

PETITIONS & DELEGATIONS:

Petition Residents of Huron Street Re: Traffic

Alderman Moore presented a petition dated August 30, 1980 from the residents of Huron Street requesting that certain traffic problems be attended to.

At the request of Alderman Moore, Council agreed that the petition be referred to staff for review and report.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 3, 1980, as follows:

Daylight Saving Time

MOVED by Alderman Maley, seconded by Alderman Hamshaw that, as recommended by the Finance & Executive Committee, Daylight Saving Time be approved as follows:

"Effective at 12:01 a.m. Sunday, April 27, 1980
until 12:01 a.m. Sunday, October 26, 1980."

Motion passed.

Police and Fire Shirts - Tender No. 80-92 - 1A & D

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, Council grant authority to purchase Police and Fire Shirts (Tender 80-92 1A & D) from Star Uniform Inc., on the basis of their offer at prices of \$8.98 and \$8.20 in the quantities indicated in the staff report dated August 25, 1980.

Motion passed.

Word Processing Equipment

MOVED by Alderman Wooden, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, Council authorize the acquisition of an AES C-20 Word Processing System, at a cost of \$64,130, and the funds be provided from the General Government account of the City, and that an internal charge and technology reserve be established.

Motion passed.

Floor of Municipal Development Plan Committee Room

The above item was forwarded to Council for the purpose of receiving a report on the extent of work involved and the estimated cost.

Council
September 11, 1980

A staff report dated September 11, 1980, was submitted.

Following a short discussion, it was MOVED by Alderman Shannon, seconded by Alderman Maley that the work be carried out immediately and funds be made available under Section 201(1) of the Halifax City Charter.

Motion passed.

Dates for Council and Committee Meetings in October

The above item was referred to the City Solicitor for the purpose of receiving information for the Council meeting. An information report dated September 10, 1980, was submitted from the City Solicitor.

MOVED by Alderman Wooden, seconded by Alderman Moore that Council confirm its schedule of regular meetings for the month of October 1980, and call a special meeting of City Council for Monday, November 3, 1980 at 11:00 A.M. to swear in new members of Council.

Motion passed.

Halifax Senior Citizens Housing Corporation

1) Parking Northwood Centre & 2) Tax Concessions & Grants

The following is the recommendation of the Finance and Executive Committee:

"That the Halifax Senior Citizens Housing Corporation have a meeting with area residents to discuss the proposal."

Alderman Downey said the residents were concerned that no buildings be demolished until they meet with the Senior Citizens Housing Corporation. Alderman Downey said he was in touch with Mr. Ivany who assured him that the only building that would be demolished would be one located on Fuller Terrace and that the Corporation would attempt not to remove any buildings until a meeting is held with the residents of the area.

MOVED by Alderman Downey, seconded by Alderman Maley that the Halifax Senior Citizens Housing Corporation have a meeting with area residents to discuss the proposal and that Council express the hope that no buildings be demolished until the Corporation meets with the residents of the area.

Motion passed.

At the request of Alderman Meagher, Council agreed that the matter of "Tax Concessions & Grants", be deferred to the next regular meeting of the Committee of the Whole Council.

Council
September 11, 1980

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on September 3, 1980, as follows:

Albert Street - Drainage Problem

The above item was deferred to Council for the purpose of receiving a staff report.

A staff report dated September 10, 1980, was submitted.

At the request of Deputy Mayor Sullivan, the above item was deferred to the next regular meeting of the Committee of the Whole Council.

St. Joseph's Day Care Centre

The above item was forwarded to City Council without recommendation.

An information report dated September 9, 1980, was submitted.

The City Manager, in referring to the information report advised that the problem has been taken care of and that no action was required by City Council.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS:

Amendment to Ordinance No. 110, respecting the Halifax
Deed Transfer Tax Ordinance - SECOND READING

A proposed amendment to Ordinance No. 110 was passed by the Committee of the Whole Council at its last regular meeting and forwarded to Council for Second Reading.

MOVED by Alderman Moore, seconded by Alderman Wooden that the proposed amendment to Ordinance No. 110, be read and passed a Second Time by City Council.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on September 3, 1980, as follows:

Case No. 3858 - Appeal of Development Officer's Decision
to Approve a Minor Variance at Civic No. 962 Young Avenue

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the City Planning Committee, the appeal of the decision of the Development Officer to approve a Minor Variance at Civic No. 962 Young Avenue, be denied.

Motion passed.

Council
September 11, 1980

Detailed Area Plan - Traffic Planning

MOVED by Alderman Maley, seconded by Alderman Moore
that, as recommended by the City Planning Committee, Council
authorize staff to proceed with the preparation of terms of
reference for a transportation study of the Peninsula for
Council's consideration.

Motion passed.

Watershed Lands

Alderman Moore advised that he was in contact with
the General Manager of the Public Service Commission concerning
the staff report of August 19th. Alderman Moore said Mr. Kline
was not aware the item was on the agenda nor did he receive a
copy of the report, and that he was of the view there were a couple
of misinterpretations and mis-statements of fact. Alderman Moore
said he would like to see the item deferred to give the Commission
an opportunity to review the report and to respond to it.

MOVED by Alderman Moore, seconded by Alderman Hamshaw
that the matter be deferred to the next regular meeting of the
Committee of the Whole Council and a copy of the staff report be
forwarded to the Public Service Commission to the attention of
the General Manager for a review and report from the Commission.

Alderman Shannon said she would like to see a copy of
the standards of the Insurance Advisory Organization which requires
the back-up supply for fires.

Alderman Clarke noted a question was previously asked
relating to the present status of the lands and whether the
Province has taken steps to expropriate and remove the
present encumbrance on the land so that the City or the Public
Service Commission can deal with the remaining lands.

The City Manager advised that as of this date, the
Province has not expropriated nor taken action leading to
expropriation but advised that the City is led to believe that
such action is only weeks or days away.

Alderman Maley, in referring to the latest staff report,
said one item which was not addressed was staff's views on rezoning
the land to Park and indicated she would like to receive staff's
views on the procedures for rezoning the land.

The Motion to defer was put and passed.

Alderman Moore noted that at the last Committee meeting
he mentioned to the members that the Premier of the Province had
given an indication to him with respect to the site of the Atlantic
Winter Fair on a portion of the Watershed lands. Alderman Moore
said he heard a statement on the radio the following day denying
that saying he wanted to make it clear that he had a discussion with
the Premier at which time the situation was reviewed and the
importance of Council agreeing to the disposition of the lands
was explained.

Council
September 11, 1980

Alderman Moore said he implored the Premier to stick to his word and to respond to the Mayor's letter of September 4th and to confirm that the Atlantic Winter Fair will be located on the portion of lands that the Public Service Commission and Council have agreed to sell to the Province.

Contract Development - 6055 Almon Street (A. E. Fowles)

At the City Planning Committee meeting, the above item was forwarded to the special meeting of Council scheduled for September 3, 1980, for the purpose of setting a date for a public hearing.

MOVED by Alderman Maley, seconded by Alderman Shannon that the item be deferred until Council receives a staff report.

A short discussion and questioning of staff ensued and the Motion to defer was put and lost with Aldermen Maley and Shannon in favour of deferment.

Further discussion ensued and the City Manager advised that the staff report would be circulated to members of Council on Friday, October 3rd.

MOVED by Alderman Clarke, seconded by Alderman Moore that Wednesday, October 22, 1980, at 7:30 p.m. be set for a public hearing to consider a contract development application, 6055 Almon Street (A.E. Fowles). Motion passed.

MOTIONS:
Motion Alderman Moore Re: Ordinance to Regulate Harbour Walk - FIRST READING

First Reading with respect to the above proposed Ordinance was deferred to this meeting from the August 28th meeting of City Council.

Alderman Moore advised that he has held further discussions with the Legal Department concerning the proposed Ordinance and proceeded to outline his reasons for pursuing the matter in the first instance. Alderman Moore noted there are other areas in the City which are protected in a manner similar to what was intended by the Ordinance but that it is done by way of a Motion of Council.

Alderman Moore indicated he would prefer to deal with the matter by way of a Motion of Council rather than by an Ordinance and MOVED, seconded by Alderman Wooden that commercial activities along the waterfront boardwalk, be prohibited.

A short discussion ensued and the Motion was put and passed with Alderman Maley against.

MISCELLANEOUS BUSINESS

Building Permits - Old South End

A staff report dated September 10, 1980, was submitted.

MOVED by Alderman Maley, seconded by Alderman Shannon
that Council indicate no objection to the permits for the
applications that are listed in the staff report dated September 10,
1980.

Motion passed.

Possible Expropriation Parcel 1C Spencer Avenue

A confidential staff report dated September 8, 1980,
was submitted.

MOVED by Alderman Wooden, seconded by Alderman Moore
that:

1. Parcel 1C, portion of Lot C, Spencer Avenue, as shown on Plan TT-28-26128, be expropriated by the City of Halifax for street purposes, namely the construction of a cul-de-sac on Spencer Avenue, and that compensation in the amount of \$8,600 be offered to the owner.
2. Council authorize application to the Attorney General for an order for immediate possession pursuant to Section 11(7) of the Expropriation Act.

Following a short questioning of staff, the Motion
was put and passed.

Relocation - Civic Nos. 343 and 355 Herring Cove Road

A confidential staff report dated September 3, 1980,
was submitted.

Following a questioning of staff, it was MOVED by
Alderman Wooden, seconded by Alderman Hamshaw that:

1. The major work be awarded to Cumberland Builders Limited for \$29,172 and the electrical to Pelham Electric and Refrigeration Ltd. for \$2,000; funds can be made available from Account No. 227448 Z0500 CH HJ012 (Herring Cove Road Widening).
2. Upon completion of the move, staff be authorized to offer the property for sale by public tender.

Motion passed.

Council
September 11, 1980

NIP III Implementation - Boulevard Landscaping

A staff report dated September 5, 1980, was submitted.

MOVED by Deputy Mayor Sullivan, seconded by Alderman Downey that Council award the tender for Boulevard Landscaping to Edmonds Brothers Landscaping Services (1979) Ltd. for an amount not to exceed \$38,205.00; funds are available in Account No. Z0500 EH007.

Alderman Maley referred to the matter of planting grass on boulevards and suggested that the verges and boulevards have not been looked after very well this year throughout the City. Alderman Maley suggested that staff look into the matter of using some other form of finish which might be neater and better from the point of view of snow damage. The City Manager advised that staff would look into the matter.

The Motion was put and passed.

QUESTIONS

Question Alderman Shannon Re: Use of Wanderers Grounds

Alderman Shannon advised that she received a report to the effect that the Wanderers Grounds would not be made available to the Queen Elizabeth High School for football. Alderman Shannon said there was also another junior football team which thought they had an arrangement with the City for the use of the Grounds which is no longer the case. Alderman Shannon asked for a report from staff on the matter.

Question Alderman Shannon Re: Aldermen

Alderman Shannon noted that in Council minutes dealing with the Stipends Committee report, members of Council were referred to as Alderpersons. Alderman Shannon noted the term is not contained in the City Charter and that she preferred that members of Council be referred to as Aldermen.

The City Solicitor advised that the term would not be used in the Administrative Order amendment which will be coming to the next Council meeting.

Question Alderman Maley Re: Election Advertising

Alderman Maley advised that she has received a number of calls from residents wishing information with respect to the procedures involved in seeking School Board office. Alderman Maley asked if it would be possible to advertise prior to nomination day in order that potential candidates will know the procedure.

Question Alderman Downey Re: Cost Sharing of City Streets

Alderman Downey said he has noticed that a number of streets resurfaced this year have been affected by overweight vehicles and increased traffic which represents a great cost to the City. Alderman Downey suggested the Province should cost share on some streets for which cost sharing is not received and asked if staff could prepare a report and seek full cost sharing on all City streets.

The City Manager advised that such an approach was made including cost sharing on sidewalks but said the City was not successful at the staff level. The City Manager referred to the upcoming meeting with the Premier and suggested this could be an item which the Committee could bring up at that time. Council agreed that the item be added to the list of items to be discussed.

Question Alderman Downey Re: Fence - St. Patrick's Church

Alderman Downey advised that a fence was installed on Brunswick Street next to St. Patrick's Church but that some parts of the fence are missing. Alderman Downey asked that staff looking into carrying out necessary repairs to the fence.

Question Alderman Downey Re: 5579-5589 Morris Street

Alderman Downey said he previously asked the Building Inspector to look into the above buildings which are in bad shape saying he is still waiting for a report. Alderman Downey asked if some action could be taken on the matter.

Question Alderman Meagher Re: Pinball Machine Legislation

Alderman Meagher noted that Council approved legislation respecting pinball machines which was forwarded to the Province and asked how soon it could be expected that the matter would again be before Council.

The City Solicitor indicated it could be any time that Council directs and Alderman Meagher requested the item be placed on the agenda of the next Committee of the Whole Council meeting.

Question Deputy Mayor Sullivan Re: Fort Needham

Deputy Mayor Sullivan referred to the hill on the east side of Gottingen Street at Fort Needham which is very difficult to cut but said it has never looked better than it has this summer. Deputy Mayor Sullivan requested that the City Manager commend the Parks & Grounds Department for the good job that was done this year.

Question Deputy Mayor Sullivan Re: Union Street

Deputy Mayor Sullivan noted that the City chipsealed Union Street this year but suggested that the area from #3276 to Dartmouth Avenue, has never had a proper base installed. Deputy Mayor Sullivan said the curb and gutters are in bad shape with the curbs being at practically the same elevation as the pavement. Deputy Mayor Sullivan requested that the Engineering Department review the section of street with a view to either scheduling repairs to the curb and gutters or the road surface. Deputy Mayor Sullivan expressed the view that the drainage problem has been rectified but that consideration should be given to installing a more permanent base and repairs to the curb and gutter.

Question Alderman Clarke Re: Overhead Crosswalk Signs

Alderman Clarke noted that a letter was written to the Power Corporation in an attempt to have overhead crosswalk signs installed prior to the opening of school but suggested they have not yet been started. Alderman Clarke asked that the matter be checked into again.

Question Alderman Clarke Re: Truck Routes

Alderman Clarke noted that a short time ago, he asked that the matter of truck routes be placed on the agenda and that the Chief of Police or other personnel from the Department be present to discuss the matter. Alderman Clarke asked that the item be placed on the agenda of the next Committee of the Whole Council meeting.

Council
September 11, 1980

Question Alderman Clarke Re: Traffic Improvements - Connaught Avenue and Bayers Road

Alderman Clarke referred to the above traffic improvements saying he has received calls from people who are confused about who has the right-of-way at the intersection when proceeding from the median to connect to Bayers Road from Connaught Avenue. Alderman Clarke requested a report dealing with staff's assessment of the situation now that the change has been made.

Question Alderman Wooden Re: Sodding - Sidewalk Projects

Alderman Wooden said she has checked a couple of sodding projects which have been carried out in the Ward which she represents which do not seem to be of the same quality as other similar works in the City. Alderman Wooden referred to Sussex Street and Dentith Road saying she would like to know if a quality control system is employed. Alderman Wooden said she would not want the same situation to apply to other new construction being undertaken this year.

Question Alderman Wooden Re: Letter - Herring Cove Road Resident

Alderman Wooden advised that she was in possession of a letter from a resident on the Herring Cove Road who has not accepted the City's offer of compensation. Alderman Wooden asked that the City Solicitor review the letter and reply to the Solicitor involved.

Question Alderman Moore Re: Painting

Alderman Moore referred to a painting by Kelsey Raymond which was displayed in the Mayor's office but noted it is no longer there. Alderman Moore suggested the City's art works are insured saying he would like to know where the painting is and whether the insurers have been notified, if it has been removed from the policy, or what the situation is. The City Manager advised that he would report on the matter.

Question Alderman Moore Re: Canteen Concession - Public Gardens

Alderman Moore said he received a call to the effect that Council approved the awarding of the canteen concession at the Public Gardens without a public tender call. Alderman Moore asked for a report on the matter and if it was advertised, that a copy of the advertisement be included in the report.

Question Alderman Hamshaw Re: Tremont Drive

Alderman Hamshaw referred to a modification of the lot frontage which was recently approved by Council on Tremont Drive saying that residents within 200' of the site were to be notified. Alderman Hamshaw said he has received a number of calls from residents within the 200' contending they were not notified. Alderman Hamshaw asked to be notified on the matter saying that if an appeal Digital copy of minutes provided by Halifax Municipal Archives understanding it must be filed tomorrow.

Council
September 11, 1980

Question Alderman Hamshaw Re: Barrington Street Improvements

Alderman Hamshaw expressed appreciation to staff for improvements made to Barrington Street in connection with the new turn-off for Pier 2.

Question Alderman Downey Re: Apartment Building -
Spring Garden Road and Tower Road

Alderman Downey referred to a restaurant located in the area of the above location where there seems to be some problem in that the fans used by the restaurant are disturbing the residents in the apartment building next door.

The City Manager advised that the proprietor of the restaurant is looking into a possible malfunction of equipment and an attempt is being made to rectify the noise in the neighbourhood. The City Manager advised that the Building Inspection Department is also looking into the matter.

NOTICE OF MOTION

Notice of Motion Alderman Maley Re: Amendment to Ordinance #131

Alderman Maley gave notice that at the next regular meeting of Council to be held on September 25, 1980, she proposes to introduce an amendment to Ordinance #131 respecting Water Closets in Public Facilities such as restaurants. Alderman Maley advised that the purpose of the amendment was to limit the requirement of separate washrooms for sexes to establishments of greater than 600 square feet.

ADDED ITEMS

Fort Needham Views

The above item was added to the agenda at the request of the Acting City Clerk. A supplementary staff report dated September 11, 1980, was submitted.

At the request of Deputy Mayor Sullivan, Council deferred the item to the next regular meeting of the Committee of the Whole Council.

Fill

The above item was added to the agenda at the request of Alderman Wooden who advised that she was of the understanding that before fill could be directed to parts of the City other than designated areas, a Motion of Council was required.

Alderman Wooden advised that St. Michael's Church required 20 truck loads of fill and that the Lions Club would like 15 loads and indicated that difficulties were being experienced in finding a place for the fill from the Herring Cove Road and Old Sable Road projects and expressed the view that some fill is being taken to the County.

Council
September 11, 1980

The City Manager advised that to his knowledge, neither staff nor Council has ever approved of placing fill on other than City property and suggested that the City Solicitor be asked to review the legality of disposing of City assets in such a manner. Alderman Wooden suggested it should be determined where some of the fill is presently going saying she would like a report on the matter and would like to know where the fill was placed from the Old Sambro Road project.

MOVED by Alderman Wooden, seconded by Alderman Hamshaw that in the case of requests for fill by community organizations which will benefit the community, the Engineering and Works Dept. be instructed to direct fill to such organizations in cases where such requests are approved by City Council.

A further short discussion ensued and, with the agreement of the Mover and Seconder, the item was referred to the next regular meeting of the Committee of the Whole Council for the purpose of receiving a report.

Halifax Transit Assets

The above item was added to the agenda at the request of Alderman Clarke who advised that the subject matter was discussed at a recent meeting of the Metropolitan Authority. Alderman Clarke asked what information was being sought that would allow a final decision to be made.

The City Manager noted that Council instructed staff to ascertain whether an undertaking could be secured from the Province to cost share on assets other than rolling stock assets saying the latest information is negative. The City Manager advised that a meeting is scheduled between City staff and senior staff of the Province and noted the item is also included in the list of items to be discussed at a meeting between a Council Committee and the Premier. The City Manager suggested a final decision may be made by the Province at that time.

Traffic - Allen, Lawrence, and Duncan Streets

The above item was added to the agenda at the request of Alderman Meagher who advised that since the completion of the Quinpool Road project, traffic has been using Allen, Duncan, and Lawrence Streets to avoid the two traffic lights on Quinpool Road. Alderman Meagher said he has received a number of calls during the past week concerning the amount of traffic on these streets.

Alderman Meagher requested that the matter be referred to the traffic department to see what improvements can be made to discourage through traffic and as well, to slow it down.

Council
September 11, 1980

Irving Oil Property on the Corner of Quinpool Road & Poplar Street

The above item was added to the agenda at the request of Alderman Meagher who advised that in May, the residents heard a rumor that the property would be turned into a car wash. Alderman Meagher noted there is a lot of land attached to the property in question and that he had asked that the property be rezoned to R-2.

Alderman Meagher indicated the residents have always felt the lot was zoned R-2 and, in referring to research previously carried out by the Legal Department, expressed the view that he had been informed at that time the land was R-2.

Alderman Meagher asked that the matter of the information report of August 28, 1980, be referred back to staff for the purpose of determining whether the City can proceed with the down-zoning of the lot to R-2.

Remuneration - Returning Officer

The above item was added to the agenda at the request of Alderman Moore.

MOVED by Alderman Moore, seconded by Alderman Hamshaw that the Returning Officer for the upcoming general election receive the sum of \$3,500.

Motion passed.

9:55 P. M. - Meeting adjourned.

HEADLINES

Minutes 402
Approval of the Order of Business, Additions & Deletions . 402

DEFERRED ITEMS:

Case No. 3838 - Rezoning and Lot Consolidation,
MacKintosh and Bayne Streets 403
Case No. 3823 - Rezoning - Schedule "K" (Sheffield in
the Park - SET DATE FOR PUBLIC HEARING 403
Natural Gas - Pipeline Extension 403

PETITIONS & DELEGATIONS:

Petition Residents Of Huron Street Re: Traffic 404

REPORT - FINANCE & EXECUTIVE COMMITTEE:

Daylight Saving Time 404
Police and Fire Shirts - Tender No. 80-92 - 1A & D 404
Word Processing Equipment 404
Floor of Municipal Development Plan Committee Room 404
Dates for Council and Committee Meetings in October 405
Halifax Senior Citizens Housing Corporation 1) Parking
Northwood Centre & 2) Tax Concessions & Grants 405

<u>REPORT - COMMITTEE ON WORKS:</u>	
Albert Street - Drainage Problem	406
St. Joseph's Day Care Centre	406
<u>REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS:</u>	
Amendment to Ordinance No. 110, respecting the Halifax Deed Transfer Tax Ordinance - SECOND READING	406
<u>REPORT - CITY PLANNING COMMITTEE:</u>	
Case No. 3858 - Appeal of Development Officer's Decision to Approve a Minor Variance at Civic No. 962 Young Avenue ..	406
Detailed Area Plan - Traffic Planning	407
Watershed Lands	407
Contract Development - 6055 Almon Street (A.E. Fowles)	408
<u>MOTIONS:</u>	
Motion Alderman Moore Re: Ordinance to Regulate Harbour Walk - FIRST READING	408
<u>MISCELLANEOUS BUSINESS:</u>	
Building Permits - Old South End	409
Possible Expropriation Parcel 1C Spencer Avenue	409
Relocation - Civic Nos. 343 & 355 Herring Cove Road	409
NIP III Implementation - Boulevard Landscaping	410
<u>QUESTIONS:</u>	
Question Alderman Shannon Re: Use of Wanderers Grounds ...	411
Question Alderman Shannon Re: Aldermen	411
Question Alderman Maley Re: Election Advertising	411
Question Alderman Downey Re: Cost Sharing of City Streets ..	411
Question Alderman Downey Re: Fence - St. Patrick's Church ..	411
Question Alderman Downey Re: 5579-5589 Morris Street	412
Question Alderman Meagher Re: Pinball Machine Legislation ..	412
Question Deputy Mayor Sullivan Re: Fort Needham	412
Question Deputy Mayor Sullivan Re: Union Street	412
Question Alderman Clarke Re: Overhead Crosswalk Signs	412
Question Alderman Clarke Re: Truck Routes	412
Question Alderman Clarke Re: Traffic Improvements - Connaught Avenue and Bayers Road	413
Question Alderman Wooden Re: Sodding - Sidewalk Projects ..	413
Question Alderman Wooden Re: Letter - Herring Cove Road Resident	413
Question Alderman Moore Re: Painting	413
Question Alderman Moore Re: Canteen Concession - Public Gardens	413
Question Alderman Hamshaw Re: Tremont Drive	413
Question Alderman Hamshaw Re: Barrington St. Improvements ..	414
Question Alderman Downey Re: Apartment Building - Spring Garden Road and Tower Road	414

Council
September 11, 1980

NOTICE OF MOTION:

Notice of Motion Alderman Maley Re:
Amendment to Ordinance Number 131 414

ADDED ITEMS:

Fort Needham Views 414
Fill 414
Halifax Transit Assets 415
Traffic - Allen, Lawrence, and Duncan Streets 415
Irving Oil Property on the Corner of
Quinpool Road and Poplar Street 416
Remuneration - Returning Officer 416

MAYOR RONALD J. HANSON
CHAIRMAN

CATHERINE MacNEIL
ACTING CITY CLERK

Prov. Architects

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
September 25, 1980
8:10 P. M.

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

After the meeting was called to Order, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; and Aldermen Maley, Shannon, Downey, Clarke, Wooden, Moore, and Hamshaw.

Also Present: Mr. R. B. Grant, Acting City Manager; City Solicitor, City Clerk, and other staff members.

MINUTES

Minutes of the City Council meeting held on September 11, 1980, were approved on Motion by Alderman Maley, seconded by Alderman Clarke.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS:

At the request of the City Clerk, Council added:

- 9.1 - Petition Re: Removal of Polling Booth - Civic No. 2313 - Ahern Manor, Gottingen Street, Halifax, N. S.
- 20.1 - Family Units of Public Housing
- 20.2 - Award of Tender No. 80-93 - Concrete Sidewalk along William's Lake Road
- 20.3 - Tender No. 80-147 - Furnace Oil
- 20.4 - Street Closures - SET DATE FOR PUBLIC HEARING

At the request of Alderman Shannon, Council added:

- 20.5 - Landmarks Commission
- 20.6 - Engineering Study - Thomas Building
- 20.6 - Non-Union Salaries

At the request of Alderman Wooden, Council added:

- 20.7 - Burnt-Out Building - Hartlen Avenue

The agenda, as amended, was approved.

Council
September 25, 1980

PETITIONS & DELEGATIONS

Petition Re: Removal of Polling Booth - Civic No. 2313 -
Ahern Manor, Gottingen Street, Halifax, N. S.

Mr. Murray Warrington of 2313 Gottingen Street addressed Council in connection with there not being a polling station located at Ahern Manor for the upcoming civic election. Mr. Warrington advised of his efforts in connection with having a station located in Ahern Manor and presented the reasons therefor. Mr. Warrington requested that Council consider the matter and place a polling booth in Ahern Manor.

A short discussion ensued on the matter and Council agreed that a report be submitted from the Returning Officer.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 17, 1980, as follows:

Halterm Tax Agreement

The above item was deferred to City Council without recommendation. A staff report dated September 19, 1980, was submitted.

MOVED by Alderman Shannon, seconded by Alderman
Maley that:

1. Council seek legislation for an agreement with Halterm whereby taxes would be charged at a rate of 1½% of gross revenue in 1981, 1 3/4% in 1982, 2% in 1983, 2½% in 1984, 2½% in 1985, and 2½% every year thereafter with the agreement to expire on December 31, 1990, or at such time that Halterm should cease operations, except that at no time shall taxes, based on this formula, exceed full taxes based on assessment for any given year.
2. Halterm be granted an option at the end of three years (December 31, 1983) to re-negotiate the tax agreement upon evidence of non competitive rates.

Motion passed.

Possible Acquisition - Lot 34 Lynnet Road

MOVED by Alderman Wooden, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, Civic #8, Lot 34 Lynnet Road be purchased from Nohra Mansour and Perry Ivany for \$8,800 as settlement in full, and that the land be used as an addition to the existing Lynnet Road Playground; funds are available in Account #142516, Recreation Reserve Account. Motion passed.

Council
September 25, 1980

Possible Acquisition of Civic No. 7 Pinegrove Drive

MOVED by Alderman Wooden, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, Civic #7 Pinegrove Drive be acquired from Mr. & Mrs. Edward O'Keefe for \$25,000 as settlement in full for all claims; funds can be made available from Account #226111 20500 EH014 (Land for Municipal Purposes).

Motion passed with Alderman Shannon against.

Tax Concessions & Grants Committee - Valley Farms

Mr. Harold Crowell, the Social Planner, advised that he received a call today from the applicant to the effect that he had obtained the requested funds from another source and that he felt the program could be operated without the funds which were requested from the City. Mr. Crowell advised that the applicant will be carrying out the project and will report back to the City.

His Worship advised that no action was required on the item by Council.

Pinball Machine Legislation

The above item was forwarded to Council for the purpose of receiving a report from the City Solicitor. The City Solicitor advised that the requested report would be available for the next regular meeting of the Committee of the Whole Council.

Proposed Purchase of Zamboni - Forum Commission

MOVED by Alderman Wooden, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, Council acknowledge this proposed course of action by its Forum Commission and agree in advance to the acceptance of this charge as part of the Commission's 1981 Operating Budget as contained in the staff report dated September 11, 1980, and should there be surplus funds available in 1980, the purchase could be covered by that surplus.

Motion passed.

Lease of Social Planning Offices, Metro One, Young Street

MOVED by Alderman Shannon, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to execute renewal documents for a term of two years, to March 31, 1983. Funds can be made available from Account Number 122601 H0112 2L020 (Rental of offices from Burnside Developments Limited for Social Planning Use).

Motion passed with Alderman Maley against.

Council
September 25, 1980

Possible Acquisition - Lot C, Spencer Avenue,
Lands of Violet Mitchell

MOVED by Alderman Wooden, seconded by Alderman
Clarke that, as recommended by the Finance and Executive Committee,
Parcel 1C together with the remainder of Lot C be acquired from
Mrs. Violet Mitchell for \$10,000 as settlement in full; funds to
be made available from Account #CD 026, the Spencer Avenue Paving
Account.

Motion passed.

Taxation - Public Service Commission

MOVED by Alderman Shannon, seconded by Alderman
Wooden that, as recommended by the Finance & Executive Committee,
staff be instructed to appeal the decision of the Supreme Court
of Nova Scotia, Trial Division in the case of City of Halifax vs.
Public Service Commission of Halifax et al to the Supreme Court
of Nova Scotia, Appeals Division.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on
Works from its meeting held on September 17, 1980, as follows:

Petition - Residents of Winwick Road re: Permission to Forego
the Construction of Sidewalks along Winwick Road

The above item was forwarded to City Council without
recommendation. Alderman Maley advised that since the Committee
meeting, she held a meeting with residents and City staff saying
that while she could appreciate the feelings of the residents,
expressed the view the proposed sidewalk was needed. Alderman Maley
also noted that Council does not have any discretionary powers on
the matter and suggested that the contract be fulfilled.

MOVED by Alderman Maley, seconded by Alderman
Shannon that the petition be tabled.

Motion passed.

Award of Tender No. 80-20 - Traffic Improvements

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

1. Tender #80-20 be awarded as follows:

- (a) Item 1 to Armdale Construction, and
- (b) Items 2, 3, 4, & 5 to Municipal Spraying &
Contracting for the unit prices quoted in
the staff report dated September 10, 1980.

Council
September 25, 1980

2. Project funds be authorized from Accounts CJ022, C3067, CJ057, CK010, and CK026.

3. Funding transfers be approved as shown in Appendix "A" to the staff report dated September 10, 1980.

Motion passed.

Blue Line - Dutch Village Road

The Committee on Works deferred the above item to City Council. An information report dated September 24, 1980, was submitted.

Alderman Moore referred to the information report and to problems which would result from Dutch Village Road becoming a 4-lane street. Alderman Moore also referred to expenses incurred in the construction of North West Arm Drive and expressed the view that a 4-line highway would not be appropriate for the area.

Alderman Moore advised that he would like the item referred to the next regular meeting of the Committee of the Whole Council in order for members of Council to review the proposal and with a view to making a decision to establish a narrower street line by moving the blue line to the east.

Council agreed that the item be referred to the Committee of the Whole Council and a report be received on the matter.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on September 17, 1980, as follows:

Case No. 3891 - Zoning Bylaw Modification -
Civic No. 14 Arlington Avenue

MOVED by Alderman Moore, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, City Council grant approval of the modification of lot frontage and area of Lot 40 (Civic No. 14) Arlington Avenue to permit the construction of a single-family dwelling subject to the registered owner of the property entering into an agreement with the City as set out in Appendix "B" attached to the staff report dated August 28, 1980.

Motion passed.

Case No. 3865 - Contract Development - 6070-74 South Street

MOVED by Alderman Maley, seconded by Alderman Downey that, as recommended by the City Planning Committee, a date be set for a public hearing to consider approval of the application for contract development at 6070-74 South Street, lands of Jea Hang Kim, as shown on Plan Nos. P200/9640-44 inclusive and Plan No. 9699 of Case No. 3865.

Motion passed.

Council
September 25, 1980

The City Clerk advised that the public hearing was scheduled for Wednesday, October 22, 1980 at 7:30 P. M.

Senior Citizens Centre - NIP II Implementation

MOVED by Alderman Maley, seconded by Alderman Downey that, as recommended by the City Planning Committee:

1. Council approve in principle this project and the expenditure of up to \$133,500 for acquisition and rehabilitation of a building. Once a building has been identified, staff will seek Council approval for acquisition.
2. Council authorize staff to negotiate the terms of a lease agreement and option to purchase which will be subject to further review and approval by Council.

Motion passed.

Schmidtville Improvements - NIP II Implementation

MOVED by Alderman Downey, seconded by Alderman Maley that, as recommended by the City Planning Committee, Council approve the Schmidtville Improvement Project and authorize staff to proceed with detailed planning and implementation for an amount not to exceed \$216,000 of which the City share is \$139,000 with the provision that public meetings be held in the preparation of the traffic study; funds are available in Account No. Z0500 EH004.

Following a short questioning of staff, the Motion was put and passed.

Fort Needham Views - TO BE TABLED

MOVED by Alderman Clarke, seconded by Alderman Downey that, as recommended by the City Planning Committee, the matter of Fort Needham Views be tabled to be dealt with after the new Council takes office.

Motion passed.

MOTIONS:

Motion Alderman Maley Re: Amendment to Ordinance #131 -
FIRST READING

A proposed amendment to Ordinance No. 131, was submitted.

MOVED by Alderman Maley, seconded by Alderman Moore that the proposed amendment to Ordinance No. 131, be read and passed a First Time by City Council.

Motion passed.

Council
September 25, 1980

Administrative Order No. 5 - FIRST READING

Proposed Amendments to Administrative No. 5, were submitted.

MOVED by Alderman Moore, seconded by Alderman Wooden that the proposed amendments to Administrative No. 5, be read and passed a First Time by City Council.

Motion passed.

MISCELLANEOUS BUSINESS:

Building Permits - Old South End

A staff report dated September 24, 1980, was submitted.

MOVED by Alderman Maley, seconded by Alderman Downey that Council indicate no objection to the permits for the applications that are listed in the staff report dated September 24, 1980, with the exception of Serial No. 10.

Alderman Downey submitted a petition signed by residents and homeowners in the area requesting that the demolition of 5520-26 Clyde Street and 1357 Dresden Row, be stopped.

The Motion was put and passed.

MOVED by Alderman Maley, seconded by Alderman Downey that the demolition permit for 5520-26 Clyde Street and 1357 Dresden Row, be withheld until such time as the outcome of the proposal which is before City staff for the redevelopment of that land, has been decided.

Discussion ensued on the matter and the City Solicitor advised that if legal effect can be given to the Motion, that would be done but that the owner would be approached tomorrow in any event.

The Motion was put and passed.

1991 Prince Arthur Street - Recommended Heritage Property

A staff report dated September 23, 1980, was submitted.

MOVED by Alderman Maley, seconded by Alderman Wooden that the necessary approval be granted subject to the issuance of building permits consistent with the work described in the letter of September 17, 1980.

Motion passed.

Council
September 25, 1980

Recommendations Retirement Committee Re: Proposed Amendments
to the City of Halifax Superannuation Act

A report dated September 17, 1980, was submitted from the Secretary of the Retirement Committee.

MOVED by Alderman Maley, seconded by Alderman Wooden that the proposed amendments to the City of Halifax Superannuation Act, as attached to the report from the Secretary of the Retirement Committee dated September 17, 1980, be approved by City Council.

Motion passed.

Abbie J. Lane

His Worship suggested that the item be dealt with later in the meeting upon the arrival of Alderman Meagher who attended the meeting held with Provincial representatives, to which Council agreed.

His Worship noted that Deputy Mayor Sullivan was also in attendance at the meeting but that because he was seeking the office of Mayor in the upcoming Civic Election, he was required to resign as Alderman under the Provincial Municipal Elections Act.

Alderman Clarke suggested the provision in the Act should be given consideration and referred to the situation that would result if a large number of Aldermen were to seek the office of Mayor.

Council agreed that the matter be referred to City staff and the Election Procedures Committee.

Contract Development, Lot Consolidation - Lands of Maritime
Tel & Tel, Annandale Street

A staff report dated September 22, 1980, was submitted.

MOVED by Alderman Clarke, seconded by Alderman Moore that City Council set a date for a hearing to consider approval of a contract development to permit the addition of a two-storey building and lot consolidation at 5539, 5545, 5549, 5551, 5555 Annandale Street and 5562 Sackville Street to create Parcel A, lands of Maritime Tel and Tel Company Limited, as shown on Plan Nos. P200/9700, 9701, and 9743 of Case No. 3872.

Motion passed.

The City Clerk advised that the public hearing was scheduled for Wednesday, October 22, 1980, at 7:30 P. M.

Alderman Meagher arrived at the meeting.

Council
September 25, 1980

Abbie J. Lane Memorial Hospital

This item was referred to this portion of the meeting.

His Worship referred to the meeting held between representatives of the Provincial Government and City Council and stated no further funds could be made available; although control of funds were resolved as per the supplementary staff report of August 13, 1980. His Worship advised that no firm committment had been made on behalf of the Province.

Alderman Meagher advised Council that Provincial reps. were concerned with the problems, but could not change their position with regard to the proposed sale, and were sympathetic to other matters of City interest.

Mr. Harold Crowell, Director of Social Services, advised that it was staff's recommendation that the City establish a special fund and place an annual amount of \$275,000 for a ten-year period to provide funds for community resourses to carry out the identified programs, which would not in any way, be attached to the sale of the hospital. Mr. Crowell also advised that it was the intention, whenever possible, to implement projects of a cost-shared nature that would allow for Federal and Provincial monies.

Alderman Clarke noted that any committment in future between the Province and the City should be in writing, since oral committments are not binding.

MOVED by Alderman Shannon, seconded by Alderman Hamshaw that:

1. City Council authorize the sale of the hospital to the Province for an amount of \$2,821,750 on the understanding that the Province will reimburse the City fully for all further debt service costs associated with the hospital;
2. the proceeds of the sale be declared a capital surplus and that it shall be used to fund existing City capital works, thus avoiding the need for the City to borrow these surplus funds and, as a result, eliminating interest costs;
3. an amount of \$275,000 for each of ten years from 1981 and an amount of \$137,500 (under Section 201(1) of the City Charter) for 1980, be included in the current budget and that this be paid into a Social Rehabilitation Program Fund to be used for preventive and rehabilitation social programs, as approved by Council;
4. the City be fully reimbursed for any expenditures made on the roof as a result of the staff memo of August 19, 1980.

Motion passed.

QUESTIONS

Question Alderman Wooden Re: Herring Cove Road Project - Phase 2

Alderman Wooden referred to the Herring Cove Road Project - Phase 2 and had questions on the approximate time of completion; how far it would be progressing before another season; why it is not being completed before winter and the reasons for incompleteness.

Mr. Sullivan, Engineering and Works Department, responded to various questions and indicated he would be in touch with the Alderman tomorrow on the matter.

Question Alderman Shannon Re: Boulevard - University Avenue and Robie Street

Alderman Shannon referred to the condition of the curb at the intersection of University Avenue and Robie Street, west side and asked that staff look into the matter.

Question Alderman Shannon Re: Frat House Party - Robie and Cherry Streets

Alderman Shannon referred to a recent advertisement which has been posted at Dalhousie University and other areas of the City regarding a party at the Frat House on Robie and Cherry Street, with admission charges and door prizes. Alderman Shannon also referred to residents' complaints regarding such parties and their concern of enforcement of appropriate bylaws. Alderman Shannon requested that the City Solicitor's department report on this matter.

Question Alderman Downey Re: Federal Government Rent Increase - Senior Citizens

Alderman Downey referred to the rent increase from the Federal Government to Senior Citizens. Alderman Downey also referred to recent Provincial legislation encouraging senior citizens to remain in their own homes and asked whether the Province would pick up the increase. Alderman Downey indicated that Northwood Manor shows a profit each year, due to the bingos, etc., and questioned why the rents are not reduced because of this profit, rather than being increased.

Alderman Downey requested a report from the Housing Corporation with regard to the matter.

Question Alderman Downey Re: Street Cleaning

Alderman Downey referred to an information report dated September 4, 1980 on the subject of street cleaning, and reported receiving a number of calls from residents regarding streets not being cleaned, and asked whether signs indicating