Council held on Wednesday, 20 April, and of a regular meeting held on Thursday, 28 April 1994, were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Fitzgerald.

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

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

- 20.1 Appointments
- 20.2 Public Gardens (Alderman Fitzgerald)

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

- 20.3 Staff Response to Annual Report -
Heritage Advisory Committee
- 20.4 Fourth Annual Report on the Local
Economy

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MOVED by Alderman Adams, seconded by Alderman Holland that "Questions" be moved to the last item on the meeting agenda. The motion was put and passed.

MOVED by Alderman Adams, seconded by Alderman Hanson that the agenda, as amended, be approved. The motion was put and passed.

DEFERRED ITEMS

**Case No. 6725: Development Agreement
- 2760-64 Windsor Street**

This matter had been deferred from the last regular meeting of Halifax City Council held on Thursday, 28 April 1994.

Deputy Mayor Pottie reported that a meeting had recently been held with the lawyer for the developer in question, area residents, staff, Alderman Meagher and himself at which time certain amendments to the proposed development agreement had been proposed.

It was therefore moved by Deputy Mayor Pottie, seconded by Alderman Meagher that:

- (1) the application for a development agreement (modification of the side yard requirement) at 2760-64 Windsor Street, as shown on Plans No. P200/19638, 19639, 19641 and 19678 be approved by Halifax City Council, providing that the following amendments to the contract agreement (appended to the staff report of 20 January 1994) be included:

"5. FENCE

The developer shall construct a fence in the location shown marked in red on the site plan numbered P200/19638 filed in the City of Halifax Development and Planning Department as Case No. 6725.

6. The fence referred to in clause 5 shall be constructed of pressure-treated lumber, 1" x 6", and shall be 6 feet tall, supported by 4" x 4" posts.

7. The developer shall install one electronic gate in the fence leading up to the parking area off Windcrest Terrace.

8. LANDSCAPING

The developer shall landscape the site in accordance with that shown on the site plan P200/19638 of Case No. 6725."

The City Clerk advised that neither Alderman Jeffrey nor Alderman Crowley had been present during the 20 April hearing, and were therefore ineligible to vote.

The motion was put and passed with Aldermen Jeffrey and Crowley abstaining.

**Case No. 6925: Lot A, Young Avenue;
Lot B, McLean Street (Former Owen Street)**

This matter had been deferred from the last regular meeting of Halifax City Council held on 28 April 1994, pending receipt of further information from staff.

A supplementary report, dated 4 May 1994, was submitted from the Director of Development and Planning.

Noting that he had not yet had an opportunity to review the 4 May report, it was moved by Alderman Holland, seconded by Alderman Fitzgerald that the matter be deferred to the 1 June meeting of Committee of the Whole Council.

The motion to defer was put and passed.

**Case No. 6886: Lot Modification Development
Agreement, 6409-11 Cloverdale Road**

This matter had been deferred from the last regular meeting of Halifax City Council held on Thursday, 28 April 1994.

A letter dated 11 May 1994 was received from "Area Residents, Roslyn Road, Cloverdale Road & Edgewood Avenue."

Deputy Mayor Pottie noted that during the 20 April public meeting one of the co-owners of the subject property had indicated that at the time of purchase in 1991 the structure had contained three separate dwellings. The Deputy Mayor went on to point out that it has recently been brought to his attention that, in actuality, the property was sold as a two-unit duplex with the basement being intended only for the use of the residents of the lower unit.

It was therefore moved by Deputy Mayor Pottie, seconded by Alderman Adams that the application for a lot modification development agreement to permit three units at 6409-11 Cloverdale Road be refused by City Council as the proposal does not comply with Section 15 of the Peninsula portion of the Land Use Bylaw (as detailed in the staff report dated 2 March 1994).

The City Clerk advised that Aldermen Crowley, Jeffrey and Stone were not in attendance during the 20 April public meeting.

The motion was put and passed with Aldermen Crowley, Jeffrey and Stone abstaining from the vote.

**Halifax Industrial Commission Re:
Installation of Sewer and Water Services
- Ragged Lake Area, Halifax Business Park**

This matter was deferred from the last regular meeting of Halifax City Council held on Thursday, 28 April 1994.

A private and confidential Information Report, dated 3 May 1994, was submitted from the Halifax Industrial Commission, together with an Information Report, dated 6 May (and entitled "Duffus Street Pumping Station"), from the Director of Engineering and Works.

Alderman Fitzgerald asked for clarification as to how it is proposed to pay off the Industrial Commission's debt. The Alderman went on to indicate that it had always been his understanding that this debt would be addressed through land sales and taxes, but added that he would appreciate receiving a full report on the matter.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Adams that the matter be deferred until the next regular meeting of Committee of the Whole

Council scheduled for Wednesday, 18 May 1994, pending receipt of additional information from staff. The motion to defer was put and passed.

Case No. 6717: Proposed Amendments to the Municipal Development Plan and Land Use Bylaw - Peninsula North (Area 5)

A public hearing to consider this matter had been held on Wednesday, 4 May 1994.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that the proposed amendments to the Municipal Development Plan and Land Use Bylaw (Peninsula North - Area 5) be approved by Halifax City Council, but that the following three matters be referred back to the Planning Advisory Committee for further discussion:

- (a) Schedule "Q;"
- (b) the area bounded by North, Fuller Terrace, Black Street and Northwood Terrace; and
- (c) the R-2 and R-3 lands in the area bounded by Bloomfield, Agricola, Russell and Isleville Streets.

In seconding the motion, Alderman Meagher also made reference to the difficulties experienced by residents and business owners in certain Area 5 neighborhoods with regard to the dearth of on-street parking spaces. The Alderman strongly recommended that this matter also be referred back to the PAC with a request that they work with the City Traffic Authority to find a solution to this long-standing problem.

After some further discussion and questioning of staff, the motion was put and passed with Alderman Jeffrey abstaining due to his absence from the 4 May public hearing.

PETITIONS AND DELEGATIONS

Petition Alderman Holland Re:
Redevelopment - Sobey's Store, Green Street

Alderman Holland submitted a letter dated 2 May 1994 from Mr. Peter Rochman, 5660 Fenwick Street, Halifax

(writing on behalf of concerned area residents) regarding the proposed redevelopment of the Sobey's Grocery Store at Green, Queen and Fenwick Streets.

The Alderman asked that this information be forwarded to the appropriate members of staff.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of Wednesday, 4 May 1994, as follows:

Provincial Budget

A private and confidential Information Report, dated 9 May 1994, was submitted from the City Solicitor, together with a report, dated 12 May, from Her Worship Mayor Moira Ducharme.

Following is the recommendation from the 4 May meeting of the Finance and Executive Committee:

THAT:

- (1) Halifax City Council should support its employees in taking a one-half day study day in order to invite the Premier and his Ministers to explain how this intrusion into Municipal Government will improve the Province's financial position.
- (2) The Press be invited to this session to record and report on what is said.

8:35 p.m. - Deputy Mayor Pat Pottie assumed the Chair, with Mayor Ducharme addressing members of Council from the podium.

In her remarks, Her Worship made reference to the very strong objections expressed by Halifax City Council in November of 1993 when Bill 41 was first announced by the Province of Nova Scotia. She went on to point out that, at that time, Council had argued that such legislation would interfere with its right to negotiate with its own employees and would also serve as an obstacle to operating efficiencies. Mayor Ducharme emphasized, however, that the

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Province had ignored those objections, adding that she saw no indication that the Government would react any differently to objections to Bill 52 now before the House.

Her Worship went on to point out that, under Bill 52, it is proposed that the monies accruing from the 3 percent rollback of municipal salaries be allocated to the municipalities themselves to use as they deem appropriate. She added that the Province has also suggested that, if the municipalities are unhappy with that approach, the money could be "returned" to the Provincial Government. Mayor Ducharme emphasized, however, that, in her view, this would be totally unacceptable since those monies had been collected from the employees and taxpayers of the City of Halifax and had never belonged to the Province in the first place.

Her Worship referred to her report of 12 May, advising that she had made a number of suggestions as to how the rollback monies could be used to their best advantage. In putting forward these suggestions, however, Mayor Ducharme reminded Council of a previous motion; namely, that the City of Halifax should challenge legislation such as this before the Law Amendments Committee as well as in the courts.

In the discussion which ensued, several members of Council spoke in support of the proposals put forward by Her Worship Mayor Ducharme, but expressed concern that challenging Bill 52 in the courts would not be particularly successful or inexpensive.

It was subsequently agreed that the City of Halifax would not undertake to challenge the legalities of Bill 52 (as it applies to municipal government employees) in the courts.

Responding to a question from Alderman Stone, Deputy Mayor Pottie advised that the recommendation made during the 4 May meeting of Committee of the Whole had not yet been pursued, as it was waiting for ratification by City Council.

Alderman Stone indicated that, in his opinion, every avenue (including that outlined in the 4 May recommendation) should be explored with the Province before any final decisions on the matter are made.

While concurring in general with the Mayor's recommendations, Alderman O'Malley suggested that all

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individuals who work for the City of Halifax (including union and non-union staff, as well as members of Council) be given an opportunity of making suggestions as to how, in their opinion, this money should be used.

It was subsequently moved by Alderman Fitzgerald, seconded by Alderman Holland:

- (1) that Halifax City Council support its employees by taking a one-half day study day in order to invite the Premier and his Ministers to explain how this intrusion into Municipal Government (i.e., Bill 52) will improve the Province's financial position; and that the Press be invited to this session to record and report on what is said;
- (2) that the suggestions outlined by Her Worship Mayor Ducharme in her report dated 12 May 1994 be referred to the City Manager with a request that concrete proposals be developed as to how Council could use the interest on the monies accruing from the three percent roll-back for the future benefit of both the taxpayers and the employees of the City of Halifax;
- (3) that Council make strong representation to the Provincial Government in opposition to Bill 52 advocating that the proposed action is not the method by which to address their deficit and the debt established by the inefficiencies of the Province; and that, in its submission to the Law Amendments Committee, the City of Halifax ask that municipalities be excluded from the provisions of Bill 52;
- (4) that Council explore the feasibility of making a lump sum payment to the City's pension plan which would accrue to the benefits of employees contributing to the fund at this time and for whatever length of time the present situation continues.

Deputy Mayor Pottie asked for comments from the City Solicitor as to how, legally speaking, the Province of Nova Scotia can interfere with collective agreements between municipalities and their employees when they (the Province) played no part in the negotiation process.

The motion was put and passed with unanimous consent.

Earth Cycle Opportunities - Composting

A resolution concerning "Solid Waste Disposal Options," approved during a regular meeting of Halifax City Council on 17 September 1992 was recirculated (as requested during the 4 May meeting of the Finance and Executive Committee).

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

1. Council, through its members on the Metropolitan Authority,
 - (a) encourage the Metropolitan Authority to reevaluate the various composting options identified in the Cave Paper on composting;
 - (b) recommend to the Metropolitan Authority that it fund a windrow composting pilot project proposal to determine its feasibility in light of the reasonableness of the cost per tonne; and
 - (c) recommend to the Metropolitan Authority that it not sign a contract with Stinnes Enerco, nor spend any additional funds developing the Stinnes Enerco proposal, until a reevaluation of other composting options has been completed.
2. that Council reexamine the composting issue again at the end of May to determine what steps, if any, it should take in respect of the matter following receipt of the Metropolitan Authority's response to recommendation #1.
3. no funds or lands be committed at this time to the Earth Cycle Opportunities proposal and that this proposal be held in abeyance pending a

reconsideration by the Metropolitan Authority of its solid waste management strategy.

The motion was put and passed.

**Halifax-Dartmouth Port Commission
- Proposed Pilotage Tariff**

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council support the submission of its Port Development Commission regarding pilotage charges.

The motion was put and passed.

**Summer 1994 Challenge -
S.E.E.D. Program for Students**

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council approve interim funding in the amount of \$27,867.00, should the need arise, for the term of the project (Summer 1994 Challenge - S.E.E.D. Program for Students) from 30 May 1994 to 26 August 1994.

The motion was put and passed.

Recommendations - Mayor's Task Force on Drugs

An Information Report, dated 6 May 1994, was submitted from the Acting Director of Social Planning, together with a supplementary staff report also dated 6 May from the Director of Corporate and Legal Affairs.

Referring to Item #4 of the recommendation from the 4 May Finance and Executive Committee, Mayor Ducharme noted that, in the opinion of the City Solicitor, Council does not have the authority to make a legally binding commitment to the Task Force with regard to funding for a three-year period.

It was therefore moved by Alderman Holland, seconded by Alderman O'Malley that:

- (1) the Task Force become known as "The Halifax Task Force on Drugs;"

- (2) City Council formally recognize the Task Force (and its network of volunteers) as an integral part of the City's efforts to deal with problems of drugs, crime and youth issues (this would be done by ratifying a new Task Force Constitution outlining its special relationship with City Council);
- (3) City Administration work with a sub committee of the Task Force to develop an administrative budget which accurately reflects the administrative needs of the Task Force and its many volunteers;
- (4) the Task Force will report to City Council twice per year regarding its activities; and that
- (5) the City will continue to provide full administrative support for the Drug Awareness Coordinator regarding the areas of office space, meeting rooms, storage, office equipment, mail systems, purchasing, legal services, M.I.S. services, printing services, accounting and payroll services, and full employee benefits.

The motion was put and passed.

Honourable Richard Bulkeley Commemorative Site

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the proposal put forward by Mr. Graeme Duffus concerning a commemoration of the contributions made to the City of Halifax by the Honourable Richard Bulkeley be referred to staff for review and recommendation.

The motion was put and passed.

Downtown Halifax Business Improvement District
Commission Re: Proposed 1994/95 Operating Budget

MOVED by Alderman Crowley, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the report dated 27 April 1994 from the Downtown

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Halifax Business Commission be tabled; and further, that the Commission's 1994/95 budget proposal, including the suggested 1994/95 levy rates, be approved.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of Wednesday, 4 May 1994, as follows:

School Avenue

This matter had last been discussed during the 4 May meeting of the Committee on Works at which time a staff report was requested.

An Information Report, dated 9 May 1994, was submitted by the Director of Engineering and Works.

Alderman Jeffrey expressed his appreciation to members of staff for their quick response to the concerns with regard to the maintenance of School Avenue expressed by the Alderman during the 4 May meeting. The Alderman went on to express the hope that the Provincial Government will at last be motivated to attend to its responsibilities both on School Avenue itself and on the Bicentennial Highway, and urged staff to monitor the situation as closely as possible.

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

Proposed Amendments to Ordinance 155,
the Truck Route Ordinance (SECOND READING)

This matter had been given First Reading during a regular meeting of Halifax City Council held on 28 April, and had been further considered during a meeting of the Finance and Executive Committee held on Wednesday, 4 May 1994.

MOVED by Alderman Stone, seconded by Deputy Mayor Pottie that SECOND READING be approved for the amendments

proposed for Ordinance 155, the Truck Route Ordinance, in accordance with Attachment "A" of the staff report of 19 April 1994 (the purpose of these amendments is to designate Lacewood Drive between Highway 102 and Dunbrack Street as a daytime truck route).

The motion was put and passed.

MOTIONS

Motion Alderman Adams Re: Amendment to Ordinance 116, the Taxi Ordinance (Accessible Taxis) - FIRST READING

Notice of Motion with regard to this proposed amendment was given by Alderman Adams during a regular meeting of Halifax City Council held on 28 April 1994.

A report, dated 4 May 1994, was submitted from the City Solicitor, together with correspondence, dated 11 May 1994, from Mr. Darshan S. Virk, President of the United Cab Drivers Association of Halifax.

MOVED by Alderman Adams, seconded by Alderman Stone that Council approve FIRST READING of the following amendments proposed for Ordinance 116, the Taxi Ordinance, pertaining to "accessible taxis:"

- (1) the present moratorium on the issuance of new taxi operators' licenses be waived provided the following conditions are met:
 - (a) that the licenses so issued be intended solely for the operation of accessible taxis and will not be transferrable to the operation of standard taxi vehicles;
 - (b) that a maximum of twenty (20) operators' licenses be issued for this purpose;
 - (c) that accessible taxis be prohibited from transporting able-bodied passengers unless accompanied by a person with a disability;
 - (d) that these licenses be conditional upon the successful completion of the first available driver education course;

- (e) that the rates charged by accessible taxis to their passengers be identical to those charged to passengers of standard taxi vehicles;

and further, that

- (2) Ordinance 116, the Halifax Taxi Ordinance, be amended accordingly (as per Appendix "A" of the 4 May staff report);

and further, that the matter be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 18 May 1994.

Alderman Holland asked for clarification (in the form of a supplementary staff report) as to whether certain aspects of Alderman Adams' motion would preclude the obtainment of Federal Government subsidies for this type of taxi vehicle.

Alderman Fitzgerald made reference to the 11 May letter received from the United Cab Drivers Association, and asked for information from staff as to whether the licensing of accessible taxi vehicles could be handled more efficiently under the provisions of the Motor Carrier Act. In making that request, the Alderman also asked for clarification as to whether, having completed the Taxi Commission's driver education course, it is intended that applicants will then be authorized to operate both the accessible and the "standard" type of taxi vehicle.

Deputy Mayor Pottie asked for information concerning the rates charged to passengers with disabilities, with particular regard to the operation of the taximeter.

Alderman Stone also made reference to the 11 May letter received from the United Cab Drivers Association, and suggested that all of the points included therein be addressed in the forthcoming staff report.

The motion was put and passed.

Motion Alderman Jeffrey Re: Amendment to Bylaw
Respecting Parking Meters (FIRST READING)

Notice of Motion with regard to the above-noted matter was given by Alderman Jeffrey during a special meeting of Halifax City Council held on Tuesday, 3 May 1994.

A report, dated 9 May 1994, was submitted from the Director of Corporate and Legal Affairs.

MOVED by Alderman Jeffrey, seconded by Alderman Holland that City Council approve FIRST READING of the amendment proposed to the City's Parking Meter Bylaw (attached as Appendix "A" to the staff report of 9 May 1994), the purpose of which is to reduce the discount on parking tickets for early payment from \$7.50 to \$3.00; and further, that the matter be referred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 18 May 1994 for consideration and report.

The motion was put and passed.

Motion Alderman Crowley Re: Amendment
to Ordinance 170, the Tax Concession
Ordinance (Motion to Repeal)

Notice of Motion with regard to the above-noted matter had been given by Alderman Crowley during a regular meeting of Halifax City Council held on 28 April 1994.

A report, dated 9 May 1994, was submitted from the Director of Corporate and Legal Affairs.

MOVED by Alderman Crowley, seconded by Alderman Holland that Council approve FIRST READING of the Ordinance attached as Appendix "A" to the staff report of 9 May 1994, the purpose of which is to repeal Ordinance 170, the Tax Concession Ordinance, and refer the said repealing Ordinance to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 18 May 1994) for consideration and report.

The City Manager responded to questions from various members of Council with regard to the proposed repeal of this Ordinance.

Deputy Mayor Pottie asked to be provided (prior to the 18 May meeting of Committee of the Whole) with a list of companies/organizations now receiving concessions under Ordinance 170 and the amount of their respective concessions.

The motion was put and passed.

**Motion Alderman Stone Re: Amendment to
Ordinance 156, the Pollution Control
Charge (Waste Management Charge) - FIRST READING**

Notice of Motion with regard to the above-noted matter was given by Alderman Stone during a special meeting of Halifax City Council held on Tuesday, 3 May 1994.

MOVED by Alderman Stone, seconded by Alderman Crowley that the matter be deferred to the next regular meeting of Halifax City Council (scheduled for Thursday, 26 May 1994), pending receipt of a report from the City Solicitor.

The motion to defer was put and passed.

ADDED ITEMS

Appointments

A memorandum, dated 12 May 1994, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Crowley, seconded by Alderman Stone that Ms. Sue O'Grady be appointed to the Barrington Street Business Improvement District Commission for a term to expire 31 January 1997.

The motion was put and passed.

Public Gardens

Alderman Fitzgerald advised that he had received numerous calls from residents inquiring as to when the Public Gardens would be opening and complaining that the facility had remained closed despite the fact that many of the flowers are now in bloom. The Alderman indicated that

he had already forwarded a memorandum to the City Manager in this regard.

Her Worship pointed out that, while the Gardens had indeed been closed for a slightly longer period this year (owing to postponements in staff call-backs) as compared to 1993, the timeframe involved was only a matter of five days.

On another but related matter, Alderman Fitzgerald indicated that he is again receiving complaints pertaining to the hours in which the City's cemeteries (especially the Camp Hill Cemetery) are open to the public. The Alderman went on to point out that it had been his understanding that these facilities were to be open "from dawn until dusk;" he emphasized, however, that in actuality the hours of operation appear to be from 8:00 a.m. until 4:30 p.m. Alderman Fitzgerald therefore asked that the City Manager investigate the matter and submit a report.

**Staff Response to Annual Report -
Heritage Advisory Committee**

Alderman Fitzgerald made reference to the 1993 Annual Report submitted by the Heritage Advisory Committee as well as to the Information Report recently received. The Alderman noted that various recommendations had been put forward but had not yet been formally addressed by Council. He therefore asked that the matter be added to the agenda of the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 18 May 1994.

Fourth Annual Report on the Local Economy

This matter had been added to the agenda at the request of Alderman Fitzgerald, who moved, seconded by Alderman Holland that the Fourth Annual Report on the Local Economy (Information Report dated 28 April 1994) be added to the agenda of the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 18 May 1994.

The motion was put and passed.

QUESTIONS

Question Alderman Holland Re:
Opening of Public Gardens

Alderman Holland questioned whether the gates in the Public Gardens could be unlocked earlier to allow citizens to use the footpaths. He suggested that this would not have any budgetary implications.

Question Alderman Holland Re: G-7 Conference

Alderman Holland asked what the City will be doing in connection with the publicity it will be able to receive as a result of the G-7 Conference being held in Halifax next year.

Question Alderman Hanson Re:
Licensing and Clean-Up of Dogs

Alderman Hanson asked that notice be given, by way of the media, informing dog owners about their responsibility with respect to licensing and clean-up.

Question Alderman Crowley Re:
C. N. Fence - Olivet Street

Alderman Crowley noted that she had received inquiries about the C.N. fence erected in the Olivet Street area which prevents the public from crossing the railway tracks. She pointed out that people have been using this access for the past 30 years and have now been denied an access route to the nearby malls. Alderman Crowley added that this is a particular hardship for senior citizens.

Alderman Crowley requested that this matter be reviewed again and brought to the attention of C.N. She noted that the residents feel they are being treated unfairly because other tracks are open to the public to use at their own risk.

Alderman Crowley also referred to the lack of sidewalks at the end of Romans Avenue (going towards Sears). She expressed concern that there is no area for citizens to walk particularly the elderly. Alderman

Crowley asked that a meeting be arranged with C.N., the City, and the West End and Sears Shopping Centres.

**Question Alderman O'Malley Re:
Sidewalk Ramps for Wheelchairs**

Alderman O'Malley noted that she received a concern with respect to sidewalk ramps which are designed for wheelchairs. She explained that these ramps are often situated "kitty corner" on the sidewalk, rather than proceeding straight ahead, which causes difficulty for the visually impaired. Alderman O'Malley questioned the rationale for designing the ramps in this manner.

Alderman O'Malley added that she also received a concern that the sidewalks, at curbside, have a different texture as an indicator for the visually impaired. She questioned whether this was correct and for what reason.

**Question Alderman O'Malley Re:
Duffus Street Pumping Station**

Alderman O'Malley noted that when she raised the issue a couple of weeks ago about the necessity of a second clean up of the Duffus Street pumping station, staff indicated that the pump was on order from St. John, New Brunswick. Noting that she was receiving calls about the odour in this area, Alderman O'Malley questioned whether the pump had arrived, or when it is expected to arrive, and when the clean-up is scheduled to begin.

**Question Alderman Stone Re: Depositing of Fill
- Site Near Bayne Street and Container Pier**

Alderman Stone questioned where the fill was coming from that is being deposited on the site near Bayne Street and the Container Pier Access Road. He noted that large mounds of earth now exist behind the "Irving Crane" sign.

Alderman Stone indicated that he would also like to know who owns this land.

Question Alderman Meagher Re: Driveway Repairs

Alderman Meagher noted that although the City will repair the sidewalk portion of a homeowner's driveway, it will not repair the "ramp" section. He pointed out that it was this section which crumbles on many driveways. Alderman Meagher expressed the view that the City should take responsibility for repairing this section. He asked that staff investigate the matter.

Question Alderman Fitzgerald Re:
Establishment of Committee G-7 Summit

Alderman Fitzgerald asked for a report from the City Manager on the merits of establishing a G-7 Summit Committee (consisting of representatives from the media, the business community, citizens, and municipal government). The purpose of this committee would be to provide an exciting program to ensure that the members of the press visiting Halifax to cover the event are given a first class welcome to Halifax. He expressed the view that this event provided Halifax with the opportunity to establish bonds with the international media.

Question Alderman Fitzgerald Re:
Halifax Industrial Commission - Capital Debt

Alderman Fitzgerald advised that, when he was elected to City Council in 1988, he was informed that the Halifax Industrial Commission would finance its capital debt by the sale of land and the taxes it generated. He questioned whether this was the case, the amount of debt paid off to date, and how much remained.

Question Alderman Fitzgerald Re: Payment
for Police Protection - the Provincial Legislature

Alderman Fitzgerald questioned whether the City of Halifax pays for the City policemen who are sent to guard the Legislature and whether a policy existed in this respect.

There being no further business to be discussed, the meeting was adjourned at approximately 9:45 p.m.

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**HER WORSHIP MAYOR MOIRA DUCARME
AND
DEPUTY MAYOR PAT POTTIE
CHAIRMAN**

**E. A. KERR, CMC
CITY CLERK**

***K/MS**

**HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
18 May 1994
7:30 P.M.

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

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

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

ADDED ITEMS

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

Sewer Renewal - Joyce Avenue Easement

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

- (a) Council award Tender No. 94-02 for the renewal of the Joyce Avenue Easement Sanitary Sewer for materials and services listed at the unit prices quoted for a Total Bid Price of \$59,972.49 and a Total Construction Cost of \$72,000.00 to Harbour Construction Company Ltd.;
- (b) Council approve the appointment of Jacques Whitford and Associates Ltd. to provide on-site geotechnical inspection and engineering at a cost not to exceed \$4,000.00; and

- (c) Council authorize funding from Capital Account No. 9140-93018.

The motion was put and passed.

Traffic Improvements - Bayers Road
at the Halifax Shopping Centre

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

- 1(a) Council award Tender No. 94-04 for the construction of Traffic Improvements, Bayers Road at the Halifax Shopping Centre, for materials and services listed at the unit prices quoted for a Total Bid Price of \$51,434.50 and a Total Project Cost of \$56,000.00 to Armdale Construction Ltd.;
 - (b) Council approve the installation of scoot loops by Black & McDonald, with whom the City has a three-year maintenance agreement, for a cost not to exceed \$9,000.00;
 - (c) Council approve the installation of materials (traffic signal heads, transformer bases, aluminum poles, mast arms and wiring) by City forces for an estimated cost of \$5,000.00.
2. Council authorize funding from Capital Account No. 9133-91543.

The motion was put and passed.

Award of Tender #94-05:
Mountain Road - New Paving

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

- (1) Council award Tender #94-05 for the construction of Mountain Road - New Paving (Withrod Drive to Margaret Road) for materials and services listed at the unit prices quoted

for a total bid price of \$421,121.00 and a total project cost of \$506,000.00 to Basin Contracting Ltd.;

- (2) Council authorize funding from Capital Account No. 9131-91360.

The motion was put and passed.

Award of Tender #94-50: Main Artery Patching

MOVED by Alderman Stone, seconded by Alderman Walker that, as recommended by the Committee on Works, Council award Tender #994-50 to Dexter Construction Ltd. based on the lowest total bid price, at a revised estimated quantity of 2225 tonnes of asphalt and at a revised total upset price of \$336,000.00 as per Dexter's quoted unit price components; and that the work be charged to the following accounts:

- (a) Current Budget Account #669 for street upgrading up to a maximum of \$256,000.00;
- (b) Future Settlement Account #146202 for the restoration of settled cuts to a maximum of \$70,000.00; and
- (c) a maximum of \$10,000.00 will be charged to the Halifax Water Commission for utility cut repairs on a recovery basis to which the Halifax Water Commission has already agreed.

The motion was put and passed.

Quotation #914317 - Closed Circuit
Television Inspection of Sewer Lines

MOVED by Alderman Walker, seconded by Alderman Hanson that, as recommended by the Committee on Works, Council authorize the establishment of a two (2) year Price Agreement with Floyd Nicholson's Services Limited at the tendered rates quoted in the 25 April 1994 staff report.

The motion was put and passed.

Report from the Planning Advisory Committee
Re: Case No. 6870 - Plan Amendment
Request, 75-75A Herring Cove Road

MOVED by Alderman O'Malley, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Council accept the recommendation of the Planning Advisory Committee and:

- (1) direct staff to prepare the necessary report on the lot modification agreement;
- (2) upon receipt of the lot modification report, Council give notice of intention to adopt Municipal Development Plan and Land Use Bylaw amendments as set out in the report from the Planning Advisory Committee dated 29 April 1994; consider the entering into of a development agreement for 75-75A Herring Cove Road; and set concurrent Public Hearing dates to consider these matters.

The motion was put and passed.

Report from the Planning Advisory Committee
Re: Case No. 6706: Amendment to the Land
Use Bylaw (Signs in Park and Institutional Zones)

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a public hearing be scheduled to consider the amendments proposed for the Land Use Bylaw relevant to signs in Park and Institutional Zones.

The motion was put and passed.

The City Clerk advised that the recommended date for a public hearing would be scheduled for Wednesday, 22 June 1994, 7:30 p.m. in the Council Chamber.

**Case No. 6722: Peninsula and Mainland Land
Use Bylaw (Housekeeping Amendments)**

MOVED by Alderman Stone, seconded by Alderman Adams that, as recommended by the Planning Committee, a public hearing be scheduled to consider various housekeeping amendments proposed for the Peninsula and Mainland Land Use Bylaw (as outlined in the 27 April 1994 staff report); and further, that the matter be referred to the Planning Advisory Committee for review and recommendation.

The motion was put and passed.

**Case No. 6894: Lot Modification Development
Agreement - Beechwood Terrace/Edward Laurie Drive**

MOVED by Alderman Stone, seconded by Alderman Walker that, as recommended by the Planning Committee, a public hearing be scheduled to consider the application received from Alderney Consultants (1987) Ltd. for approval of a lot modification development agreement pursuant to Section 12 of the Land Use Bylaw (Mainland Area) to enable a subdivision creating two lots with reduced street frontage at Beechwood Terrace where it meets Edward Laurie Drive.

The motion was put and passed.

The City Clerk advised that the recommended date for a public hearing would be scheduled for Wednesday, 22 June 1994, 7:30 p.m. in the Council Chamber.

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

MOVED by Alderman Fitzgerald, seconded by Alderman Walker that, as recommended by the Planning Committee, Council reject the proposal to amend the Peninsula Centre Area and Land Use Bylaw to permit the construction of a 46-unit apartment building by development

agreement on the west side of Robie Street between Pepperell and Shirley Streets.

The motion was put and passed.

**Halifax City Grants to
Non-Profit Agencies and Services**

MOVED by Alderman Meagher, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Council establish a Grants Allocation Committee, consisting of two members of Council; two members representing the recipients, and two members of staff, charged with developing: (1) criteria and eligibility requirements on the use of the various grants; (2) a coordination mechanism to establish information and documentation needed with requests; and (3) development of an evaluation system that would form a basis to determine subsequent grants.

The motion was put and passed.

**Report from the Heritage Advisory Committee Re:
Heritage Conservation Incentives - Recommendations**

MOVED by Alderman Fitzgerald, seconded by Alderman Walker that, as recommended by the Planning Committee, Council approve the list of recommended Heritage Conservation Incentives, dated 14 April 1994 and attached to the staff report of 5 May 1994.

The motion was put and passed.

Motion - The Forum Commission Act, Industrial Commission Act, Water Commission Act

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council confirm that its policy respecting

the limitation of terms on Boards and Commissions of the City to two consecutive two-year terms, applies only to citizen appointees and not to members of City Council, and that City staff take all steps necessary to ensure that the Bills currently before the Nova Scotia Legislature in respect of the Halifax Forum, the Halifax Industrial Commission, and the Halifax Water Commission be amended to reflect this policy prior to their receiving final approval by the Legislature.

Motion passed.

Vending Locations

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

1. City Council appoint an ad hoc Streets Committee for the purpose of reviewing the present procedures contained in Ordinance 180, the Streets Ordinance for the issuance of licenses for vending locations and reporting back to City Council with its recommendations to be adopted and implemented for the 1995 vending season.
2. City Council lift the freeze on the awarding of vending licenses for the 1994 vending season which it instituted on 20 April 1994.

Motion passed.

PUBLIC HEARINGS

Public Hearing Re: Case No. 6670: Plan and Bylaw Amendment
to Permit Proposed Townhouse Development at 35 Coronation
Avenue (Fairview Secondary Planning Strategy)

Mr. Stephen E. Feist, Planner II, addressed Council and, as described in the staff report of 14 February 1994, outlined the plan and bylaw amendment request by W. M. Fares & Associates on behalf of the owner of the property, Mr. Steven Metledge, to permit a 10 unit townhouse development at 35 Coronation Avenue.

Alderman Jeffrey questioned the impact of the proposed development on the water pressure in the area.

In response, Mr. Feist advised that he contacted the Halifax Water Commission concerning this question and it was determined that the development should not have any adverse impact on the water pressure in the area.

Mr. W.M. Fares, representing the owner of the property, Mr. Steven Metledge, addressed Council and noted that they have worked closely with staff and have taken into consideration the concerns that were raised by the residents at the Planning Advisory Committee meeting. He pointed out that they revised their design to meet the concerns with respect to visitor parking.

Further to Alderman Jeffrey's question, Mr. Fares advised that he met with staff of the Engineering and Works Department as well as the Halifax Water Commission and was advised that the proposed development will not create any water problems.

Mr. Jerry Callahan, 36 Coronation Avenue, addressed Council and submitted a petition containing approximately 70 signatures in opposition to the proposed development. He noted that the residents are concerned that, Coronation Avenue being a dead end street, 10 townhouses will create massive traffic congestion creating unsafe conditions for the public.

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Responding to a question from Alderman Stone, Mr. Callahan advised that he would be in favour of a maximum of 6 units.

Mrs. Delores Callahan, 36 Coronation Avenue, addressed Council and expressed concern about the potential for an additional 10 basement apartments in each of the proposed town houses. She noted that this would add to parking and traffic problems.

Mr. Ralph Meagher, 38 Shamrock Drive, addressed Council and referred to the right of way at the back of the lot in question. He asked whether this right of way had been considered as part of the lot size noting that it has existed for many years. Mr. Meagher also indicated that Council should take into consideration the residential nature of the area.

Ms. Carol Pierre, 19 Birch Street, addressed Council and advised that her main concern regarded the length of time it has taken the owner to demolish the existing building. She questioned how long the developer would have to complete the proposed development.

Ms. Donovan, Solicitor, advised that, if approved by Council, the developer would have two years to complete the project.

Mr. Graham MacLean, 14 Birch Street, addressed Council and expressed the concern that the proposed 10 units would create too much traffic in the area. He expressed particular concern with respect to service vehicles accessing the property.

At the request of Alderman Stone, Mr. Fares addressed Council and advised that the driveway was 25 feet wide which is more than adequate to allow service vehicles to access the property. He went on to express the view that the proposed development is much safer than what existed previously and will enhance the neighbourhood.

There were no further persons wishing to address Council.

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

Motion passed.

Public Hearing Re: Case No. 6863: Appeal of Minor
Variance Refusal - 2107 Oxford Street

A public hearing on this matter was held at this time.

A letter dated 27 April 1994 from J.C. Sheehan, 26 Beechmont Crescent, Gloucester, Ontario, was submitted in opposition to the minor variance application.

Mr. J. Michael Hanusiak, Acting Development Officer, addressed Council and outlined the appeal of minor variance refusal with respect to 2107 Oxford Street. As outlined in the staff report of 20 April 1994, Mr. Hanusiak provided background information with respect to the application by Mr. Sarkis Metlej for a variance of the lot area and one side yard requirement of the land use bylaw to allow the existing four unit dwelling at 2107 Oxford Street to remain at its present location. He explained that based on a review, the application did not meet the requirements of Section 86(3)(a-c) of the Planning Act and was, therefore, refused on 11 March 1994.

Alderman Meagher referred to the site plan questioning whether there was any way of changing the parking so that the traffic would not exit onto Allen Street. He asked that staff investigate to see if the parking could be re-arranged.

In response, Mr. Hanusiak advised that, to the best of his knowledge, there was no other way to change the parking. He pointed out that under the bylaw, the requirement is that each space be separately accessible.

Mr. W. Fares, representing the applicant, addressed Council and submitted a petition signed by 16 persons in support of the building in question at 2107 Oxford Street and the application for a minor variance.

There were no further persons wishing to address Council.

Alderman Meagher reiterated his request that the parking spaces be realigned in order to prevent a curb cut and traffic from exiting onto Allen Street.

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

Motion passed.

Public Hearing Re: Case No. 6948: Appeal of Minor Variance Refusal - 5668 Cornwallis Street, 2115-19 Bauer Street

Mr. J. Michael Hanusiak, Acting Development Officer, addressed Council and outlined the appeal of minor variance refusal in connection with 5668 Cornwallis Street and 2115-19 Bauer Street. As outlined in the staff report of 21 April 1994, Mr. Hanusiak explained that the application was refused as it did not comply with Section 86(3) (a and b) of the Planning Act.

Mr. Hal Forbes, 2031 Creighton Street, addressed Council and advised that the property contained a fully undeveloped room, 28 ft by 32 ft, in the upper level with no head room. He explained that it was very expensive to do the work and he wanted to reclaim as much usable space as possible. Mr. Forbes went on to explain that he came before Council about 18 months ago with the same request for another property which Council approved. He noted that the building went on to win the 1992 design awards for the Province. Mr. Forbes commented that there has been no opposition in the neighbourhood with respect to his proposal.

Ms. Rosemary Talbot, 5664 Cornwallis Street, addressed Council and advised that they have absolutely no concerns about the scottish dormers in the front of the building. She went on to note that they had forwarded a letter to Council concerning these amendments to the property and stating that Mr. Forbes has an excellent track

record. Ms. Talbot noted that there were a number of scottish dormers within the neighbourhood at the moment and expressed the view that the proposal would only enhance the neighbourhood.

There were no further persons wishing to address Council.

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that City Council approve the application for a minor variance of the land use bylaw requirements to permit the addition of dormers to the building at 5668 Cornwallis Street and 2115-19 Bauer Street and that the decision of the Development Officer to refuse the application be overturned.

Motion passed.

Public Hearing Re: Case 6847: Proposed Rezoning
- 5880 Spring Garden Road

A letter from Spring Garden Towers Inc. dated 18 May 1994 was submitted in support of the application.

Mr. Paul Dunphy, Planner, addressed Council and outlined the application, as contained in the staff report of 5 April 1994, with respect to the rezoning of 5880 Spring Garden Road from R-3 (Multiple Dwelling Zone) to RC-3 (High Density-Residential/Minor Commercial).

Mr. Sandy Rutledge, Spring Garden Towers Inc., addressed Council. He noted that their application was made only to acquire signage on the building. Mr. Rutledge pointed out that they were not looking to change the nature of the use of the building whatsoever and only wanted to put signage on the building that will benefit the existing tenants of the building.

There were no further persons wishing to address Council.

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

Motion passed.

Public Hearing Re: Case No. 6929: Proposed Land Sale
and Development Agreement - Community YMCA
- 2269 Gottingen Street

Mr. Paul Dunphy, Planner, addressed Council and, as described in the staff report of 11 April 1994, outlined the sale of an additional area of approximately 1870 square feet of land to the YMCA for the purposes of expanding the Gottingen Street Community YMCA; and a development agreement to permit construction of the proposed YMCA building on the YMCA's existing landholdings as well as the land which is being proposed for sale.

Mr. Peter Greenwood, Chairman of the Facilities Development Committee, addressed Council on behalf of the YMCA in support of the application and urged Council to accept the recommendations of staff.

There were no further persons wishing to address Council.

On behalf of Alderman Downey, it was **MOVED** by Alderman Hanson, seconded by Alderman Stone that:

1. City Council approve the sale of an area of land, measuring approximately 1870 square feet, to the YMCA, to be added to the parcel of approximately 5700 square feet already approved for sale to the YMCA on 14 January 1993, to permit construction of a gymnasium.
2. The sale price of the entire parcel of 7570 square feet be set at \$28,500.00, plus the usual closing adjustments, including any GST that may be applicable, and that the Mayor and City Clerk be authorized to execute a purchase and sale agreement on behalf of the City.

3. City Council enter into a development agreement with the YMCA to permit construction of an addition to the Community YMCA building at 2269 Gottingen Street.
4. Provision be made in the said purchase and sale agreement for emergency egress to be provided for the Halifax North Memorial Library over the property of the YMCA, as shown in the plans for the said development agreement.
5. City Council requires that the development 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 any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

Public Hearing Re: Case No. 6897: Modification Land Use
Bylaw - Proposed Lot 62-B, Carnation Crescent

Mr. J. Michael Hanusiak, Acting Development Officer, addressed Council and, as described in the staff report of 6 April 1994, outlined the application for a development agreement (modification of the lot frontage requirement) in connection with the property at 16 Carnation Crescent.

Mr. L. Smith, Concord Properties (managing agent for Spryview Housing Co-operative, the applicant) addressed Council. He explained that, as described in the staff report, the condition necessitating the modification of the lot frontage has not been created by the property owner. Mr. Smith advised that the proposed lot frontage is made up of two straight lines that intersect at almost 90 degrees.

Mr. Smith advised that they have not heard from local residents personally, but understand from the co-op member who lives at 16 Carnation Avenue that it is not their desire to give up that property. He went on to note

that one of the main concerns has been the duplex unit and, as a result, the members of the Spryview Housing Co-operative have decided that the proposed single family home would satisfy their requirements as well as the neighbourhood.

Mr. Frank Fisher, 10 Devon Crescent, addressed Council and indicated that he was very concerned about the sewer situation. With the use of the overhead monitor, Mr. Fisher pointed out that the 15 foot line was a City sewer right of way. He also commented that the plans do not show where the driveway would be located for the new lot.

In response to Mr. Fisher's concerns, Mr. Hanusiak advised that with respect to the sewer easement, as with any sewer easement, it still belongs to the property and that the only restriction is that they cannot build on the site. He added that it still counts as part of the overall frontage of the property.

Mr. Hanusiak advised that if there was any alteration to the curb and gutter, it was incumbent upon the developer to pay all costs associated with that work.

Mr. Hanusiak also noted that the sewer issue was one general to the overall area and not an isolated matter with respect to the property in question.

At approximately 9:05 p.m. Alderman Jeffrey retired from the meeting.

Ms. Darlene McKelvey, 18 Carnation Avenue, addressed Council and expressed concern regarding the water problems in the area. She expressed the concern that the problems would intensify as a result of the proposed development. Ms. McKelvey went on to note that the lot in question had very little frontage and questioned the location of the driveway and parking.

Mr. Hanusiak advised that it is the intention of the developer that they will ultimately dictate in the sale of the property that there will be one driveway with a right of way to provide access to both lots. With respect to the issue of water, Mr. Hanusiak advised that it was his understanding from the Engineering and Works Department that the lot slopes away from the next door neighbour's

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property. He added that, with every building application, the issue of ground water and storm water run-off is part of the review process.

Mr. Fisher addressed Council again and indicated that he was very concerned about the driveway situation and the water run-off from the property.

Mr. Smith, Spryview Housing Co-operative, advised that the vendor does have the right to place restrictions on the property and will be issuing a right of way for one entrance to a fork driveway.

Alderman Adams asked for information from staff regarding the water problems in Leiblin Park and particularly the severity of the water problems on Carnation Crescent.

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

Motion passed.

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

**HIS WORSHIP DEPUTY MAYOR POTTIE
CHAIRMAN**

**EDWARD A. KERR
CITY CLERK**

/MS

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
26 May 1994
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 the recitation of the Lord's Prayer.

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

ALSO PRESENT: Mr. Barry Coopersmith, City Manager; Mr. Wayne Anstey, Q.C., City Solicitor; Ms. Margaret A. Soley, Acting City Clerk; and other members of City staff.

MINUTES

Minutes of a special meeting of Halifax City Council held on Wednesday, 4 May 1994, and of a regular meeting held on Thursday, 12 May, were approved as circulated on a motion by Alderman Stone, seconded by Alderman Fitzgerald.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

20.3 Halifax Police Department Horse

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

20.4 Retaliation and Visual Threats Against
the Community

It was further moved by Alderman Adams, seconded by Alderman Holland that "Questions" be dealt with as the final item on the meeting's agenda. Motion passed.

ADDED ITEMS

Halifax Police Department Horse

At the request of Deputy Mayor Pottie, it was agreed that the above-noted matter would be considered at this point in the meeting's agenda.

A report, dated 26 May 1994, was submitted from the City Manager's Office.

MOVED by Deputy Mayor Pottie, seconded by Alderman Holland that Halifax City Council accept Burns Fry Limited as a corporate sponsor for the Halifax Police Department's horse at a total operating cost of \$40,653.80 for the years 1994-1998.

In putting forward this motion, the Deputy Mayor called the proposal an excellent one that provides a much-needed service to the citizens of Halifax while at the same time relieving those same citizens of the associated costs.

Alderman Stone also expressed his appreciation to Burns Fry, commending them on their contribution and voicing the hope that this gesture will serve to encourage future donations to the City from other corporate sponsors.

The motion was put and passed with unanimous support.

Her Worship introduced Ms. Shirley A. Locke, Vice President/Resident Manager of Burns Fry Limited, who announced that a contest would be held for local school children aimed at finding an appropriate name for the Police Department's new horse. Ms. Locke went on to advise that the winner's prize would be a \$500 bond, which would mature in the year the student graduates from high school.

Mayor Ducharme, on behalf of all members of City Council, expressed appreciation to Ms. Locke and to Burns Fry for their generosity in this regard.

**COUNCIL
26 MAY 1994**

8:15 p.m. - Deputy Mayor Pottie assumes the Chair, with Her Worship Mayor Moira Ducharme addressing Council from the podium.

PRESENTATIONS

Presentation: 1994 "Citizen of the Year" Awards

Her Worship Mayor Ducharme announced this year's recipients of the "Citizen of the Year" Awards which are presented to those students who, in the opinion of their teachers and peers, are worthy of this tribute:

ANGELA LUCAS
ST. PATRICK'S HIGH SCHOOL

AMY HIGGINS
ST. AGNES JUNIOR HIGH

ANNE METLEJ
CORNWALLIS JUNIOR HIGH

KORNELIA MANKOWSKI
GORSEBROOK JUNIOR HIGH

JEFFREY MACPHERSON
ELIZABETH SUTHERLAND JR. HIGH

SHAUNTAY GRANT
FAIRVIEW JUNIOR HIGH

CHERIE FORONDA
CUNARD JUNIOR HIGH

HEATHER FARRELL
HIGHLAND PARK JR. HIGH

PHILLIP HENRY
OXFORD JUNIOR HIGH

DAVID COOLEN
ROCKINGHAM JUNIOR HIGH

LEESA LEBLANC
B.C. SILVER JUNIOR HIGH

PETER LICHODZJIEWSKI
CLAYTON PARK JUNIOR HIGH

8:20 p.m. - The meeting was adjourned for a brief recess.

8:50 p.m. - The meeting was reconvened with the same members being present, and Her Worship Mayor Ducharme occupying the Chair.

DEFERRED ITEMS

**Case No. 6863: Appeal of Minor
Variance Refusal - 2107 Oxford Street**

A public hearing to consider this matter had been held on Wednesday, 18 May 1994.

A supplementary staff report, dated 24 May 1994, was submitted from Mr. J. Michael Hanusiak, Acting Development Officer.

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26 MAY 1994**

MOVED by Alderman Meagher, seconded by Deputy Mayor Pottie that, as recommended by staff, the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 16 June 1994.

The motion to defer was put and passed.

Case No. 6670: Plan and Bylaw Amendments to Permit Proposed Townhouse Development - 35 Coronation Avenue (Fairview Secondary Planning Strategy)

A public hearing on this matter was held on 18 May 1994.

Alderman Jeffrey addressed the item and noted that the property in question was the site of the former "Olympic Bowling Alley" which included a bowling alley, banquet hall, and a pool hall. He noted that the property was the source of numerous complaints from area residents until it closed in 1991. Since this time, Alderman Jeffrey advised that the building has been partially demolished.

Alderman Jeffrey made reference to the concerns raised during the public hearing pertaining to the proposed development. He noted that one of the concerns regarded the water pressure in the area. As a result, Alderman Jeffrey advised that he contacted the Water Commission who confirmed that the water pressure in the area is adequate and that this development will not impact on the present water situation.

Making reference to the concern about snow removal, Alderman Jeffrey advised that staff have assured him that, once the development occurs, snow removal for the area will be on par with other streets in the area.

Alderman Jeffrey also referred to the issue respecting the right of way and advised that it was not the developer's intention to use this area because it runs between residential homes.

Alderman Jeffrey went on to note that the existing 1979 development agreement permits a banquet hall and bowling alley. He therefore pointed out that, if the proposal was not permitted, a banquet hall or bowling alley could result as of right. Alderman Jeffrey expressed the view that this was not something which would be in the best interests of the citizens in the area.

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Alderman Jeffrey further noted that the 10 unit townhouse proposal is in keeping with the proposed plan amendments for the reasons as set out in the staff report of 8 April 1994.

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

1. City Council adopt the proposed Municipal Development Plan (Fairview Secondary Planning Strategy) and Land Use Bylaw amendments for 35 Coronation Avenue as contained in Appendix I of the staff report dated 8 April 1994.
2. City Council defer discharge of the 1979 development agreement and approval of the development agreement for the townhouse project for 35 Coronation Avenue as set out in Appendix II and III of the 8 April 1994 staff report until the Minister of Municipal Affairs signs the Plan and the Bylaw amendments.

The Acting City Clerk advised that Aldermen Holland and Downey were not in attendance at the public hearing on this item and should therefore refrain from participating in the vote.

Motion passed with Aldermen Holland and Downey abstaining.

**Case No. 6847: Proposed Rezoning -
5880 Spring Garden Road**

A public hearing to consider this matter had been held on Wednesday, 18 May 1994.

Noting that there had been no objections raised to this rezoning proposal, it was moved by Alderman Fitzgerald, seconded by Alderman O'Malley that 5880 Spring Garden Road be rezoned from R-3 (Multiple Dwelling Zone) to RC-3 (High-Density Residential/Minor Commercial).

The Acting City Clerk advised that Aldermen Holland and Downey should refrain from participating in the vote owing to their absence from the 18 May public hearing.

The motion was put and passed with Aldermen Holland and Downey abstaining.

**Case No. 6897: Modification Land Use Bylaw -
Proposed Lot 62-B, Carnation Crescent**

A public hearing to consider this matter had been held on Wednesday, 18 May 1994.

A supplementary staff report, dated 20 May 1994, was submitted from the Director of Development and Planning.

MOVED by Alderman Adams, seconded by Alderman Hanson that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 16 June 1994.

The motion to defer was put and passed.

PETITIONS AND DELEGATIONS

**Petition Alderman Stone Re: Lounge License -
"Drew's Pub and Eatery"**

Alderman Stone read and submitted a copy of a petition delivered to the Honourable Gerry Fogarty, M.L.A. - Halifax Bedford Basin, concerning the application before the Nova Scotia Liquor Licensing Board (NSLLB) for a lounge license for the establishment to be known as "Drew's Pub and Eatery", located at 117 Kearney Lake Road (Wedgewood Plaza). The petition contained approximately 596 signatures opposing the issuance of this permit.

In submitting the petition, Alderman Stone asked that staff review the City's regulations regarding construction of this lounge in the residential shopping centre area and provide him with a report.

Petition Alderman Hanson Re: Reserve Road

Alderman Hanson submitted a petition from the residents of Reserve Road dated May 16, 1994, concerning public lands which were given away in 1984-85 during sewer and water installation. Alderman Hanson asked that staff provide a response to the concerns outlined in the petition.

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

**Proposed Amendment to Ordinance 116 -
Accessible Taxi Vehicles (SECOND READING)**

9:00 p.m. - Alderman Jeffrey declared a possible conflict of interest and retired from the meeting.

This matter had been forwarded to Council without recommendation from a meeting of the Finance and Executive Committee held on Wednesday, 18 May 1994 (First Reading of the proposed amendment had been given during a regular meeting of Council held on Thursday, 12 May).

A supplementary report, dated 20 May 1994, was received from the Director of Corporate and Legal Affairs, together with the following information:

- Correspondence, dated 20 May 1994, from Ms. Susan Buchanan, Chair, Advocacy Committee, Canadian Paraplegic Association (Nova Scotia)
- Correspondence, dated 26 May 1994, from Mr. Darshan S. Virk, President, United Cab Drivers Association of Halifax
- Correspondence, dated 26 May 1994, from Mr. Laughlin Rutt, Executive Director, Canadian Paraplegic Association (Nova Scotia)

MOVED by Alderman Adams, seconded by Alderman Stone that Halifax City Council approve SECOND READING of the following amendments proposed for Ordinance 116, the Taxi Ordinance, pertaining to "accessible taxis:"

- (1) the present moratorium on the issuance of new taxi operators' licenses be waived provided the following conditions are met:
 - (a) that the licenses so issued be intended solely for the operation of accessible taxis and will not be transferrable to the operation of standard taxi vehicles;
 - (b) that a maximum of twenty (20) operators' licenses be issued for this purpose;

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- (c) that accessible taxis be prohibited from transporting able-bodied passengers unless accompanied by a person with a disability;
 - (d) that these licenses be conditional upon the successful completion of the first available driver education course;
 - (e) that the rates charged by accessible taxis to their passengers be identical to those charged to passengers of standard taxi vehicles; and further, that
- (2) Ordinance 116, the Halifax Taxi Ordinance, be amended accordingly (as per Appendix "A" of the 4 May staff report);

In putting forward this motion, Alderman Adams made particular reference to subsection 1(d), emphasizing that a course of instruction will not be held until the Hara Report has been received and its recommendations debated. In this context, the Alderman pointed out that Hara is expected to make suggestions not only with regard to the continuation of the course itself but also on an appropriate number of taxi drivers and vehicles (including accessible taxis) for the Halifax community and on ways in which the local taxi industry can be improved.

Alderman Adams also reminded Council that the conditions proposed in his motion are intended to be of a temporary nature only, until such time as decisions based on the Hara Report can be made. He added that Mr. Dan MacLellan, Vice President of Vital Transit (the applicant in question), has indicated that he and his company are willing to accept these conditions on a short-term basis.

Responding to a question from Alderman Holland, the City Solicitor indicated that the twenty operators' licenses proposed in subsection 1(b) could be issued immediately upon Council's adoption of the motion. Mr. Anstey went on to point out that these individuals will retain their licenses providing they can complete the course of instruction which will be scheduled later on in the year.

On another but related matter, the City Solicitor clarified that subsection 1(c) of Alderman Adams' motion is intended to pertain solely to the 20 new operators for whom it is proposed that the existing moratorium be waived. He

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went on to point out that if the operator of an accessible taxi is already licensed as a Halifax taxi driver, the restrictions outlined in 1(c) do not apply.

Responding to a question from Alderman Fitzgerald with regard to the possibility of limiting the number of accessible vehicles to be licensed by the City, Mr. Anstey indicated that, given the capital outlay required for this type of taxi and the restrictions imposed by the Federal Government with regard to available subsidies, it is unlikely that the market will be "flooded" by accessible taxis.

Alderman Adams commented that it was his understanding that, under the provisions of the Motor Vehicle Act, municipalities are not authorized to limit the number of vehicle licenses they issue. He added, however, that perhaps this is a matter that staff could be requested to investigate, particularly given the fact that the City of Dartmouth has received permission to limit its vehicle licenses.

An amendment to the motion was subsequently moved by Alderman Adams, seconded by Alderman Stone:

- (3) that staff be requested to determine whether Council is permitted, under the provisions of the Motor Vehicle Act, to introduce a limitation on the number of taxi vehicles (including accessible taxis) licensed by the City of Halifax; and
- (4) that the United Cab Drivers Association of Halifax be encouraged to work with members of the local disabled community to resolve any outstanding differences pertaining to the use of accessible taxis.

The amendment was put and passed.

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

Alderman Adams went on to make reference to submissions made by the United Cab Drivers Association relating to a proposed amendment to the Motor Vehicle Act

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which was initiated by the Halifax Taxi Commission in 1991 and which is now being considered by the Province. While emphasizing that he disagreed with the interpretation placed on this amendment by the UCDA, the Alderman advised that, as a gesture of good faith, he was prepared to request that Council officially pass a motion to withdraw this amendment.

It was therefore moved by Alderman Adams, seconded by Alderman Walker that a letter be forwarded to the Province of Nova Scotia by Halifax City Council officially requesting that the proposed amendment to the Motor Vehicle Act (with regard to the regulation of taxi vehicles operating outside municipal boundaries) be withdrawn.

The motion was put and passed.

9:20 p.m. - Alderman Jeffrey returns to the meeting.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of Wednesday, 18 May 1994 as follows:

Licensing and Regulation of Dogs and Cats

MOVED by Deputy Mayor Pottie, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, staff be instructed to review the Kingston bylaw and any other bylaw pertaining to the licensing and regulation of cats, and to develop recommendations as to what measures can be taken to more properly control these animals in the City of Halifax.

The motion was put and passed.

Use of Federal Voters List /Optional Advance Poll

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

- (1) City Council, in accordance with the Municipal Elections Act, authorize the Returning Officer to use the most recent Federal list of electors for the upcoming 15 October 1994 Municipal Election;
- (2) City Council set Saturday, 8 October 1994 as the date of the optional Advance Poll, as provided for in the Municipal Elections Act.

Commenting on the motion, Alderman Holland asked that the City Solicitor be requested to examine the feasibility of extending the voting period. In his remarks, the Alderman pointed out that should a resident happen to be out of the City for the two-week period in which both the advance poll and the regular election have been scheduled, he effectively loses his opportunity to vote.

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

Mandatory School Funding

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Council direct staff to make known its concerns to the Premier and to the Executive of the Union of Nova Scotia Municipalities in order to bring this matter under appropriate review. The motion was put and passed.

File #63223 - Annual NCR Hardware Maintenance

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council authorize staff to enter into an agreement with NCR (Canada) Ltd. in the amount of \$103,976.18 (G.S.T. included). The motion was put and passed.

Auditor General Function

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the Office of the Auditor General be disbanded and a new function reporting to the City Manager be created as an internal Audit function; and further, that

the City Solicitor's Department be instructed to take what legal steps are necessary to implement this change.

Alderman Meagher spoke in opposition to the motion, expressing the view that the reorganization of the Auditor General's function, as proposed, would mean a "backward step" for the City.

Alderman Jeffrey concurred with the concerns put forward by Alderman Meagher, and pointed out that when the decision was made several years ago to restructure the Auditor General's Department in its present format, the objective had been to create a neutral and independent operation which would report through the Audit Committee to City Council, rather than to the City Manager.

Asked to comment, the City Manager indicated that, having reviewed the present operation of the Auditor General's Department and taking into consideration the City's objectives with regard to strategic planning, it was his opinion that the staff of this department were being under-utilized. Mr. Coopersmith went on to point out that, rather than maintain the Auditor's function as an "arm's length" kind of operation, it was his view that these employees and their responsibilities should be incorporated as part of the "team" whose mandate it is to develop the City's objectives.

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

**Halifax Industrial Commission Re:
Installation of Sewer and Water Services
(Ragged Lake Area, Halifax Business Park)**

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the matter be deferred, pending receipt of additional information from staff.

The motion to defer was put and passed.

Centennial Pool Complex (Halifax Dance)

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the project proposal for the

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development of Centennial Pool (as submitted by Halifax Dance) be forwarded to staff for review and comment.

The motion was put and passed.

Cotton Tree Project

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the report entitled "The Cotton Tree Partnership, A Nova Scotia/Sierra Leone Linkage Project" be referred to staff for review and comment.

In putting forward this motion, Alderman Fitzgerald asked that staff also be asked to consider the feasibility of a financial contribution (of approximately \$5,000) from the City towards this project.

Alderman Holland made reference to an earlier proposal to twin with the City of Havana, Cuba, a proposal which was ultimately rejected by Council because of the prevailing political climate in that country. The Alderman therefore asked that staff in their forthcoming report on the Cotton Tree Project include a commentary on the political circumstances in Sierra Leone.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of Wednesday, 18 May 1994 as follows:

Curb - Corner of Brook Street
and Palmer Hill Road

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Committee on Works, a committee (consisting of members of Council and staff) be established to review and make recommendation on the existing "Private Roads Policy" of the City of Halifax.

In putting forward this motion, Alderman Jeffrey urged that the proposed committee be established as quickly as possible.

The motion was put and passed.

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

**Proposed Amendment to Bylaw Respecting
Parking Meters (SECOND READING)**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 12 May 1994, and had been further considered during a meeting of the Finance and Executive Committee held on Wednesday, 18 May.

MOVED by Alderman Jeffrey, seconded by Alderman Walker that Council approve Second Reading of the amendment proposed to the City's Parking Meter Bylaw (attached as Appendix "A" to the staff report of 9 May 1994), the purpose of which is to reduce the discount on parking tickets for early payment from \$7.50 to \$3.00. The motion was put and passed.

**Proposed Amendment to Ordinance 170, the Tax
Concession Ordinance (Motion to Repeal) - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 12 May 1994, and had been further considered during a meeting of the Finance and Executive Committee held on 18 May.

MOVED by Alderman Stone, seconded by Alderman Adams that Council approve Second Reading of the Ordinance attached as Appendix "A" to the staff report of 9 May 1994, the purpose of which is to repeal Ordinance 170, the Tax Concession Ordinance. The motion was put and passed.

**Proposed Amendment to Ordinance 116
(Accessible Taxi Vehicles) - SECOND READING**

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

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting of Wednesday, 18 May 1994 as follows:

Case No. 6868: Plan Amendment
Request - 138 Herring Cove Road

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, Council accept the recommendation of the Planning Advisory Committee; namely, that the request for a Plan and Land Use Bylaw amendment at 138 Herring Cove Road be denied by Council and that the Low-Density Residential designation and RC-1 (Neighborhood Commercial) Zone be retained.

In putting forward this motion, Alderman Hanson emphasized that a commercial component is included as part of the RC-1 (Neighborhood Commercial) Zone which is proposed to be retained for the site in question. The Alderman went on to point out that, in his opinion, those commercial uses are more appropriate to the surrounding neighborhood than those which would be allowed under the Plan amendment proposed by the owners of 139 Herring Cove Road.

The motion was put and passed.

Case No. 6673: Accessory Buildings

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Planning Committee, no amendments to the Land Use Bylaw with respect to accessory buildings be undertaken by City Council at this time; and further, that staff be instructed to monitor the situation with respect to complaints about accessory buildings.

The motion was put and passed.

Case No. 6899: Proposed Amendment to the
Land Use Bylaw - Section 41 (Peninsula)

MOVED by Alderman Fitzgerald, seconded by Alderman Walkers that, as recommended by the Planning Committee, the proposal to amend Section 41 of the Peninsula portion of the Land Use Bylaw (as outlined in the staff report of 4 May 1994) be forwarded to the Planning Advisory Committee for review and advice before a determination is made as to the scheduling of a public hearing.

The motion was put and passed.

- (1) Application to Discharge Development Agreement
 - (2) Application to Demolish Registered Heritage Building at 2445 Brunswick Street
-

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

- (a) approve the Discharging Agreement hereto appended (Attached #5) which will discharge the existing development agreement that permits the development of a 24-unit apartment building at 2445 Brunswick Street; and
- (b) refuse the application to demolish the registered heritage building located at 2445 Brunswick Street.

The motion was put and passed.

Draft Nova Scotia Environment Regulations

An Information Report, dated 19 May 1994, was submitted from the Director of Development and Planning.

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Planning Committee, Council endorse the proposal (attached to the staff report of 9 May 1994) as the City of Halifax submission to the Nova Scotia Department of the Environment on the Draft Environment Regulations. The motion was put and passed.

MOTIONS

Proposed Amendment to Ordinance 156, the Pollution Control Charge (Waste Management Charge) - FIRST READING

This matter had been deferred from the last regular meeting of Halifax City Council held on 12 May, Notice of Motion having been given by Alderman Stone on 3 May 1994.

A report, dated 19 May 1994, was submitted from the Director of Corporate and Legal Affairs.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that City Council approve First Reading of the amendments to Ordinance 156, the Pollution Control Charge Ordinance, the purpose of which is to restructure the pollution control charges levied collectively under the Ordinance, to rename the former Pollution Control charge the "Environmental Protection Charge," and to establish a new pollution control charge to be called the "Waste Water Management Charge;" and further, that the matter be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 1 June 1994) for review and recommendation.

The motion was put and passed.

NOTICES OF MOTION

**Notice of Motion Alderman Adams Re:
Amendment to Ordinance 116, the Taxi
Ordinance (Seating Capacity of Taxi Vehicles)**

Alderman Adams gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 16 June 1994, he proposes to introduce for First Reading a motion to amend Ordinance 116, the City's Taxi and Limousine Ordinance.

The purpose of this amendment is to permit the regulation as taxis of vehicles with a capacity of not more than seven passengers excluding the driver.

**Notice of Motion Alderman Adams Re:
Amendment to Ordinance 116, the Taxi
Ordinance (Application for Operator's License)**

Alderman Adams gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 16 June 1994, he proposes to introduce for First Reading a motion to amend Ordinance 116, the City's Taxi and Limousine Ordinance.

The purpose of this amendment is to alter the timeframe within which applications for a taxi operator's license may be submitted.

**Notice of Motion Alderman Fitzgerald Re:
Establishment of Waste Management Advisory Committee**

Alderman Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 16 June 1994, he will propose that Halifax City Council consider the establishment of a Waste Management Advisory Committee.

The purpose of the proposed committee will be to work with Aldermen, staff and citizens to develop modern, efficient, environmental-friendly and financially sound waste management practices.

ADDED ITEMS

**Halifax City Grants to
Non-Profit Agencies and Services**

This matter had last been discussed during a special meeting of Halifax City Council held on Wednesday, 18 May 1994.

A report, dated 25 May 1994, was submitted from the Director of Finance.

MOVED by Alderman Adams, seconded by Alderman Jeffrey that Council appoint the following as the agreed six members to the Tax Concessions and Grants Review Committee:

Representing City Council:

Alderman N. Meagher
Alderman L. Holland

Representing City Staff:

Director of Social Services
Director of Finance

Representing the General Public:

Mr. David Surette (Hong Kong Bank of Canada)
Ms. Joanne Linzey (United Way)

The motion was put and passed.

Appointments

A memorandum, dated 12 May 1994, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Stone, seconded by Alderman Downey that Mr. Frank Schwartz be appointed to the Barrington Street Business Improvement District Commission (term to expire on 31 January 1997).

The motion was put and passed.

Halifax Police Department Horse

This matter was dealt with at an earlier point in the meeting's agenda.

Retaliation and Visual Threats Against the Community

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

Alderman Fitzgerald advised that, at a special meeting of Council held on May 18th, Council rejected the proposal for a plan amendment request to permit the construction of a 46-unit apartment building by development agreement on the west side of Robie Street between Pepperell and Shirley Streets. He added that the residents expressed opposition to the proposal and requested Council not to allow the plan amendment. As a result of Council's refusal and the opposition from the residents, Alderman Fitzgerald advised that the developer was very upset.

Alderman Fitzgerald went on to note that there were a series of old buildings on the property that have deteriorated to the extent that they are causing a danger. He advised that he telephoned the City's Inspection Services Division on this date and asked that an inspector investigate the situation. Alderman Fitzgerald went on to note that the developer has not worked with the citizens and has deliberately painted the buildings to make them look disgusting and horrifying. He added that the developer is confronting and threatening the citizens telling them that is what they get for voting against his proposal.

Alderman Fitzgerald advised that he has received an abundance of calls from citizens concerning the situation. He requested that a building inspector investigate the situation as soon as possible (tomorrow) and that electrical inspections and plumbing inspections be

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carried out and the building code enforced. He also asked that the City Solicitor pursue the matter and see that the developer conforms with some community standards.

QUESTIONS

**Question Alderman Jeffrey Re:
Installation of Picnic Table**

Alderman Jeffrey reported that he had recently witnessed the installation of two picnic tables in the play area at the corner of Titus Street and Vimy Avenue. The Alderman went on to express concern that what he referred to as a "75-foot truck equipped with a Sagadore crane" had been used when, in the Alderman's opinion, a small half-ton truck would have been adequate for this purpose.

Alderman Jeffrey indicated that he would appreciate receiving information from staff as to why the project was carried out in this manner.

**Question Alderman Stone Re:
Street Improvements - Pioneer Avenue**

Alderman Stone noted that the street improvements on Pioneer Avenue between Wren Street and Forest Hill Drive which had commenced last year had been brought to a halt owing to the onset of the 1993/94 winter season. The Alderman went on to indicate that, in his view, this project should be recommenced as quickly as possible, and asked for information from staff as to when the work would begin.

**Question Alderman O'Malley Re:
Regulations - Rollerblade Skating**

Alderman O'Malley requested information from the City Solicitor as to whether there are regulations currently in place pertaining to rollerblade skating on the City's streets and sidewalks. More specifically, the Alderman asked for the Solicitor's comments as to whether the City is in any way liable should injuries occur as a result of this activity.

**Question Alderman O'Malley Re:
Repairs - Young Street (Barrington - Novalea)**

Alderman O'Malley advised that Young Street from Barrington Street to Novalea Drive is in extremely poor condition, owing to the excessive number of trucks which use this route. The Alderman asked that staff investigate the matter and submit a report.

**Question Alderman O'Malley Re:
Heating Bills - North End Library**

Alderman O'Malley advised that, during the recent Budget deliberations, she had noted that the heating bills for the North End Library appeared to be excessive. On being told that the facility is electrically heated, the Alderman indicated that she had asked if consideration had ever been given to changing to oil heat, which is usually less expensive.

Alderman O'Malley requested information as to whether this approach has, in fact, been considered.

**Question Alderman Walker Re:
Former Halifax Infirmary Annex Site**

Alderman Walker asked to be provided with information from staff as to where the debris from the site of the former Halifax Infirmary Annex has been taken.

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

Alderman Fitzgerald reported that the Halifax District School Board is seeking assurances from City Council that (as had been indicated during the Budget review process) the revenues from the recently-announced three percent roll-back would, in fact, be returned to the Board for its use.

Her Worship suggested that the Chairman of the School Board submit this request in writing so that the City might make an official response.

**Question Alderman Fitzgerald Re:
Privatization - Real Estate Division**

Alderman Fitzgerald asked for information as to whether consideration had ever been given to the possible privatization of the City's Real Estate Division. The

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Alderman noted that a letter from a local business had recently been received in this regard, and that he would appreciate receiving a copy of the City's response.

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

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR PAT POTTIE
CHAIRMAN

MARGARET A. SOLEY
ACTING CITY CLERK

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
1 June 1994
5:00 P.M.

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

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

ALSO PRESENT: Barry B. Coopersmith, City Manager; Gerry Goneau, representing the City Solicitor; Margaret A. Soley, Acting City Clerk; and other members of City staff.

PUBLIC HEARINGS

**Public Hearing Re: Case No. 6954:
Appeal of Minor Variance Refusal - 2960 Connolly Street**

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

Mr. Paul Dunphy, Planner, addressed Council and outlined the appeal of the Development Officer's decision to refuse the minor variance application with respect to 2960 Connolly Street. He advised that the variance was to reduce the lot area requirement for a two unit dwelling, 5000 square feet down to approximately 4000 square feet, a reduction of approximately 20 percent. Mr. Dunphy went on to provide background information and analysis as outlined in the staff report of 6 May 1994.

Ms. Kim McDonah, 2960 Connolly Street, applicant, addressed Council and provided background information with respect to their proposal and, using slides, a description

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of their property. In her remarks, she stated that they did not believe that their proposal presented any inconveniences to any of the other residences in the area aesthetically or by decreasing the value of their homes. Ms. McDonah added that they had canvassed all of the homeowners within a 200 ft. radius of their home and found that they were actually quite enthusiastic about the proposal and felt that it would probably increase the value of their homes.

There were no further persons wishing to address Council.

MOVED by Deputy Mayor Pottie, seconded by Alderman O'Malley that City Council approve the application for a minor variance of the lot area requirement of the land use bylaw to permit a conversion from a single family dwelling to two units at 2960 Connolly Street and, further, that the decision of the Development Officer to refuse the application be overturned.

Motion passed.

Public Hearing Re: Case No. 6896: Rezoning from R-2 to R-1 - Portion of Cresthaven Estates

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

Mr. Fred Haliburton, addressed Council and outlined the application, as contained in the staff report of 19 April 1994, for a rezoning of a portion of the Cresthaven Estates subdivision from R-2 (Two Family Dwelling Zone) to R-1 (Single Family Dwelling Zone). In his remarks, Mr. Haliburton advised that staff was recommending approval of the application.

Mr. Laurie Emms, UMA Engineering, representing Cresthaven Estates, addressed Council and advised that Cresthaven Estates Ltd. has applied for the rezoning of the subject lands. He went on to note that the lots are currently being sold with restrictive covenants that limit the form of development to a single family residential nature. Mr. Emms advised that the purpose of the rezoning

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was simply to reinforce the nature of the community as R-1 (Single Family Dwelling Zone).

There were no further persons wishing to address Council.

MOVED by Alderman Stone, seconded by Alderman O'Malley that the application to rezone the area shown as Lots 22, 23, 45-66, 73-78 and 101-113 all inclusive, as shown on Plan No. P200/19709, from R-2 (Two Family Dwelling Zone) to R-1 (Single Family Dwelling Zone), be approved.

Motion passed.

ADDED ITEMS

Cosmetic Improvements - City Club

This item was referred to this meeting from the Planning Committee held earlier on this date.

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Planning Committee, City Council authorize expenditures in the amount of up to \$15,000 from Capital Account "Downtown Mainstreet 91664" for cosmetic improvements to the City Club Building at 1580 Barrington Street.

The motion was put and passed.

5994 Spring Garden Road - Dairy Deli Lease

This item was referred to this meeting from the Planning Committee held earlier on this date.

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

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- (1) approve an assignment of the Dairy Deli lease at 5994 Spring Garden Road to Mr. Chafic Daaboul under the same terms and conditions presently in place, to take effect as soon as possible, with rent starting at \$1,539.57 per month, to be adjusted annually by the Consumers Price Index;
- (2) authorize a further five-year renewal option beyond the current term which expires 14 February 1999; and further, that
- (3) the assignment be conditional upon Mr. Hage paying all outstanding taxes plus interest to the closing date and also December's outstanding rent of \$1,539.57.

The motion was put and passed.

Banners on Light Poles on City Streets

This item was referred to this meeting from the Planning Committee held earlier on this date.

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

- (1) Council authorize an expenditure of up to \$10,000 from Capital Account "Downtown Mainstreet 91664" for design, supply and installation of minor modifications to light standards to reduce the lateral stress caused by the wind load of banners;
- (2) the contract for design of the pole modifications be awarded to the firm of Waugh Associates Ltd. for an amount not to exceed \$2,000 (this would occur without a competitive tender and be an extension of work the firm is undertaking for the Downtown BIDC on the Downtown Visitor Amenity Program); and that
- (3) the guidelines in Appendix B of the 26 May 1994 staff report be used by the Director of

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Engineering and Works in exercising his discretion under Ordinance 166, respecting Signs, Billboards and Advertising Structures for a two-year trial period, and that following that two-year trial period appropriate ordinance amendments should be recommended to City Council.

The motion was put and passed.

**Case No. 6987 - Proposed Development Agreement:
2 Crestview Drive (Set Date for Public Hearing)**

This item was referred to this meeting from the Planning Committee held earlier on this date.

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Planning Committee, City Council schedule a public hearing to consider the application for a development agreement to permit construction of a solarium at the rear of the two-unit dwelling at 2 Crestview Drive.

Motion passed.

The Acting City Clerk advised that the public hearing would be scheduled for Wednesday, June 22nd, 7:30 p.m. in the Council Chamber.

**Case No. 6835: Amendment to Development
Agreement - 6151 Lady Hammond Road**

This item was referred to this meeting from the Planning Committee held earlier on this date.

MOVED by Deputy Mayor Pottie, seconded by Alderman O'Malley that, as recommended by the Planning Committee, City Council reaffirm its motion of 14 April 1994; namely that the lot consolidation be rescinded and that new streetlines be laid down in order to reinstate Bright Street to its former dimensions.

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It was further moved by Alderman O'Malley, seconded by Deputy Mayor Pottie that, as recommended by the Planning Committee, Case No. 6835, the application for an amendment to the development agreement at 6151 Lady Hammond Road, lands of B & G Innkeepers and the City of Halifax (to permit two additions as shown on Plan Nos. P200/19816 and 17) be denied.

The motion was put and passed.

Call for Proposals - Indoor Multi-Sport Facility,
Mainland Common

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

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

- (1) City Council not proceed with a proposal call at this time;
- (2) staff meet and negotiate with Soccer Nova Scotia concerning their submission and provide a report on its feasibility;
- (3) subject to the outcome of staff's report, Council make a determination with respect to the scheduling of a public meeting.

The motion was put and passed.

Encroachment License - Monaghan Drive

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

MOVED by Deputy Mayor Pottie, seconded by Alderman Meagher that, as recommended by the Planning Committee, an Encroachment License be granted to Unitel

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Communications Inc. for the purpose of installing a duct bank to contain underground fibre-optic cables.

The motion was put and passed.

**Notice of Motion Deputy Mayor Pottie Re: Amendments
to Ordinances 130, 131, and 132**

Deputy Mayor Pottie gave notice of motion that at the next meeting of City Council to be held on 16 June 1994 he intended to introduce amendments to Ordinances 130, 131 and 132: the Electrical, Building Code, and Plumbing Ordinances. The purpose of the amendments is to increase certain permit and license fees.

Council went incamera for a brief duration at 5:40 p.m. and resumed at approximately 5:50 p.m. with the same members in attendance.

Appointment - Director, Human Resources

MOVED by Deputy Mayor Pottie, seconded by Alderman Stone that Halifax City Council appoint Ms. Amery Boyer as the Director of Human Resources for the City of Halifax with a three year contract and a salary range within the amount for that position.

Motion passed.

There being no further business to discuss, the meeting adjourned at 5:50 p.m.

HER WORSHIP MAYOR DUCHARME
CHAIR

MARGARET A. SOLEY
ACTING CITY CLERK

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**HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
16 June 1994
8:00 P.M.

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

The meeting commenced with His Worship Deputy Mayor Pottie leading those present in the recitation of the Lord's Prayer.

A moment of silence was observed for Mr. Leo Hogan, former Alderman and Acting Mayor, who passed away this week.

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

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

MINUTES

Minutes of the special meeting of Halifax City Council held on 18 May 1994, were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Fitzgerald.

Minutes of the special Council meeting held on 26 May 1994, were approved as circulated on a motion by Alderman Holland, seconded by Alderman Fitzgerald.

Minutes of the special Council meeting held on 1 June 1994, were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Walker.

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

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

- 20.1 Federal Infrastructure Program -
Saint George's Church (Alderman Downey)
- 20.2 Insurance Renewals 1994-95
- 20.3 Appointments
- 20.4 Former Dartmouth Ferry
(Alderman Fitzgerald)

At the request of Alderman Crowley, Council agreed to add the item "Natal Day Appointments" under 20.3, Appointments.

At the request of Alderman Adams, it was agreed to deal with "Question Period" following "Added Items".

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

**Federal Infrastructure Program -
Saint George's Church (Alderman Downey)**

Alderman Downey addressed item 20.1, Federal Infrastructure Program - Saint George's Church, at this time. He noted that the Reverend from Saint George's Church was present as well as some members of Saint George's congregation.

Alderman Downey tabled an application for a grant under the Infrastructure Works Program in connection with the restoration of Saint George's Church. He asked that staff, i.e. the Heritage Planner, provide a report at the next Committee of the Whole Council meeting with respect to whether or not there was any heritage money which could be used for this restoration.

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Alderman Downey requested that this item be added to the agenda for the Committee of the Whole Council meeting to be held on **Wednesday, 22 June 1994**. He commented that the architect and members of the congregation will be present to present plans with respect to the restoration of Saint George's.

DEFERRED ITEMS

Case No. 6863: Appeal of Minor Variance Refusal
- 2107 Oxford Street

It was agreed that this item be deferred until the arrival of Alderman Meagher.

Case No. 6897: Modification of Land Use Bylaw
- Proposed Lot 62-B, Carnation Crescent

This item was deferred from the meeting of City Council held on 26 May 1994.

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that:

1. The application for a development agreement (modification of the lot frontage requirement) as shown on Plan No. P200/19632, be approved by City Council.
2. Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Aldermen Holland and Downey were not in attendance at the public hearing on this matter and should therefore refrain from participating in the vote.

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Motion passed with Aldermen Holland and Downey abstaining.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of Wednesday, 1 June 1994 as follows:

**Halifax Industrial Commission Re:
Installation of Sewer and Water Services
(Ragged Lake Area, Halifax Business Park)**

This matter was forwarded without recommendation to City Council.

It was agreed that the item be deleted from the agenda at the request of Alderman Fitzgerald who noted that the County had received a grant for the installation of sewer and water, etc.

**Funding - Federal Challenge '94 Summer
Employment/Experience Development (SEED) Program**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council approve an expenditure of \$10,832 as interim financing for the Federal '94 Summer Employment/Experience Development (SEED) Program.

Motion passed.

Communication Strategy

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council the appointment of William Alexander and Associates Ltd. as the consultant to assist Council and staff to develop a proactive results-oriented media strategy.

The motion was put and passed.

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City Ordinance 180, Respecting
Streets Re: Newspaper Boxes

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, City Council approve in principle the distribution of other periodic publications, in addition to the newspapers presently permitted, from vending boxes located on City sidewalks; and direct staff to arrange for the introduction of the amendments attached as Appendix "A" to the staff report of 25 May 1994 for formal adoption by City Council.

The motion was put and passed.

Commissionaire Services

A supplementary staff report dated 13 June 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that this matter be responded to as part of the 1995 budget review and allocation, thereby maintaining consistency in the budgetary decision-making process.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of Wednesday, 1 June 1994 as follows:

Monastery Lane

It was agreed that this matter be deferred pending the arrival of Alderman Meagher.

**Award of Tender No. 94-109, Streets
Upgrading/Resurfacing - Part I**

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

1. Council approve the resurfacing program proposed by the Engineering and Works Department as shown in Attachment A of the staff report dated 25 May 1994;
2. Council award Tender No. 94-109 to Dexter Construction Co. Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$312,350.00 and a total project cost of \$374,820.00;
3. Council authorize funding from Capital Account No. 91410;
4. Council grant authority under Section 201(1) of the City Charter to make additional expenditures for the Halifax Water Commission work, such as lifting of valves, which will be recovered from the Commission.

Motion passed.

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

**Proposed Amendment to Ordinance 156,
the Pollution Control Charge (Waste Management
Charge) - SECOND READING**

Consideration and Report with respect to this item was given at the last Finance and Executive Committee meeting held on 1 June 1994.

MOVED by Alderman Stone, seconded by Alderman Walker that Halifax City Council approve **Second Reading** of the amendments proposed to Ordinance 156, the Pollution Control Charge Ordinance, the purpose of which is to restructure the pollution control charges levied collectively under the Ordinance, to rename the former Pollution Control charge the "Environmental Protection Charge," and to establish a new pollution control charge to be called the "Waste Water Management Charge."

The motion was put and passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting of Wednesday, 1 June 1994, as follows:

**Case No. 6925: Lot A, Young Avenue;
Lot B, McLean Street (Former Owen Street)**

MOVED by Alderman Adams, seconded by Alderman Walker that, as recommended by the Planning Committee, Council approve the closure of Owen Street as shown on Plan TT-49-31879; and defer the following items until the closure of Owen Street has been approved by the Minister of Municipal Affairs:

- (1) rezone the southern portion of Owen Street between Young Avenue and McLean Street from C-3 (Industrial) Zone to R-1 (Single Family Dwelling Zone);
- (2) rezone the northern portion of Owen Street 180 feet east of Young Avenue to the western street line of McLean Street from R-2 (General Residential) Zone to R-1 (Single Family Dwelling) Zone;
- (3) zone the unzoned portion of Owen Street at its northeastern end to R-1 (Single Family Dwelling) Zone; and

- (4) lay down a 40 foot building line on Lot "A,"
Young Avenue.

Motion passed.

Case No. 5292: Cost-Sharing - Cresthaven Drive

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

- (1) City Council approve increased cost-sharing for
surface improvements to the eastern 600 feet of
Cresthaven Drive from the previously approved
amount of \$37,500 to a total of \$43,519, based
on actual total price; and
- (2) City Council authorize a transfer of \$5,519
from the Capital Account #92999 to Capital
Account #91630.

The motion was put and passed.

Encroachment License -
Civic No. 6045 Fraser Street

MOVED by Alderman Holland, seconded by Alderman
Downey that, as recommended by the Planning Committee, an
Encroachment License be granted to Mr. George Nahrebecky
for the purpose of constructing a 5 foot high wooden
privacy fence to enclose an existing hedge on the west side
of the property known as Civic No. 6045 Fraser Street.

The motion was put and passed.

MOTIONS

**Motion Deputy Mayor Pottie Re: Amendment to Ordinance 130,
Respecting Electrical Wiring and the Use of electrical
Energy (Increase in Fees) - FIRST READING**

Deputy Mayor Pottie gave notice of motion concerning this matter at the special meeting of City Council held on 1 June 1994.

A staff report dated 9 June 1994 was submitted.

MOVED by Alderman Adams, seconded by Alderman Stone that Council approve First Reading of the recommended amendments to Ordinance 130, the Electrical Ordinance, which are contained in Appendix "A" of the staff report dated 9 June 1994, and refer the said amendments to the Committee of the Whole for consideration and report.

Motion passed.

**Motion Deputy Mayor Pottie Re: Amendment to Ordinance 131,
Respecting the Construction and Occupancy of Buildings
(Increase in Fees) - First Reading**

Deputy Mayor Pottie gave notice of motion concerning this matter at the special meeting of City Council held on 1 June 1994.

A staff report dated 9 June 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Walker that Council approve First Reading of the recommended amendments to Ordinance 131, the Building Code Ordinance, which are contained in Appendix "B" of the staff report dated 9 June 1994, and refer the said amendments to the Committee of the Whole for consideration and report.

Motion passed.

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**Motion Deputy Mayor Pottie Re: Amendment to Ordinance 132,
Respecting the Licensing of Plumbers and Regulating the
Installation of Plumbing Systems (Increase in Fees) -
First Reading**

Deputy Mayor Pottie gave notice of motion concerning this matter at the special meeting of City Council held on 1 June 1994.

A staff report dated 9 June 1994 was submitted.

MOVED by Alderman Walker, seconded by Alderman Fitzgerald that Council approve First Reading of the recommended amendments to Ordinance 132, the Plumbing Ordinance, which are contained in Appendix "C" of the staff report dated 9 June 1994, and refer the said amendments to the Committee of the Whole for consideration and report.

Motion passed.

**Notice of Motion Alderman Adams Re: Amendment to Ordinance
116, the Taxi and Limousine Ordinance (Permit the
Regulation as taxis of vehicles with a capacity of not
more than seven passengers excluding the driver)**

Alderman Adams gave Notice of Motion at the May 26th Council meeting that he proposed to introduce, at this meeting, for First Reading, a motion to amend Ordinance 116, the City's Taxi and Limousine Ordinance. The purpose of this amendment is to permit the regulation as taxis of vehicles with a capacity of not more than seven passengers excluding the driver.

A report from the City Solicitor dated 8 June 1994 was submitted.

A letter dated 16 June 1994 from Mr. Darshan S. Virk, President, United Cab Drivers Association of Halifax, was distributed to members of Council.

MOVED by Alderman Adams, seconded by Alderman Stone that the amendments to Ordinance 116, as set out in the Appendix attached to the staff report of 8 June 1994, be given first reading and referred to the Committee of the Whole Council for consideration and report.

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Alderman Adams noted that there were some members of the United Cab Drivers Association of Halifax who would like to address this matter at the Committee of the Whole Council and therefore requested that their names be added to the agenda for 22 June 1994.

Motion passed.

**Notice of Motion Alderman Fitzgerald Re:
Establishment of Waste Management Advisory Committee**

Alderman Fitzgerald gave Notice of Motion at the May 26th City Council that he intended to introduce a motion at this time that Halifax City Council consider the establishment of a Waste Management Advisory Committee. The purpose of the proposed committee will be to work with Aldermen, staff and citizens to develop modern, efficient, environmental-friendly and financially sound waste management practices.

Her Worship Mayor Ducharme entered the meeting at approximately 8:30 p.m. and assumed the seat of the Chair with Deputy Mayor Pottie taking his usual seat on Council.

Alderman Fitzgerald addressed the item and MOVED, seconded by Alderman Hanson that the Review Committee on Boards and Commissions study the feasibility of establishing a Waste Management Advisory Committee to work with Aldermen, staff and citizens to develop modern, efficient, environmental-friendly and financially sound waste management policies and strategy.

Motion passed.

**Notice of Motion Alderman Adams Re:
Amendment to Ordinance 116, the Taxi and Limousine Ordinance (License Appeals)**

Alderman Adams gave Notice of Motion at the May 26th Council meeting that he intended, at this meeting, to introduce for First Reading a motion to amend Ordinance 116, the City's Taxi and Limousine Ordinance. The purpose

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of this amendment is to alter the timeframe within which applications for a taxi operator's license may be submitted.

A report from the City Solicitor dated 24 May 1994 was submitted.

MOVED by Alderman Adams, seconded by Alderman Stone that Ordinance 116 be amended, as set out in Appendix "A" of the City Solicitor's report dated 24 May 1994, and as recommended by the Halifax Taxi Commission, to provide that no application for a taxi operator's license may be made within 6 months of a previous application and, further, that the matter be referred to the Committee of the Whole Council for consideration and report.

Responding to a question from Alderman Fitzgerald, the City Solicitor advised that the Hara Report is anticipated to be tabled on Wednesday, 22 June 1994, unless any unforeseen difficulties arise. He pointed out that the Hara Report will not deal with all aspects of the Taxi Commission and is basically dealing with the issue of limitation. However, the City Solicitor advised that they were requested to look at a number of other items as well and were told to be at liberty to make any comments that they might want to make in respect of other matters.

Alderman Fitzgerald made reference to the letter he received dated 16 June 1994 from the United Cab Drivers Association of Halifax who have some concerns. He indicated that he would address these matters when dealing with the Hara Report.

Motion passed.

MISCELLANEOUS BUSINESS

Award of Tender No. 94-105, Street Improvement Program,
Quinpool Road - Monastery to Oxford

A staff report dated 8 June 1994 was submitted.

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MOVED by Alderman Fitzgerald, seconded by Alderman Downey that:

1. Council approve the Street Improvement Program proposed by the Engineering and Works Department for Quinpool Road from Monastery Lane to Oxford Street.
2. Council award Tender No. 94-105 to Basin Contracting Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$96,387.50 and a total project cost of \$115,665.00.
3. Council authorize funding from Capital Account No. 91406, Street Improvement Program.
4. Council grant authority to proceed with the proposed works until the total project cost of \$115,665.00 has been expended.
5. Council grant authority to make additional expenditures for the Halifax Water Commission work, such as lifting of valves, which will be recovered from the Commission.

Motion passed.

Award of Tender No. 94-117, Street Improvement Program, South Bland Street - Atlantic to Inglis

A staff report dated 8 June 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that:

1. Council approve the Street Improvement Program proposed by the Engineering and Works Department for South Bland Street from Atlantic to Inglis.
2. Council award Tender No. 94-117 to Basin Contracting Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$74,520.00 and a total project cost of \$89,424.00.

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3. Council authorize funding from Capital Account No. 91406, Street Improvement Program.
4. Council grant authority to proceed with the proposed works until the total project cost of \$89,424.00 has been expended.
5. Council grant authority to make additional expenditures for the Halifax Water Commission work, such as lifting of valves, which will be recovered from the Commission.

Motion passed.

Paving Renewal - Dingle Loop Road

A staff report dated 10 June 1994 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that:

1. Council award Tender No. 94-100 for the paving renewal of the Dingle Loop Road for material and services listed at the unit prices quoted for a total bid price of \$68,703.00 and a total project cost of \$82,500.00 to Basin Contracting Ltd.
2. Council authorize funding from Capital Account No. 9133 - 91404, Dingle Road.

Motion passed.

Withdrawal from Capital Surplus Reserve

A staff report dated 10 June 1994 was submitted.

MOVED by Alderman Adams, seconded by Alderman Walker that the Mayor and City Clerk be empowered to sign the resolution, as attached to the staff report of 10 June 1994, authorizing the withdrawal of capital surplus totalling \$122,725.00 to be used for capital expenditures related to streets, subject to the approval of the Minister

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of Municipal Affairs and furthermore that two copies of the resolution be submitted to the Minister for her approval.

Motion passed.

G7 Summit - Travel Expenses

A staff report dated 8 June 1994 was submitted.

MOVED by Deputy Mayor Pottie, seconded by Alderman Fitzgerald that an amount of approximately \$5,000.00 be approved from the City Manager's contingency fund for the City of Halifax G7 Coordinator (Richard Cameron) to travel to Naples, Italy, for preliminary meetings with officials with this year's Summit.

Motion passed.

Award of Tender No. 94-108, Surface Sealing of Paved Streets

A staff report dated 8 June 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that:

1. Council approve the Surface Sealing Program proposed by the Engineering and Works Department as shown in Attachment B of the 8 June 1994 staff report.
2. Council award Tender No. 94-108 to Atlantic Colas Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$136,342.00 and a total project cost of \$163,610.00.
3. Council authorize funding from Capital Account No. 91410.
4. Council grant authority to proceed with the surface sealing of the streets indicated in Attachment B until the total project cost of \$163,610.00 has been expended.

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

Motion passed.

Request for Tax Exemption Program

A confidential report dated 10 June 1994 was submitted.

MOVED by Alderman Walker, seconded by Alderman Jeffrey that special consideration be given to Mr. Sterling regarding his late request for acceptance for the tax exemption program for 1993/94.

Alderman Jeffrey concurred that special consideration should be given in the case. He expressed the view that Mr. Sterling would have a successful case against the City since there was no indication on the application form that the application had to be filed by March 31st, 1994. Alderman Jeffrey therefore asked that staff respond by next Wednesday's Committee of the Whole Council in this regard.

It was therefore agreed that the matter be deferred to the 22 June 1994 Committee of the Whole Council meeting.

NOTICES OF MOTION

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

Alderman Walker gave notice of motion that at the next regular meeting of Halifax City Council to be held on Tuesday, the 28th day of June, 1994, he proposes to introduce for First Reading an ordinance amending Ordinance 180, the Street Ordinance, the purpose of which is to permit and regulate the distribution of periodic publications, in addition to the newspapers presently permitted, from vending boxes located on City sidewalks.

ADDED ITEMS

Federal Infrastructure Program -
Saint George's Church (Alderman Downey)

This item was dealt with at the beginning of the meeting by Alderman Downey.

Her Worship advised that Council will be presenting to the representatives of Saint George's Church, at the next Committee of the Whole Council meeting, prayer books to replace some that were lost. Mayor Ducharme also announced that on Saturday, 25 June 1994, Saint George's Church will be holding a yard sale to raise funds and encouraged members of Council and the public to attend and donate articles.

Insurance Renewals 1994-95

A staff report dated 8 June 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Stone the Finance and Executive Committee recommend that authority be granted to have Simpson Hurst Limited place the recommended coverages (as outlined in the staff report of 8 June 1994) with Royal Insurance Limited.

Motion passed.

Appointments

A report from Her Worship Mayor Ducharme dated 15 June 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Downey that the following youth appointments to Boards, Committees and Commissions effective September 1, 1994, for a one-year term to expire August 31, 1995, be approved:

Directors of Point Pleasant Park

Elaina Wong
Liza Piper

Heritage Advisory Committee
Jim Morrison

Mainland South Community Centre Corporation
Cari Duggan
Julia Sable

Halifax-Hakodate Committee
Sean McDermott
Clare Morris

Halifax Recreation Committee
Tim Maloney
Amy Dunphy

Tourism Halifax Committee
Elizabeth (Beth) Maloney
Jessica Riddell

Mayor's Advisory Committee on Community and Race Relations
Katherine Siegbahn
Michelle Hiltz

Halifax City Regional Library Board
Alice MacLachlan
Abdul Basit Samad

Lakes and Waterways Advisory Committee
Tamie Marshall

Art Allocation Committee
Stuart C. Kemp
Paul Dhillon

Design Advisory Committee
Mary Kate Arnold

Halifax Task Force on Drugs
Chris Wilson
Martha Lawrence

Transit Advisory Committee
Atreya Basu
Andrew Cook

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Board of Health

Marie Abi Daoud

Motion passed.

MOVED by Alderman Crowley, seconded by Alderman Stone that the following appointments to the Natal Day Committee be approved:

Julie Gibson
Gloria A. Schiebel

Motion passed.

Former Dartmouth Ferry (Alderman Fitzgerald)

This item was added at the request of Alderman Fitzgerald.

A private and confidential staff report dated 16 June 1994 was submitted.

A letter dated 16 June 1994 from Mr. Bill Mont was also submitted.

Alderman Fitzgerald addressed the matter and expressed his frustration with the return of Mr. Mont's vessel to the Chebucto Landing site after the City had paid Mr. Mont \$35,000 to move the vessel. He added that this was a disgraceful situation and emphasized that steps should be taken immediately to remove the vessel regardless of what is taking place.

Noting that members of Council had just received the private and confidential staff report, it was MOVED by Alderman Adams, seconded by Alderman Stone that this matter be deferred to the next Committee of the Whole Council meeting to be held on 22 June 1994 for discussion.

The motion to defer was put and defeated.

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Following a discussion, it was MOVED by Alderman Holland, seconded by Alderman Fitzgerald that:

Council require Mr. Mont to remove the vessel by Sunday midnight (19 June 1994) at the latest, failing which staff be directed to take all steps necessary to immediately commence legal proceeding to obtain removal of the vessel and recovery of all expenses and damages.

A discussion ensued with the City Solicitor responding to various questions.

After a further short discussion, the motion was put and passed.

Alderman Meagher entered the meeting at 9:00 p.m.

Case No. 6863: Appeal of Minor Variance Refusal
- 2107 Oxford Street

This item was deferred from the meeting of City Council held on 26 May 1994.

A supplementary staff report dated 10 June 1994 was submitted.

In response to a question from Alderman Meagher concerning parking, Mr. J. Michael Hanusiak, Senior Planner, addressed Council and advised that the applicant submitted a parking plan which places four vehicles in the back yard without access to Allen Street. He advised that staff reviewed the plan but do not agree that the proposal

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will work. However, Mr. Hanusiak commented that a more practical layout has been arranged. He noted that the supplementary staff report of 10 June 1994 addresses the matter.

MOVED by Alderman Meagher, seconded by Deputy Mayor Pottie that the appeal of minor variance with respect to the property at 2107 Oxford Street be approved with the parking arrangement as outlined in the supplementary staff report of 16 June 1994, and that the decision of the Development Officer to refuse the application be overturned.

Motion passed with Aldermen Holland and Downey abstaining.

Monastery Lane

This matter was forwarded without recommendation to Council.

Alderman Meagher noted that the signs have been installed and, therefore, asked that the item be deferred for one month to monitor the situation, to which Council agreed.

QUESTIONS

Question Alderman Fitzgerald Re: Tour Buses
in Residential Areas

Alderman Fitzgerald advised that he is receiving a number of complaints from residents that tour buses/private buses constantly make their way through residential areas in the City on a regular basis. He added that these buses are noisy, cause pollution, slow down traffic and disrupt the neighbourhood. Alderman Fitzgerald noted that, in general, they are just as disruptive as

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trucks. He questioned what action could be taken to prevent these buses from travelling through residential areas.

Question Alderman Fitzgerald Re: Atlantic Winter Fair Site

Alderman Fitzgerald advised that the Atlantic Winter Fair has received approval of \$600,000.00 under the Infrastructure Program to run separate sewer and water lines on their side of Highway 333 up to the Ragged Lake Boulevard. He questioned whether the City of Halifax has agreed to permit this hook-up.

Alderman Fitzgerald indicated that he was concerned that, if there is no limit on sewer capacity, development at the Winter Fair site would take development capacity away from the Ragged Lake Business Park.

Question Alderman Holland Re: Backyard Composting

With the increasing concern and awareness of the public vis-a-vis backyard composting, Alderman Holland questioned what rules or regulations should the City have in place to control the materials composted and the resulting rodents in some of them. In this regard, he asked whether additional public education should be considered.

Question Alderman Stone Re: Bedford Highway Improvements

Alderman Stone advised that it was his understanding the Federal and Provincial Governments have agreed to cost share a resurfacing program for the Bedford Highway from the Kearney Lake Road to the City limits. Noting that he would like to see this work begin as soon as possible, Alderman Stone questioned whether staff was preparing a tender call for this work and when can improvements to this roadway be expected to begin.

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The City Manager advised that staff are working on the Bedford Highway and resurfacing program. He pointed out that there is no formal notification to the City about any of the infrastructure programs that have been announced by the various members of Parliament. Mr. Coopersmith added that staff will be bringing information forward for next Wednesday's Committee of the Whole Council meeting.

Alderman Stone expressed the view that the public should be made aware that while there has been a public announcement in respect of these infrastructure programs, the City is still waiting for the formal procedure to begin.

The Chair noted that the matter would be pursued with the other two levels of government.

**Question Alderman Stone Re: Change of Name
Bedford Highway to Bedford Drive**

Alderman Stone made reference to the improvements to the Bedford Highway and a letter he received dated 31 May 1994 from Rodger K. Middleton requesting that the City consider the changing of the name of the Bedford Highway to Bedford Drive. He asked that staff investigate this proposal, consider the contents of the letter, and provide a Council report.

**Question Alderman Stone Re: Liquor License Application
- Wedgewood Plaza Shopping Centre**

Alderman Stone referred to a petition regarding a lounge license for the Wedgewood Plaza Shopping Centre, Kearney Lake Road, which was presented to Council from the Ward 12 Community Association and subsequently forwarded to the Liquor Licence Board. He noted that the Liquor License Board denied the application because of its affect on the quality of life in the residential neighbourhood.

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In view of the objection by the residents and the decision by the Liquor License Board to deny the application at the Wedgewood Plaza Shopping Centre, Alderman Stone requested that staff discuss with the developer of the shopping centre an agreement to prevent similar applications for a lounge or bar license in the future.

Question Alderman O'Malley Re: Sidewalk Deficiency

Alderman O'Malley noted that two pedestrians have fallen and received injuries as a result of sidewalk trippers or broken sidewalk blocks in the vicinity of Civic No. 3169 Veith Street. She asked that staff investigate the situation and take appropriate safety measures. Alderman O'Malley further requested information pertaining to the deficiency rating for this portion of Veith Street.

Question Alderman O'Malley Re:
Employee Sick Leave Procedures

Alderman O'Malley advised that it was her understanding the new sick leave procedures have been put in place for the employees of the City of Halifax. She asked that City Council be provided with a copy of these new procedures and/or a briefing so that members of Council can respond appropriately to concerns that are being raised.

The City Manager commented that, to the best of his knowledge, there are no new procedures having to do with sick leave in the City.

Alderman O'Malley noted that, rather than bringing up issues at this time during question period, she would address the concerns expressed to her with staff.

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Question Alderman O'Malley Re:
Devonshire Rink - Roof Repair Replacement

Alderman O'Malley noted that last fall she learned that necessary drainage improvements were to be undertaken at the Devonshire Rink to address the run-off problems to property owners on Albert Street. She advised that these improvements are still outstanding and requested a report on what is going to be done and a tentative start-up date.

Question Alderman Hanson Re: Cul-de-sac & Ornamental
Barrier - Randolph Street

Alderman Hanson asked that staff explore the possibility of a cul-de-sac and ornamental barrier at the end of Randolph Street similar to the one on Monastery Lane. He submitted pictures of the area for staff's information.

Question Alderman Crowley Re: Blue Bag Program
- Apartment Buildings

Alderman Crowley questioned whether there was a program for blue bag pick-up at apartment buildings. If there is no program, she asked to be provided with an explanation as to why.

The Chair commented that the Metropolitan Authority is considering the matter at present.

Question Alderman Crowley Re: Recreational Fields

Alderman Crowley advised that she and Alderman O'Malley have recently visited a number of sports fields throughout the City and found that they are in need of considerable work. The Alderman noted that she was fully aware of the budget implications; however, she questioned

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whether there were any plans to protect the future of these fields (i.e. adopt a field or sponsorship for up-keep)? Alderman Crowley commented that safety is a major factor.

Question Alderman Crowley Re: Wheelchair Accessibility

Alderman Crowley noted that she received concerns recently about wheelchair accessibility on Olivett Street. She noted that citizens have expressed difficulty getting on and off the sidewalk and that staff investigate the situation.

Question Alderman Crowley Re: Roller Blading

Alderman Crowley questioned whether there were any regulations being developed with regard to roller blading and if the matter had ever been raised in the past. She went on to question how the citizens of the City could be protected against roller blading.

Question Alderman Meagher Re: Atlantic Winter Fair

Alderman Meagher noted that until about six or eight years ago, the City always had a representative from Council on the Atlantic Winter Fair Board. He added that when the Atlantic Winter Fair was part of the City of Halifax, the County always had two members on the Board. Alderman Meagher expressed the opinion that it was time Council appointed two members to the Board of the Atlantic Winter Fair. He asked for a report on the feasibility of appointing two citizens or one citizen and one alderman to this Board.

Question Alderman Meagher Re: Commons Fountain

Alderman Meagher noted that it will cost approximately \$30,000 to repair the fountain in the middle of the Commons.

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The City Manager commented that it was his understanding a report had been provided to the Alderman on this date and that the information, at the budget time, indicated that it would cost \$30,000. He added that the fear is that the cost might be even more than \$30,000.

Question Alderman Meagher Re: Sidewalk on Duncan Street

Alderman Meagher noted that some residents of Duncan Street will be attending next Wednesday's Committee of the Whole Council meeting concerning the renewal of their sidewalk from Duncan Street (south side from Harvard through to Chebucto Lane). The Alderman submitted a bill, in the amount of \$379.00, to show the costs one citizen had to incur as a result of damages to her radiator in going into her driveway.

Alderman Meagher asked that the City Clerk circulate a copy of this bill to members of Council and staff.

There being no further business to discuss, the meeting was adjourned at approximately 9:30 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR PAT POTTIE
CHAIRMEN

EDWARD A. KERR, CMC
CITY CLERK

*MS

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**SPECIAL MEETING
HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
22 June 1994
7:30 P.M.

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

The meeting was called to order and those present, led by Deputy Mayor Pat Pottie, joined in the recitation of the Lord's Prayer.

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

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

ADDED ITEMS

It was agreed that the following items, forwarded to this meeting from a meeting of the Committee of the Whole Council held earlier in the day, be added to the agenda:

St. George's Church Restoration Appeal
/Federal Infrastructure Program

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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

- (1) endorse the application from St. George's Church for a grant under the Canada/Nova Scotia Infrastructure Works program;
- (2) state its commitment to provide financial assistance to St. George's Church at an amount

to be determined through further consultation between Council, staff and the Parish of St. George's.

The motion was put and passed.

**Temporary Borrowing Resolutions and
Spring Debenture Issue - Streets
and Land (Industrial Development)**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be empowered to sign the resolutions (attached to the staff report of 14 June 1994) authorizing the two temporary borrowing resolutions totalling \$6,000,000 and the Spring debenture issuing resolution of \$3,000,000.

The motion was put and passed.

City's Role - Revised GoTime System

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Stone, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council authorize staff to negotiate arrangements with Sirius Solutions Limited whereby the City of Halifax's interests in the original GoTime System are protected and whereby the City will receive a reasonable rate of recovery in the event of any future sales of copies of the GoTime II System, with Council to be informed of the proposed amounts of this recovery prior to finalization of the arrangements. The motion was put and passed.

**Sale - Parcel "T,"
Portion of the Former Kempt Road**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the City sell Parcel "T" as shown on Plan No. TT-18-20354 of the staff report dated 1 June 1994 containing 3,117 square feet to Westinghouse Canada Inc. for \$9,413.00, with proceeds of the sale to be deposited in the Sale of Land Account. The motion was put and passed.

**Expropriation Settlement
- Lot 71B, 24 Withrod Drive**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, compensation in the amount of \$1,000 be paid as settlement in full to Mr. Frederick E. Greene for the expropriation of Lot 71B, with funds being made available in Account No. 91504, Improvements to Withrod Drive. The motion was put and passed.

**Expropriation of Easement SE-T4,
459 Herring Cove Road**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Adams, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the claim for appraisal costs in connection with the expropriation of Easement SE-T4, be settled in full with Mr. Gordon and Mrs. Theresa Brown, for \$5,423.58 plus interest in accordance with the Expropriation Act and, further, that funds be made available in the Capital Account for the project, the Thornhill Drive Sewer Realignment Account, Account No. 94021. The motion was put and passed.

**Halifax Water Commission - Acceptance
of Payment for Use of Software**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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MOVED by Alderman Hanson, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the City of Halifax accept \$10,000 from the Halifax Water Commission as a one time payment in recognition of their full and unlimited right to use and market the Water Editor software with its Halifax sewer data software component.

The motion was put and passed.

Current Borrowing Resolution

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to sign the current borrowing resolution (attached to the staff report of 26 May 1994) in the sum of \$15,000,000 for the period 1 July 1994 to 31 December 1994.

The motion was put and passed.

Spring Garden Road BIDC - Budgets

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council approve the Spring Garden Road BIDC operating budget and the parking lot budget for the period 01 April 1994, to 31 March 1994, and the following rates, as attached to the staff report of 16 June 1994:

Commercial Realty Rate per \$100 of Assessment.....	0.013324
Business Occupancy Rate per \$100 of Assessment.....	0.306650

The motion was put and passed.

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**Draft Plan - Halifax Common
(SET DATE FOR PUBLIC MEETING)**

This matter had been forwarded from a meeting of the Planning Committee held earlier in the day at which time the following recommendation was approved:

That Council approve the Draft Halifax Common Plan in principle and set a date for a public meeting.

It was agreed that this matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 20 July 1994) at which time a public meeting date will be decided.

**Sir Sandford Fleming Park Canteen
Concession - Call for Proposals #94-79A**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Hanson, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, Council enter into an agreement with **Mr. Jack Stewart** based on his proposal for the canteen and small craft concession at Sir Sandford Fleming Park for a three year period.

The motion was put and passed.

Rockingham Bakery Limited

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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

- (1) Council authorize immediate payment of an advance claim for business disturbance by June 30 in the amount of \$63,000 in addition to an allowance for legal and accounting expenses of \$14,175 for a total claim of \$77,175;

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- (2) Council authorize the immediate construction of a public parking lot in the area shown on Schedule "A" of the staff report dated 10 June 1994 to provide for 8-10 spaces and signed for a maximum of 2 hour parking;
- (3) the cost of items (1) and (2) be charged to Account #91506 (Bedford Highway Road Widening Account).

The motion was put and passed.

**Tender #94-98 - Mainland Commons Slow
Pitch Facility #1 (Construction)**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the establishment of a contract with the lowest bidder, Turfmasters Landscaping, for the Mainland Commons Slow Pitch Facility in the lump sum price of \$56,988.10.

The motion was put and passed.

**Equipment Replacements -
Tenders #94-82, #94-84, and #94-88**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, Council award:

- (a) Tender 94-82 (for the purchase of Two (2) 1994 Vacuum Type Street Sweepers and Truck Chassis) to Saunders Equipment of Fredericton, New Brunswick, based on the lowest bid price at a total cost of \$344,350.91.
- (b) Tender 94-84 (for the purchase of One (1) Tandem Truck and Chassis) to Burnside International of Dartmouth at a cost of \$96,621; and for One (1) Combination Dump,

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Reversible Plow and Wing Blade to Parts for Trucks of Dartmouth at a cost of \$47,162.39 for a combined bid price totalling \$143,783.39

- (c) Tender 94-88 (for the purchase of Two (2) 1994 5-Ton Combination Dumps with Plows) to Burnside International of Dartmouth at a total cost of \$150,467.68; and further, that

funding be authorized from Equipment Reserve Account #GL 26104 RC 8300 PR 80000.

The motion was put and passed.

The Stick Rack - Claim for Business Disturbance

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Stone, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an amount of \$7,500 be paid to **Mr. Steve Harper**, owner of the Stick Rack as partial settlement for a claim for business disturbance plus an allowance of \$300 for accounting services for a total of \$7,800, and further that funding be authorized from Account No. 91506, the Bedford Highway Road Widening Account.

The motion was put and passed.

Award of Tender #94-102 -
Paving Renewal, Dekker Street

Following is the recommendation from a meeting of the Finance and Executive Committee held earlier in the day:

That:

1. Council award Tender No. 94-102 for the paving renewal of Dekker Street from Rockingstone Road to Elgin Street, for material and services listed at the unit prices quoted for a Total Bid Price of \$62,030.00 and a Total Project Cost of \$74,500.00 to **Dexter Contracting Ltd.**
2. Council direct staff to proceed with the construction as tendered, including the installation of concrete curb and

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gutter as a local improvement project without the right of petition in accordance with Section 391 of the City Charter.

3. Council authorize funding from Capital Account No. 9133-91421, Dekker Street.

MOVED by Alderman Adams, seconded by Alderman Walker that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council (scheduled for Tuesday, 28 June 1994), pending a report from staff on the implications of disallowing the right to petition. The motion was put and passed.

**Award of Tender #94-107 -
Cracksealing of Streets**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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

- (1) Council approve the Cracksealing Program proposed by the Engineering and Works Department as shown in Attachment B of the staff report dated 16 June 1994;
- (2) Council award Tender No. 94-107 to **Reliable Road Repairs** for the unit prices quoted.
- (3) Council authorize funding from Account No. 669.
- (4) Council grant authority to proceed with the cracksealing of the streets indicated in Attachment B until the allocated funds of \$40,000.00 have been expended.

The motion was put and passed.

**Award of Tender #94-110 -
Streets Upgrading - Resurfacing, Part II**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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

- (1) Council approve the Resurfacing Program proposed by the Engineering and Works Department as shown in Attachment B, of the staff report date 16 June 1994, subject to funding under the Canada/Nova Scotia Infrastructure Program.
- (2) Council award Tender No. 94-110 to Basin Contracting Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$359,450.00 and a total project cost of \$432,000.00.
- (3) Council authorize funding from Capital Account No. 91410.
- (4) Council grant authority to proceed with the resurfacing of the streets indicated in Attachment B until the total project cost of \$432,000.00 has been expended.
- (5) Council grant authority to make additional expenditures for the Halifax Water Commission work, such as lifting of valves, which will be recovered from the Commission.

The motion was put and passed.

Canada/Nova Scotia Infrastructure Program

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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

1. Council pre-approve \$2,000,000.00 in the 1995/96 Capital Budget for Upgrading of Bedford Highway Phase II project;
2. Council approve additional funds in the Capital Budget to pay the City's share of the infrastructure program as follows:

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- (a) Resurface Bedford Highway (Kearney Lake Road to City Limits) \$233,000.00
- (b) Streets Improvement Program \$500,000.00
- (c) Resurfacing of Street \$500,000.00

(the source of the additional funding to be by either debt financing, pay as you go, or unused capital funds).

The motion was put and passed.

**Appointment of Design Consultant
- Duffus Street Pumping Station**

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

MOVED by Alderman O'Malley, seconded by Alderman Holland that, as recommended by the Committee on Works:

- (1) City Council approve the appointment of **Fenco Shawinigan Engineering (1991) Ltd.** to undertake the design of the Duffus Street Pumping Station at an estimated cost of \$80,000.00 including G.S.T.; and
- (2) the payment to the consultant be authorized from Capital Account No. 95011 in the Pollution Control Fund.

The motion was put and passed.

**Halifax Fire Department
Management System**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Halifax City Council authorize staff to negotiate a contract for the acquisition of a Fire Department Management System, hardware and software, with Bull HN Information Systems Limited, prime contractor, and its subcontractor, Crisys Limited (the cost for the

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acquisition and implementation to be phased in over two fiscal years and is not to exceed \$686,000 including applicable taxes).

The motion was put and passed.

Tender #914424 - Liquid Asphalt

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council authorize staff to enter into an agreement with Atlantic Colas Ltd. regarding the supply of RS-2K and RS1 liquid asphalt for a twelve-month period.

The motion was put and passed.

Request for Tax Exemption Program

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Walker, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, that Council, while confirming the rule that claims for exemption must be received by the City Collector within the taxation year, favorably consider the acceptance of the claim from Mr. Bruce H. Sterling in view of the circumstances of a lengthy hospitalization and the omission at that time of any written indication of a deadline for a claim.

The motion was put and passed.

**Construction Association Lease
- Renewal Clause**

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

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Planning Committee, Council approve (effective 01 January 1994) a revised land

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rent of \$6,659.10 to the Construction Association of Nova Scotia for the initial 25-year renewal period based on a negotiated site value of \$12 per square foot (the new rent will be retroactive to 01 January 1994).

The motion was put and passed.

**Case No. 6870: Plan and Bylaw Amendment
Request and Lot Modification - 75-75A
Herring Cove Road (SET DATE FOR PUBLIC HEARING)**

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

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Committee, City Council schedule a public hearing to consider the following:

1. the proposed adoption of amendments to the Municipal Development plan and Land Use Bylaw for 75 and 75A Herring Cove Road to redesignate it to "Medium Density Residential" and to rezone it to R-2P (General Residential) Zone as set out in Appendix I of the 3 June 1994 report;
2. the entering into of a development agreement for a lot modification as set out in Appendix II of the 3 June 1994 report, subject to approval of the Plan and Bylaw amendments;

The motion was put and passed.

The City Clerk advised that the proposed public hearing would be scheduled for **WEDNESDAY, 17 AUGUST 1994** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Report from the Planning Advisory Committee
Re: Case No. 6905 - Proposed Amendments to the
MDP and LUB (Fairview Area), Remaining Land of the
Former Titus Smith School - SET DATE FOR PUBLIC HEARING**

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

MOVED by Alderman Walker, seconded by Alderman Crowley that, as recommended by the Planning Advisory Committee and the Planning Committee, d that Council

schedule a public hearing to consider the adoption of amendments to the Municipal Development Plan (Fairview Secondary Planning Strategy) and Land Use Bylaw for Lot B-1 of the former Titus Smith School site (as set out in Appendix I of the PAC's 7 June report and as shown on Map 1 of that same report), to redesignate it from "High-Density Residential" (HDR) to "Low-Density Residential" (LDR) and to rezone it from R-3 (General Residential and Low-Rise Apartment) Zone to R-2 (Two-Family Dwelling Zone).

The motion was put and passed.

The City Clerk advised that the proposed public hearing would be scheduled for **WEDNESDAY, 17 AUGUST 1994** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Request for Public Hearing - Ruinous
Building - Civic No. 474 Herring Cove Road**

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

MOVED by Alderman Adams, seconded by Alderman Stone that, as recommended by the Planning Committee, Council schedule THURSDAY, 28 JULY 1994 as the date for a hearing with the assessed owner of Civic No. 474 Herring Cove Road with a view to issuing an order that the owner demolish the building and clean the site.

The motion was put and passed.

**Case No. 6663: Amendments to the Municipal
Planning Strategy and Land Use Bylaw for the
Spring Garden Road Commercial Area**

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

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Planning Committee, the amendments proposed to the Municipal Planning Strategy and Land Use Bylaw for the Spring Garden Road Commercial Area (as outlined in the 7 June 1994 staff report) be referred to the Planning Advisory Committee for review and recommendation.

The motion was put and passed.

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**Nova Scotia Utility and Review Board Decision:
Appeal - Halifax City Council Decision Refusing
a Development Agreement by Bayers Road Bowlarama
Limited to Permit An Amusement Centre**

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

MOVED by Alderman Adams, seconded by Alderman Crowley that, as recommended by the Planning Committee, City Council authorize the Mayor and City Clerk to execute on its behalf a Development Agreement with Devan Properties Limited (attached as Appendix "A" of the 8 June 1994 staff report) to permit an amusement centre for a maximum of 20 machines at the South Centre Mall, 16 Dentith Road.

The motion was put and passed.

**Case No. 6930: Development Agreement for Commercial
Parking, 2048-56 Harvard Street and 2017-25 Oxford
Street - SET DATE FOR PUBLIC HEARING**

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

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Planning Committee, Council schedule a public hearing to consider the entering into of a development agreement with the Oxford Street united Church to permit the use of their parking lot at 2021 Oxford Street for commercial parking.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for 5:00 p.m. on WEDNESDAY, 20 JULY 1994 in the Council Chamber, Halifax City Hall.

PUBLIC HEARINGS

**Public Hearing Re: Case No. 6969 - Appeal
of Minor Variance Refusal, 2434 Clifton Street**

A staff report, dated 1 June 1994, was submitted by Mr. J. Michael Hanusiak, Acting Development Officer.

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Using maps and diagrams of the property in question, Mr. Hanusiak briefly overviewed the request for a minor variance at Civic Number 2434 Clifton Street and his rationale, as Acting Development Officer, for refusing that application.

In his remarks, Mr. Hanusiak pointed out that, in his view, the request does not involve a variance of a minor nature, nor is the problem encountered by the applicant unique to his particular property. Therefore, because of the requirements of Section 86(3) of the Planning Act, Mr. Hanusiak indicated that he had felt obliged to refuse the request.

Mr. Louis Lawen, the applicant in question, addressed Council to advise that the variance has been requested in order to permit the construction of an addition which in turn will provide better accommodation for a family of six children. He also noted that the variance is intended to legalize a rear deck and a one-story addition that were constructed several years ago by previous owners of the property without the necessary permits. In this context, however, Mr. Lawen made reference to Mr. Hanusiak's earlier comments; namely, that the existence of the deck at the back of the dwelling unit has helped to reduce the size of the mean rear yard to 11.5 feet (as opposed to the required 20 feet), and suggested that this deck could be relocated if this action would ensure Council's approval of his application.

Ms. Kathy Ells, a resident of 6106 Willow Street (immediately adjacent to 2434 Clifton Street), expressed concern that if a third-storey addition is constructed, it will effectively block the sunlight from the back yard of her property.

Commenting on Ms. Ells' concerns, however, Mr. Hanusiak pointed out that, if the minor variance is approved, a third storey addition can be constructed by Mr. Lawen on an as-of-right basis.

Mr. Hanusiak subsequently responded to questions from Aldermen O'Malley and Meagher.

There were no further persons wishing to address Council in this regard. However, correspondence was received from the following individuals:

- Correspondence, dated 6 June 1994, from Mr. Michael G. Oakley, 6108 Willow Street, Halifax, B3K 1M2

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- Correspondence, dated 15 June 1994, from Ms. Diane Chaisson and Ms. Kathy Ells, 6106 Willow Street, Halifax, B3K 1M2
- Correspondence, dated 17 June 1994, from Stuart and Gloria Smith, 251 Mount Edward Road, Dartmouth, B2W 3L4

MOVED by Alderman Meagher, seconded by Alderman Holland that this matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Tuesday, 28 June 1994.

The motion was put and passed.

**Public Hearing Re: Case No. 6962 - Appeal
of Minor Variance Refusal, 10 Pioneer Avenue**

A report, dated 27 May 1994, was submitted from Mr. J. Michael Hanusiak, Acting Development Officer.

Using maps and diagrams of the property in question, Mr. Hanusiak briefly overviewed the request for a minor variance at Civic Number 10 Pioneer Avenue and his rationale, as Acting Development Officer, for refusing that application.

In his remarks, Mr. Hanusiak suggested that, in neglecting to obtain the appropriate permits pertaining to the repairs he wished to make to his porch, the applicant had shown an "intentional disregard" for the requirements of the Land Use Bylaw. Taking that into consideration, therefore, Mr. Hanusiak indicated that he had felt obligated (under the provisions of Section 86(3) of the Planning Act) to refuse the request for a minor variance.

Mr. James S. Ritchie, owner of 10 Pioneer Avenue and the applicant in question, briefly addressed Council to indicate that, in the overall renovations of his home, he had not realized that a specific permit would be required in order to undertake repairs to the front porch. Mr. Ritchie went on to emphasize that the existing structure had been in an extremely poor state of disrepair, and that the replacement porch had been constructed to the exact dimensions and in the same location as its predecessor.

8:05 p.m. - Alderman Fitzgerald enters the meeting.

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Mr. Ray Hunt, speaking on behalf of several residents of Pioneer Avenue, addressed Council to outline the extensive improvements Mr. Ritchie has undertaken to his property and the extremely positive effect they have had on the surrounding neighborhood. He therefore urged that Council overrule the Development Officer's decision in this regard, and allow Mr. Ritchie his minor variance.

Concurring with the remarks put forward by the previous speaker, Mr. Glen Edwards, a resident of 30 Pioneer Avenue, emphasized that the renovations undertaken by Mr. Ritchie have constituted a "major facelift" for the property in question. Noting that all the residents of Pioneer Avenue have been extremely pleased by these changes, Mr. Edwards asked that Mr. Ritchie be permitted to retain his porch facility.

There were no further persons wishing to address Council in this regard, and no correspondence received.

Alderman Stone indicated that, in his view, Mr. Ritchie had not consciously intended to disregard the provisions of the City's Land Use Bylaw. He went on to point out that the renovations undertaken at this location represented a considerable improvement to the appearance of the site and were very much appreciated by other residents of the neighborhood.

It was therefore moved by Alderman Stone, seconded by Alderman Fitzgerald that the decision of the Acting Development Officer be overruled, and the request for a minor variance at Civic No. 10 Pioneer Avenue be approved.

The motion was put and passed.

**Public Hearing Re: Case No. 6894
- Lot Modification Agreement,
Beechwood Terrace and Edward Laurie Drive**

A report, dated 4 May 1994, was submitted from the Director of Development and Planning.

Mr. Phil Francis, P.Eng., Subdivision Engineer, briefly overviewed the contents of the 4 May staff report which pertains to an application by Alderney Consultants Limited (on behalf of Annapolis Basin Pulp and Power Company Limited) for a modification to the City's lot

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frontage requirements. Mr. Francis pointed out that the purpose of this application is to enable a subdivision which in turn will create two single-family dwelling lots for a property on Beechwood Terrace at that point where it meets the southern end of Edward Laurie Drive.

In his remarks, Mr. Francis advised that staff have reviewed this application against criteria (namely, amenity, convenience, character and value) identified in Section 12 of the Mainland Portion of the Land Use Bylaw, and have found the request to be reasonable.

Mr. Francis subsequently responded to questions from both Aldermen Jeffrey and Walker.

Mr. Leo Brooks, a professional engineer with Alderney Consultants Limited, addressed Council to emphasize that, despite the fact that an application has been made to modify the lot frontage requirements, the two lots in question will still have a square footage of 20,000 and 30,000 square feet respectively, rendering them larger than most of the existing lots in this neighborhood.

Mr. Brooks went on to advise that the developer is proposing to construct a walkway to provide pedestrian access from Edward Laurie Drive to the linear park. In this context, it was noted that the walkway will not only represent a benefit and convenience to neighborhood residents, but will also be a more appropriate alternative to the original plans pertaining to the extension of Edward Laurie Drive.

On another but related matter, Mr. Brooks indicated that arrangements have been made to maintain and improve the access to Civic No. 20 Beechwood Terrace whose owners have been using the site of the proposed lot to gain access to their property.

Mr. Brooks subsequently responded to questions from Aldermen Meagher and Stone.

Mr. Brien Fraser, a resident of 59 Edward Laurie Drive (immediately adjacent to the property in question), addressed Council to express various concerns regarding the proposed development. In his remarks, Mr. Fraser made reference to his letter, dated 22 June 1994, which had been submitted to the City Clerk earlier in the day, and asked that his concerns regarding increasing noise, safety, and pedestrian traffic be taken into consideration during Council's decision-making process.

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There were no further speakers wishing to address Council on this matter, and no correspondence (other than that from Mr. Fraser) received.

It was subsequently moved by Alderman Stone, seconded by Alderman Jeffrey that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council (scheduled for Tuesday, 28 June 1994), and that staff discuss with the developer the concerns brought forward by the owner of 59 Edward Laurie Drive.

The motion was put and passed.

**Public Hearing Re: Case No. 6987 - Proposed
Development Agreement, 2 Crestview Drive**

A report, dated 27 May 1994, was submitted from the Director of Development and Planning.

Mr. J. Michael Hanusiak, Planner II with the Development and Planning Department, briefly overviewed the application for a development agreement at 2 Crestview Drive, the purpose of which is to permit the construction of a solarium at the rear of this two-unit dwelling.

There were no persons wishing to address Council on this item, and no correspondence received.

Noting that there had been no objections raised to this proposal, it was moved by Alderman Stone, seconded by Alderman Fitzgerald that:

- (1) pursuant to Section 14P of the Mainland portion of the Land Use Bylaw, City Council enter into a development agreement to permit construction of a solarium at the rear of the two-unit dwelling at 2 Crestview Drive;
- (2) Council require that the agreement 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 applicable appeal periods; otherwise, this approval shall be void and obligations arising hereunder shall be at an end.

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The motion was put and passed.

**Public Hearing Re: Amendment to the Land
Use Bylaw - Signs in Park and Institutional Zones**

A report, dated 28 April 1994, was submitted from the Chairman of the City's Planning Advisory Committee.

Mr. Gary Porter, a Planner with the City's Development and Planning Department, briefly overviewed the proposal to amend the Park and Institutional zoning requirements with respect to zones. In his remarks, Mr. Porter pointed out that this proposal had been initiated by the Spryfield Lions Club as a result of the City's refusal to issue a sign permit for the wave pool located in the Captain William Spry Centre.

Mr. Porter went on to note that there are approximately 150 sites in the City which are zoned Park and Institutional, the majority of which contain a sign which are either illegal or non-conforming. The amendments, as proposed, will allow fascia and free-standing signs (which may be illuminated), and which identify the name and address of the building or occupant. He added that these signs will also be regulated by the City's "signs" Ordinance.

Mr. Porter concluded his remarks by advising that this matter has been considered by the Planning Advisory Committee, who are recommended approval to the proposed amendments with an amendment to allow a slightly larger free-standing sign for park and institutionally zoned sites with multiple uses (see Appendix "A" of the PAC's 28 April report). It was noted that staff have recommended approval of that amendment.

Mr. Kevin Johnson, representing the Spryfield Lions Aquatic Centre Inc., made a brief presentation to Council in support of the proposed amendments.

Alderman O'Malley made reference to a free-standing sign which had been erected last summer by a local service club at the Isleville Street Playground, and which had caused considerable anxiety for area residents owing to its size and shape. A letter from Ms. Colleen Burgess of 3400 Isleville Street and a petition containing approximately 20 signatures were submitted by the Alderman in this regard.

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Alderman O'Malley therefore proposed the following amendment to the recommendation put forward by the Planning Advisory Committee:

That the Isleville Street Playground be exempted from the proposed sign provisions for "P" Zones, and that a service club sign be permitted only on the central building within the Isleville Street playground.

After some further discussion, it was moved by Alderman Adams, seconded by Alderman Walker that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council (scheduled for Tuesday, 28 June 1994), pending a receipt of supplementary information from staff with regard to Alderman O'Malley's concerns.

The motion was put and passed.

The following information was received:

- Correspondence, dated 22 June 1994, from the Reverend Steven Hopper, Mulgrave Park United Baptist Church, 5656 Sebastian Street, Halifax, B3K 2K7
- Correspondence, dated 22 June 1994, from Ms. Colleen Burgess, 3400 Isleville Street, Halifax
- Petition (containing approximately 20 signatures) from residents of Isleville Street, Sebastian Place, and Cabot Place

There being no further business to be discussed, the meeting was adjourned at approximately 8:50 p.m.

DEPUTY MAYOR PAT POTTIE
CHAIRMAN

EDWARD A. KERR
CITY CLERK

*K

HEADLINES

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PUBLIC HEARINGS

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HALIFAX CITY COUNCIL M I N U T E S

Council Chamber
Halifax City Hall
28 June 1994
8:00 P.M.

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

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

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

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

MINUTES

Minutes of the regular meeting of Halifax City Council held on 28 June 1994, were approved as circulated on a motion by Alderman Downey, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Tender No. 94-24: Traffic Improvements
- Overhead Crosswalk Signs
- 20.2 Halifax Harbour Clean-Up (Alderman Holland)
- 20.3 G7 Committee - Interim Funding

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- 20.4 Development Officer
- 20.5 Metro Transit Fare Increase for Seniors
(Alderman O'Malley)
- 20.6 Award of Tenders
- 20.7 Downtown Halifax BIDC Fiscal
1994 Operating Budget
- 20.8 Appointment - Director of Social Planning

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

DEFERRED ITEMS

**Case No. 6939: Appeal of Minor Variance Refusal
- 2434 Clifton Street**

A public hearing on this matter was held on 22 June 1994.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the application for a minor variance of the lot coverage, rear yard and side yard requirements of the land use bylaw for the single family dwelling at 2434 Clifton Street be granted and the decision of the Development Officer to refuse the application be overturned.

Motion passed.

**Case No. 6894: Lot Modification Agreement,
Beechwood Terrace and Edward Laurie Drive**

A public hearing on this matter was held on 22 June 1994.

A letter dated 28 June 1994 from J. Leo Brooks, M.Eng., P.Eng., Vice President, Alderney Consultants, was submitted.

Alderman Stone addressed the item and noted that he had asked at the public hearing that staff review the concerns raised by the resident at 59 Edward Laurie Drive. He questioned whether there was any additional information in this regard.

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Mr. Phil Francis, Subdivision Engineer, addressed Council and advised that it was his understanding at the public hearing that the developer and the resident were to meet to try and resolve some of the concerns. He indicated that it was his understanding the meeting did not occur until last evening and that a letter had been forwarded from the developer to the owner on this date. Mr. Francis advised that while he had not received a copy of this letter to date, it was his understanding that the owner is still not satisfied. He pointed out that having not received a copy of the letter, staff have not yet had an opportunity to respond.

Alderman Stone noted that he had received a copy of the letter this evening. He went on to note that the concerns have not been resolved. Alderman Stone advised that he had hoped there would be an amiable agreement between the developer and the resident; however, he noted that if this could not be achieved, then staff should address the concerns.

Alderman Stone expressed the opinion that this item be deferred to the next Council meeting and asked that staff, in the meantime, review the contents of the letter from Alderney Consultants Ltd., the proposal and concerns of the residents, and provide an estimation from a staff perspective of what can or cannot be achieved.

Mr. Francis advised that staff would review the letter and provide a report at the next meeting of City Council.

The Chair asked that copies of the letter be circulated to all members of City Council.

MOVED by Alderman Stone, seconded by Alderman Walker that this item be deferred to the next meeting of City Council to be held on 28 July 1994.

Motion passed.

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Amendment to the Land Use Bylaw - Signs in Park
and Institutional Zones

A public hearing on this matter was held on 22 June 1994.

A supplementary staff report dated 23 June 1994 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Walker that the amendments to the land use bylaw as set out in Appendix "A" of the Planning Advisory Committee's report of 28 April 1994 be approved by City Council.

Alderman O'Malley noted that, at the public hearing on this matter last week, she tabled two letters as well as a petition in opposition to free standing signs in the Isleville Street playground. The Alderman made reference to the motion outlined in the supplementary staff report of 23 June 1994 specifically dealing with the Isleville Street playground.

The Chair suggested that the above motion be dealt with prior to consideration of Alderman O'Malley's item.

The motion was subsequently put and passed.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that no freestanding signs be erected on the Isleville Street Playground and that only one fascia sign be permitted subject to Council's approval.

Alderman Downey questioned whether Alderman O'Malley's motion would mean that all City playgrounds would be exempted from signs or would it just be specific to one playground.

The City Solicitor advised that the motion only dealt with the Isleville Street Playground and does not affect any other playgrounds in the City. For the information of Council, the City Solicitor advised that there was a staff committee presently working on guidelines for signage on City playgrounds generally and that this report will probably be forwarded to Council very shortly.

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Alderman Downey indicated that he had difficulty in dealing with the free standing signs on one particular property.

The City Manager confirmed that there was a report coming back to Council from a subcommittee which was set up by the Management Committee to deal with public/private partnerships. He added that one of the issues has to do with signage on all City property. The City Manager indicated that this report should be available by the end of next month.

On another but related issue, Alderman Downey made reference to the fountains which have not been turned on in the City. He suggested that there may be individual(s) willing to sponsor a fountain (i.e. on the Common and Victoria Park) in order that they can put signs around them for advertising. Alderman Downey noted that this was something staff should pursue.

Following a short discussion, it was MOVED by Alderman Holland, seconded by Alderman Downey that this matter be deferred pending the staff report from the subcommittee referred to by the City Manager.

The motion to defer was put and defeated.

After a further short discussion, the main motion was put and passed with Aldermen Holland and Downey voting in opposition.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 22 June 1994 as follows:

Report - Hara Associates Re: Limitation of Taxi Licenses

Alderman Jeffrey declared a possible conflict of interest in regard to this item and retired from the Council Chamber.

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A letter dated 28 June 1994 was submitted from Darshan S. Virk, President, United Cab Drivers Association of Halifax.

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee:

- (a) the report from Hara Associates be tabled;
- (b) that staff be requested to examine the impact of extending the existing moratorium on taxi driver licenses for an additional three-year period, utilizing the findings of the Hara Report and considering the effect this moratorium is likely to have on customer service and on the industry itself; and
- (c) that, upon receipt of that information from staff, Council set a date for a special meeting at which time information will be sought from all interested parties.

Motion passed.

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the City Solicitor be requested to review the matter of taxi vehicle limitation in the City of Halifax, and to recommend the manner in which Council can move to implement this form of license limitation, should it be deemed appropriate.

Motion passed with Alderman Holland voting in opposition.

Alderman Jeffrey returned to the meeting at the conclusion of this item.

Sidewalk on Duncan Street

MOVED by Alderman Meagher, seconded by Deputy Mayor Pottie that the sidewalk on Duncan Street, between Harvard Street and Chebucto Lane on the southern side, be renewed in the year 1994 (for an approximate cost of \$84,000) subject to the approval of the City Manager.

In response to a question as to the source of funding for these works, Alderman Meagher explained that there are usually tenders which come in lower than budgeted for and, as a result, he suggested that it would be this money that would be used for the installation of the sidewalk.

Motion passed.

Award of Tender 94-102: Paving Renewal - Dekker Street

A supplementary staff report dated 27 June 1994 was submitted.

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

1. Council award Tender No. 94-102 for the paving renewal of Dekker Street from Rockingston Road to Elgin Street, for material and services listed at the unit prices quoted for a Total Bid Price of \$62,030.00 and a Total Project Cost of \$74,500.00 to Dexter Contracting Ltd.
 2. Council direct staff to proceed with the construction as tendered, including the installation of concrete curb and gutter as a local improvement project without the right of petition in accordance with Section 391 of the City Charter.
 3. Council authorize funding from Capital Account No. 9133-91421, Dekker Street.
- Motion passed.

**Newspaper Article Re: Federal/Provincial
Pact - Protection of Provincial Waterways**

MOVED by Alderman Adams, seconded by Alderman Holland that Her Worship Mayor Ducharme write a letter on behalf of the City of Halifax asking that funding be made available so that the Committee's work pertaining to the protection of local waterways might continue and its mandate expanded.

Motion passed.

Halifax Industrial Commission

MOVED by Alderman Jeffrey, seconded by Alderman Stone that Council hold a private meeting with the Halifax Industrial Commission (with Mr. Douglas R. Corkum and Mr. Michael Watson in attendance) to discuss the matter.

Motion passed.

Her Worship indicated that a meeting would be arranged.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of Wednesday, 22 June 1994 as follows:

**Intersection of Joseph Howe Avenue
/Bayers Road/Sunnybrae Avenue**

This matter was forwarded to Council without recommendation pending a report from the City's Traffic Authority.

An information report from the Traffic Authority dated 27 June 1994 was submitted.

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Alderman Jeffrey addressed the matter making reference to the above noted information report where it states "that during the April survey, it was noted that there were 11 tractor trailers which turned left during the late morning count and 8 during the mid-afternoon hours." Alderman Jeffrey pointed out that he visited this intersection, at the corner of Sunnybrae Avenue and Dutch Village Road, at approximately 3:15 p.m. on this date and counted 32 tractor trailers. He further noted that there was another accident at this intersection on this date.

Alderman Jeffrey went on to note that the report from the Traffic Authority states that manual traffic counts were undertaken at Bayers Road and Joseph Howe Drive on Friday, 22 April, between 11:00 a.m. and 12:00 noon. The Alderman pointed out that the period between 11:00 a.m. and 12:00 noon was a very slow period. He further noted that the period between 2:00 p.m. to 3:00 p.m. was also a very slow time of the day for traffic in this area. Alderman Jeffrey commented that, in the morning hours, there is a flashing green light at this intersection. He went on to question whether it would be permissible to put forth a motion requesting an all day flashing green light at this intersection for a trial period of 30 days.

The City Solicitor advised that issues with respect to flashing traffic lights and signals fall under the Motor Vehicle Act which come under the authority of the local traffic authority and therefore City Council does not have the authority to direct these matters. If the Alderman feels there is some difficulty with the data, he suggested, as a course of action, to ask that the Traffic Authority undertake a more comprehensive count.

MOVED by Alderman Jeffrey, seconded by Alderman Walker that this matter be referred back to the Traffic Authority to re-examine and be requested to consider an all day flashing green light at the intersection in question for a trial period of 30 days.

Alderman Jeffrey also asked that the Traffic Authority consider removing this section of Dutch Village Road as a truck route.

Alderman Walker further requested that staff determine the periods during the day when the CN Intermodal Transfer Station is the busiest. He explained that trucks

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come off the Bi-Hi and go to the Transfer Station and, as a result, have to travel through this intersection.

The motion was put and passed.

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

Amendment to Ordinance 130, Respecting Electrical Wiring
and the Use of electrical Energy (Increase in Fees) -
SECOND READING

MOVED by Deputy Mayor Pottie, seconded by
Alderman Adams that Council approve Second Reading of the
recommended amendments to Ordinance 130, the Electrical
Ordinance, which are contained in Appendix "A" of the staff
report dated 9 June 1994.

Motion passed.

Amendment to Ordinance 131, Respecting the Construction and
Occupancy of Buildings (Increase in Fees) - Second Reading

MOVED by Deputy Mayor Pottie, seconded by
Alderman O'Malley that Council approve Second Reading of
the recommended amendments to Ordinance 131, the Building
Code Ordinance, which are contained in Appendix "B" of the
staff report dated 9 June 1994.

Motion passed.

Amendment to Ordinance 132, Respecting the Licensing of
Plumbers and Regulating the Installation of Plumbing
Systems (Increase in Fees) - Second Reading

MOVED by Deputy Mayor Pottie, seconded by
Alderman Hanson that Council approve Second Reading of the
recommended amendments to Ordinance 132, the Plumbing

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Ordinance, which are contained in Appendix "C" of the staff report dated 9 June 1994.

Motion passed.

Amendment to Ordinance 116, the Taxi and Limousine Ordinance (Permit the Regulation as taxis of vehicles with a capacity of not more than seven passengers excluding the driver) - SECOND READING

MOVED by Alderman Adams, seconded by Alderman Walker that the amendments to Ordinance 116, as set out in the Appendix attached to the staff report of 8 June 1994, be given Second Reading.

Motion passed.

Notice of Motion Alderman Adams Re: Amendment to Ordinance 116, the Taxi and Limousine Ordinance (Alter the timeframe within which applications for a taxi operator's license may be submitted) - SECOND READING

MOVED by Alderman Adams, seconded by Alderman Stone that the amendments proposed to Ordinance 116, as set out in Appendix "A" of the City Solicitor's report dated 24 May 1994, and as recommended by the Halifax Taxi Commission, to provide that no application for a taxi operator's license may be made within 6 months of a previous application, be given Second Reading.

Motion passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting of Wednesday, 22 June 1994, as follows:

Fourth Annual Report on the Local Economy

MOVED by Alderman Holland, seconded by Alderman Meagher that, as recommended by the Planning Committee, the Fourth Annual Report on the Halifax Area Economy, dated 28 April 1994, be accepted and tabled.

The motion to table was put and passed.

Honourable Richard Bulkeley Commemorative Site

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

- (1) Council refer the matter of placing suitable commemorative plaques on those properties where the City of Halifax has made a significant financial contribution (including the Bulkeley House) to staff for review and subsequent recommendation to Council;
- (2) Council (a) refer the matter of Provincial Heritage Registration of part of the Carleton site to the Nova Scotia Department of Municipal Affairs; and (b) refer the matter of designating a new park on Spring Garden Road to the Technical University of Nova Scotia; and
- (3) with reference to 2(b) above, Council go on record as supporting the designation of a site to the memory of the late Honourable Richard Bulkeley.

The motion was put and passed.

MOTIONS

**Motion Alderman Walker Re: Amendment to Ordinance 180,
the Streets Ordinance (Magazine and Periodical Vending) -
FIRST READING**

A report from the City Solicitor dated 6 June 1994 was submitted.

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MOVED by Alderman Walker, seconded by Alderman Stone that City Council approve FIRST READING of the amendments to Ordinance 180, the Streets Ordinance, attached as Appendix "A" to the staff report of 6 June 1994, the purpose of which are to permit and regulate the distribution of periodic publications, in addition to the newspapers presently permitted, from vending boxes located on City sidewalks, and refer the said amendments to the Committee of the Whole for consideration and report.

Motion passed.

NOTICES OF MOTION

Notice of Motion Alderman O'Malley Re: Amendments to Ordinance Number 112, the Encroachment Ordinance

Alderman O'Malley gave notice of motion that at the next meeting of Halifax City Council to be held on Thursday, the 28th day of July 1994, she proposes to introduce for first reading amendments to Ordinance Number 112, The Encroachment Ordinance. The purpose of the amendments are to regulate the underground encroachment in the City streets of telecommunication conduits, duct banks and manholes.

ADDED ITEMS

**Tender No. 94-24: Traffic Improvements
- Overhead Crosswalk Signs**

A staff report dated 24 June 1994 was submitted.

MOVED by Alderman Stone, seconded by Alderman Downey that:

1. Council award Tender 94-24 for the construction of concrete bases and conduits, for the materials and services listed at the unit prices quoted for a total bid price of \$33,343.75 and a total

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project cost of \$40,000.00 to G. & R. Kelly Enterprises Limited.

2. Council approve the purchase, supply and installation of materials (crosswalk signs, aluminum poles, and wiring) by City forces for an estimated cost of \$102,000.00.
3. Council approve the transfer of funds from Account No. 91672, Overhead Crosswalk Sign - Herring Cove Road at St. Michael's Avenue in the amount of \$19,000.00 and Account No. 91673, Overhead Crosswalk Sign - Herring Cove Road at Clovis Avenue in the amount of \$23,000.00 to Account No. 91532, RA5 Crosswalk Signs. A total transfer of \$42,000.00. These installations were completed in 1993.
4. Council authorize expenditures from Capital Account No. 91532, RA5 Crosswalk Signs in the amount of \$142,000.00.

Motion passed.

Halifax Harbour Clean-Up (Alderman Holland)

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

Alderman Holland addressed the matter and made reference to the recent media releases concerning the announcement by the Federal Minister, David Dingwall, that there will be no more federal money for the Halifax Harbour Clean-up. Alderman Holland went on to emphasize that the federal government had made a commitment some years ago, as well as the provincial government, acknowledging their share of the costs in the clean up of the harbour. He added that the City of Halifax, as well as Dartmouth and the County, had also acknowledged their share in the clean up project.

Alderman Holland expressed concern that the Federal Government is now saying that they are not going to participate in what they had initially said they would. He

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went on to request that this matter be placed on the agenda for the Committee of the Whole for further discussion.

The Chair suggested that a letter be sent from the City to the Minister requesting an explanation as to why the Minister of the Environment made this recommendation to Mr. Dingwall.

Alderman Downey commented that, at the last Committee of the Whole Council meeting, he asked for a status report from staff on the harbour clean up project. He went on to refer to newspaper clippings stating that the City was locked into an agreement until 1996. Alderman Downey indicated that he would like to know the terms of this agreement and whether the other levels of government were able to withdraw from this agreement without coming back to the City and the other partners involved.

Her Worship Mayor Ducharme informed members of Council that the City has never been officially notified by the provincial or federal governments concerning this matter.

Following a further discussion, it was generally agreed that this item would be on the agenda for the next Committee of the Whole Council meeting to be held on 20 July 1994 for an update, and that the Mayor write to the Federal Minister of the Environment seeking information on the subject.

G7 Committee - Interim Funding

A staff report dated 27 June 1994 was submitted.

MOVED by Deputy Mayor Pottie, seconded by Alderman Hanson that Council approve the use of up to \$10,000.00 from the City Manager's contingency fund as an interim funding source for the G7 Committee.

Motion passed.

Development Officer

A staff report dated 23 June 1994 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Meagher that Council approve the appointment of Mr. Phillip Francis as Development Officer for the City of Halifax and that Mr. Frederick Haliburton be appointed Acting Development Officer to act in Mr. Francis' stead.

Motion passed.

Metro Transit Fare Increase for Seniors
(Alderman O'Malley)

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

Alderman O'Malley noted that she had received a number of calls regarding the increase in bus fares for seniors effective July 1. She strongly indicated her opposition to this increase pointing out that the senior population is not receiving any additional money and are on fixed incomes. Alderman O'Malley emphasized that the increase will cause a hardship for many seniors and suggested that Metro Transit is pricing themselves out of the reach of the seniors population.

Alderman O'Malley asked that Council's representatives on the Metropolitan Authority request the Authority to reconsider this matter. As a member of Council, Alderman O'Malley reiterated that she wished to go on record as being against these bus fare increases for seniors.

Alderman O'Malley proposed a motion that Council's representatives on the Metropolitan Authority bring forward the matter of increased bus passes and fares for seniors to the Authority for reconsideration.

Alderman Meagher spoke in support of the motion and acknowledged the dilemma in which many seniors find themselves.

The Chair pointed out that these changes were circulated several weeks ago and indicated that it was her

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understanding they were reviewed by the Transit Advisory Committee. Her Worship added that she also understood that because the increases are to be introduced in two days time, they unfortunately cannot be changed and reviews do not take place for three months after a new increase.

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that Council's representatives on the Metropolitan Authority bring forward the matter of increased bus passes and fares for seniors to the Authority for reconsideration in three months time.

Alderman Downey indicated that he too had received many calls concerning this matter. He went on to note that when the matter was discussed by the Transit Advisory Committee, it was presented as a benefit to seniors because the passes could be used in connection with the ferry.

Alderman O'Malley pointed out that many cities across Canada allow the seniors population to travel free on the transit system. She asked that, if the increases could not be reviewed until three months time after going into effect, the matter still be reviewed by the Metropolitan Authority in three months time.

The motion was put and passed.

Award of Tenders

A staff report dated 27 June 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Walker that City Council authorize award of tenders/procurements by the City Manager for the periods 29 June 1994 to 19 July 1994, and July 1994 to 16 August 1994 under the following conditions:

1. That the tender/procurement be for works, services or materials approve by City Council for 1994 projects in the Capital and/or Operating budgets of the City.
2. That the tender/procurement bid, plus contingencies required, be within the approved budgetary funds as shown in the budget(s), and

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3. That the City Manager advise Council of all tenders/procurement awarded under this authority for ratification by Council at its meeting of 25 August 1994.

Motion passed.

Downtown Halifax BIDC Fiscal 1994 Operating Budget

A staff report dated 27 June 1994 was submitted.

MOVED by Alderman Crowley, seconded by Alderman Holland that Council approve the revised levy rates from the Downtown Halifax Business Commission for 1994/95 as follows:

Commercial Realty Rate \$0.081807
Business Occupancy Rate \$0.163610

Motion passed.

**Appointment - Director of Social Planning
(Mr. Robert J. Britton)**

MOVED by Deputy Mayor Pottie, seconded by Alderman Holland that Mr. Robert J. Britton be appointed the Director of Social Planning for the City of Halifax.

Motion passed.

QUESTIONS

**Question Alderman Holland Re:
Backyard Composting**

Alderman Holland referred to information received from staff with regard to a previous question on backyard composting, and noted that reference had been made to the necessity for "closed containers." The Alderman submitted a copy of the Regulations Relating to the Collection and Disposal of Garbage and Refuse, which make no mention of

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this requirement, and asked for further information on the matter from staff.

**Question Alderman Holland Re:
Unkempt Property - 829 McLean Street**

Alderman Holland made reference to the property located at 829 McLean Street (which is owned by CN), emphasizing that, in his view, it is in an extremely unkempt condition. In his remarks, the Alderman noted that the grass is at least 24" high, there is a considerable amount of litter on the site, and it would appear that little if any work has been done on the property since last Fall.

Alderman Holland therefore asked that staff investigate the situation and to provide him with information as to why this property has been allowed to deteriorate.

**Question Alderman Downey Re:
Fountains - City Parks**

Alderman Downey reported that he has received a number of calls from residents who are extremely concerned that the fountains at the Halifax Commons and Victoria Park are not in operation this summer.

The Alderman made reference to the "windfall" recently received by the City from the Federal Government, and asked for information from the City Manager as to whether any part of those monies could be used to repair these fountains.

**Question Alderman Meagher Re:
Fountains - City Parks**

Alderman Meagher made reference to the fact that the City of Halifax has been extremely fortunate in having a private business agree to fund the Halifax Police Department's horse. Noting that a number of people are extremely concerned that the fountains in various of the City's parks are inoperational this summer, the Alderman

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asked for the City Manager's comments on the feasibility of seeking private funding for this purpose.

**Question Alderman O'Malley Re:
Safety Concerns - Merv Sullivan Park**

Alderman O'Malley made reference to concerns previously raised with regard to the Merv Sullivan Park in the area of the rock surface, and noted that as a result of those concerns, a portion of the sidewalk on Novalea Drive has had to be closed.

The Alderman therefore asked for a report from the Director of Engineering and Works as to what steps are being taken to address these concerns.

**Question Alderman O'Malley Re:
Taxi Expenses Subsidized by the City of Halifax**

Alderman O'Malley made reference to the fact that a company called "Vital Transit" has now been licensed by the City of Halifax to provide taxi services to persons with disabilities. Under the circumstances, therefore, the Alderman asked for information as to why the City's Social Planning Department restricts its requests for client services to Ace/Y Taxi.

**Question Alderman O'Malley Re:
Grass - Fort Needham Park**

Alderman O'Malley advised that she has received a number of calls from area residents asking that the grass at Fort Needham Park could be cut, particularly on the hillside and at the top where many people walk on a daily basis. The Alderman went on to note that, while she understood that grass was being allowed to grow for a longer period of time in many areas of the City owing to budgetary restraints, it was her understanding that the grass at Fort Needham has not yet been cut this year.

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**Question Alderman O'Malley Re:
Unanswered Questions**

Alderman O'Malley advised that during the 16 June meeting of City Council she had raised three questions to which she, as yet, has received no reply.

The Deputy Mayor advised that staff would be asked to expedite their responses to the Alderman's questions.

**Question Deputy Mayor Pottie Re:
City Property - Lawn Care and Maintenance**

Deputy Mayor Pottie advised that he has been receiving a number of calls concerning the lack of maintenance (particularly with respect to lawn mowing) for City-owned properties such as local parks.

The Deputy Mayor therefore asked to be provided with information from the Director of Engineering and Works as to why the level of maintenance to these properties has decreased in 1994 as compared to 1993 levels. In this same context, Deputy Mayor Pottie requested to be advised as to the 1994 staff complement of the Parks and Grounds Division as compared with 1993.

**Question Alderman Crowley Re:
Enforcement of Petty Trade Regulations**

Alderman Crowley indicated that she would appreciate receiving information as to the method used by the City of Halifax to monitor individuals operating private businesses out of local hotel rooms.

**Question Alderman Crowley Re:
Fencing - Sears Parking Lot**

Alderman Crowley noted that on several previous occasions she had raised concerns regarding the lack of fencing around the Sears parking lot at the corner of Romans Avenue and Mumford Road (near the Nolan Davis Building). In her remarks, the Alderman emphasized that despite the fact that a number of large trucks park in this

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area, there is nothing to protect pedestrians should these vehicles back up too far, etc.

Alderman Crowley indicated that she would appreciate being advised as to whether staff have already investigated this matter and, if so, why a fence or some other protective barrier has not been erected.

**Question Alderman Crowley Re:
Bicentennial Highway Overpass**

Alderman Crowley indicated that, when the Bicentennial Highway was constructed, the City was assured that the Provincial Government would be assuming responsibility for the green area beneath the Overpass in the vicinity of Joseph Howe Drive/Ralston Avenue. The Alderman reported that this is not being done, and asked for staff's comments on the situation.

**Question Alderman Stone Re:
Four-Way Stop - Corner of Lacewood/Willett**

Alderman Stone advised that, effective Wednesday, 29 June 1994, a four-way stop will be implemented at the corner of Lacewood Drive and Willett Street.

**Question Alderman Stone Re:
"Quick Permit" Program**

Alderman Stone advised that he had been extremely pleased to learn of the proposed implementation of the "Quick Permit" Program which, in his view, is long over-due in terms of providing the public with a relatively easy procedure by which to obtain the necessary permits for minor repair/construction projects.

Noting that the pilot project for this program will be completed by the end of June, the Alderman strongly recommended that a full public awareness campaign be subsequently initiated so that as many people as possible can take advantage of the new process.

At approximately 9:30 p.m. the meeting adjourned to an incamera session and resumed at 10:00 p.m. with the following members in attendance: Her Worship Mayor Ducharme, Chair; Deputy Mayor Pottie, and Aldermen Holland, Downey, Meagher, Adams, Hanson, Walker, and Stone.

Sale of City of Halifax Lands

A private and confidential staff report dated 28 June 1994 was submitted.

Deputy Mayor Pottie made reference to the recommendation in the above noted staff report and suggested that it should include the condition "that, upon Council's approval of this option, the agreement be signed within a period of two weeks."

MOVED by Alderman Holland, seconded by Deputy Mayor Pottie:

- (i) That the City grant an option to Purdy's Wharf Developments Ltd. to purchase the land and waterlot known as Area "P", shown on the map attached to the staff report of 28 June 1994, on payment to the City of a non-refundable consideration of \$20,000, such option to terminate one year from the date of the adoption of this motion by Council or when a developer for the casino is selected by the authorities, whichever is less;
- (ii) That the unit price shall be \$44.92 per square foot for the dry land area, and \$9.63 per square foot for the waterlot, with the final total price to be arrived at following a survey of the lots, and subject to the usual closing adjustments, including any GST that may be applicable;

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- (iii) That the dry land area referred to in (ii) above be deemed to extend to the top of the bank along the water's edge at the north and east sides, and not include the area occupied by the existing serviced road, which shall be retained as a City street; and, further,
- (iv) That, upon Council's approval of this option, the agreement be signed within a period of two weeks.

Alderman Downey indicated that he had no difficulty with the motion; however, he expressed the concern that there were some members who had attended the incamera session on this matter, but were absent from the Council Chamber at this time.

The Chair suggested that the item be deferred a few moments until the Aldermen return to the meeting.

Aldermen O'Malley and Crowley returned to the meeting.

At the request of Council, the City Clerk read the motion at this time.

The motion was subsequently put and passed with six (6) members of Council voting for it and four (4) voting against it as follows:

- FOR:** Deputy Mayor Pottie, and Aldermen Holland, Downey, Hanson, Walker and Stone..... (6)
- AGAINST:** Aldermen Meagher, O'Malley, Adams, and Crowley..... (4)

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

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR PAT POTTIE
CHAIRMEN

EDWARD A. KERR, CMC
CITY CLERK

*MS

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