

HALIFAX  
CITY  
COUNCIL

BOOK 2

JULY-DEC.  
1994

**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

Council Chamber  
Halifax City Hall  
20 July 1994  
5:00 P.M.

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

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

**ALSO PRESENT:** Barry B. Coopersmith, City Manager; Barry S. Allen, Acting City Solicitor; 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 held earlier in the day, be added to the agenda:

**Spring Garden Road Street Furniture**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

- (1) Council authorize an expenditure of up to \$10,000 from the Mainstreet Program Downtown Area Capital Account 91664 to cover 50 percent of funds required for the purchase and installation of benches, litter bins and bike racks for the Spring Garden Road BIDC area (the remaining 50 percent of funds required for the \$20,000 program will be provided by the Spring Garden Road BIDC); and that

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- (2) these items be added to the contracts now in place for the supply and installation of benches, bike racks and litter bins for the Downtown BIDC area (the companies supplying these items are F. E. Vienot and Sons Ltd. and Tag Enterprises Ltd.).

The motion was put and passed.

**Armdale Pumping Station - Tender #94-32**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

- (1)a. Council, in accordance with its resolution of 28 June 1994, award **Tender No. 94-32** for the construction of the Armdale Pumping Station, for materials and services listed at the unit prices quoted for a total bid price of \$1,238,258.00 and a total project cost of \$1,485,000.00 (including all taxes) to **Dexter Construction Company Ltd.**;
- b. Council approve the appointment of **UMA Engineering Ltd.** to provide project administration and inspection services during construction at an estimated fee in the amount of \$100,000.00 (including G.S.T.);
- (2) Council authorize funding from Capital Account No. 9140-95009 in the Pollution Control Section; and that
- (3) Tender No. 94-32 be included on the list submitted for ratification by Council at its meeting scheduled for 25 August 1994.

The motion was put and passed.

Award of Tender #94-103: Street Improvement  
Program (Chebucto Road - Mumford to Rotary)

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Walker, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, Council:

- (1) approve the Street Improvement Program proposed by the Engineering and Works Department for Chebucto Road from Mumford Road to the Armdale Rotary;
- (2) award Tender #94-103 to Dexter Construction Company Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$229,461.00 and a total project cost of \$275,500.00;
- (3) authorize funding from Capital Account No. 91406;
- (4) grant authority to proceed with the proposed works until the total project cost of \$275,500.00 has been expended; and
- (5) grant authority to make additional expenditures for the Halifax Water Commission work (such as the lifting of valves), which will be recovered from the Commission.

The motion was put and passed.

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**Report from Planning Advisory Committee Re:  
Case No. 6722 - Peninsula and Mainland Land  
Use Bylaws (Housekeeping Amendments)**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the proposed housekeeping amendments to the Peninsula and Mainland Land Use Bylaws, as contained in the staff report of 27 April 1994.

The motion was put and passed.

The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, 7 September 1994, at 7:30 p.m. in the Council Chamber.

**Report from Planning Advisory Committee Re:  
Case No. 6957: Plan Amendment Request  
- 132 Purcell's Cove Road**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

- (1) Council give notice of its intention to adopt Municipal Development Plan (Mainland South) and Land Use Bylaw amendments for 132 Purcell's Cove Road (as set out in Appendix I and on Map 1 of the PAC report dated 27 June 1994) to redesignate the property from "Low-Density Residential" to "Medium-Density Residential" on the Generalized Future Land Use Map and to rezone it from P (Park and Institutional) and R-1 (Single-Family Dwelling) to R-2P (General Residential); and that

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- (2) a public hearing date be set to consider these amendments.

The motion was put and passed.

The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, 17 August 1994, at 7:30 p.m. in the Council Chamber.

**Case No. 7014: Partial Discharge of Development Agreement - 6151 Lady Hammond Road; Alteration and Confirmation of Street Lines - Bright Place, Bright Street and Lady Hammond Road**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman O'Malley, seconded by Alderman Walker that, as recommended by the Planning Committee, Council:

- (1) discharge the agreement between B & G Innkeepers and the City of Halifax with respect to 6151 Lady Hammond Road as it applies to Parcel BS-1;
- (2) set a date for a public hearing to consider the alternation and confirmation of the Bright Place street lines, the southern street line of Bright Street and a portion of the northern street line of Lady Hammond Road, as shown on Section 6-J of the official City plan; and that
- (3) subject to the outcome of the aforementioned public hearing, the funds for the connection of Bright Street and Bright Place be included in the 1995/95 Capital Budget.

The motion was put and passed.

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

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Case No. 6819: Amendment to Stage II,  
Schedule "K" Agreement (Glenbourne - Phase 1A)

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

- (1) the request by Alderney Consultants (1987) Limited for an amendment to the Stage II, Schedule "K" development agreement for Glenbourne - Phase 1A, to allow refinements to the RO land use controls as related to minimum lot frontages on the outer side of curves and encroachments over lot lines, be approved by City Council; and that
- (2) Council require that the amending 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; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

Case No. 6961: Stage II, Schedule "K"  
Application, Glenbourne - Phase 1B

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

- (1) the application by Alderney Consultants (1987) Ltd. under Schedule "K," Section 68 of the Land Use Bylaw (Mainland Area) for Stage II approval

of the Glenbourne Phase 1B development, be approved by City Council; and that

- (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; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**Proposed Service Station -  
Ragged Lake Business Park**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Planning Committee, Council approve the proposed service station at the corner of the Prospect Road and Evergreen Place located in the Ragged Lake Business Park.

The motion was put and passed.

**Draft Plan - Halifax Common  
(SET DATE FOR PUBLIC MEETING)**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a public meeting to consider the Draft Plan for the Halifax Common be scheduled for **MONDAY, 29 AUGUST 1994 at 7:00 p.m.** in the Council Chamber, Halifax City Hall.

The motion was put and passed.



Ratification of Task Force By-Laws and  
Memorandum of Association

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council formally ratify the new Memorandum of Association and By-Laws of the Halifax Task Force on Drugs (as attached to the staff report of 9 July 1994).

Motion passed.

Deputy Traffic Authority

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, David McKinnon, Deputy Chief of Administration, Halifax Police Department, be appointed as Deputy Traffic Authority effective immediately.

Motion passed.

Social Assistance Policy Change

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

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1. approve the adjustments to Social Assistance Policies 1.1.4 and 1.5.5 (as attached to the staff report of 28 June 1994) to enable staff to determine eligibility on the whole family in one residence even when the children present are adults;
2. approve the proposed amendments to Community Care Policy 5-50 to clarify shelter allowance limitations for disabled people in Community Care's special residential options;
3. approve the proposed changes to Policy 3-30 to clarify that retainable assets for an applicant to a Home for Special Care or other special residential option through Community Care is either \$1000 or a prepaid funeral.

Motion passed.

Expropriation Settlement - Parcel WD-3 and  
WD-4 Withrod Drive

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

1. compensation in the amount of \$4,040 be paid as settlement in full to Mr. Frederick and Mrs. Marjorie Marriott for the expropriation of Parcel WD-3;
2. compensation in the amount of \$17,760 be paid as settlement in full to Mrs. Marjorie Marriott for the expropriation of Parcel WD-4;
3. funds be made available from Account No. 91504, Improvements to Withrod Drive.

Motion passed.

Encroachment Ordinance - Underground  
Telecommunications Conduit

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Adams, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the amendments to Ordinance 112 as set out in Appendix "A" of the staff report dated 24 June 1994 be given first reading and referred to Committee of the Whole Council for consideration and report.

Motion passed.

Charges for Returned Cheques

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

1. Council authorize a charge of \$20.00 for any returned cheque;
2. Council authorize the creation of amendments to the City Charter to include the charge for returned cheques for taxes and local improvements with all the remedies available for non payment of those items.

Motion passed.

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**1994/95 Provincial Single Parent Transition Programme**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson 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 to 31 March 1995. The administration of the programme is subject to the approval of the Minister of Community Services. The City of Halifax will continue to administer the programme upon agreement of the Province of Nova Scotia to reimburse the City of Halifax 100% of all costs incurred. There is no net cost to the City.

Motion passed.

**BW65S Rollers - Engineering and Works Department**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council authorize staff to purchase a BW65S roller for \$5,500.00 or less with funds from the equipment reserve account and delete the two defective rollers from the fleet establishment.

Motion passed.

**Parking Meter Funding - Maitland Street**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the estimated funding of \$9,150.00 for the purchase of 15 electronic parking meters be charged against the "Modify Parking Meter Housing" Account #91531.

Motion passed.

**23 Wenlock Grove**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Committee on Works, Council approve the settlement of all claims respecting flooding damages to 23 Wenlock Grove for the sum of \$28,750.00.

Motion passed.

**5994 Spring Garden Road - Dairy Deli Lease**

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, item (1) of Council's resolution of 1 June 1994, be amended by inserting, after the name Mr. Chafic Daaboul, the following:-

"on behalf of Ms. Rita Daaboul, and to Mr. Francois Daaboul"

Motion passed.

Central Common Sportfield - Transfer of Funds

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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

1. up to \$60,000 be transferred from the Recreation Capital Project 9160-97021 (Oxford Street School) to the project "Upgrading - Central Common Sportfield" allowing sufficient funds to complete the work at the Oxford School;
2. the letters from A.J. Fraser, Chairman, School Ground Improvements Committee, dated 14 July and 19 July, 1994, become part of the official record for this item.

Motion passed.

Peninsula North Area 5 "Schedule Q"

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Planning Committee, City Council set a date for a public hearing to consider removal of Schedule "Q" as set out in Appendix II of the information report dated 19 July 1994.

Motion passed.

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The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, 7 September 1994, at 7:30 p.m. in the Council Chamber.

Philae Temple/Northeast Shrine Association

This item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Safety Committee, Council approve the Shriners' request in connection with their 17 September parade, and authorize the expenditure of funds for clean-up, police services, etc. in the approximate amount of \$16,609.06.

The motion was put and passed.

APPOINTMENTS

A report from Deputy Mayor Pottie dated 20 July 1994 was submitted.

Heritage Advisory Committee

MOVED by Alderman Holland, seconded by Alderman Hanson that Mr. Stephen Rose be appointed to the Heritage Advisory Committee, term to expire 31 January 1997.

Motion passed.

Access-A-Buss Committee (Metropolitan Authority)

MOVED by Alderman Holland, seconded by Alderman O'Malley that Reverend David Boston be appointed to the Access-A-Buss Committee (Metropolitan Authority), term to expire 20 July 1995.

Motion passed.

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Halifax Industrial Commission

MOVED by Alderman Holland, seconded by Alderman Downey that Mr. Allan Conrod be appointed to the Halifax Industrial Commission, term to expire 31 January 1995.

Motion passed.

Halifax Housing Authority

MOVED by Alderman Holland, seconded by Alderman Adams that the following nominations be submitted to the Minister of Housing and Consumer Affairs:

Michael A. Campbell  
Grant Wanzell

terms to expire 31 January 1997.

Motion passed.

The City Manager retired from the meeting at this time.

PUBLIC HEARINGS

Public Hearing Re: Appeal of Minor Variance Refusal  
- 2178 Robie Street

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

A staff report dated 23 June 1994 was submitted.

Mr. Paul Dunphy, Planner, addressed Council and outlined the appeal of minor variance refusal with respect to the property at 2178 Robie Street. In his remarks, Mr. Dunphy explained that the purpose of the application is to allow the existing three units to remain on a lot that does not meet the minimum requirements of the land use bylaw. Based on the information contained in the staff report of



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23 June 1994, Mr. Dunphy advised that the application was refused as it did not comply with Section 86(3)(a-c) of the Planning Act.

Mr. Abraham Salloum, owner of the subject property, addressed Council. In his remarks, he advised Council that he purchased the said property in 1986 and was informed by the previous owner at that time that the building was approved for three units. Mr. Salloum noted that he subsequently converted the property into three units. He provided a sketch of the said property and surrounding properties pointing out that there were other three or more units in the immediate area.

Mr. Salloum responded briefly to questions from Council.

In response to a question, the City Clerk advised that there were no letters in the file for this item either in favour of or in opposition to the application.

There were no further persons wishing to address Council.

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

Motion passed.

**Public Hearing Re: Case No. 6930: Development Agreement  
for Commercial Parking - 2048-56 Harvard Street,  
2017-25 Oxford Street**

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

A staff report dated 7 June 1994 was submitted.

Mr. Paul Dunphy, Planner, addressed Council and briefly outlined the proposed development agreement, as contained in the staff report of 7 June, which would legalize the commercial parking by the Bank of Montreal

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occurring on the Oxford Street United Church's parking lot.

In his remarks, Mr. Dunphy advised that staff are recommending approval of the application.

Mr. S. Dumaresq, Architect for the Bank of Montreal, addressed Council and indicated that he was prepared to respond to any questions from members of Council.

In response to a suggestion from Alderman Meagher with respect to a wrought iron fence, Mr. Dumaresq advised that he felt wood fencing would be more sympathetic with the residential character they were trying to achieve.

Mr. Dunphy pointed out that the policies were quite specific with respect to fencing and require an opaque fence. Therefore, he advised that a wrought iron fence was ineligible.

There were no further persons wishing to address Council.

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

Motion passed.

There being no further business to discuss, the meeting adjourned at 6:05 p.m.

HIS WORSHIP DEPUTY MAYOR POTTIE  
CHAIR

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

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*RECORD COPY*

Council Chamber  
Halifax City Hall  
28 July 1994  
8:00 P.M.

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

The meeting was called to order and those in attendance, led by Her Worship Mayor Moira Ducharme, joined 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, Crowley and Stone.

**ALSO PRESENT:** Chief Vincent J. MacDonald, Acting City Manager; Ms. Mary Ellen Donovan, representing the City Solicitor; Mr. E. A. Kerr, City Clerk; and other members of City staff.

**MINUTES**

Minutes of a special meeting of Halifax City Council, held on Wednesday 22 June, together with those from a regular meeting held on Tuesday, 28 June 1994, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

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

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

- 20.1 5994 Spring Garden Road -  
Dairy Deli Lease
- 20.2 Halifax Housing Authority  
(Alderman Crowley)

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- 20.3 Senior Citizens - Bus Passes  
(Alderman Downey)
- 20.4 Limitation of Taxi Licenses -  
SET DATE FOR PUBLIC MEETING
- 20.5 Lease: Social Planning Department  
- West End Mall
- 20.6 Letter from Heritage Trust of Nova Scotia  
Re: 2445 Brunswick Street - Demolition  
Application (Alderman Fitzgerald)
- 20.7 Rescheduling of 25 August City Council  
Meeting

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

- 2.2 Presentation and Tabling - Halifax  
Industrial Commission Audit

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

- 20.8 1994 Halifax Natal Day Celebrations  
- UPDATE

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

Halifax, Pennsylvania

The Chairman expressed her appreciation to Deputy Mayor Pottie for his services during her attendance at the Halifax, Pennsylvania bicentennial celebrations. Noting that she had brought back several mementos of her visit for her fellow Council members, the Mayor also advised that two bus loads of visitors from Halifax, Pennsylvania are planning to visit Halifax, Nova Scotia in the coming months.

Child Abuse Prevention Month

August 1994 was proclaimed as "Child Abuse Prevention Month" in the City of Halifax by Her Worship Mayor Ducharme, who read from a scroll as follows:

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**WHEREAS** child abuse has been a growing problem and one which affects every man, woman and child of our City;

**AND WHEREAS** Halifax City Council recognizes the work being done by the Neon Heartlight Society for the prevention of child abuse;

**AND WHEREAS** Halifax City Council wishes to do all it can to bring about an end to this needless suffering and to prevent further abuse of our children,

**NOW THEREFORE**, on behalf of Halifax City Council, I proclaim August 1994 as "Child Abuse Prevention Month," and encourage all citizens to participate in the activities organized around this special month.

8:05 p.m. - Deputy Mayor Pottie assumes the Chair, with Her Worship Mayor Ducharme addressing the gathering from the podium.

**Presentation:**

Ms. Shirley Locke, Burns Fry Limited

A commemorative scroll was presented by Her Worship Mayor Moira Ducharme, on behalf of Halifax City Council, to Ms. Shirley Locke of Burns Fry Limited in recognition of her efforts to secure corporate funding for the purchase of "Protector," the Halifax Police Department's mounted patrol.

A framed photograph of the horse, accompanied by his rider, Ms. Locke, the Chief of Police, and Her Worship Mayor Ducharme was also presented to Ms. Locke in appreciation by Chief Vincent J. MacDonald of the Halifax Police Department.

**Retirement - Mr. Thomas H. Abraham,  
Executive Assistant to the City Manager**

Her Worship brought to Council's attention that Mr. Tom Abraham, Executive Assistant to the City Manager and a 30-year employee of the City of Halifax, will be officially retiring on Friday, 29 July. Noting that more formal recognition of Mr. Abraham's services has been scheduled for 11 August, Mayor Ducharme took the opportunity of publicly expressing her appreciation to Mr. Abraham and wishing him well in the years to come.

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8:15 p.m. - Mayor Ducharme returned to the Chair, with Deputy Mayor Pottie resuming his usual seat on Council.

**Presentation and Tabling -  
Halifax Industrial Commission Audit**

This matter had been deleted during the setting of the meeting's agenda.

**ADDED ITEMS**

**Letter from Heritage Trust of Nova Scotia Re:  
2445 Brunswick Street - Demolition Application**

At the request of Alderman Fitzgerald, it was agreed that the above-noted matter would be dealt with at this point in the meeting's agenda.

A letter dated 26 July 1994 was submitted from Mrs. Joyce McCulloch, President of Heritage Trust of Nova Scotia, together with a report dated 28 July 1994 from Ms. Beverly W. Miller, Chair of the City's Heritage Advisory Committee.

Mrs. McCulloch briefly addressed Council to express Heritage Trust's very deep concern regarding the impending loss of the structure at 2445 Brunswick Street through demolition. She made reference to the options outlined in her 26 July letter, and urged Council to consider these possibilities before proceeding with the planned demolition.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the letters submitted from Heritage Trust of Nova Scotia and the Heritage Advisory Committee (dated 26 July and 28 July 1994 respectively) be tabled; and further, that staff be asked to comment on the suggestions put forward in that documentation.

The motion was put and passed.



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**DEFERRED ITEMS**

**Case No. 6894: Lot Modification Agreement,  
Beechwood Terrace and Edward Laurie Drive**

This matter had been deferred from a regular meeting of City Council held on Tuesday, 28 June, a public hearing into this matter having been held on Wednesday, 22 June 1994.

A supplementary report, dated 20 July 1994, was submitted from the Director of Development and Planning, together with a letter, dated 7 July 1994, from Brien and Michele Vyge-Fraser of 59 Edward Laurie Drive, Halifax, B3M 2C6.

Alderman Stone submitted a petition bearing the signatures of 14 residents of the Edward Laurie Drive area expressing various concerns pertaining to the proposed lot modification.

In his remarks, Alderman Stone made reference to the concerns raised in the petition as well as at the 22 June public hearing and emphasized that, in his opinion, these issues have been satisfactorily addressed by staff in their supplementary report.

It was therefore moved by Alderman Stone,  
seconded by Alderman Adams that:

- (1) the application by **Alderney Consultants (1987) Limited** 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 frontage at Beechwood Terrace where it meets Edward Laurie Drive, be approved by City Council; and that
- (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 necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

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**Appeal of Minor Variance Refusal  
- 2178 Robie Street**

A public hearing to consider this matter had been held on Wednesday, 20 July 1994.

Noting that no objections to this application had been received from neighboring property owners, it was moved by Alderman Meagher, seconded by Alderman Downey that the decision of the Development Officer with regard to a minor variance at 2178 Robie Street be overturned, and that the appeal be granted. The motion was put and passed.

**Case No. 6930: Development Agreement for  
Commercial Parking - 2048-56 Harvard  
Street/2017-25 Oxford Street**

A public hearing to consider this matter had been held on Wednesday, 20 July 1994.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that:

- (1) City Council enter into a development agreement with the Oxford Street United Church to permit use of their parking lot at 2021 Oxford Street for commercial parking;
- (2) Council require that the agreement be signed within 120 days, or any extension thereof granted by Council on 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 will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**PETITIONS AND DELEGATIONS**

**Petition Alderman O'Malley Re:  
Duffus Street Pumping Station**

Alderman O'Malley presented a petition bearing the signatures of approximately 200 residents of the Duffus/Barrington Street area, requesting the following:

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We first petition City Council to expedite with great haste the design and construction of a sewage filtration centre to replace the defaulted existing pumping station at the intersection of Duffus and Barrington Streets. We collectively say to City Council that as a people we have suffered indescribable environmental damage to our personal well-being and to the values of our properties.

We further petition that Halifax City Council, having through its participation in the Metropolitan Authority established a precedent of financial compensation for suffering through abnormal environmental conditions, do similarly compensate financially the undersigned area residents.

In submitting this petition to the City Clerk, Alderman O'Malley requested that its contents be circulated to appropriate members of City staff for their comment.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 20 July 1994 as follows:

Outside Professional Services

Following is the recommendation of the Finance and Executive Committee:

That there be no changes with respect to the Design and Engineering reserve, and that the present practice continue.

A supplementary report, dated 28 July 1994, was submitted from the Director of Finance.

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that the matter be deferred to the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 17 August 1994**, pending additional information from staff.

The motion to defer was put and passed.

Possible FCM Resolutions - September Board Meeting

This matter had been forwarded to Council without recommendation.

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A report, dated 25 July 1994, was submitted from the Director of Finance.

MOVED by Alderman Holland, seconded by Alderman Downey that Council approve the following resolutions and that they be forwarded to the Executive of the Federation of Canadian Municipalities for adoption as a national issue:

**Grants in Lieu of Taxes**

**WHEREAS** the Federal Government froze payments of grants in lieu of taxes in fiscal 1993 and presently proposes to do so again in 1994, with the exception of Crown corporations; 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 on all its properties and, in so doing, refrain from downloading its problems onto the hard-pressed municipal tax base and through them to the individual homeowner and the commercial taxpayer.

**Social Housing**

**WHEREAS** by the Federal Government's own analysis, over 1.2 million Canadian households live in substandard and inadequate conditions, and need housing assistance; and

**WHEREAS** the most recent Federal budget continues to provide no funds committed to new social housing units; and

**WHEREAS** this has resulted in the elimination of most housing programs, including the Non-Profit Program, Rent Supplement Program, Emergency Repair Program, Urban Native Program, Rural and Native Housing Program (off reserve); and

**WHEREAS** the elimination of these programs will put adequate and affordable housing out of reach for thousands of Canadians from coast to coast; and

**WHEREAS** these cuts will undermine the quality of life in Canadian municipalities and will offload higher costs for policing, community development, health care, and social assistance to municipal governments; and

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**WHEREAS** the City of Halifax relies on social housing to help provide decent and affordable housing to citizens in need, has waiting lists for social housing, and cannot accept the Federal Government's abandonment of new social housing; and

**WHEREAS** the City has requested, on a number of occasions, that it be designated as a test site for innovative initiatives in the housing area,

**BE IT RESOLVED THAT** the City of Halifax call on the Federation of Canadian Municipalities to protest this present status to the Federal Government and demand new Federal initiatives in these areas.

The motion was put and passed.

Sale of City Properties Through Brokers

An Information Report, dated 25 July, was submitted from the Director of Development and Planning, together with a memorandum, dated 28 July 1994, from Ms. Beverly W. Miller, Chair of the City's Heritage Advisory Committee.

Ms. Miller briefly addressed Council to urge that, if staff's recommendation is approved, consideration be given to ensuring that the buildings in question are "occupied, protected and maintained" during the sale and purchase process.

MOVED by Alderman Adams, seconded by Alderman Hanson that Council authorize staff to:

- (1) call for proposals to provide commercial property brokerage services to the City and, upon review of all submissions, recommend a list of not more than four agents, for appointment by Council;
- (2) list the following four properties: 1588 Barrington Street (Khyber Building), 2085-99 Maitland Street, 213-217 Bedford Highway and 232 Bedford Highway, for sale with the brokers so appointed, with commission to be paid to the successful agent; and
- (3) during the sale and purchase process, ensure that the buildings located at 1588 Barrington

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Street and at 2085-99 Maitland Street are occupied, protected and maintained, as recommended by the Heritage Advisory Committee.

Alderman Downey expressed his opposition to the proposed sale of the Khyber Building, emphasizing that, in his opinion, a decision of this nature would impact badly not only on the ongoing rejuvenation of Barrington Street but on the proposed Neptune Theatre project as well.

Responding to the concerns put forward by Alderman Downey, Mr. R. J. Matthews, Director of Development and Planning, pointed out that the decision to sell the Khyber Building had already been made by Council at a meeting held on 9 November 1993. On another but related matter, Mr. Matthews emphasized that the buildings on Barrington and Maitland Streets would continue to be protected by the Heritage Protection Act despite their sale by the City of Halifax, and added that the City's brokers, once appointed, would be instructed to contact all potential purchases (including heritage groups) when these properties are being placed on the market.

An amendment to the motion was moved by Alderman Meagher, and seconded by Alderman Adams; namely that, with regard to the Khyber Building and the property located at 2085-89 Maitland Street, a covenant be included in their sale and purchase to the effect that these properties be maintained as heritage buildings and that the successful bidder will be required to seek Council's approval, should he wish to effect any changes or to demolish the buildings in their entirety.

The amendment was put and passed.

After a brief discussion, the original motion, as amended, was put and passed with Alderman Downey voting in opposition.

Twining as a Municipal Undertaking

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that City Council strike a committee consisting of three Aldermen and two staff to draft a policy in consultation with affected representative groups to set out clear objectives to be accomplished by twinning

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and conditions under which twinning will be considered; and **further** that such a policy should be available for Council's consideration in October.

After a brief discussion, the motion was put and passed with Aldermen Stone and O'Malley voting in opposition.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of the Committee on Works from its meeting held on Wednesday, 20 July 1994 as follows:

**Partnership Signage at  
Park and Recreation Sites**

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

- (1) the City issue a call for proposals to develop guidelines for a consistent outdoor signage scheme for City-owned park and recreation sites, with particular attention to partnership signage, such proposals to be reviewed by the Park Signage Team for advice to Management Committee, and not to exceed \$5000;
- (2) Council direct staff to consider such regulatory amendments as might be necessary to permit partnership signage on City-owned park and recreation sites; and that
- (3) using the guidelines obtained through Recommendation (1), Council tender for a marketing/public relations firm to develop and manage a revenue-generating partnership program for park and recreation sites, facilities and programs, including design, installation and maintenance of partnership signage.

The motion was put and passed.

**Duffus Street Pumping Station - UPDATE**

This matter had been forwarded to Council with a request for information concerning the current status of the Duffus Street Pumping Station.

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Mr. Kulvinder Dhillon of the City's Engineering and Works Department, provided Council with a brief update on the current status of the Duffus Street Pumping Station. In his remarks, Mr. Dhillon advised that a consultant has now been hired to undertake the design of improved facilities, and it is hoped that tenders can be called by the first week in September for work to start approximately the first week in October 1994.

Mr. Dhillon also noted that staff have been working on the facility over the last few days, and feel that the odour problem in the Duffus/Barrington Street area has now been substantially reduced.

Alderman O'Malley noted that an engineering firm has submitted a proposal (designed to deal with the odour problem on a temporary basis) to the City Manager, and asked that Mr. Coopersmith submit his comments on that proposal at his earliest convenience upon his return.

**REPORT - SAFETY COMMITTEE**

Council considered the report of the Safety Committee from its meeting held on Wednesday, 20 July 1994 as follows:

**Noise and Disturbance -  
Chebucto Road and Duncan Street**

Following is the recommendation from the 20 July 1994 meeting of the Safety Committee:

That this matter [the complaints regarding noise and disturbance on Chebucto Road and Duncan Street] be referred to the City's Legal Department with a request that a review of existing ordinances and other legislation be initiated with a view to strengthening the provisions regarding noise and disruptive behavior.

Chief Vincent J. MacDonald advised that over the last several days (as a result of the concerns brought forward by Aldermen Meagher and Fitzgerald on 20 July) staff of the Halifax Police Department and the City's Legal Department have been working to develop what he termed "some very pointed initiatives" pertaining to the matter of noise control, particularly in terms of chronic offenders. The Chief went on to add that these initiatives will be



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aimed not only at property occupiers but at property owners as well.

Alderman Meagher expressed his appreciation to staff for their efforts in this regard, and MOVED, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Committee of the Whole (scheduled for Wednesday, 17 August 1994) for a further update on the situation.

The motion to defer was put and passed.

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

**Amendment to Ordinance 180, the Streets Ordinance  
(Magazine and Periodical Vending) - SECOND READING)**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Tuesday, 28 June 1994, and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, 20 July 1994.

MOVED by Alderman Stone, seconded by Alderman Crowley that Council give Second 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 is to permit and regulate the distribution of periodic publications, in addition to the newspapers presently permitted, from vending boxes located on City sidewalks.

The motion was put and passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report of the Planning Committee from its meeting held on Wednesday, 20 July 1994 as follows:

Report from Planning Advisory Committee Re:  
Case No. 6530 - Proposed Amendments to  
the MDP and LUB (Lot A-1B, Stoneybrook Court)

MOVED by Alderman Stone, seconded by Alderman Adams that, as recommended by the Planning Committee, the proposed Municipal Development Plan and Land Use Bylaw

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amendments for Lot A-1B, Stoneybrook Court (as set out in the staff report of 22 September 1993) be rejected.

The motion was put and passed.

**Case No. 7013: Amendment to Lot Modification  
Development Agreement (6275-77 Duncan Street)**

MOVED by Alderman Meagher, seconded by Alderman Hanson that, as recommended by the Planning Committee, Council formally acknowledge the withdrawal of the request for an amendment to the lot modification development agreement pertaining to 6275-77 Duncan Street, and that no further action be taken in this regard.

The motion was put and passed.

**Ruinous Building -  
Civic No. 474 Herring Cove Road**

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, the public hearing, originally scheduled for Thursday, 28 July 1994, 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), be cancelled.

The motion was put and passed.

**Unightly Premises (Robie Street)**

This matter had been forwarded to Council without recommendation, pending further information from staff.

An Information Report, dated 27 July 1994, was received from the Director of Corporate and Legal Affairs.

MOVED by Alderman Adams, seconded by Alderman Hanson that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 17 August 1994), pending receipt of information from the City's Inspection Services Division concerning their definition of "unightly."

The motion to defer was put and passed.

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**MOTIONS**

**Motion Alderman O'Malley Re: Amendments to  
Ordinance 112, the Encroachment Ordinance (FIRST READING)**

Notice of Motion with regard to the proposed amendments was given by Alderman O'Malley during a regular meeting of Halifax City Council held on Tuesday, 28 June 1994.

A report, dated 24 June 1994, was submitted from the Director of Development and Planning.

MOVED by Alderman O'Malley, seconded by Deputy Mayor Pottie that City Council give First Reading to the amendments proposed for Ordinance 112, the Encroachment Ordinance (as set out in Appendix "A" of the 24 June staff report); and further, that the matter be forwarded to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 17 August 1994) for consideration and report.

The motion was put and passed.

**MISCELLANEOUS BUSINESS**

**Case No. 7025: Southwest Corner of Barrington  
and Blowers Streets (Schedule "F" Development  
Agreement) - SET DATE FOR PUBLIC HEARING**

A report, dated 21 July, was received from the Director of Development and Planning, together with an Information Report, dated 20 July 1994. Also submitted was a letter, dated 28 July 1994, from Ms. Beverly W. Miller, Chair of the City's Heritage Advisory Committee.

MOVED by Alderman Downey, seconded by Alderman Holland that Council schedule a public hearing to consider a proposed development agreement with Barrington Historical Developments Ltd. to permit construction of an apartment building with ground floor commercial space at the southwest corner of Barrington and Blowers Streets.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 AUGUST 1994** at 7:30 p.m. in the Council Chamber.

ADDED ITEMS

5994 Spring Garden Road - Dairy Deli Lease

This matter had last been discussed during a special meeting of Halifax City Council held on Wednesday, 20 July 1994.

A report, dated 25 July 1994, was submitted by the Director of Development and Planning.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that Council's resolution of 1 June 1994, as amended on 20 July 1994, be further amended by deleting, after the name "Mr. Chafic Daaboul," the following:

on behalf of Ms. Rita Daaboul and Mr. Francois Daaboul

and inserting instead:-

Mrs. Marie Daaboul and Mr. Francis Daaboul

The motion was put and passed.

Halifax Housing Authority

This matter had been added to the agenda at the request of Alderman Crowley who advised that she had recently learned that, effective 31 December 1994, the Federal Government intends to eliminate its financial contribution to the recreational programs currently provided by the Halifax Housing Authority.

The Alderman went on to emphasize the importance of these programs to the residents of public housing, pointing out that, for many, they provide a sense of direction and a means of putting their lives "back on track." She expressed particular concern that this reduction in funding is being contemplated at a time when there are so many young people at risk, and therefore urged that Council take a proactive approach to ensuring that these programs are retained.

Alderman Crowley also advised that she and Alderman O'Malley had recently met with representatives of the Housing Authority and its tenants, and had learned that the elimination of these recreational programs will have a direct and very negative impact on an estimated 1,000

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households and between 700-900 children. In bringing these concerns forward, the Alderman reminded Council that 75 percent of program funding is supplied by the Federal Government with the Provincial Government and the City of Halifax each contributing 12.5 percent. Alderman Crowley made reference to the City's own financial difficulties and expressed the view that it would be extremely difficult for either the municipal or the Provincial Government to attempt to fill the void in funding requirements resulting from the Federal withdrawal from the program.

Concurring with the concerns put forward by Alderman Crowley, Alderman O'Malley noted that the elimination of funding for these programs will also mean the elimination of jobs for two full-time and 30-60 part-time staff members. The Alderman went on to point out that in the first five months of 1994 over 15,000 individuals had enrolled in these recreation programs, and referred to the proposed withdrawal of funds of "just another example of downloading" on the part of the Federal Government.

It was therefore moved by Alderman O'Malley, seconded by Alderman Crowley that:

- (1) a letter of concern be forwarded on behalf of Halifax City Council to the City's two Members of Parliament, as well as to the Minister responsible for this program;
- (2) staff be authorized to prepare and submit a resolution on this matter for discussion at the FCM's September board meeting;
- (3) staff be requested to prepare a report outlining the consequences for the City of Halifax should this program be eliminated; and that
- (4) a representative of the Federal Government be invited to address Council on this matter at the 17 August meeting of Committee of the Whole Council.

With reference to (4) above, Her Worship suggested that interested members of the public may also wish to address the Committee at that time.

The motion was put and passed.

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Senior Citizens - Bus Passes

This matter had been added to the agenda at the request of Alderman Downey who made reference to the bus passes available to seniors in Hamilton, Ontario. The Alderman explained that for an annual fee of \$100.00, seniors are provided with a full pass complete with photo ID.

Suggesting that a similar system would be of significant benefit to Halifax seniors, Alderman Downey asked that the matter be referred to Ms. Lori Patterson, Marketing and Consumer Relations, Metro Transit, for a report.

Limitation of Taxi Licenses  
- SET DATE FOR PUBLIC MEETING

This matter had last been discussed during a meeting of Halifax City Council held on Tuesday, 28 June 1994.

A report, dated 27 July 1994, was submitted from the Director of Corporate and Legal Affairs.

MOVED by Alderman Adams, seconded by Alderman Hanson that a public meeting to consider the possible extension of the existing moratorium on taxi driver licenses for an additional three-year period, as well as other taxi-related matters, be scheduled for TUESDAY, 6 SEPTEMBER 1994 at 7:30 p.m. (location to be determined at a later date).

The motion was put and passed.

Lease: Social Planning Department - West End Mall

A report, dated 27 July 1994, was submitted from the Director of Development and Planning.

Mr. R. Britton, Director of Social Planning, responded to questions from Alderman Adams.

MOVED by Alderman Downey, seconded by Alderman Hanson that Council authorize the Mayor and City Clerk to:

(1) enter into a lease with Armdale Mall Limited for:

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- (a) 2035 square feet of space at West End Mall for the period from 1 August 1994 to 31 March 1997 at a cost of \$18.50 per square foot gross;
  - (b) leasehold improvements to be completed by the landlord generally in accordance with the drawings and specifications prepared by Mr. P. Henry, and shown on plans prepared in December 1993, revised in May 1994, up to a maximum cost of \$38,000;
  - (c) improvements to indoor air quality to be carried out by the landlord, to meet environmental standards in accordance with the Federal Government guidelines at a cost of approximately \$15,000;
- (2) enter into a lease for 500 square feet of undeveloped space for storage at \$6.00 per square foot.

The motion was put and passed.

**Letter from Heritage Trust of Nova Scotia  
Re: 2445 Brunswick Street - Demolition  
Application (Alderman Fitzgerald)**

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

**Rescheduling of 25 August City Council Meeting**

A memorandum, dated 28 July 1994, was submitted by Her Worship Mayor Moira Ducharme.

MOVED by Alderman Holland, seconded by Alderman Adams that the regular meeting of Halifax City Council originally scheduled for Thursday, 25 August 1994, be rescheduled to MONDAY, 22 AUGUST 1994 at 8:00 p.m. so that all members of Council will have an opportunity to participate in the Southeastern Massachusetts Conference of Mayors (24-26 August).

The motion was put and passed.

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1994 Halifax Natal Day Celebrations - UPDATE

Aldermen Crowley and Deputy Mayor Pottie, both members of the Halifax Natal Day Committee, provided a brief overview of the events planned for this year's celebrations, and invited their fellow members of Council to be on hand for the festivities.

**QUESTIONS**

Question Alderman Downey Re: Alexandra Centre Site

Alderman Downey indicated that it was his understanding there were no submissions as a result of the call for proposals for the Alexandra Centre site. He expressed his disappointment and asked that the document prepared by staff for the call for proposals be revised.

Alderman Downey made reference to a report from the City Manager concerning the proposal for City Hall offices. He suggested that the Alexandra Centre site should be given priority over other sites if the City was considering proposals for new City Hall office space. Alderman Downey commented that this would help to rejuvenate the Gottingen Street area.

Question Alderman Downey Re: Commons

Alderman Downey noted that he had watched a lady on television the other evening expressing concern about the safety and lack of protection for children on the Commons. He asked that steps be taken to ensure police protection on Commons this coming weekend.

The Chief of Police advised that there would be a follow up to the Alderman's request.

Question Alderman O'Malley Re: Unanswered Questions

(1) Merv Sullivan Park (2) Subsidized Taxi Expenses

Alderman O'Malley made reference to two questions she had asked during the June 28th Council meeting: (1) one concerning the Merv Sullivan Park; and (2) taxi expenses subsidized by the City of Halifax. She noted that she has not yet received a response to either of these questions and therefore requested that responses be forthcoming.



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**Question Alderman O'Malley Re:**  
**Rockingham Bakery Limited**

Alderman O'Malley noted that it was her understanding the Rockingham Bakery will not be closing for the length of time that it was originally expected to close because of the work on the Bedford Highway. She went on to question if there would be any adjustment in the settlement that was approved if the business disturbance was not as long as had been anticipated.

**Question Alderman Stone Re:**  
**Recreational Vehicles (Motor Homes)**

Alderman Stone questioned whether there were any facilities in the City which catered to Recreational Vehicles (motor homes). If not, he asked if there were plans to provide for such vehicles in the near future.

Mr. R.J. Matthews, Director of Development and Planning, addressed Council and advised that the City provides parking for tour buses and motor homes in Area P and in other City parking lots. He added that they are usually directed to the parking lots through the Tourism Offices.

**Question Alderman Stone Re: Letter**  
**From UNSM - Telecommunication Services**

Alderman Stone made reference to a letter dated July 4th from the UNSM regarding a proposal for savings in the use of telecommunications services for municipalities. He asked that staff investigate this proposal to see if it provides worthwhile savings to the City. The Alderman submitted a copy of the letter to be forwarded to staff.

**Question Alderman Fitzgerald Re: Retirements**

Alderman Fitzgerald noted that there were situations of persons retiring in the City who had only a few days to work in order to complete their 20, 25, or 30 years of service with the City. However, he noted that some persons were not given this option and were forced to retire earlier.

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Alderman Fitzgerald asked if he could be supplied with information explaining why the individuals could not be given a few extra days to obtain the full year.

There being no further business to be discussed, the meeting was adjourned at approximately 9:45 p.m.

HER WORSHIP MAYOR MOIRA DUCCHARME  
AND  
DEPUTY MAYOR PAT POTTIE  
CHAIRMEN

\*K/MS

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**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

Council Chamber  
Halifax City Hall  
17 August 1994  
7:30 P. M.

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

The meeting was opened by Deputy Mayor Pat Pottie, who led those present in the recitation of the Lord's Prayer.

**PRESENT:** Deputy Mayor Pat Pottie, Chairman; and Aldermen Holland, Downey, Adams, Hanson, Jeffrey, Walker, Crowley and Stone.

**ALSO PRESENT:** Mr. Wayne Anstey, Q.C., City Solicitor; Ms. Karen F. Swim, Acting 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 Committee of the Whole Council held earlier in the day, be added to the agenda:

Indoor Soccer - Mainland Common

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council authorize staff to enter into a lease arrangement with Soccer Nova Scotia to establish an indoor sportfield facility on Site "C" (Mainland Common) as Phase I of the consultant recommended fieldhouse facility.

The motion was put and passed.

Stabilization of St. George's Church  
- Application for Heritage Grant

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council approve a Heritage Fund grant of \$25,000

**SPECIAL MEETING  
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17 AUGUST 1994**

to assist with the costs of the stabilization of St. George's Anglican Church.

The motion was put and passed.

**Sale of Parcel A-1,  
Portion of the Former Kempt Road**

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the City sell Parcel A-1 containing 2,634 square feet to **Mr. John Gwynne-Timothy** for \$7,955.00, with the proceeds of the sale to be deposited in the Sale of Land Account.

The motion was put and passed.

**Award of Tender No. 94-20: Sidewalk  
Renewal: Hollis Street (E) - Sackville  
Street to Bank of Canada Building**

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

- (1) award Tender 94-20 for the construction of sidewalk renewal on Hollis Street (E) for materials and services listed at the unit prices quoted for a total bid price of \$18,640.00 and a total project cost of \$23,000.00 to Ocean Contractors Ltd.;
- (2) approve cost sharing on a 50/50 basis with the Bank of Canada for a gross project cost of \$23,000.00 and a net project cost of \$11,500.00;
- (3) authorize expenditure from Capital Account No. 92999, Unused Funds.

The motion was put and passed.

**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
17 AUGUST 1994**

Award of Tender No. 94-13: Underground Wiring on  
Hollis Street (Sackville Street to Bishop Street)

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

- (1) Council award Tender No. 94-13, Underground Wiring on Hollis Street between Sackville Street and Bishop Street, for materials and services listed at the unit prices quoted for a Total Bid Price of \$401,303.50 and a Total Project Cost of \$482,000.00 to Tracey Construction Ltd.;
- (2) Council authorize the increase of gross funds in Capital Account No. 91613, Underground Wiring C.B.C., from \$404,000.00 to \$482,000.00 without affecting the net funding in this account;
- (3) Council approve cost-sharing with Maritime Tel & Tel for their work included within this project with costs estimated as follows:  
  
City's share of M.T. & T. works = \$ 83,000.00  
M.T. & T.'s share of M.T. & T. works = \$169,000.00 (recoverable)
- (4) Council authorize funding from Capital Account No. 91613, Underground Wiring C.B.D.

Motion passed.

COMPASS Program

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

- (1) the City of Halifax participate with the Province of Nova Scotia in the Provincial COMPASS Program to provide training and employment opportunities for City of Halifax Social Assistance recipients subject to the full funding of wages and allowances to participants;

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- (2) the City of Halifax obtain the services of two job development workers to be funded for salaries and mandatory benefits 100% by the Province of Nova Scotia;
- (3) contribution from City sources (Protection to Youth - Account No. 2216) of \$18,000 for clerical support, telephones, related supplies, and office space for the period ending March 31, 1995, with a view to continuance in the next fiscal year.

The motion was put and passed.

**Land Exchange - 100 Leiblin Drive:  
Evans Avenue/Young Avenue**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council authorize:

- (1) the sale of Lot B-1 to **Walfox Development Limited** in accordance with the terms and conditions proposed in the staff report of 4 August 1994;
- (2) that staff prepare a purchase and sale agreement with **Mr. Peter Haas** for 100 Leiblin Drive in accordance with the terms and conditions proposed in this staff report; and
- (3) the Mayor and City Clerk to execute the aforementioned purchase and sale agreement on behalf of the City.

The motion was put and passed.

**Appointment of Design Consultant -  
Rock Slope Stabilization on Novalea Drive**

MOVED by Alderman Jeffrey, seconded by Alderman Stone that, as recommended by the Committee on Works:

1. Council approve the appointment of **ADI Nolan Davis Inc.** to undertake the investigation and



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design for the rock face stabilization on Novalea Drive at Merv Sullivan Park at an estimated cost of \$30,000.00 including G.S.T.; and

2. Council authorize payment to the consultant from Design and Engineering Reserve Account No. 22310-8306.

The motion was put and passed.

**Award of Tender 94-16 -  
Walton Drive Area Storm Sewer**

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

1. Council award Tender 94-16 for the construction of the Walton Drive Area Storm Sewer for materials and services listed at the unit prices quoted for a total bid price of \$913,246.00 and a total construction cost of \$1,005,000.00 to **Maritime Excavators Ltd.**;
2. Council authorize funding from Capital Account No. 94015, Sewers General, Walton Drive Storm Sewer to Rockwood Drive; Capital Account No. 94032, Sewers General, Walton Drive Storm Sewer to Dutch Village Road; and Capital Account No. 94037, Sewers General, Rosemount Avenue Storm Sewer Upgrading;
3. Council approve funding transfers of \$310,000.00 from Capital Account No. 94005, Sewers General, Rockwood Drive Storm Sewer; \$44,000.00 from Capital Account No. 93003, Sewer Development, Sewer Rehabilitation, and \$49,000.00 from Capital Account No. 92999, Unused Funds, to Capital Account No. 94032, Sewers General, Walton Drive Storm Sewer to Dutch Village Road.
4. Council approve the installation of concrete curb and gutter on Walton Drive and Rosemount Avenue in conjunction with the street restoration, with the benefitting properties being subject to Local Improvement Charges

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without the right to petition in accordance with Section 391 of the City Charter.

The motion was put and passed.

**Case No. 6670: Proposed Plan Amendment and Development Agreement (Plan and Bylaw Amendment), 35 Coronation Avenue**

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

1. City Council discharge the 27 April 1979 agreement for 35 Coronation Avenue as set out in Appendix I of the staff report dated 4 August 1994.
2. Council approve entering into a development agreement (Appendix II) for the properties at 35 Coronation Avenue for the purpose of permitting the development depicted in Plan Nos. P200/19826-30 of Case 6670.
3. Council require 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.

The motion was put and passed.

**Report from Heritage Advisory Committee:  
Heritage Conservation Incentives - Recommendations**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Planning Committee, Council approve the list of recommended Heritage Conservation Incentives dated 21 June 1994 (as attached to

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the report dated 22 July 1994 submitted by the Heritage Advisory Committee).

The motion was put and passed.

**Application for Development Agreement  
- 1358 Queen Street (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, Council schedule a public hearing to consider the application by H. Vincent and M. Englehart for a development agreement under Section 16AE(a) of the Land Use Bylaw (Peninsula Area) to permit professional offices at 1358 Queen Street.

The motion was put and passed.

The Acting City Clerk advised that the request public hearing would be scheduled for **WEDNESDAY, 5 OCTOBER 1994** at 7:30 p.m. in the Council Chamber.

**Equipment Replacements - Tenders 94-83 and 94-85**

MOVED by Alderman Jeffrey, seconded by Alderman Stone that, as recommended by the Committee on Works, Council award:

- A) Tender 94-83 (for the purchase of two (2) 1995 model 4x4 Truck Chassis with Plows) to **Taylor Lincoln Mercury** of Halifax, Nova Scotia, based on the lowest bid price at a total cost of \$68,507.82;
- B) Tender 94-85 (for the purchase of three (3) 1995 4x4 Pickup Trucks with Extended Cabs) to **Carroll Pontiac Buick/GMC** of Halifax, Nova Scotia, based on the lowest bid price at a total cost of \$62,030.04.
- C) authorize funding from Equipment Reserve Account #GL26104 RC8300 PR80000.

The motion was put and passed.

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Requests for Proclamations

MOVED by Alderman Holland, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, this matter be referred to staff and further, that:

- (a) major Canadian capital cities be contacted to determine how such requests are administered by other municipalities;
- (b) a policy be developed for City Council's consideration for administering such requests in future; and that

the matter of issuance of proclamations be referred to the Federation of Canadian Municipalities for development of a database on groups and organizations.

The motion was put and passed.

Report for 6 September Public Meeting Re:  
Limitation of Taxi Licenses (TO BE TABLED)

MOVED by Alderman Adams, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the document entitled Discussion Paper - Taxi License Limitation and Related Issues dated August 1994 be tabled, and used for discussion purposes during the public meeting scheduled for Tuesday, 6 September 1994.

The motion was put and passed.

**PUBLIC HEARINGS**

Public Hearing Re: Case No. 6905 - Proposed  
MDP and LUB Amendment (Fairview Area): Remaining  
Land of the Former Titus Smith School

A report, dated 7 June 1994, was submitted from Ms. Judith Wells, Vice-Chairman of the City's Planning Advisory Committee.

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Mr. Angus Schaffenburg, Planner II with the City's Development and Planning Department, briefly overviewed the contents of the 7 June report, noting that staff concur with the recommendation put forward by the Planning Advisory Committee.

There were no persons wishing to address Council on this matter, and no correspondence was received.

MOVED by Alderman Walker, seconded by Alderman Jeffrey that Council adopt Appendix I of the 7 June 1994 report from the Planning Advisory Committee as the proposed Municipal Development Plan (Fairview Secondary Planning Strategy) and Land Use Bylaw amendments for Lot B-1 of the former Titus Smith School site (as shown on Map 1 of that 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.

**Public Hearing Re: Case No. 6957: Plan  
Amendment Request (132 Purcell's Cove Road)**

A report, dated 27 June 1994, was submitted from the Chairman of the City's Planning Advisory Committee.

Mr. Angus Schaffenburg, Planner II with the Development and Planning Department, briefly overviewed the contents of the 27 June report.

Mr. James Keenan, owner of the property located at 132 Purcell's Cove Road, addressed Council to advise that a Plan amendment is necessary so that certain interior modifications could be undertaken to his residence. Mr. Keenan went on to emphasize that both he and his wife have become physically incapable of using the stairs, and therefore wish to convert their home in a manner which would allow them to live on the ground floor with a separate unit being created on the second storey.

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There were no further persons wishing to address Council concerning this matter, and no correspondence received.

MOVED by Alderman Hanson, seconded by Alderman Adams that Council adopt Municipal Development Plan (Mainland South) and Land Use Bylaw amendments for 132 Purcell's Cove Road as set out in Appendix I and on Map 1 of the PAC report dated 27 June 1994 to redesignate the site from "Low Density Residential" (LDR) to "Medium Density Residential" (MDR) on the Generalized Future Land Use Map; and to rezone it from "P" (Park and Institutional) and R-1 (Single Family Dwelling) to R-2P (General Residential) Zone.

The motion was put and passed.

**Public Hearing Re: Case No. 6870:  
Plan and Bylaw Request/Lot Modification:  
75 and 75A Herring Cove Road**

A report, dated 3 June, was submitted from the Director of Development and Planning, together with correspondence, dated 10 August 1994, from Ms. Evangeline Sadler, the applicant in question.

Mr. Angus Schaffenburg, Planner II with the City's Development and Planning Department, briefly overviewed the contents of the 3 June staff report.

Mr. Robert Cragg, solicitor for the owner of 75-75A Herring Cove Road, addressed Council to point out that, in his view, his client's property was not dissimilar from others in the immediate neighborhood, adding that no letters of objection had been received with respect to Ms. Sadler's applications.

There were no further persons wishing to address Council in this regard, and no correspondence received.

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

- (1) adopt 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 rezone it to R-2P (General

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- Residential) Zone, as set out in Appendix I of the staff report dated 3 June 1994;
- (2) approve the entering into of a development agreement for a lot modification as set out in Appendix II of the 3 June staff report, subject to approval of the Plan and Bylaw amendments;
  - (3) require that the development 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 any applicable appeal periods; otherwise this approval will be void.

The motion was put and passed.

7:55 p.m. - Alderman Fitzgerald enters the meeting.

**Public Hearing Re: Case No. 7025:  
Southwest Corner of Barrington and Blowers  
Streets, Schedule "F" Development Agreement**

Mr. Gary Porter of the City's Development and Planning Department briefly overviewed the contents of the 21 July 1994 staff report concerning this matter.

In his remarks, Mr. Porter noted that the application under consideration involves a request for a development agreement which would permit the construction of approximately 85 apartment units, some at-grade commercial uses, and four levels of parking at the southwest corner of Barrington and Blowers Street. He went on to advise that staff have reviewed this application against the policies of the Municipal Planning Strategy (with particular regard to the sections relating to development in the City's Central Business District), and have concluded that the project is consistent with those policies. It was also noted that the City's Heritage Advisory Committee has indicated its support for this project.

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Mr. Noel Fowler, architect for the project under discussion, responded to questions from various members of Council. In his remarks, Mr. Fowler made reference to the suggestion put forward by the Heritage Advisory Committee; namely, that the exterior facade of the first floor be of rusticated masonry, and indicated that inquiries are now being made by the developer as to the relevant costs. On another but related matter, Mr. Fowler noted that the HAC had also suggested that the aluminum windows be black in color; he advised, however, that the developer feels that the green windows originally proposed would be more attractive, given the project's location.

Responding to a question from Alderman Crowley, Mr. Fowler advised that approximately 6,000 square feet of commercial space is anticipated at grade level.

Mr. George Rogers addressed Council on behalf of St. Mary's Basilica Parish, emphasizing that St. Mary's is fully supportive of the development project and views it as a welcome initiative towards the rejuvenation of Barrington Street.

There were no further persons wishing to address Council, and no correspondence received.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that:

- (1) City Council enter into a development agreement with Barrington Historical Developments Ltd. to permit construction of an apartment building with ground floor commercial space at the southwest corner of Barrington and Blowers Streets;
- (2) Council require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed with unanimous support.



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

DEPUTY MAYOR PAT POTTIE  
CHAIRMAN

KAREN F. SWIM  
ACTING CITY CLERK

\*K

**HEADLINES**

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**ADDED ITEMS (CONT'D)**

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Public Hearing Re: Case No. 6905 - Proposed MDP and LUB Amendment (Fairview Area): Remaining Land of the Former Titus Smith School .....	501
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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
22 August 1994  
8:00 P.M.

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

The meeting was called to order with those in attendance, led by Her Worship Mayor Moira Ducharme, joining 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, Adams, Hanson, Jeffrey, Crowley, Walker, and Stone.

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

## MINUTES

Minutes of a special meeting of Halifax City Council, held on Wednesday, 20 July, and of a regular meeting held on Thursday, 28 July 1994, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Deputy Mayor Pottie.

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

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

- 20.1 Boards and Commissions Review
- 20.2 Tender 94-135 - Salt Storage Building,  
City Field

20.3 UNSM Conference - September 21-23, 1994

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

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 17 August 1994 as follows:

Industrial Commission Audit (TO BE TABLED)

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the Comprehensive Audit on the Halifax Industrial Commission, as prepared by KPMG and dated 27 July 1994, be tabled.

Alderman Jeffrey addressed the matter noting that, at the Committee of the Whole Council meeting on August 17th, the report was tabled with the indication that a staff report would be provided to Council within a couple of months. He expressed his concern that two months was too long a period to wait for this report and urged that staff make every effort to provide a report to Council within 30 days.

Alderman Adams made reference to the (9) recommendations from KPMG as outlined on pages 47, 48, and 49 of the report and asked that staff also address these recommendations in the response back to Council.

The motion was put and passed.

Outside Professional Services

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, no changes be made with respect to the Design Engineering Accounts, the present arrangement be maintained, and a Reserve Account not be established.

Motion passed with Aldermen Holland and Adams voting in opposition.

Local Improvement Interest Rate 1994

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Pottie that, as recommended by the Finance and Executive Committee, under Section 389 of the City Charter, an interest rate of 9.50 percent be established for any local improvement tax levied in the tax year ended 31 March 1995.

Motion passed with Aldermen Downey and Meagher voting in opposition.

Report of the Tax Concession and Grants Review Process

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve the recommendations of the Committee established by City Council to review and report on the Tax Concession and Grants review process (as attached to the staff report of 9 August 1994).

Motion passed.

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Regulation of Cats

A letter dated 19 August 1994 from Elizabeth Humber, 16A Kearney Lake Road, was submitted.

A letter dated 19 August 1994 from Judith Hollett, 43 Wedgewood Avenue, was also submitted.

Alderman Holland expressed the view that the reasonable and rational course of action for Council to take is to leave the situation respecting cats as it is and ask City staff to establish an education program for cat owners.

MOVED by Alderman Holland, seconded by Alderman Hanson that City Council maintain the status quo and take no action in respect of stray cats at the present time.

Alderman Adams advised that he would be voting in opposition to the motion pointing out that there were many citizens in the City with concerns about the regulation of cats. He went on to suggest that staff be directed to come back with a solution to the problem of stray cats or cats which are causing a nuisance. Alderman Adams further suggested that citizens who own cats be encouraged to put a small tag with the name of the cat and a phone number where they can be contacted should a problem arise. He added that cats should wear a bell as a warning to small animals such as squirrels or birds.

Alderman Jeffrey also spoke in opposition to the motion. He went on to make reference to a telephone call he received from Dr. F. Rockwell, Medical Health Officer, concerning a cat in the area of Kane Street believed to have rabies and who had attacked a young child. Alderman Jeffrey noted that he was contacted by Dr. Rockwell as Chairman of the Board of Health. The Alderman went on to note that Dr. Rockwell had called Dr. Sinanan, City's Dog Control Supervisor, who indicated that he could not pick-up the cat because he was only authorized to regulate dogs. Alderman Jeffrey advised that he

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telephoned Dr. Sinanan who agreed to seize the cat if he received notification, by way of a fax, from the City that the City would pay the expenses. He noted that he had called the Aldermen's Executive Assistant and requested that he contact the appropriate staff to give Dr. Sinanan authority to pick up this cat.

Alderman Jeffrey questioned whether a fax had been sent to Dr. Sinanan and whether the cat had been picked-up.

The City Manager advised that he had not been made aware of the situation referred to by Alderman Jeffrey.

Alderman Jeffrey requested a report indicating whether or not his request had been followed through and whether the cat had been picked up.

A lengthy discussion ensued with the motion being put and defeated as follows:

**FOR:** Aldermen Holland, Fitzgerald, Downey, Hanson, and Crowley ..... (5)

**AGAINST:** Deputy Mayor Pottie; and Aldermen Meagher, Adams, Jeffrey, Walker, and Stone ..... (6)

It was subsequently moved by Alderman Jeffrey, seconded by Alderman Adams that City Council:

direct staff to provide a further report at the next Committee of the Whole Council meeting to be held on 7 September 1994 identifying and addressing a solution dealing with stray and abandoned cats and cats causing a nuisance.

In seconding the motion, Alderman Adams suggested that staff comment on the feasibility of encouraging citizens to put a small identification tag on their cats, as well as a small bell in order

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to protect the wildlife, and the feasibility of a public education program.

Following a discussion, the motion was put and passed.

**Moosehead Breweries Limited Re:  
Mardi Gras Festivities**

A report from the Mardi Gras Committee dated 22 August 1994 was submitted.

Deputy Mayor Pottie expressed concern over the question of liability. He noted that while Moosehead has indicated that they would cover all liability for the Grand Parade, he was concerned about possible mishaps on surrounding streets which the City would be liable for. The Deputy Mayor indicated that he would like further clarification with respect to the question of liability.

Deputy Mayor Pottie pointed out another concern he had with respect to police costs. He noted that the event is proposed to end at 12 midnight. However, Deputy Mayor Pottie expressed the concern that the partying will continue to later hours and therefore extra policing will be required.

The Deputy Mayor indicated that he could support the event as long as staff are satisfied that all concerns have been met before the event is staged.

It was subsequently MOVED by Deputy Mayor Pottie, seconded by Alderman Adams that, as per the presentation to the Committee of the Whole on 17 August 1994 by Moosehead Breweries respecting an International Mardi Gras, Moosehead Breweries be given permission to pursue a feasibility study for staging this event. Further, that Moosehead Breweries staff schedule and organize meetings to address all concerns of City Staff, including Fire, Engineering & Works, Recreation, Legal, and police.



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Also, that the BIDC and Drug Awareness be included in these meetings.

A short discussion followed with Mr. Richard Cameron, Chair, Mardi Gras Committee, addressing Council and responding briefly to questions.

Alderman Walker asked for clarification as to the estimated capacity of the Grand Parade, and was advised that this information would be included in a further report from staff.

Motion passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of the Committee on Works from its meeting held on Wednesday, 17 August 1994 as follows:

**Petition - Duffus Street Pumping Station**

This matter was forwarded to City Council without recommendation.

In the absence of Alderman O'Malley, it was MOVED by Alderman Meagher, seconded by Alderman Hanson that this matter be deferred to the next Committee of the Whole Council meeting to be held on 7 September 1994.

Motion passed.

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**Award of Tender 94-45 - Duncan Street (S),  
Harvard Street to Chebucto Lane**

A supplementary information report dated 19 August 1994 was submitted.

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

1. Council award Tender No. 94-45, for the renewal of sidewalk on the south side of Duncan Street between Harvard Street and Chebucto Lane to Ocean Contractors Ltd. for the material and services listed at the unit prices quoted for a bid price of \$67,900 and a total project cost of \$81,000;
2. Funds for this project be transferred from the following accounts to Account No. 92747, Duncan Street Sidewalk Renewal:  

Account No. 91669 - Yale and Yukon @ Monastery .....	\$48,000
Account No. 91665 - Remove Tree Wells Quinpool Rd. ...	30,000
Account No. 92731 - Yale St. (S) Sidewalk Renewal .....	3,000
3. Approve funds from Account No. 92747, Duncan Street Sidewalk Renewal from Harvard Street to Chebucto Lane.

Motion passed.

**REPORT - SAFETY COMMITTEE**

Council considered the report of the Safety Committee from its meeting held on Wednesday, 17 August 1994 as follows:

**Noise and Disturbance - Chebucto Road and Duncan Street**

This matter was forwarded without recommendation to Council.

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Alderman Meagher indicated that no action was required at this time, to which Council agreed.

Letter of Commendation - Halifax Police Department

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Her Worship Mayor Ducharme send a letter, on behalf of Halifax City Council, to Police Chief Vincent J. MacDonald complimenting the Chief and his staff on the excellent work being carried out by the Halifax Police Department on behalf of the citizens of Halifax and, further, that this motion of Council be noted by the Press.

The motion was put and passed with unanimous support.

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

Amendments to Ordinance 112, the Encroachment  
Ordinance (SECOND READING)

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that City Council give Second Reading to the amendments proposed for Ordinance 112, the Encroachment Ordinance (as set out in Appendix "A" of the 24 June staff report).

Motion passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report of the Planning Committee from its meeting held on Wednesday, 17 August 1994 as follows:

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**Case No. 7037: Proposed Service Station  
- Bayers Lake Business Park**

A supplementary staff report dated 18 August 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, City Council approve the proposed service station on Chain Lake Drive in the Bayers Lake Business Park.

Motion passed.

**Applications to Demolish 1790-92 Granville Street  
(Kelly's Buildings), A Registered Heritage Property**

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

1. refer the application to the Heritage Advisory Committee for review and recommendations; and
2. refer the application to Inspection Services Division, for a staff report on building deficiencies and the threat to public safety.

Motion passed.

**ADDED ITEMS**

**Boards and Commissions Review**

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

A report from the Boards and Commissions Review Committee dated 15 August 1994 was submitted.

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A memorandum from Her Worship Mayor Ducharme dated 19 August 1994 was also submitted.

MOVED by Alderman Adams, seconded by Deputy Mayor Pottie that the report and recommendations of the Boards and Commissions Review Committee dated 15 August 1994 be tabled and forwarded to staff for input.

A short discussion followed with the Chair noting that members of Council are encouraged to forward any comments they may have concerning the recommendations to the City Manager.

Alderman Stone made reference to the recommendation concerning the Library Board. He noted that the Library Board was a Regional Library Board which includes government appointees. Alderman Stone added that the Board receives funding from the Provincial Government based on the inclusion of government appointees on the Board. The Alderman therefore requested that a copy of the report be sent to the Halifax City Regional Library Board for input.

Alderman Fitzgerald indicated that he would like to be provided with an organizational chart prior to this matter being further debated at Council.

The Chair noted that the City Manager has indicated that an organizational chart could be provided to Council in the staff report.

Motion passed.

Tender 94-135 - Salt Storage Building, City Field

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

A staff report dated 16 August 1994 was submitted.

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MOVED by Alderman Fitzgerald, seconded by Alderman Downey that Council authorize award of tender 94-135 to Storage Systems Construction Corporation in the net amount of \$174,737.00 with a 5% contingency allocation to upgrade foundation support rings to accommodate a planned automated material handling system and conveyor.

Motion passed.

**UNSM Conference - September 21-23, 1994**

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

The Chair advised that the indication is that there will be no members of Council attending the UNSM Conference. The City Clerk was therefore requested to pass this information on to the UNSM Office.

**QUESTIONS**

**Question Deputy Mayor Pottie Re:  
Sewage - Atlantic Winter Fair**

Deputy Mayor Pottie asked for information as to whether there is anything the City of Halifax could do to assist the Atlantic Winter Fair with its sewage problem during the 1994 event.

Her Worship Mayor Ducharme made reference to the fact that a similar request had been made to Council several weeks ago by a private business, adding that the response from staff had been that Ordinance 183 does not permit disposal of waste from outside sources into the City's sewage systems. Noting that she would have a copy of that Information Report forwarded to the Deputy Mayor, the Chairman also pointed out that the Winter Fair is located in the County of Halifax and that that municipality has the capability of resolving the problem for itself.

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**Question Alderman Stone Re:  
Stop Control - Donaldson Avenue at Ross Street**

Alderman Stone made reference to a memorandum recently received from the Traffic Authority concerning staff's intention to reverse the location of the stop signs at the corner of Donaldson Avenue and Ross Street effective Monday, 29 August. The Alderman expressed concern that the effect of this change would be to turn Ross Street into a "speedway," and emphasized that the residents of that street would much prefer to have traffic speeds **lowered**.

Under the circumstances, therefore, Alderman Stone asked that staff instead consider the installation of four-way stop signs at this intersection. He noted, however, that should this option prove unacceptable, staff should make every effort to advise the residents of Ross Street of the proposed change before the implementation date.

**Question Alderman Fitzgerald Re:  
UMA Traffic Report**

Alderman Fitzgerald asked for information as to when the UMA Report on Traffic is expected to be tabled.

The City Manager made reference to a report which had been circulated to Council several weeks ago by the Director of Engineering and Works, noting that owing to unforeseen delays, the Report is now due to be tabled with Council during the month of September.

**Question Alderman Fitzgerald Re:  
Faders Drug Store Location - Coburg Road**

Alderman Fitzgerald asked for clarification as to the kinds of uses which could replace the Faders Drug Store operation on Coburg Road. The Alderman indicated that he would appreciate receiving this information in the form of a memorandum so that he could respond to the many calls he is currently receiving with regard to this matter.

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There being no further business to be discussed,  
the meeting was adjourned at approximately 9:30 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

/MS

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**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

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

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

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

**ALSO PRESENT:** Richard J. Matthews, Acting City Manager; Gerry Goneau, representing the City Solicitor; Edward A. Kerr, City Clerk; and other members of City staff.

ADDED ITEMS

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

Case No. 6717: Peninsula North Area 5: Outstanding Issue R-2 and R-3 Lands in the Area Bounded by Bloomfield, Agricola, Isleville and Russell Streets

MOVED by Alderman O'Malley, seconded by Deputy Mayor Pottie that, as recommended by the Planning Committee, Council schedule a public hearing to consider the amendments proposed for the Municipal Development Plan and Land Use Bylaw as contained in Appendix II of the 16 August report received from the Planning Advisory Committee for the area generally bounded by Bloomfield Street, Agricola Street, Russell Street and Isleville Street.

The motion was put and passed.

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The City Clerk advised that the recommended date for a public hearing would be scheduled for Wednesday, 5 October 1994, 7:30 p.m. in the Council Chamber.

**Encroachment License -  
Civic No. 1094 Wellington Street**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Planning Committee, an Encroachment License be granted to Halifax Student Housing Society for the purpose of constructing two bicycle racks between the sidewalk and the curb in front of Civic No. 1094 Wellington Street.

The motion was put and passed.

**Case No. 6947: Lot Modification  
Development Agreement - 48 Frederick Avenue**

MOVED by Alderman Walker, seconded by Alderman Crowley that, as recommended by the Planning Committee, a public hearing be scheduled to consider the application for a lot modification development agreement to permit subdivision of the property at 48 Frederick Avenue into Lots A and B and construction of a semi-detached dwelling on Lot B (lands of Sayed N. and Susan Arab).

The motion was put and passed.

The City Clerk advised that the recommended date for a public hearing would be scheduled for Wednesday, 5 October 1994, 7:30 p.m. in the Council Chamber.

**Case No. 6925: Lot A, Young Avenue;  
Lot B, McLean Street (Formerly Owen Street)**

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

- (1) lay down a street line on the east side of Young Avenue along the former Owen Street, as shown on Plan No. 20-G;

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- (2) 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;
- (3) 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;
- (4) zone the unzoned portion of Owen Street at its northeastern end to R-1 (Single-Family Dwelling) Zone;
- (5) lay down a 40 foot building line on Lot A, Young Avenue.

The motion was put and passed.

Case No. 6292: Amendment to Stage II,  
Schedule "K" Development Agreement,  
Clayton Park West, Phase 2

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

- (1) City Council approve the request to amend the Stage II, Schedule "K" development agreement for Clayton Park West - Phase 2 to permit:
  - (a) a realignment of Wembley Place (Street #4) and Roxham Way (Street #6);
  - (b) an increase in the theoretical population from 1,507 persons to 1,517 persons;
- (2) Council require that the amending agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval of Halifax City Council and any other bodies as necessary, whichever approval is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

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The motion was put and passed.

**Case No. 7049: Development Agreement, 5203-09  
Duffus Street and 3520 Barrington Street**

MOVED by Alderman O'Malley, seconded by Deputy Mayor Pottie that, as recommended by the Planning Committee, Council schedule a public hearing to consider a proposal to construct an operations and maintenance building at 5203-09 Duffus Street and 3520 Barrington Street on lands to be acquired by the City of Halifax.

The City Clerk advised that the recommended date for a public hearing would be scheduled for Wednesday, 5 October 1994, 7:30 p.m. in the Council Chamber.

Motion passed.

**Draft Nova Scotia Environment Regulations**

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Committee, Council endorse the document attached to the staff report of 26 August 1994 as the City of Halifax submission to the Nova Scotia Department of the Environment on the second set of Draft Environment Regulations.

The motion was put and passed.

**UNSM Travel Funding**

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council endorse the additional levy requested of member Councils by the UNSM for travel funds, but for a three-year period only at which time participation should be reviewed.

The motion was put and passed.

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**Metropolitan Area Planning Commission (MAPC)**

MOVED by Alderman Meagher, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the Metropolitan Area Planning Commission (MAPC) be wound down, and that the Mayor and City Clerk be authorized to sign an agreement to this effect.

The motion was put and passed.

**Halifax Economic Development  
Task Force Report**

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

- (1) City Council accept the report of the Economic Development Task Force, and congratulate and thank the Chairman and members for their diligence and creative approach to this complex issue; and further, that
- (2) City Council utilize the Task Force Report, the recommendations contained within it, and the response as contained in the staff report of 31 August 1994 in developing and implementing its vision and strategic plan for economic development.

The motion was put and passed.

**Award of Tender #94-63: Bulk Waste Removal**

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize staff to enter into a contract with Browning Ferris Industries Limited at a per tonne charge of \$56.79 for a two-year period.

The motion was put and passed.

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Award of Tender #94-26: Sewer Rehabilitation  
- Robie Street (Quinpool Road - Jubilee Road)

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

- (1) Council award Tender #94-26 for the rehabilitation of the Robie Street Combined Sewer between Quinpool Road and Jubilee Road for materials and services listed at the unit prices quoted for a total bid price of \$213,811.00 and a total project cost of \$235,000.00 to I.G.L. Canada Ltd.; and that
- (2) Council authorize funding from Capital Account No. 93020, Sewer Development - Robie Street Combined Sewer Rehab.

The motion was put and passed.

Award of Tender #94-22: Sewer Rehabilitation  
- Young Street (Kempt Road - Monaghan Drive)

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

- (1) Council award Tender #94-22 for the rehabilitation of the Young Street Combined Sewer, between Kempt Road and Monaghan Drive, for materials and services listed at the unit prices quoted for a total bid price of \$143,037.71 and a total project cost of \$172,000.00 to J. R. Eisener Contracting Ltd.; and further, that
- (2) Council authorize funding from Capital Account No. 93021, Sewer Development - Young Street Combined Sewer Rehab.

The motion was put and passed.

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**Award of Tender No. 94-27: Sewer Rehabilitation  
- Young Street (Windsor Street - Monaghan Drive)**

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

- (1) Council award Tender #94-27 for the rehabilitation of the Young Street Combined Sewer between Windsor Street and Monaghan Drive for materials and services listed at the unit prices quoted for a total bid price of \$185,715.00 and a total project cost of \$204,000.000 to I.G.L. Canada Ltd.;
- (2) Council authorize funding from Capital Account No. 93021, Sewer Development - Young Street Combined Sewer Rehab.
- (3) Council approve a funding transfer of \$15,000.00 from Capital Account No. 93020, Sewer Development, Robie Street Combined Sewer Rehabilitation; and \$61,000.00 from Capital Account No. 93017, Sewer Development, Kencrest Avenue Combined Sewer Rehab.

The motion was put and passed.

**Award of Tender No. 94-111: Streets  
Upgrading/Resurfacing, Part III**

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

- (1) amend Capital Account No. 91410 from \$3,104,000.00 gross and \$2,800,000.00 net to \$3,404,000.00 gross and \$2,800,000.00 net;
- (2) approve the resurfacing program proposed by the Engineering and Works Department shown in Attachment "B" of the 26 August staff report;
- (3) award Tender #94-111 to Basin Contracting Ltd. for the materials and services listed at the



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unit prices quoted for a total bid price of \$388,552.50 and a total project cost of \$466,263.00;

- (4) grant authority to proceed with the resurfacing of the streets indicated in Attachment "B" of the 26 August staff report until the total project cost of \$466,263.00 has been expended; and
- (5) grant authority to make additional expenditures for the Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission.

The motion was put and passed.

**Award of Tender No. 94-120 - Street  
Improvement Infrastructure Program: Robie  
Street (S/B) from Welsford to Quinpool Road**

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

- (1) Council approve the Street Improvement Program proposed by the Engineering and Works Department for Robie Street (S/B) from Welsford to Quinpool;
- (2) Council award Tender No. 94-120 to Standard Paving Maritime Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$72,110.00 and a total project cost of \$86,532.00;
- (3) Council authorize funding from Capital Account No. 91549, Street Improvement Infrastructure Program;
- (4) Council grant authority to proceed with the proposed works until the total project cost of \$86,532.00 has been expended;

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- (4) Council grant authority to proceed with the proposed works until the total project cost of \$86,532.00 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.

Library Space Needs - Appointment of Consultant

MOVED by Alderman Crowley, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the firm of **Beckman Associates Library Consultants Inc.** be awarded the Halifax Public Library Space Needs Study at a cost of \$27,248.62 including GST to be charged to Capital Account No. 91683.

The motion was put and passed.

Policy Respecting Presentations  
- Committee of the Whole

MOVED by Alderman Holland, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the policy respecting presentations at the Committee of the Whole Council (attached to the staff report of 31 August 1994) as follows be approved by Halifax City Council:

***POLICY RESPECTING PRESENTATIONS AT COWC***

*This policy relates to delegations who wish to address City Council sitting as Committee of the Whole in respect of new items not already on the agenda and is intended to serve as a directive to City staff in processing requests from such delegations to address Council and in preparing the agenda for Committee of the Whole meetings. If requests are received from delegations wishing to address the Committee in respect of items already placed on the agenda, the City Clerk shall advise the meeting of these requests at the commencement of the meeting, and the Committee shall then decide whether and when the delegation shall be heard. The time*

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*limitations set forth in this policy shall also apply to the latter delegations.*

- (1) In preparing the agenda for a meeting of the Committee of the Whole Council, City staff shall not schedule presentations from more than three delegations.*
- (2) The delegations shall be scheduled on a first-come, first-serve basis and in scheduling presentations, City staff may determine what constitutes a delegation.*
- (3) The delegations shall be scheduled to be heard at 4:00 p.m.*
- (4) A request by a delegation to be heard received after the preparation of the agenda shall be deferred to the next available Committee of the Whole Council and the person making the request shall be so informed by the City Clerk.*
- (5) A delegation shall be limited to one speaker who shall be limited to five minutes in addressing the Committee and the City Clerk shall inform the delegation of this limitation when the arrangements are made to address the Committee. The Chair shall remind the presenter of the five minute limit prior to the commencement of the presentation and the City Clerk shall warn the presenter of the impending conclusion of the presentation at the four minute mark.*
- (6) A delegation shall be requested and encouraged to submit its presentation, in writing, to the City Clerk for distribution to the Committee prior to the meeting at which the presentation is to be made.*
- (7) Questions from members of City Council shall follow the presentation.*

Motion passed.

**Street and Sidewalk Improvements - 5553 Duffus  
Street (Toulany's Grocery and Meat Market)**

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Works Committee, the photographs concerning 5553 Duffus Street (Toulany's Grocery and Meat Market) be forwarded to the appropriate staff and that the necessary repairs to the street and curb adjacent to 5553 Duffus Street be carried out.

Motion passed.

**Metropolitan Authority Appointment**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Deputy Mayor Patrick Pottie be appointed to represent the City of Halifax at the Metropolitan Authority's meeting on 8 September 1994.

Motion passed.

**PUBLIC HEARINGS**

**Public Hearing Re: Case No. 6992: Appeal of Minor Variance Refusal - 6494 Bayers Road**

A staff report dated 9 August 1994 was submitted.

A letter from Mr. El-Tawil, the owner of 6494 Bayers Road, cancelling his minor variance appeal was submitted.

The Chair noted therefore that this public hearing was cancelled.

**Public Hearing Re: Case No. 6722: Peninsula and Mainland Land Use bylaw - Housekeeping Amendments**

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

A staff report dated 27 April 1994 was submitted. A report dated 15 June 1994 from the Planning Advisory Committee was also submitted.

Mr. Paul Dunphy, Planner, addressed Council and outlined the proposed housekeeping amendments to the land use bylaw as described in the staff report of 27 April 1994.

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There were no persons present wishing to address Council.

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

Motion passed.

**Public Hearing Re: Case No. 7014: Partial Discharge of Development Agreement - 6151 Lady Hammond Road; Alteration and Confirmation of Street Lines, Bright Place, Bright Street and Lady Hammond Road**

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A staff report dated 7 July 1994 was submitted.

The following correspondence was submitted prior to this hearing:

- a letter dated 17 August 1994 from F.D. Medjuck, Medjuck & Medjuck Barristers and Solicitors, representing B. & G. Innkeepers Limited, the owner of the Chebucto Inn located at 6151 Lady Hammond Road;
- a letter dated 6 September 1994 from Her Worship Mayor Ducharme addressed to Mr. F.D. Medjuck in response to his letter of 17 August 1994;
- a letter dated 31 August 1994 from Thomas M. MacDonald, Blois, Nickerson & Bryson, representing B. & G. Innkeepers Limited, the owner of the Chebucto Inn located at 6151 Lady Hammond Road;
- a letter dated 1 September 1994 from G. Graham Simms, M.D., 5570 Heatherwood Ct., #405, Halifax, NS;
- a letter dated 23 August 1994 from Peter B. Corkum, Agent for Mary L. Corkum, owner, 3631 Bright Street;

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- a letter dated 7 September 1994 from Mary and Vincent Yogis, 6100 Normandy Drive.

Mr. Paul Dunphy, Planner, addressed Council and provided background information as contained in the staff report of 7 July 1994 for a discharge agreement between B & G Innkeepers and the City of Halifax with respect to 6151 Lady Hammond Road as it applies to Parcel BS-1. Using diagrams, Mr. Dunphy also provided information with respect to the altering and confirming of street lines with respect to Bright Place and Lady Hammond Road.

Alderman O'Malley made reference to the staff report of 7 July 1994 regarding recommendation (1) "discharge the agreement between B & G Innkeepers and the City of Halifax with respect to 6151 Lady Hammond Road as it applies to Parcel BS-1." The Alderman asked for clarification from staff concerning this recommendation.

Mr. Dunphy explained that the development agreement originally approved by Council included Parcel BS-1. He added that this agreement included a clause indicating that, if B & G Innkeepers did not purchase this parcel within six months, Council could discharge that portion of the agreement which allowed development. Mr. Dunphy advised, since B & G Innkeepers has not purchased the property, that portion of the agreement came into effect and earlier this year Council did in fact discharge the development rights for that portion.

Father Donald Boudreau, St. Stephen's Church, 6032 Normandy Drive, addressed Council and read and submitted a letter and petition dated September 7, 1994, firmly recommending that the motion passed by Council on April 14, 1994, be completed in its description and recommendation as follows: "The lot consolidation be rescinded and new street lines be laid down, to reinstate Bright Street to its former dimensions." During his presentation, Father Boudreau requested that the documentation compiled and presented by residents at the April 14, 1994 and June 1, 1994 meetings with City Council be tabled in support to passing the second portion of the said Motion, namely, "...new street lines be laid down, to reinstate Bright Street to its former dimensions."

Mr. Brian Redmond, 3695 Leaman Street, addressed Council and read and submitted a letter dated September 7,

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1994, urging Council to support the second half of the motion of April 14, 1994, that new street lines be laid down, to reinstate Bright Street to its former dimensions.

Ms. Barbara Burton, 6092 Normandy Drive, addressed Council and read and submitted a letter dated September 7, 1994, registering her support for the motion recommending that "the lot consolidation be rescinded and new street lines laid down, to reinstate Bright Street to its former dimensions."

Ms. Madelane Chaisson addressed Council and read and submitted a letter dated September 7, 1994, from her parents Mary and Vincent Yogis, 6100 Normandy Drive, in support of Council's motion of April 14, 1994, "the lot consolidation be rescinded and new street lines laid down to reinstate Bright Street to its former dimensions."

Mr. Thomas M. MacDonald (Blois, Nickerson & Bryson) representing B & G Innkeepers Limited addressed Council. He advised that his client was opposing the motion concerning the alteration and the confirmation of the street lines which in effect has the end result of opening Bright Street. Mr. MacDonald noted that his client views this as a different issue from any other issue that brought it here in the past. He added that this is not an issue that his client has initiated pointing out that his client did not request the street to be opened nor the alteration or confirmation of the street lines.

Mr. MacDonald made reference to the staff report of July 7, 1994, where staff indicates that funds for the opening of Bright Street are not included in the capital budget. He added that staff points out that the estimated costs of opening Bright Street is between \$125,000.00 and \$130,000.00 and that the works are subject to local improvement charges which are passed on to the abutting land owners. Mr. MacDonald advised that his client abuts about 50 percent of the portion that would be reopened. He added that it was his client's view that the alteration will create more traffic which will generate more noise and disturb guests and, as well, create in effect a new intersection of Bright Street and Lady Hammond Road.

Mr. MacDonald indicated that it was his client's position, if this cost is passed on to the abutters, it will cause an unfair financial hardship. For these

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reasons, Mr. MacDonald advised that his client's position is that there should be no changes with respect to the alteration of the street lines and that a new street should not be created given the fact that there are no City funds budgeted for the work at the moment.

Sister Maria Sutherland, Provincial Superior of the Sisters of Charity who own buildings at 6095 and 6093 Normandy Drive, addressed Council and recommended that the motion passed on April 14, 1994, relative to the rescinding of the lot consolidation and the laying down of new street lines to restore Bright Street to its former dimensions, be completed by City Council. She expressed the view that this action will respect the wishes of the majority of residents of this area and prevent the recurrence of problems relative to the protection of this residential area from the encroachment of commercial properties.

Mrs. Gertrude MacIntyer, 3618 High Street, addressed Council and read and submitted a letter dated September 7, 1994, recording her strong support in favour of the motion passed by City Council on April 14, 1994, "that new streets lines be laid down, to reinstate Bright Street to its former dimensions." A list of 33 names was attached to Mrs. MacIntyer's letter who wished to go on record in support of this motion. Mrs. MacIntyer expressed the view that this action will give her, her neighbours, and her community the assurance that any further development on the land in question will be eliminated.

There were no further persons present wishing to address Council.

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

Motion passed.

Public Hearing Re: Case No 6717: Peninsula North Area 5 -  
Outstanding Issue: Schedule "Q"

A staff report dated 19 July 1994 was submitted. A report dated 17 August 1994 from the Planning Advisory Committee was also submitted.



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Ms. Shelley A. Dickey, Planner, addressed Council and provided background information with respect to the removal of Schedule "Q" from all properties zoned C-2 (General Business) in Area 5 of Peninsula North. In her presentation, Ms. Dickey advised that on May 12, 1994, Council adopted the Area 5 Plan of Peninsula North. She went on to note that this plan was approved by the Minister of Municipal Affairs on June 22, 1994, and is now in effect. Ms. Dickey added that in this plan all of the major commercial areas with C-2 (General Business) zoning were overlaid by Schedule "Q". She explained that the intent of Schedule "Q" is to ensure that any new apartment house development is adequately integrated into these largely commercial areas.

Ms. Dickey went on to note that normally apartment houses are permitted by right in the C-2 zone as long as the requirements of the R-3 (Multiple Dwelling) zone are followed. She noted that Schedule "Q" suspends the right and requires all residential development over 4 units to proceed by development agreement. In negotiating this development agreement, the normal requirements of the R-3 zone can be modified or exceeded in order to achieve a well integrated development.

Ms. Dickey pointed out that it was requested at the Public Hearing for the Area 5 Plan on May 4, 1994, that Schedule "Q" be removed due to the time and cost of entering into a development agreement. She further noted that the Planning Advisory Committee has recommended that Schedule "Q" be lifted from all C-2 zoned areas in Area 5.

There were no persons present wishing to address Council.

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

Motion passed.

There being no further business to be discussed, the meeting was adjourned at approximately 8:15 p.m.

HER WORSHIP MAYOR MOIRA DUCARME  
CHAIRMAN

/MS

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
15 September 1994  
8:00 P.M.

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

The meeting was called to order and those present, led by Her Worship Mayor Moira Ducharme, joined 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, Crowley, and Stone.

**ALSO PRESENT:** Mr. Richard J. Matthews, Acting City Manager; Mr. Wayne Anstey, Q.C., City Solicitor; Mr. E. A. Kerr, CMC, City Clerk; and other members of City staff.

## MINUTES

Minutes of a special meeting of Halifax City Council, held on Wednesday, 17 August, as well as a regular meeting held on Monday, 22 August 1994, were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Holland.

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

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

- 2.1 Trip to Japan (Marathon) - Ms. Maureen Cullen and Mr. William D. Campbell
- 20.1 Award of Tender #94-29: Drainage Along Herring Cove Road (Civic No. 649 - Civic No. 661)

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- 20.2 Award of Tender #94-121: Streets  
Upgrading Resurfacing, Part IV
- 20.3 Award of Tender #94-112: Resurfacing -  
Bedford Highway from Kearney Lake Road to  
the City Limits
- 20.4 Day Care Centres - Taxation Rate  
(Alderman O'Malley)

**ADDED ITEMS**

Trip to Japan (Marathon) - Ms. Maureen  
Cullen and Mr. William D. Campbell

Her Worship Mayor Ducharme announced that, at the invitation of Halifax's twin city, Hakodate, two employees of the City of Halifax will be travelling to Japan to take part in the 1994 Hakodate Half Marathon to be run on Sunday, 25 September.

**Ms. Maureen Cullen** of the Parks and Grounds Division, and **Mr. William D. Campbell** of the Development and Planning Department were introduced to City Council and wished every success in their venture.

Responding to a question from Alderman Jeffrey, Mayor Ducharme clarified that all expenses relating to this visit are being paid for by the City of Hakodate.

**DEFERRED ITEMS**

Case No. 6722: Peninsula and Mainland  
Land Use Bylaw (Housekeeping Amendments)

A public hearing to consider this matter had been held on Wednesday, 7 September 1994.

MOVED by Alderman Fitzgerald, seconded by  
Alderman Meagher that, as recommended by the Planning  
Advisory Committee, the housekeeping amendments to the  
Peninsula and Mainland Land Use Bylaw as contained in the  
staff report of 27 April 1994 be approved by Halifax City  
Council.

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The City Clerk advised that Alderman Jeffrey had been absent from the 7 September public hearing and should therefore abstain from the voting process.

The motion was put and passed with Alderman Jeffrey abstaining.

**Case No. 7014: Partial Discharge of Development Agreement - 6151 Lady Hammond Road; Alteration and Confirmation of Street Lines (Bright Place, Bright Street, and Lady Hammond Road)**

A public hearing to consider this matter had been held on Wednesday, 7 September 1994.

MOVED by Deputy Mayor Pottie, seconded by Alderman O'Malley that City Council:

- (1) discharge the agreement between B & G Innkeeper and the City of Halifax with respect to 6151 Lady Hammond Road as it applies to Parcel BS-1;
- (2) alter and confirm the Bright Place street lines, the southern street line of Bright Street, and a portion of the northern street line of Lady Hammond Road, as shown on Section 6-J of the official City plan;
- (3) take no action at this time with respect to the physical connection of Bright Street and Bright Place.

The City Clerk advised that Alderman Jeffrey had been absent from the 7 September public hearing and should therefore abstain from the voting process.

The motion was put and passed with Alderman Jeffrey abstaining.

**Case No. 6717: Peninsula North Area 5:  
Outstanding Issue - Schedule "Q"**

A public hearing to consider this matter had been held on Wednesday, 7 September 1994.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Advisory Committee, Council remove Schedule "Q" from all properties zoned C-2 (General Business) in Area 5 of Peninsula North.

The City Clerk advised that Alderman Jeffrey had been absent from the 7 September public hearing and should therefore abstain from the voting process.

The motion was put and passed with Alderman Jeffrey abstaining.

### **PETITIONS AND DELEGATIONS**

**Petition Alderman Walker Re: Drainage  
Problems - City Park Lands (Clayton Park)**

Alderman Walker presented a petition bearing the signatures of 14 residents of the Clayton Park area asking that drainage problems on City-owned park lands at the rear of lots on Tangmere Court, Woodward Crescent, and Clayton Park Drive be addressed as quickly as possible.

In submitting this petition, the Alderman asked that the matter be forwarded to staff of the Parks and Grounds Division for their immediate attention.

**Petition Alderman Fitzgerald Re: Rezoning  
- Cambridge Street (South of Jubilee Road)**

Alderman Fitzgerald presented a petition bearing the signatures of approximately 60 residents of the Cambridge/Beech/Geldart Street area, requesting that Cambridge Street be rezoned from R-2 to R-1.

In asking that this petition be forwarded to the City's Development and Planning Department for review and recommendation, Alderman Fitzgerald also suggested that a detailed plan be undertaken for the entire Cambridge Street area for discussion purposes.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 7 September 1994 as follows:

**Halifax Water Commission - 1993/94  
Annual Report (TO BE TABLED)**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the document entitled Halifax Water Commission: Forty-Ninth Annual Report (March 31, 1994) be tabled.

The motion to table was put and passed.

**City Office Proposals**

During the 7 September meeting of the Finance and Executive Committee, it had been agreed that comments on this matter would be sought from the Halifax Board of Trade, the Downtown Halifax Business Commission, and the Halifax Homeowners Association. The following correspondence was received:

- Letter, dated 9 September 1994, from Mr. David H. Reardon, Vice Chairman, Downtown Halifax Business Commission
- Letter, dated 12 September 1994, from Mr. James H. Vaughan, President of the Halifax Homeowners Association
- Letter, dated 13 September 1994, from Mr. Donald C. Mills, President, Halifax Board of Trade

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

- (1) the City enter into lease negotiations with **Halifax Developments Limited** based on the terms and conditions set out in its proposal received on 8 August 1994; and further, that
- (2) the term of the lease be fifteen years.



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After a brief discussion and appreciation being extended to all those who had contributed their time and expertise to the resolution of this matter, the matter was put and passed.

**Acquisitions - Civic Nos. 5203 and  
5209 Duffus Street, and 3520 Barrington Street**

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

- (1) Civic No. 5203 Duffus Street be acquired from Mr. Ronald and Mrs. Myrtle Meikle for \$104,824 plus any GST that may be applicable, as settlement in full;
- (2) Civic No. 5209 Duffus Street be acquired from Mr. Eric J. Murphy for \$75,200 plus any GST that may be applicable, as settlement in full;
- (3) Civic No. 3520 Barrington Street be acquired from Mr. David and Mrs. Regina Crawley for \$73,000 plus any GST that may be applicable, as settlement in full

(funds for all of the above to be made available from Account No. 95011, Duffus Street Pumping Station).

The motion was put and passed.

**Saint Mary's Basilica and  
the Old Burying Ground**

During the 7 September meeting of the Finance and Executive Committee, it had been recommended that this matter be forwarded to staff for review and report in time for consideration at the 15 September City Council meeting.

At staff's request, however, it was agreed that the matter would be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Monday, 19 September 1994), pending receipt of the requested report.

Africville

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, staff be instructed to carry on with negotiations and that the following motion passed by the Finance and Executive Committee on December 21, 1967, be referred to staff for a report: "That the appraisal of the Africville lands be deferred until development of the lands is proposed; and that pending receipt of development proposals, the matter be reviewed every six months."

The motion was put and passed.

**MISCELLANEOUS BUSINESS**

Appointments -  
Atlantic Winter Fair Board

Correspondence, dated 16 August 1994, was submitted from Mr. David Coombes, Secretary-Manager of the Atlantic Winter Fair.

Alderman Stone expressed certain reservations regarding the proposal to appoint a member of City Council to the Board of the Atlantic Winter Fair, noting that the City Manager, in a memorandum previously circulated, had also indicated his concerns in this regard.

At Alderman Stone's request, therefore, it was agreed that the matter be deferred and that the City Manager be asked to recirculate his comments regarding this proposed appointment.

**ADDED ITEMS**

Award of Tender #94-29: Drainage Along  
Herring Cove Road (Civic No. 649 - Civic No. 661)

A report, dated 12 September 1994, was submitted from the Director of Engineering and Works.

MOVED by Alderman Adams, seconded by Alderman Hanson that:

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- (1) Council award Tender #94-29 for the construction of a drainage ditch and driveway culverts along Herring Cove Road from Civic No. 649 to Civic No. 661, for the materials and services listed at the unit prices quoted for a total bid price of \$29,861.00 and a total project cost of \$33,000.00 to Metro Foundation Specialists Ltd.;
- (2) Council approve the transfer of funds from Account No. 94031 (McIntosh Run - Auburn Avenue Sewer Easement) in the amount of \$8,000.00 to Account No. 94034 (Drainage Ditch, Herring Cove Road - Civic No. 649 - Civic No. 661);
- (3) Council authorize expenditures from Capital Account No. 94034 (Drainage Ditch, Herring Cove Road - Civic No. 649 to Civic No. 661).

The motion was put and passed.

**Award of Tender #94-121: Streets  
Upgrading Resurfacing, Part IV**

A report, dated 12 September 1994, was submitted from the Director of Engineering and Works.

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

- (1) Council grant authority to proceed with the resurfacing of the streets indicated in Attachment "B" of the 12 September 1994 staff report until the total project cost of \$353,229.60 has been expended;
- (2) Council award Tender #94-121 to Dexter Construction Company Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$294,358.00 and a total project cost of \$353,229.60;
- (3) Council authorize funding from Capital Account No. 91550, Infrastructure Resurfacing Program;
- (4) Council grant authority to make additional expenditures for the Halifax Water Commission

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work, such as lifting of valves, which will be recovered from the Commission.

The motion was put and passed.

**Award of Tender #94-112: Resurfacing - Bedford  
Highway from Kearney Lake Road to the City Limits**

A report, dated 12 September 1994, was received from the Director of Engineering and Works.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that:

- (1) Council grant authority to proceed with the resurfacing of the Bedford Highway from Kearney Lake Road to the City limits;
- (2) Council award Tender #94-112 to Dexter Construction Company Ltd. for the materials and services listed at the unit prices quoted for a total bid price of \$694,450.00 and a total project cost of \$764,000.00;
- (3) Council authorize the transfer of \$64,000.00 from Capital Account No. 91410 (Resurfacing - Street) to Capital Account No. 91548 (Bedford Highway Resurfacing);
- (4) Council authorize the funding of \$764,000.00 from Capital Account No. 91548 (Bedford Highway Infrastructure Resurfacing).

In putting forward this motion, Alderman Stone urged that staff do everything possible to expedite the commencement of this project.

The motion was put and passed.

**Day Care Centres - Taxation Rate**

This matter had been added to the agenda at the request of Alderman O'Malley who brought to Council's attention the concerns expressed to her by a representative of certain local day care operators.

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In her remarks, the Alderman advised that while these day care operations are taxed as commercial enterprises, many of them are located in R-2 zones and are therefore subject to various restrictions (particularly in terms of signage) that do not apply to other commercial businesses.

Under the circumstances, therefore, Alderman O'Malley noted that day care owners feel they are being treated unfairly by the City. She therefore requested that staff investigate the situation to determine the feasibility of establishing a separate tax rate for day care operations in R-2 zones (perhaps at a level somewhere between the residential and commercial tax rates), and make a recommendation to Council as quickly as possible.

**QUESTIONS**

**Question Alderman O'Malley Re: Civic No.  
5508-12 Hennessey Place (Happy Hollow Day Care)**

Alderman O'Malley advised that the owner of the Happy Hollow Day Care at 5508-12 Hennessey Place has reported a very serious problem with water run-off onto her property. She explained the water appears to be coming from the street (or possibly from Fort Needham Park) and is causing the property in question to "shift". Alderman O'Malley noted that the lady in question has called a number of plumbers to inspect the problem and has been advised that a possible solution may be to install a valve at street level.

Under the circumstances, Alderman O'Malley requested that a member of the City's Engineering and Works Department contact this property owner to arrange an on-site inspection.

**Question Alderman O'Malley Re: Sidewalk/Street  
Improvements - Agricola Street (Kaye to Kane Streets)**

Alderman O'Malley noted that over a year ago the City undertook sidewalk, curb and gutter improvements to the portion of Agricola Street between Kaye and Kane Streets. She explained that, before the year was up, a resident of the area contacted the Engineering and Works Department to express concern about: (a) water ponding in the curb area from what appears to be the wrong slope in

the street; (b) poor quality sods with less than adequate topsoil; and (c) cracks in the concrete slabs of the sidewalk.

Alderman O'Malley advised that she has been given to understand that, when these complaints were voiced to the City, the caller was advised that the contractor, who had been awarded this tender, had not guaranteed his work, and that, under the circumstances, the City is now responsible for undertaking any repairs that may be necessary.

The Alderman indicated that she would appreciate being advised as to whether this information is correct.

**Question Alderman Fitzgerald Re: Tunnel/Walkway  
Between the World Trade and Convention Centre,  
Metro Centre and Scotia Square**

Alderman Fitzgerald requested an information report with respect to the work completed to date on the tunnel or walkway between the World Trade and Convention Centre, the Metro Centre and Scotia Square. He suggested that staff explain ways in which this project could be expedited.

**Question Alderman Fitzgerald Re:  
Walkway Along the Northwest Arm**

Alderman Fitzgerald noted that he had received a number of calls concerning the old walkway along the Northwest Arm. He explained that apparently this walkway was used for a number of years, but recently it has been blocked off in a number of sections. The Alderman asked for information regarding the situation.

**Question Alderman Stone Re:  
Rosebushes - Dunbrack Street**

Alderman Stone expressed appreciation to staff for the cutting of the rosebushes along Dunbrack Street from the sidewalk area near the Thomas Raddall Library to Lincoln Cross. He noted that he had received many favourable comments in this regard. Alderman Stone went on to ask that staff continue to cut the rosebushes where

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necessary along the east side possibly from Lincoln Cross to the Fire Station area.

There being no further business to be discussed, the meeting was adjourned at approximately 8:45 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

\*K/MS

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
29 September 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 Fitzgerald, Holland, Downey, Meagher, O'Malley, Adams, Hanson, Walker, Crowley, and Stone.

**ALSO PRESENT:** Barry Coopersmith, City Manager; Mary Ellen Donovan, Acting 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 September 14, 1994, and of the special meeting held on September 7, 1994, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Holland.

### Japan Marathon - Maureen Cullen and William D. Campbell

Before starting the regular agenda, Her Worship Mayor Ducharme noted that at the last Council meeting two City of Halifax employees, Ms. Maureen Cullen and Mr. William D. Campbell, were introduced and wished every success in their venture to Hakodate to run a Half Marathon.

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Her Worship Mayor Ducharme announced that Maureen Cullen came 16 out of 84 runners with a time of 1 hour 40 mins 30 secs and that Mr. Bill Campbell came 58 out of 780 runners with a time of 1 hour 22 mins 22 secs. On behalf of members of Council and the City of Halifax, Her Worship congratulated Ms. Cullen and Mr. Campbell on their success.

**Presentation - Blue Thunder**

Police Chief Vincent MacDonald addressed Council and advised that he recently had the honour of receiving on behalf of the band "Blue Thunder" the Gold Award of Excellence in connection with the Police Video Awards Canada for the best overall production based on technical and other considerations.

Police Chief MacDonald introduced the following members of "Blue Thunder": Ron Morgan, Darrell Lysens, Cedric Upshaw, Ernie Reti, and Steve Saunders. The band members came forward and were presented with certificates by Her Worship Mayor Ducharme.

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

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

- 20.1 Sidewalk on Bedford Highway (Alderman Walker)
- 20.2 Alarm Ordinance (Alderman Walker)
- 20.3 Shriners Parade (Alderman Walker)  
Alderman Walker later withdrew this item from the agenda.
- 20.4 New Landfill
- 20.5 Appointments
- 20.6 Tender No. 94-116: Street Improvements,  
Rockingstone Road (Sussex Street to Leiblin Dr.)
- 20.7 Chebucto Road School Property (Alderman Meagher)
- 20.8 Grace Maternity Hospital Property  
(Alderman Meagher)
- 20.9 Possible Sale of CN Rail - Eastern Region

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20.10 Award of Tender No. 94-44, Traffic Lights,  
Conduits and Bases

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

20.11 Plebiscite - Casinos (Alderman Adams)

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

20.12 Election - Enumeration (Alderman Fitzgerald)

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

20.13 Tax & Grants (Alderman Downey)

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

**DEFERRED ITEMS**

There were no deferred items.

**PETITIONS AND DELEGATIONS**

Petition Alderman Ron Hanson Re: Metro Transit Bus  
Service to the Area of Stanley Park

Alderman Hanson read and submitted a petition  
containing signatures of approximately 285 residents  
interested in having Metro Transit bus service to the area  
of Stanley Park. The Alderman asked that a copy of this  
petition be forwarded to Metro Transit staff for a review  
and comment on implementation of the service.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

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

Taxi License Limitation

A letter dated September 29, 1994, from Mr. Darshan S. Virk, President, United Cab Drivers Association of Halifax, was submitted.

Taxi Operators Licenses

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, a freeze be placed on the number of taxi operator licenses through the extension of the moratorium on the taxi school for a period of three years ending 30 September 1997; and further, that a comprehensive review of the impacts of this moratorium be undertaken at the beginning of the third year (1 October 1996) of the freeze.

Following a discussion, the motion was put and passed with Aldermen Holland and Stone voting in opposition.

Taxi Vehicle Licenses

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, staff be directed to pursue its application to the Province for the legislative amendments necessary to enable the limitation of taxi vehicle (owner) licenses by the City of Halifax.

Motion passed with Alderman Holland voting in opposition.

Accessible Taxis

A report from the Director of Corporate and Legal Affairs dated 21 September 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, no change be made in the present provisions of Ordinance 116, the Taxi and Limousine Ordinance respecting licensed drivers for accessible vehicles.

Motion passed.

MOVED by Alderman Adams, seconded by Alderman Stone that with respect to the staff Discussion Paper of August 1994 as well as in the Hara Report, the following items be referred to staff for review and recommendation:

- (1) Increased Enforcement - Ordinance 116
- (2) Driver Education Course
- (3) Regulation of Local Taxi Brokerages
- (4) Taxi Licensing Fees
- (5) Review of Ordinance 116, the Taxi Ordinance
- (6) Halifax Taxi Commission - Future Role
- (7) Upgrading of the Drivers in the Taxi Industry

Motion passed.

**Business Improvement District Commission**  
Re: Strategic Plan

MOVED by Alderman Crowley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the document entitled Regaining the Momentum - Toward the Year 2000 prepared by the Downtown Halifax Business Commission, dated September 14, 1994, be tabled.

Motion passed.

Halifax Harbour Cleanup Inc.

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

- (1) before proceeding with any further study into the matter of the Halifax Harbour Cleanup, the City of Halifax obtain a clear financial commitment to a percentage of this project from the senior levels of government; and that
- (2) once that commitment is obtained, the City of Halifax confirm its own commitment to the Harbour clean-up and sewage treatment project.

The City Manager provided Council with an update on the Halifax Harbour Cleanup Board's meeting held earlier on this date. He advised that, during the meeting, a motion of the Steering Committee was presented as follows:

"that the consulting contract for the Public/Private Partnership Initiative be awarded to the consortium (Porter Dillon, Camp Dresser McKee, Price Waterhouse, Boyne Clark, and Hathaway), and that the HHCI make an application of the Federal/Provincial agreement to promote public/private partnering to municipal infrastructure for an increase in the municipal infrastructure for an increase in funding to \$500,000.00. This funding will cover the cost of roughly \$450,000.00 for the consultant and an additional \$50,000 for contingency costs."

Based on the direction received from Council last week, the City Manager advised that he asked the Federal Government representatives present if they were prepared to commit a percentage of funds to the project. He reported that the Federal Government's response was they were not prepared to commit to any funding other than the existing agreement which expires March 31, 1995 until the public/private partnering project is completed. The City Manager

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added that he asked the same question of the Provincial Government representatives who also indicated that they were not prepared to commit any funding other than under the existing agreement. As a result of these responses, Mr. Coopersmith advised that he voted against the motion.

The City Manager indicated that the other two municipalities and the Province, who also have votes, voted for the project and it was therefore approved.

Her Worship Mayor Ducharme retired from the meeting with Deputy Mayor Pottie taking the seat of the Chair.

A discussion ensued and Alderman O'Malley requested that the City Manager, in addition to his verbal report just provided, also submit a written report to Council at his convenience.

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

Her Worship returned to the meeting with the Deputy Mayor taking his usual seat on Council.

**Federal Funding Cuts to Recreational Programs  
- Halifax Housing**

---

This item was forwarded to Council without recommendation.

Alderman Crowley noted that a number of weeks ago she informed Council of the Federal Government's intention to eliminate its financial contribution to recreation programs in public housing, specifically the Halifax Housing Authority. The Alderman indicated that she was very concerned about this matter.

Alderman Crowley went on to note that the City's budget includes \$30,000.00 for these programs adding that the City cost-shares in the programs for the public housing sector for the recreational programs. She advised that she had attended a meeting earlier this evening with

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representatives from the Housing Authority. The Alderman noted that the Housing Authority will be providing a report on their position and the impact of the elimination of funding by the federal government.

Alderman Crowley indicated that the Housing Authority is concerned that City's cost sharing in the amount of \$30,000.00 not be affected.

Alderman Fitzgerald emphasized that there should be representation made to the Canada Mortgage and Housing Corporation as well as the provincial government concerning the elimination of financial contribution to these recreational programs.

Concurring with the concerns put forward by the previous speakers, Alderman O'Malley also expressed concern about the future of these programs.

**Strategic Planning for Regional Municipal Reform**

This item was forwarded to Council without recommendation.

The City Manager provided an overview of the report submitted at the last Committee of the Whole Council meeting from the Metro Municipalities CAO Committee on Strategic Planning for Municipal Reform.

MOVED by Alderman Stone, seconded by Alderman Hanson that City Council direct the CAO Committee and the City Manager to continue the following processes as listed in the report dated August 26, 1994 from the Metro Municipalities CAO Committees:

1. The report dated August 26, 1994 from the Metro Municipalities CAO Committee be discussed by each municipal Council as soon as possible and a mandate given to the CAO Committee to continue research and discussion leading to municipal reform. The options listed in this report be further analyzed and documented.



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2. A survey of Council members to be conducted to establish a benchmark for proceeding with discussions and to identify issues.
3. Concurrent with the Council questionnaire, community focus groups would be established to probe a range of issues relating to municipal reform.
4. The results of the above research to be prepared for presentation to a conference of elected officials. The CAO Committee would ensure that the conference is properly facilitated.
5. The conference and Council debates would lead to a summary paper to be prepared for the review of the municipal Councils. The resulting agreement among the municipal partners would form the basis for a request to the Minister of Municipal Affairs to implement municipal reform.

Following a discussion, the motion was put and passed.

**Request for Funds - Douglas-Wright Management Agency**

It was noted that the National Basketball Association Exhibition Game has been cancelled. Therefore the item was deleted at this time.

Alderman Stone expressed the view that the City should establish a policy to deal with requests for funding of this nature.

**Draft Nova Scotia Environment Regulations**

This item was forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that Council endorse staff's submission, attached to the staff report of 12 September 1994, as the

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City of Halifax submission to the Nova Scotia Department of Environment on the third set of Draft Environment Regulations.

Motion passed.

Acquisitions - Parcels H-255 & H-256, Civic Numbers 150 and 152 Herring Cove Road

This item was forwarded to Council without recommendation.

MOVED by Alderman Hanson, seconded by Alderman Walker:

- (1) That Parcel H-255, Civic Number 150 Herring Cove Road be acquired from the Estate of Maizie Walker for \$5,007 as settlement in full, plus the usual closing adjustments including any GST that may be applicable, with funds available in Account Number 91504, the Herring Cove Road Widening, Phase IV.
- (2) That Parcel H-256, Civic Number 152 Herring Cove Road be acquired from Danna Mae Walker for \$4,744 as settlement in full, plus the usual closing adjustments including any GST that may be applicable, with funds available in Account Number 91504, the Herring Cove Road Widening, Phase IV.

Motion passed.

Surplus Library Equipment (Disposal of Bookmobiles)

This item was forwarded to Council without recommendation.

A staff report dated September 29, 1994 was submitted.

MOVED by Alderman Stone, seconded by Alderman Adams that City Council authorize the sale of the Library Tractor - 1992 International to Mr. Bruce Jenkins for \$23,000.00.

Alderman Downey made reference to the presentation at a Committee of the Whole Council meeting during the summer at which time Mr. George Borden, Executive Director, Society for the Protection and Preservation of Black Culture in Nova Scotia, requested the donation of one of the City's former bookmobiles (truck and trailer). The Alderman advised that it was his recollection this request was forwarded to staff for a response and further that staff would approach the Province of Nova Scotia in respect of a grant.

Noting that he could not recall receiving a response from staff to Mr. Borden's request, Alderman Downey expressed concern with the recommendation.

The City Manager commented that a response was provided to Council by the Library Board advising that the Board was not in favour of donating this equipment because it had expectations of recovering funds from the sale of this equipment for use in the purchase of other assets and services.

Alderman Downey indicated that he would still like to see the request from Mr. Borden for this equipment pursued with the Province.

It was therefore MOVED by Alderman Downey, seconded by Alderman Meagher that this item be **deferred** to the next Committee of the Whole Council meeting pending receipt of information from the Province and the Library Board in respect of the request from the Society for the Protection and Preservation of Black Culture in Nova Scotia.

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Alderman Meagher requested information from the Library Board as to whether it was their intention to remove the bookmobile service from this year's budget only and to put in back into service another year.

The motion to defer was put and passed.

Award of Tender 94-11: Chebucto Landing  
- Seawall/Boardwalk Project

This item was forwarded to Council without recommendation.

A letter from William M. Perkins, Chairman, Downtown Halifax Business Commission, dated September 26, 1994 was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that:

- a) Tender No. 94-11, Chebucto Landing - Seawall/Boardwalk Project, be cancelled because the Total Project Cost of \$990,000.00 is over the available budgeted amount of \$800,000.00.
- b) This project be retendered in early summer 1995 after the additional funds are approved in the 1995/96 Capital Budget. This should provide better tender prices and allow the contractor to pre-order the material. Depending on the construction start date, the project can be completed by the end of 1995, which will be only six months delay.

Alderman Fitzgerald made reference to a letter he received containing comments regarding the City's tendering practices, specifically the recent tender call for a new wharf between the Cable Wharf and the Ferry Terminals. The Alderman noted that the letter suggests errors in the tender document. He submitted a copy of this letter for submission to staff.

Alderman Stone referred to the letter from Mr. Perkins urging Council not to be seen to be wavering in its

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commitment to the Downtown over what is really a question of timing. The Alderman concurred with Mr. Perkin's concern about delaying this project and therefore indicated that he could not support the motion.

The motion was put and defeated.

MOVED by Alderman Stone, seconded by Alderman Adams that Council approve the second alternative to award the tender to the lowest bidder for Alternative #2 as per the specifications and engineering drawings and that the following items be approved which will allow the project to start this Fall and be completed by the end of June 1995.

1. Precommit \$590,000.00 from the 1995/96 Capital Budget.
2. Award Tender No. 94-11, Chebucto Landing - Seawall/Boardwalk Project for Alternative #2 to the lowest bidder, TAG Enterprises Ltd. for an estimated Total Project Cost of \$990,000.00.
3. Approve funds in the amount of \$990,000.00 from Capital Budget, Account No. 91604 - Chebucto Landing.
4. Authorize staff to engage Beasy Nicoll Engineering Ltd. to carry out supervision and project management of the project for an estimated fee of \$50,000.00.

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

Award of Tender No. 94-101 - Paving Renewal on  
Bishop Street (Barrington St. to Hollis St.)

This item was forwarded to Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Holland that:

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1. Council award Tender No. 94-101, Paving Renewal on Bishop Street between Barrington Street and Hollis Street, for materials and services listed at the unit prices quoted for a total bid price of \$120,567.60 and a total project cost of \$145,000.00 to P.A. Wournell Contracting Ltd.
2. Council authorize the increase of gross funds in Capital Account No. 91613, Underground Wiring C.B.D., from \$482,000.00 to \$512,000.00 without affecting the net funding in this account.
3. Council approve cost-sharing with Maritime Tel & Tel for their work included within this project with costs estimated as follows:

City's share of M.T. & T. works	= \$8,000.00
M.T. & T.'s share of M.T. & T. works	= \$2,000.00 (recoverable)

4. Council authorize funding of \$115,000.00 from Capital Account No. 91420, Paving Renewal, Bishop Street (Barrington St. to Hollis St.) and \$30,000.00 from Capital Account No. 91613, Underground Wiring.

Motion passed.

**Saint Mary's Basilica and the Old Burying Ground**

This item was forwarded to Council without recommendation.

Alderman Downey addressed the item and spoke in support of the request from the Old Burying Ground and Saint Mary's Basilica for funding in order to complete their project. He suggested that the City make a commitment in funding by way of a grant through the Tax Concessions and Grants Committee.

The City Manager advised that it was his understanding the request is for a commitment on behalf of the City for approximately \$60,000.00 to be split into a contribution of \$25,000.00 this year, and \$35,000.00 next year. He noted that this was an unbudgeted item and that

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the only avenue available to deal with the request was through the Tax Concessions and Grants Committee. The City Manager pointed out that there will be an appointment to that Committee this evening which will then be able to meet to consider the request.

Alderman Downey suggested therefore that the request for funding be referred to the Tax Concessions and Grants Committee.

Alderman Holland expressed concern about delaying the matter and suggested that the matter should be referred to the City Manager for a report at the next Committee of the Whole Council meeting on how the request could be accommodated. He added that the matter could then be forwarded to the special meeting of City Council to be held later on that date.

MOVED by Alderman Downey, seconded by Alderman Holland that this matter be referred to the next Committee of the Whole Council meeting pending receipt of a staff report.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of Wednesday, 19 September 1994, as follows:

UMA Engineering Ltd. - Halifax Transportation Plan  
- Set Date for Special Meeting

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Works Committee, the Halifax Transportation Study, Final Report, be tabled and a date be set for a special meeting.

Motion passed.

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The City Clerk advised that the special meeting would be scheduled for Tuesday, November 29, 7:00 p.m., in the Council Chamber.

Captain William Spry Community Centre

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Works Committee, Council approve an increase in the funding commitment to Account #90005 from \$3,675,000.00 to \$4,200,000.00 in anticipation that a substantial portion of this amount will be recovered through litigation.

Motion passed.

Truck Routes - Residential Streets

This item was forwarded to Council without recommendation.

Alderman Crowley addressed the matter and raised an issue regarding the excessive number of trucks that enter and travel through Ward 11. She referred particularly to the excessive number of trucks coming onto residential streets such as Joseph Howe Drive, Bayers Road, Ashburn Avenue, Mumford Road, and Romans Avenue. The Alderman requested that staff review the existing policy regarding truck signage and determine what steps to take in order to alleviate this problem.

On another but related matter, Alderman O'Malley addressed a concern in relation to Devonshire Avenue regarding traffic to the intermodal terminal vehicles. She went on to explain that the new road by Seaview Park was designed specifically for the 18 wheeler traffic going to and from the intermodal terminal. However, Alderman O'Malley explained that these 18 wheelers are using Devonshire Avenue as a shortcut through this area of the City and is causing a great concern and a disruption to the neighbourhood.



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Alderman O'Malley noted that she has already brought this concern to the attention of the Traffic Authority who in turn brought it to the attention of CN. However, she pointed out that the problem still exists and therefore asked that the matter be referred to the Traffic Authority for appropriate action.

**REPORT - SAFETY COMMITTEE**

Council considered the report of the Safety Committee from its meeting of Wednesday, 19 September 1994, as follows:

**Proclaiming National Family Week October 3-9th, 1994**

MOVED by Alderman Stone, seconded by Alderman O'Malley that, as recommended by the Safety Committee, Halifax City Council proclaim October 3-9, 1994 as National Family Week as part of the celebrations of International Year of the Family.

Motion passed.

**Regional Police Force - Position Paper (TO BE TABLED)**

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Safety Committee, the proposed City of Halifax Position Paper On Regional Policing, 19 September 1994, be tabled.

Motion passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting of Wednesday, 19 September 1994, as follows:

Pinegrove School

This item was forwarded to Council without recommendation.

Alderman Adams addressed the matter and MOVED, seconded by Alderman Stone that Council:

1. declare Pinegrove School surplus to City requirements; and
2. grant the School Board permission to demolish Pinegrove School with all costs of demolition to be borne by the School Board.

Motion passed.

Condition of Lots after Demolition

Alderman Fitzgerald addressed the matter and urged that the demolition of sites be cleaned and levelled following demolition.

Concurring with Alderman Fitzgerald's comments, Alderman Stone asked that staff strictly enforce the current provisions of the City Charter with respect to the cleanup of these lots.

Parkland Strategy

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Council table the draft Parkland Strategy, pending a series of open houses for public consultation and that, following this, the draft be revised and a final report submitted for consideration by Council.

Motion passed.

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**Case No. 6998 - Development Agreement, Lands of  
Longwave Enterprises Limited - Off St. Michael's Avenue**

A supplementary staff report dated 21 September 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a date be set for a public hearing as soon as possible to consider the application by Longwave Enterprises Limited for approval of a development agreement regarding development of its lands off St. Michael's Avenue.

Motion passed.

The City Clerk advised that the recommended date for a public hearing would be scheduled for **Wednesday, October 19, 1994, at 7:30 p.m** in the Council Chamber.

**Case No. 6964: Rezoning from R-1 to R-2  
- 11 St. Margaret's Bay Road**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Committee, a date be set for a public hearing to consider the application to rezone 11 St. Margaret's Bay Road, lands of Jane and Roger Bureau, from R-1 (Single Family Dwelling) Zone to R-2 (Two Family Dwelling) Zone.

Motion passed.

The City Clerk advised that the recommended date for a public hearing would be scheduled for **Wednesday, October 19, 1994, at 7:30 p.m** in the Council Chamber.

MISCELLANEOUS BUSINESS

Tender 94-46 - Sidewalk Renewal  
- Duke Street(S) Hollis Street to Upper Water Street

A staff report dated 22 September 1994 was submitted.

MOVED by Alderman Downey, seconded by Alderman Walker that:

1. Council award Tender 94-46 for the renewal of sidewalk on Duke Street (S), Hollis Street to Upper Water Street for the materials and services listed at the unit prices quoted for a total bid price of \$6,454.00 and a total project cost of \$8,000.00 to Armdale Construction Limited;
2. Approve cost-sharing on a 50/50 basis with Manulife Real Estate for a gross project cost of \$8,000.00 and a net project cost of \$4,000.00;
3. Authorize expenditure from Capital Account No. 91306, Miscellaneous, Sidewalk Renewal Due to Development.

Motion passed.

NOTICES OF MOTION

Notice of Motion Alderman Adams Re: Amendment to  
Ordinance 116, The Taxi and Limousine Ordinance

Alderman Adams gave notice of motion that at the next meeting of Halifax City Council to be held on Thursday, the 13th day of October, 1994, he proposes to introduce for first reading an amendment to Ordinance Number 116, the Taxi and Limousine Ordinance. He indicated that the purpose of the amendment is to extend the moratorium on the issuance of taxi driver's licenses to September 30, 1997.

ADDED ITEMS

Sidewalk on Bedford Highway (Alderman Walker)

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

Alderman Walker addressed the matter noting that he has received a number of calls from residents concerned about the lack of a sidewalk on the Bedford Highway which causes a dangerous situation for pedestrians. The Alderman requested a staff report on the cost and feasibility of establishing a sidewalk on the water side of the Bedford Highway from Seton Drive to the Mount Saint Vincent entrance.

False Alarm Ordinance (Alderman Walker)

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

Alderman Walker addressed the matter and requested a staff report on the false alarm section of Ordinance 185 Respecting Burglary and Robbery Alarm Systems. He noted that the ordinance does not appear to address alarms, for example, that have a motion sensor problem.

Alderman Walker also questioned whether it would be possible to put a notice in the water bill advising residents of the requirement for a permit for an alarm system.

Alderman Walker further asked that consideration be given to modifying the form to make it easier for seniors to fill out.

Shriners Parade (Alderman Walker)

This item was deleted during the setting of the agenda.

New Landfill

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

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

Her Worship Mayor Ducharme advised that the Metropolitan Authority has referred this item to their next meeting to critique the proposal from the County of Halifax. Mayor Ducharme added that the four Mayors met with the Minister this evening and the County is willing to amend their proposal to make it more acceptable to the other municipalities. She noted that a further update will be provided.

Appointments

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

Reports dated September 29, 1994, from Her Worship Mayor Ducharme were submitted.

Planning Advisory Committee

MOVED by Alderman Meagher, seconded by Alderman Downey that the terms of members of the Planning Advisory Committee expiring the 30 September 1994 be extended to October 31, 1994 and that the following new appointments be approved effective October 31, 1994:

Robert K. (Bob) Daley  
Clare M. McIntosh  
Dov G. Bercovinci  
Raman Seth

Terms to expire January 31, 1997.  
Motion passed.

Tax Concessions and Grants Committee

MOVED by Alderman Meagher, seconded by Alderman Downey that the following appointments to the Tax Concessions and Grants Committee be approved:

Joanne Linzey  
David Surette  
Alderman Lonny Holland  
Deputy Mayor Patrick Pottie  
Murray Doehler

further that the Deputy Mayor position rotates.

Terms to expire January 31, 1997.

Motion passed.

Alderman Meagher noted that it has been brought to his attention that some of the groups that have received grants from the City over the years are now running into financial problems because they have not received any grant from the City to date i.e. the Ward 5 Community Centre. The Alderman asked that consideration be given to reviewing some of these groups that are in urgent need of funding as soon as possible.

Tender No. 94-116: Street Improvements,  
Rockingstone Road (Sussex Street to Leiblin Dr.

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

A staff report dated 27 September 1994 was submitted.

Alderman Adams spoke in support of the proposed works. However, he expressed concern with recommendation 3 that "Council approve the installation of concrete curb and gutter on the west side of Rockingstone Road between Sussex Street and Leiblin Drive in conjunction with Street Improvements with the benefitting properties subject to

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Local Improvement Charges without the right of petition in accordance with Section 391 of the City Charter." The Alderman indicated that he could not accept the approval of the concrete curb and gutter without the right of petition. He expressed the view that the citizens in the area should have a say as to whether or not they wish to pay for these improvements.

MOVED by Alderman Adams, seconded by Alderman Hanson that:

1. Council approve street improvements on Rockingstone Road between Sussex Street and Leiblin Drive under the Street Improvements Program.
2. Council award Tender No. 94-116 for the street improvements to be carried out on Rockingstone Road between Sussex Street and Leiblin Drive for materials and services listed at the unit prices quoted for a total bid price of \$189,540.00 and a total project cost of \$227,500.00 to Standard Paving Ltd.
3. Council approve the installation of concrete curb and gutter on the west side of Rockingstone Road between Sussex Street and Leiblin Drive in conjunction with Street Improvements with the benefitting properties subject to Local Improvement Charges and subject to a petition in accordance with Section 391 of the City Charter.
4. Council authorize funding from Capital Account No. 9133-91406, Street Improvement Program.
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.

With respect to the request for a petition, Mr. Peter S. Connell, Director of Engineering and Works, commented that it was difficult to award the tender without knowing which way to proceed.

Alderman Adams suggested that there be a petition on the street to allow the property owners who are being



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affected to decide whether or not they want the concrete curb and gutter.

Mr. Connell pointed out that a survey of the property owners was conducted to determine whether they would prefer the renewal of the existing asphalt curb or installation of new concrete curb and gutter including associated Local Improvement Charges. He advised that the results of the survey indicated that 62 percent of the property owners preferred concrete curb and gutter.

Alderman Adams questioned whether the property owners knew how much it would cost them for these improvements and Mr. Connell indicated that it was his assumption that they did.

Alderman Adams indicated that he would like to know for certain and he therefore MOVED, seconded by Alderman Stone that this time be deferred to the next Committee of the Whole Council pending clarification from staff.

The motion to defer was put and passed.

**Chebucto Road School Property (Alderman Meagher)**

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

Alderman Meagher advised that it has been suggested recently that consideration be given to converting the Chebucto School property on Chebucto Road, the main building, into senior citizen housing. He asked that this matter be forwarded to staff for a report. The Alderman commented that this was an historic property.

Alderman Stone noted that it was his understanding this property was still the ownership of the Halifax District School Board. He therefore suggested that it was premature at this stage for the City to consider the future use of the property.

Grace Maternity Hospital Property  
(Alderman Meagher)

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

Alderman Meagher commented that it was his understanding the former Grace Maternity Hospital is going to be demolished and turned into a parking lot. He expressed concern about the demolition of this building when there is a need for youth and student accommodation in the City. He asked that Dalhousie University be asked to comment on their plans.

Possible Sale of CN Rail - Eastern Region

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

A staff report dated 29 September 1994 was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that Council express its concern that the well-being of the Port of Halifax and the supported industries of Nova Scotia and the Maritimes be protected above all other considerations with respect to any negotiations which take place with respect to sale of CN's investments in rail trackage in eastern Canada, and that staff be authorized to monitor the situation closely and to take part in any discussions that might be beneficial with the Province, or any other interested party, on the understanding that Council will be kept informed at all times.

Motion passed.

Award of Tender No. 94-44, Traffic Lights,  
Conduits and Bases

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

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A staff report dated 23 September 1994 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that:

1. Council award Tender No. 94-44 for the installation of conduits and bases for traffic lights at the following locations:
  - (a) Robie Street at Inglis Street
  - (b) Main Avenue at Willett Street
  - (c) Almon Street at Oxford Street

for materials and services listed at the unit prices quoted for a total bid price of \$84,943.75 and a total project cost of \$102,000.00 to G & R Kelly Enterprises Ltd.

2. Council approve the installation of scoot loops at the four locations noted below by Black & McDonald, with whom the City has a three year maintenance agreement, for a cost not to exceed \$80,000.00:
  - (a) Robie Street at Inglis Street
  - (b) Main Avenue at Willett Street
  - (c) Almon Street at Oxford Street
  - (d) Old Sambro Road at Dentith Road

3. Council authorize expenditures from Capital Account No. 91546, Install Traffic Lights and Scoot Loops for the amount of \$182,000.00.

Motion passed.

Election Enumeration (Alderman Fitzgerald)

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

Alderman Fitzgerald referred to a couple of items which he felt should be addressed in connection with the municipal election. He noted that it was his understanding

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the advance poll for mainland south is located in the central part of the City. The Alderman expressed the view that an advance poll should at least be located in each of the four sections of the City (north, south, east, and west).

Alderman Fitzgerald went on to express concern about the stacks of election notices which pile up in apartment buildings. He added that with the number of changes of people in apartment buildings, there is an horrendous number of cards left floating around.

The Chair noted that the above concerns would be forwarded to the Returning Officer.

Plebiscites - Casinos (Alderman Adams)

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

The following document was submitted: "True Costs: The Economic and Social Costs of Casino Gambling, A Discussion Paper, People Against Casinos in Nova Scotia September, 1994."

Alderman Adams advised that it was his understanding according to a report from the City Solicitor that the City has a procedure or policy in place regarding plebiscites, but only for the general public to approve or disapprove a decision that Council has already made. The Alderman requested information from staff as to how to change this policy so that, if indeed Council wished to have a plebiscite on a certain matter or matters, Council could question the public before making a decision.

Making reference to a report from the City Solicitor dated September 27, Alderman Adams noted that Council could not hold a referendum. He commented that this report was in response to a question he raised on the issue of casinos and gambling. The Alderman went on to ask that the City Manager approach the Provincial Government to request whether a referendum would be possible on the issue of gambling held in conjunction with any other issues that may also have provincial involvement such as the Halifax

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Harbour Cleanup, Municipal Amalgamation, a Regional Police Force, and the Landfill.

Alderman Adams asked that the City Manager provide a report and then write a letter to the Province concerning possible means of acquiring public input on issues that affect not only Halifax City Council, but citizens across the province.

**Tax and Grants (Alderman Downey)**

Noting that appointments had been made earlier to the Tax Concessions and Grants Committee, Alderman Downey questioned how soon the Committee would meet to review the grant applications.

The Chair noted that the Committee would be urged to meet as soon as possible.

**QUESTIONS**

**Question Alderman Crowley Re:**  
**Downtown Business District Commission**

Alderman Crowley brought forward a request she received with respect to the BIDC. Given the fact that the Downtown Halifax Business Improvement District Commission is publicly funded by municipal taxes and levies, and given that this organization has admitted to receiving funds from the casino lobby to hire a professional consultant and to distribute very one-sided information, the Alderman asked that staff consult with the BIDC regarding their position.

**Question Alderman Crowley Re: Pedestrian Crosswalks**  
**on Quinpool Road**

Alderman Crowley asked that staff focus some attention on the lack of pedestrian crosswalks on Quinpool road, particularly in the area in front of the Quinpool

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Centre. She noted that she has received a number of complaints about the distance one has to walk on Quinpool road to get to a crosswalk in order to cross the road.

**Question Alderman O'Malley Re:**  
**Water Ponding - Civic No. 3603 Novalea Drive**

Referring to a complaint recently received, Alderman O'Malley advised that the property owner at 3603 Novalea Drive has experienced a continual ponding situation in his driveway owing to the fact that there is no curb adjacent to his home and that the road slopes slightly at this location.

Noting that she had brought this matter to staff's attention on a previous occasion, the Alderman asked if a member of the City's Engineering and Works Department would contact the individual in question to arrange a site inspection as quickly as possible.

**Question Alderman O'Malley Re:**  
**Tree Roots - Civic No. 5246 Hanover Street**

Alderman O'Malley noted that a large City tree appears to be causing problems in the vicinity of 5246 Hanover Street. She went on to point out that the roots of this tree have not only caused the sidewalk slabs to lift, but are now stretching into an adjacent driveway.

The Alderman went on to note that she has been advised by staff that they will be repairing the sidewalk with asphalt patching; she emphasized, however, that because many of the pedestrians who live in this area are elderly and could do themselves serious damage, she would appreciate having a member of the Parks and Grounds Division cut the roots back as quickly as possible.

Question Alderman O'Malley Re:  
Youth at Risk Program

Alderman O'Malley requested an update for the benefit of members of Council concerning the work that is being done on a City-wide basis regarding "youth at risk."

Question Alderman O'Malley Re:  
Youth Program - Bloomfield School

Alderman O'Malley noted that she had received information from the Ward 5 Drug Awareness Committee that the City's Recreation Department plans to initiate a new program (along the lines of a drop-in facility) for youth at Bloomfield Centre.

The Alderman advised that she would appreciate receiving further information about this program (e.g., its objectives, its hours of operation, its supervisors, etc.).

Question Alderman Holland Re: Trees along South Park Street

Alderman Holland questioned what measures staff was taking to replace the very mature trees on South Park Street and what is programmed for the near future.

Question Alderman Downey Re: Safety of City Streets

Alderman Downey noted that he raised a concern some time ago about the safety of City streets. He asked that the Police Chief report on the conditions of City streets and whether they are safe.

Question Alderman Fitzgerald Re: Trees at the  
Fairfield Sewage Overflow Station

Alderman Fitzgerald noted that beautiful trees have been planted at the Fairfield Sewage Overflow Station. However, he noted that some neighbours are concerned that they cannot see around these trees. The Alderman asked that staff investigate the situation.

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

HER WORSHIP MAYOR MOIRA DUCHARME  
AND  
DEPUTY MAYOR PAT POTTIE  
CHAIRMEN

EDWARD A. KERR  
CITY CLERK

\*MS

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**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

Council Chamber  
Halifax City Hall  
5 October 1994  
7:30 P.M.

A special 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.

**PRESENT:** Deputy Mayor Pat Pottie, Chairman; and Aldermen Holland, Fitzgerald, Downey, O'Malley, 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, which had been forwarded from a regular meeting of Committee of the Whole Council held earlier in the day, would be dealt with at this time.

**Public Sector Compensation Restraint Board -  
Approval of Pay Rate Increases Related to  
the Change in Classification from Firefighter  
2nd Class to Firefighter 1st Class (Effective  
1 October 1994)**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Safety Committee, Council approve the pay adjustment resulting from the classification adjustment from Second Class Firefighter to First Class Firefighter, pursuant to the Public Sector Compensation (1994-1997) Act and as outlined in the confidential staff report dated 5 October 1994.

The motion was put and passed.

**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

**(AMENDED PAGE)**

Council Chamber  
Halifax City Hall  
5 October 1994  
7:30 P.M.

A special 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.

**PRESENT:** Deputy Mayor Pat Pottie, Chairman; and Aldermen Holland, Fitzgerald, Downey, O'Malley, Hanson, Walker, and Crowley. (**NOTE:** Alderman Stone was not in attendance at this meeting).

**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, which had been forwarded from a regular meeting of Committee of the Whole Council held earlier in the day, would be dealt with at this time.

Public Sector Compensation Restraint Board -  
Approval of Pay Rate Increases Related to  
the Change in Classification from Firefighter  
2nd Class to Firefighter 1st Class (Effective  
1 October 1994)

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MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Safety Committee, Council approve the pay adjustment resulting from the classification adjustment from Second Class Firefighter to First Class Firefighter, pursuant to the Public Sector Compensation (1994-1997) Act and as outlined in the confidential staff report dated 5 October 1994.

The motion was put and passed.

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**Public Sector Compensation Restraint Board -  
Confirming Requirement to Apply NCO Salary Ratio to  
the Salary Rate of the 1st Class Constable  
(Effective 1 January 1994)**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Safety Committee, Council approve the pay adjustments to the NCO's as required by the Legislation and as outlined in the confidential staff report dated 5 October 1994. The motion was put and passed.

**Mayor's Advisory Committee to Promote  
the Arts - Tourism Halifax Staff Response**

MOVED by Alderman Walker, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the City of Halifax include the development of the creative, literary, visual and performing arts in the Corporation's strategic plan; and further, that this initiative involve the City working in partnership with the arts community, public, private and "not for profit" sectors to facilitate the progressive growth of artistic opportunities. The motion was put and passed.

**Tender #94-158: Repair and Upgrade of  
Heating System (West Street Fire Station)**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council authorize the award of Tender No. 94-158 for repair and upgrade of the heating and ventilation system of the West Street Fire Station to Black & MacDonald Limited in the amount of \$67,900.00 with a 10 percent contingency allowed for a total project cost of \$74,690.00. The motion was put and passed.

**Tender #94-155:  
Re-Roofing (West Street Fire Station)**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council authorize Tender No. 94-155 for re-roofing of the West Street Fire Station to S & M Roofing Contracting Limited in the amount of \$76,177.00

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5 OCTOBER 1994**

with a 10 percent contingency allowed for a total project cost of \$83,794.70. The motion was put and passed.

Old Burying Ground and Saint Mary's Basilica

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

- (1) City Council support the application of the Old Burying Ground and Saint Mary's Basilica to the Infrastructure Works Program; and further, that
- (2) Council contribute \$25,000 in fiscal year 1994/95 and approve a precommitment of funds in the amount of \$35,833 in fiscal year 1995/96 for a total contribution of \$60,833.

The motion was put and passed.

Tender #94-116: Street Improvements  
- Rockingstone Road (Sussex - Leiblin)

MOVED by Alderman Fitzgerald, seconded by Alderman Walker that, as recommended by the Committee on Works:

- (1) Council approve street improvements on Rockingstone Road between Sussex Street and Leiblin Drive under the Street Improvements Program;
- (2) Council award Tender No. 94-116 for the street improvements to be carried out on Rockingstone Road between Sussex Street and Leiblin Drive for materials and services listed at the unit prices quoted for a total bid price of \$189,540.00 and a total project cost of \$227,500.00 to Standard Paving Ltd.;
- (3) Council approve the installation of concrete curb and gutter on the west side of Rockingstone Road between Sussex Street and Leiblin Drive in conjunction with Street Improvements with the benefitting properties subject to Local Improvement Charges and

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without the right of a petition in accordance with Section 391 of the City Charter;

- (4) Council authorize funding from Capital Account No. 9133-91406, Street Improvement Program;
- (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.

Case No. 6819: Amendment to Stage II,  
Schedule "K," Glenbourne (Phase 1A)

MOVED by Alderman Walker, seconded by Alderman O'Malley that, as recommended by the Planning Committee:

- (1) The request by Alderney Consultants (1987) Ltd. for an amendment to the Stage II, Schedule "K" development agreement for Glenbourne - Phase 1A to allow revisions to Lots 1-102 to 1-105 inclusive and 1-111 to 1-114 inclusive and the addition of Lots 1-128 and 1-129, be approved by City Council;
- (2) Council requires that the amending 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; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**PUBLIC HEARINGS**

Public Hearing Re: Case No. 7015 -  
Appeal of Minor Variance Refusal  
(23, Lot 12A, Walsh Court)

Mr. Philip Francis, P.Eng., Development Officer, using maps and diagrams, presented a brief overview of the staff report dated 7 September 1994 concerning an appeal of a minor variance refusal at 23 (Lot 12A) Walsh Court.

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In his remarks, Mr. Francis advised that Walfox Developments Limited had made applications for minor variances pertaining to the construction of decks at 12 of its properties on Walsh Court. Eleven of those applications had been approved on the premise that the requests were being made by the developer on behalf of the new property owners who, in staff's opinion, could not be held directly responsible for the problems which necessitated the variances. However, in the case of 23 (Lot 12A) Walsh Court, which remains under the ownership of Walfox Developments, it is staff's view that not only is the variance considerable (i.e., that the side yard be reduced from 8 feet to 4 feet), the necessity for this variance results from an intentional disregard on the part of the developer for City regulations. Under the circumstances, therefore, Mr. Francis indicated that staff had no option but to refuse the request for a minor variance.

Alderman Hanson submitted a petition dated 5 October 1994 and signed by approximately 40 residents of Walsh Court, in support of the application for a minor variance at 23 Walsh Court.

Ms. Erin O'Brien, solicitor for Walfox Developments Limited, addressed Council in support of the minor variance request, pointing out that if the deck at 43 Walsh Court was not constructed in conformity with those at the other 11 units, the final product would look awkward and out of place. She also noted that a buyer has been found for the unit, and emphasized that this individual would prefer to have the deck built in the same position as its 11 counterparts. Ms. O'Brien pointed out that, unless the minor variance is granted, it is unlikely that the sale of this unit will proceed, and added that this would appear to be a much harsher penalty for the developer than the "crime" actually warrants.

Mr. Douglas Walsh, representing Walfox Developments Limited, acknowledged that because the units on Walsh Court represented his company's first project in the City of Halifax, it was entirely likely that Walfox representatives were unfamiliar with all of the City's regulations and requirements. However, he disagreed with staff's assertion that there had been an **intentional** disregard of the law, and emphasized that he and his staff had attempted to respond to all of the discrepancies identified by the City's Development Department during the construction process.



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Responding to a question from Alderman Hanson, Mr. Walsh advised that Walfox had become aware of the problem with the side yard deficiencies only during the sale of the fourth unit on Walsh Court.

In answer to a similar question from Alderman Hanson, Mr. Francis indicated that, in staff's view, the developer had known of the problems that would result from the location of the decks very early on in the application process. He added that when the building plans had been returned by the City, the decks had been deleted. However, it was staff's opinion that the developer had proceeded to construct the decks in spite of the obvious deficiencies in the side yard requirements.

Mr. Don Rogers, a resident of 25 Walsh Court, indicated that he lived directly adjacent to the property in question and had no problem with the deck at Lot 12A being left at its present location.

There were no other persons wishing to address Council on this matter, and no other correspondence received.

MOVED by Alderman Hanson, seconded by Alderman Walker that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council (scheduled for Thursday, 13 October 1994).

The motion was put and passed.

Public Hearing Re: Case No. 7049 -  
Development Agreement, 5203-09 Duffus  
Street/3520 Barrington Street

A public hearing was held at this time to consider the application for a development agreement to permit an operations and maintenance building to be erected at 5203-09 Duffus Street and 3520 Barrington Street.

Mr. Gary Porter of the City's Development and Planning Department, using diagrams and sketches, provided Council with a brief overview of this proposal. In his remarks, Mr. Porter advised that the City of Halifax has acquired the properties in question and plans to remove the existing buildings in order to make way for the

**SPECIAL COUNCIL  
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5 OCTOBER 1994**

construction of a new facility to be used in conjunction with the Duffus Street Pumping Station.

Mr. Porter went on to note that the project itself has already been approved by City Council as a Capital Budget item, and that approval is now being sought for a development agreement to permit this "utility use" in an R-2 area. He emphasized that staff have reviewed the proposal against the appropriate policies of the City's Municipal Development Plan and, in their view, the proposed use will be compatible with its surroundings. Staff have therefore recommended approval of the application for a development agreement.

Alderman O'Malley asked for information from staff as to the impact of the proposed facility on adjacent properties, particularly the residence located at Civic No. 5213 Duffus Street.

Mr. Porter advised that, in staff's opinion, the operation of the proposed utility at this location should have little or no impact on its neighbors. He pointed out that the design of the building will be comparable to that of a single-family dwelling, that the remainder of the site will be landscaped, and that all activities will take place within the building itself.

Responding to a similar question from the Deputy Mayor, Mr. Kulvinder Dhillon, Acting Chief Engineer, indicated that because all equipment and machinery related to the proposed facility will be enclosed in the building, there should be no excessive exterior noise.

Ms. Joanne Bond, the owner of Civic No. 5213 Duffus Street, expressed concern regarding the close proximity of the proposed facility to her home and the inconvenience and disruption which, in her opinion, will result from the demolition/construction process. In her remarks, Ms. Bond emphasized that because she has already spent a considerable amount of money upgrading her property, she is concerned about the type of fencing the City will use to buffer the proposed facility and about the fact that the roots of certain of her trees have extended beyond her property line and will undoubtedly be damaged when the proposed parking lot is paved. Ms. Bond also suggested that she would be greatly inconvenienced by the noise and heavy truck traffic generated by the demolition and construction process and, in this regard, pointed out that it is possible that several if not all of her boarders

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will go elsewhere because of the disturbance. She therefore urged Council and staff to reconsider her earlier request (made during a meeting of the Planning Committee on 7 September 1994) that her property be acquired by the City as part of this development project.

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

Alderman O'Malley asked that staff submit a report (prior to the 13 October meeting of Halifax City Council) addressing the concerns put forward by Ms. Bond and, in particular, that consideration be given to relocating the driveway to the proposed facility so that it will be further away from the property located at 5213 Duffus Street.

It was therefore moved by Alderman O'Malley, seconded by Alderman Fitzgerald that the matter be forwarded to Council without recommendation pending receipt of further information from staff.

The Deputy Mayor also suggested that, in their report, staff comment on the type of hording that could be used to buffer the site during the demolition/construction process.

The motion was put and passed.

**Public Hearing Re: Case No. 6947 -  
Lot Modification Development  
Agreement (48 Frederick Avenue)**

Mr. Gary Porter of the City's Development and Planning Department, using maps and diagrams, briefly overviewed the application for a lot modification development agreement to permit subdivision of the property located at 48 Frederick Avenue into Lots A and B, and the subsequent construction of a semi-detached dwelling.

In his remarks, Mr. Porter advised that staff have reviewed this application against certain criteria in the Mainland portion of the Land Use Bylaw (namely, that the amenity, character, convenience and value of neighboring properties not be adversely affected by the proposed development). He went on to point out that, in staff's opinion, the conditions necessitating the proposed

**SPECIAL COUNCIL  
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modification are unique and the development is entirely appropriate to the neighborhood; therefore, staff are recommending Council's approval of the application.

Mr. W. M. Fares, representing the developer in question, urged Council to accept the staff recommendation.

There were no further persons wishing to address Council in this regard, and no correspondence received.

MOVED by Alderman Walker, seconded by Alderman Downey that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 13 October 1994. The motion was put and passed.

**Public Hearing Re: Case No. 6953 -  
Development Agreement, 1358 Queen Street**

Mr. Dan Norris, Heritage Planner with the City's Development and Planning Department, presented a brief overview of the report dated 20 July 1994 pertaining to an application under Section 16AE(a) of the City's Land Use Bylaw (Peninsula Area) to permit the use of the building located at 1358 Queen Street as professional offices.

Using photographs and diagrams of the property in question, Mr. Norris emphasized that no exterior alterations are proposed, neither will any additions or new buildings be constructed in conjunction with this application. Furthermore, the application proposes to retain this site as a registered heritage property and, if approved by Council, would ensure a suitable reuse for the building. Staff have therefore recommended approval of the application.

Mr. Norris further advised that the application has been reviewed by the Heritage Advisory Committee who have suggested that the existing internal walls be retained to maintain the integrity of the heritage property and to facilitate a future residential reuse of the property. He added that this suggestion has been put forward to the building's owners and they have agreed to include this condition as part of their development agreement with the City.

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Mr. Hugh Vincent, part owner of the property in question, briefly addressed Council in support of the application.

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

Noting that no opposition to this application had been received, it was moved by Alderman Downey, seconded by Alderman Fitzgerald that:

- (1) Council approve the application by H. Vincent and M. Englehart for a development agreement under Section 16AE(a) of the Land Use Bylaw (Peninsula Area) to permit professional offices at 1358 Queen Street;
- (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 any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**Public Hearing Re: Case No. 6717 -  
Peninsula North Area 5 (Outstanding Issues:  
R-2 and R-3 Lands in the Area Bounded by  
Bloomfield, Agricola, Isleville and Russell Streets)**

Ms. Shelley Dickie of the City's Development and Planning Department briefly overviewed the report, dated 16 August 1994, submitted by the Planning Advisory Committee. In her remarks, Ms. Dickie advised that on 12 May 1994 a detailed plan for Peninsula North Area 5 had been adopted by Halifax City Council and later approved by the Minister of Municipal Affairs. She noted, however, that one of the issues which was to be further considered as a result of this adoption process was the recommendation that the R-3 lands in the area bounded by Bloomfield, Agricola, Isleville and Russell Streets (known as "the residential corridor") be redesignated to Medium-Density Residential and rezoned to R-2.

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Ms. Dickie went on to advise that the Planning Advisory Committee supports this recommendation on the basis that:

- (a) the primary existing land use in this area consists of one- to four-unit dwellings (of almost 60 properties in this area only three are larger);
- (b) one of the primary objectives of the Peninsula North Plan is the protection of stable residential areas. The residential corridor, although of limited size and generally surrounded by commercial and industrial uses, has remained relatively stable over the years. It is suggested that rezoning this area to R-2 (General Residential) will help to protect it from major redevelopment, either of a commercial or high-density residential nature.
- (c) the residential corridor does not lend itself to additional commercial redevelopment since it is removed from the area's major thoroughfares.

In concluding her remarks, Ms. Dickie also advised that the PAC has recommended that a policy be included in the Peninsula North Plan to allow the redevelopment of the existing 25-unit building at 5665 Almon Street by development agreement, if it were to be destroyed by fire or otherwise (in this context, it was noted that this property will be made non-conforming should the proposed redesignation and rezoning be approved).

Alderman O'Malley submitted a letter dated 5 October 1994 from Ms. Norma M. Barker, proprietor of Pottie's Grocery. In her letter, Ms. Barker made reference to a petition previously submitted to the PAC from homeowners in the residential corridor asking that this portion of Almon Street be rezoned to C-2. Ms. Barker commented that, given the number of businesses and stores already located in this area, it was in her opinion unlikely that further residential redevelopment would occur.

Referring to Ms. Barker's letter, Alderman O'Malley asked that staff provide information as to the number of properties located within the "residential corridor" and, of those, the number which are already zoned C-2. The Alderman asked that this information be made available prior to the 13 October meeting of Halifax City Council.

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
5 OCTOBER 1994**

Mr. Barry Allen, representing the City Solicitor, responded to questions from various members of City Council.

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

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, 13 October 1994. The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 8:45 p.m.

DEPUTY MAYOR PAT POTTIE  
CHAIRMAN

**HEADLINES**

**ADDED ITEMS**

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**HEADLINES (CONT'D)**

**PUBLIC HEARINGS**

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
13 October 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, Chairman; Deputy Mayor Pat Pottie; and Aldermen Holland, Fitzgerald, Downey, Meagher, O'Malley, Adams, Hanson, Walker, Crowley and Stone.

**ALSO PRESENT:** Mr. Wayne Anstey, Q.C., Acting City Manager; Ms. Margaret Soley, Acting City Clerk; and other members of City staff.

## MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 29 September 1994, were approved as circulated on a motion by Alderman Stone, seconded by Alderman Walker.

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

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

- 20.1 City of Halifax Three-Year Report  
(1991-94)

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

- 20.2 Leaf Pick-Up Program