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of 03/21/88

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CITY COUNCIL  
SPECIAL MEETING  
MINUTES

City Hall  
Halifax, Nova Scotia  
March 23, 1988  
7:05 P. M.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, Richard Grant, and Flynn.

ALSO PRESENT: D. F. Murphy, Acting City Manager; City Clerk; and other members of City staff.

The meeting was called to order with members of Council, led Alderman O'Malley, joining in the recitation of the Lord's Prayer.

The following matters had been forwarded from a meeting of the Committee of the Whole Council held earlier in the day:

Award of Tender #88-57: Northwest Interceptor, Section 3

MOVED by Alderman Richard Grant, seconded by Alderman Flynn that, as recommended by the Committee on Works,

- a) Council approve the award of Tender #88-57 to D. A. Lanthier Construction Co. Limited for the materials and services at a total bid price of \$2,537,281.00;
- b) Council approve the appointment of Interprovincial Engineering Limited to provide site supervision and inspection services during the construction of the project; and
- c) Council authorize funds from capital accounts DA056, DB009 and DD021 for a total project cost of \$3,050,000.00.

The motion was put and passed.

Covered Pedestrian Walkway - Court House/  
Ferry Terminal Area

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the City Planning Committee, City Council authorize the Mayor and City Clerk to execute the Development and

Special Council  
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Lease Agreements in the form as attached to the staff report of February 16, 1988 with a lease term of 35 years, except that:

- (1) the option to renew for an additional 10 years be deleted;
- (2) amendment numbers (1) and (3), pertaining to phasing and control of use respectively (as contained in the supplementary staff report of March 22, 1988) be included."

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at 7:10 p.m.

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HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

\*K

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
March 30, 1988  
8:00 P.M.

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

His Worship Mayor Wallace extended a welcome on behalf of Halifax City Council to Reverend H. Elles of the Greek Orthodox Church, St. George's. He advised that the Greek Community along with Greek Communities all over the World, celebrated their day of independence from Turkish Rule on 25th March.

The meeting was called to order with Reverend H. Elles leading those present in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor J. Albert Walker; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Jeffrey, Leiper, Flynn, and Hamshaw.

ALSO PRESENT: Mr. P. Calda, City Manager; Mr. B.S. Allen, representing the City Solicitor; Mr. E.A. Kerr, City Clerk; and other members of City Staff.

MINUTES

Minutes of the regular meeting of Halifax City Council held on March 21, 1988 and of a special meeting held on March 23, 1988 were approved on a motion by Alderman Leiper, seconded by Deputy Mayor Walker.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Award of Tender #87-189 - Personal Service of Summonses
- 20.2 Extension for Setting the 1988 Tax Rates

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

- 20.3 Traffic - Rosedale Avenue and Gesner Street

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

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20.4 Halifax Industrial Commission

add: At the request of Alderman D. Grant, Council agreed to

20.5 A Press Room

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

Motion carried.

DEFERRED ITEMS

Case No. 5194 - Proposed Development Agreement - Marine Towers,  
1521 Lower Water Street

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A public hearing on this matter was held on March 9,  
1988.

A supplementary staff report dated March 28, 1988 was  
submitted.

MOVED by Alderman Downey, seconded by Alderman Hamshaw  
that:

(1) City Council approve the entering into of a  
development agreement to permit construction of a 13  
storey office/commercial building at 1521 Lower Water  
Street which in the opinion of the Development Officer  
is in substantial conformity with Plans No. P200/15508-  
21, Option 2 and Plan No. P200/16576 of Case No. 5194;

(2) Section 3 of the draft development agreement be  
revised to read:

"3. The Developer shall construct and maintain a  
vertical seawall and docking area measuring at least 20  
ft. in width by 40 ft. in depth parallel to and at a  
distance of 20 ft. from the northern side yard of the  
property, which said vertical seawall and docking area  
is in substantial conformity with the design depicted in  
Plan No. P200/16576."

(3) Section 4 of the draft agreement be revised to  
read:

"4. That the said vertical seawall shall be completed  
by and at the expense of the Developer, before the  
issuance of any occupancy permits for the building and

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shall, upon installation, be maintained by and at the expense of the Developer. It is hereto agreed that an occupancy permit for the building may be issued prior to completion of the vertical seawall, provided that the City is in receipt of a performance bond or other form of acceptable security guaranteeing completion of the said seawall within 180 days of the issuance of the said occupancy permit.

(4) Section 5 of the draft development agreement be revised to provide that the development be substantially completed within three years of the date of execution of the development agreement.

(5) The development agreement be signed within 120 or any extension thereof 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 contract approval will be void and obligations arising hereunder shall be at an end.

Referring to the recommendations outlined in the supplementary staff report dated March 28, 1988, Alderman D. Grant inquired whether the proposed vertical seawall along the northern side yard of the subject property would be available for public use.

Mr. Algee advised that the City would not be responsible for the proposed seawall's construction, operation or maintenance and it would be the owner's decision whether or not it would be available for public use.

Alderman D. Grant suggested that it would be appropriate for Council to request the developer that the proposed seawall be available for public use noting that it would give wonderful dockage to the public.

A discussion ensued and it was MOVED in amendment by Alderman D. Grant, seconded by Alderman Cromwell that the motion be amended by the addition of the following:

(6) The vertical seawall be available for public use at all times.

Amendment defeated with Alderman Leiper abstaining due to non-attendance at the public hearing.

Alderman D. Grant expressed concern with respect to the word "substantial" used throughout the development agreement. She noted that the word "substantial" caused difficulty in the past

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and feared that it could allow the developer to alter the appearance of the building.

After a further discussion, it was MOVED in amendment by Alderman D. Grant that the motion be amended to provide that Section 2 of the development agreement be amended by deleting the words "which in the opinion of the Development Officer, is substantially".

There was no seconder to the Amendment.

MOVED in amendment by Alderman D. Grant that the motion be amended to provide that Section 3 of the development agreement be amended by deleting the word "substantial".

There was no seconder to the Amendment.

MOVED in amendment by Alderman D. Grant that the motion be amended to provide that Section 5 of the development agreement be amended by deleting the word "substantially" twice.

There was no seconder to the Amendment.

MOVED in amendment by Alderman D. Grant that the motion be amended to provide that Section 7 of the development agreement be amended by deleting the word "substantially".

There was no seconder to the Amendment.

The original motion by Alderman Downey was put and passed.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on March 23, 1988 as follows:

Amendment - Ordinance Number 156, Respecting Pollution Control Charge

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee:

(a) Council approve the amendment to Ordinance Number 156 respecting the pollution control charge (as outlined in the staff report dated March 7, 1988) in principle, as follows:

Section 2(c): "Public Service Commission" is replaced by "Halifax Water Commission".

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Schedule "A": Items (j), (k), (l) and (m) are added to include the Northwest Interceptor System.

(b) Staff arrange for the introduction of the amended Ordinance 156 respecting the Pollution Control Charge to Council for First Reading.

Alderman R. Grant suggested that it was about time storm water management costs were considered as part of the pollution control fund.

The motion was put and passed.

5651 Macara Street and 214 Willett Street - Illegal Occupancy

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

1. Council approve the filing of applications pursuant to Section 20 of the Building Code Act to obtain compliance with it and the City of Halifax Ordinance 131 against the owners of 5651 Macara Street and 214 Willett Street;

2. Staff be authorized to approach the Province of Nova Scotia with regard to an amendment to the Building Code Act, namely to delete the necessity for Council's approval prior to the filing of any future such applications to the Supreme Court.

Motion carried.

Restoration - Old Burying Ground and Welsford Parker Monument

This matter was forwarded to Council without recommendation.

A staff report dated March 25, 1988 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Council approve a grant in the amount of \$50,000 from the Heritage Fund as a contribution to the Old Burying Ground Foundation, with \$20,000 to be allocated in 1988, \$15,000 in 1989, and \$15,000 in 1990, to be taken from current funds budgeted for heritage purposes under general government, or the Heritage Reserve.

Motion carried.

His Worship noted that Mr. Don Curren, Mrs. Jean Addison, and Joan Malay were in attendance and thanked them on



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Schedule "A": Items (j), (k), (l) and (m) are added to include the Northwest Interceptor System.

(b) Staff arrange for the introduction of the amended Ordinance 156 respecting the Pollution Control Charge to Council for First Reading.

Alderman R. Grant suggested that it was about time storm water management costs were considered as part of the pollution control fund.

The motion was put and passed.

5651 Macara Street and 214 Willett Street - Illegal Occupancy

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

1. Council approve the filing of applications pursuant to Section 20 of the Building Code Act to obtain compliance with it and the City of Halifax Ordinance 131 against the owners of 5651 Macara Street and 214 Willett Street;

2. Staff be authorized to approach the Province of Nova Scotia with regard to an amendment to the Building Code Act, namely to delete the necessity for Council's approval prior to the filing of any future such applications to the Supreme Court.

Motion carried.

Restoration - Old Burying Ground and Welsford Parker Monument

This matter was forwarded to Council without recommendation.

A staff report dated March 25, 1988 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Council approve a grant in the amount of \$50,000 from the Heritage Fund as a contribution to the Old Burying Ground Foundation, with \$20,000 to be allocated in 1988, \$15,000 in 1989, and \$15,000 in 1990, to be taken from current funds budgeted for heritage purposes under general government, or the Heritage Reserve.

Motion carried.

His Worship noted that Mr. Don Curren, Mrs. Jean Addison, and Joan Malay were in attendance and thanked them on

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behalf of Council for their participation in the restoration program.

Riverview School

MOVED by Alderman R. Grant, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, staff be authorized to expend a total of \$4,500.00 with regard to the installation of a guardrail and posts behind the sidewalk area at the Riverview School, 530 Herring Cove road, providing that funds for this project are approved during the 1988 budget deliberations.

Alderman R. Grant noted that if the motion is approved, the necessary funds should be placed in the budget.

Motion carried.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, March 23, 1988 as follows:

Watermain Transfer to Halifax Water Commission

MOVED by Alderman Flynn, seconded by Alderman Leiper that, as recommended by the Committee on Works, the transfer of 6" watermain and the associated appurtenances to the Halifax Water Commission for a simple fee consideration of the sum of one dollar (\$1.00) be approved.

Motion carried.

CNR Willow Park Spur Line

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the Committee on Works, the Office of the Mayor be requested to forward a letter (in conjunction with a letter to be prepared by the Halifax-Dartmouth Bridge Commission) to Colonel Joyce, Director of Real Estate for DND Property (Maritime Command), and to Mr. Carew, CNR Real Estate (Moncton, New Brunswick) requesting that the line known as "Willow Park spur line" be removed.

Motion carried.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment to Ordinance No. 147 - The Dog Ordinance - SECOND  
READING

The proposed amendments to Ordinance 147 were given First Reading during a regular meeting of Halifax City Council held on Monday, March 21, 1988.

MOVED by Alderman R. Grant, seconded by alderman Flynn that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments proposed for Ordinance 147, the Dog Ordinance, as contained in Appendix "A" of the staff report dated March 8, 1988.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on March 23, 1988, as follows:

Case No. 5514 - Development Agreement - 1883-87 Granville  
Street, 4th Floor - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman D. Grant that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application for a development agreement (pursuant to Schedule "F", Section 84 of the Peninsula portion of the Land Use Bylaw) to permit the fourth floor of buildings located at 1883-87 Granville Street to be used by the Nova Scotia College of Art and Design for university uses, as shown on Plan No. P200/16533 of Case No. 5514.

Motion passed.

The City Clerk advised that the date set for the public hearing was **Wednesday, May 4, 1988** beginning at 7:30 p.m in the Council Chamber, City Hall.

Case No. 5200 - Contract Development - 2044-48 Gottingen  
Street - (Salvation Army)

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, the request to alter the completion date for the construction of a two-storey addition on the north side of the Salvation Army building at 2044 Gottingen Street (as shown on Plans No. P200/15535-38 of Case No. 5200) be approved. Motion passed.

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Non-Conforming Uses - 150 Old Sambro Road/8 Cherry Lane

MOVED by Alderman R. Grant, seconded by Alderman Flynn Walker that, as recommended by the Finance and Executive Committee, City staff take all necessary steps to pursue and resolve these non-conforming problems at 150 Old Sambro Road and 8 Cherry Lane and further that in the interim any infractions of the City Ordinances be investigated.

Motion passed.

PAC Report - Peninsula North Secondary Planning Strategy -  
SET DATE FOR PUBLIC HEARING

Alderman Downey leaves the meeting due to a conflict of interest.

Correspondence dated March 28, 1988, with attachment, from Mr. F. B. Wickwire, MacInnes Wilson Flinn Wickwire, Barristers and Solicitors, was submitted. Correspondence dated March 28, 1988 from Robert G. Grant, Stewart MacKeen & Covert, Barristers and Solicitors, was also submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the City Planning Committee:

(A). City Council schedule a public hearing to consider the Peninsula North Secondary Planning Strategy and associated Land Use Bylaw amendments, as recommended by the Planning Advisory Committee and as contained in the PAC report dated December, 1987, with the following amendments:

1. Amend Policy 1.4.2, Section (ii) to read:

a maximum of eight habitable rooms in which no more than eight occupants shall be accommodated at any time;

and, pursuant to this change, amend proposed Land Use Bylaw Section 16AE(a)(ii) to read:

(ii) a maximum of eight (8) habitable rooms will be permitted in which no more than eight (8) occupants shall be accommodated at any time;

2. Amend Policy 3.5.1, Section (v) to read:

no structure shall exceed 35 feet in height in areas designated "Mixed Use" and "Exclusive Industrial/Commercial," or 65 feet in height for a comprehensive development on sites in excess of one acre in areas designated "Exclusive Industrial/Commercial;"

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3. Amend Policy 1.7 to refer to "the area immediately north of Quinpool Road and on the north side of Sarah Street" and the accompanying Schedule XI.I to add "(g) Civic No. 5785-87 Sarah Street (LRIS No. 151217);"
4. Amend the proposed Land Use Bylaw Section 43I to replace the Side Yard requirements now proposed with the following minimum Side Yard:

R-1 Uses	4 ft.
Duplex	5 ft.
Semi-Detached Unit	5 ft.
3 & 4 Unit	6 ft.

and

- (B). while noting that there are problems with the area to be covered by Schedule "Q," that these problems be reviewed by Council within 30 days of approval of the Strategy by the Minister of Municipal Affairs.

A discussion ensued with Alderman Dewell indicating that although he was not concerned with the process of setting a public hearing, he was concerned that this process was denying a large number of landowners the right to address Council in relation to a matter of concern. Alderman Dewell, referring to the amount of work and time involved in bringing the Plan to this stage, indicating he understood the desire to implement the Plan. Alderman Dewell noted, however, that the individuals who feel they are disadvantaged in the area of Schedule Q have not had an opportunity to address their concerns. Alderman Dewell noted that the changes proposed in Schedule Q were made subsequent to the public hearings and the submissions made in relation to the Secondary Plan. Alderman Dewell indicated that he was of the opinion, as were a number of landowners in the area, that these changes disadvantaged the landowners within Schedule Q.

Alderman Dewell noted that these individuals had requested to address the Committee of the Whole, the Planning Advisory Committee and Council on this matter and had been denied that opportunity. Alderman Dewell indicated that they have been advised that they must wait until the matter goes to Public Hearing. Alderman Dewell noted that once the matter goes to public hearing no substantial changes may be made to the Plan. Alderman Dewell indicated that although the motion provided for a review of this portion of the Plan immediately after the Plan has been adopted, he could not support the motion. Alderman Dewell indicated that he felt the concerns being expressed by the landowners should be addressed and then the Plan could go forward.

After a further discussion it was MOVED in amendment by Alderman Dewell, seconded by Alderman Leiper that the motion be amended by deleting the 25-36 foot height limits from Schedule Q for the time being.

In response to a question as to whether the amendment was a proper amendment, the City Solicitor advised that Council

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was now in the process of defining precisely what is to be considered at the public hearing, therefore, this amendment was proper.

After a further discussion in relation to the amendment a recorded vote was taken with the following results:

**FOR:** Alderman D. Grant, Cromwell, Dewell and Leiper

**AGAINST:** Alderman Meagher, O'Malley, R. Grant, Walker, Jeffrey, Flynn and Hamshaw.

His Worship declared the amendment to be lost.

The question on the original motion was then put and passed with Alderman Dewell voting against the motion.

The City Clerk advised that the date set for the public hearing was Wednesday, May 4, 1988 beginning at 7:30 p.m. in the Council Chamber, City Hall.

#### MOTIONS

Motion Alderman Meagher re: Amendments to Ordinance Number 137, Deferred Payment of Taxes Ordinance - FIRST READING

Alderman Meagher gave Notice of Motion of his intention to introduce First Reading of amendments to Ordinance 137, the Deferred Payment of Taxes Ordinance at the City Council meeting held on March 21, 1988. A report from D. F. Murphy, City Solicitor, dated March 4, 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Leiper that City Council give First Reading to the amendments to Ordinance 137, the Deferred Payment of Taxes Ordinance, as follows, and refer the said amendments to Committee of the Whole Council for consideration and report:

BE IT ENACTED by City Council of the City of Halifax that Ordinance 137, the Deferred Payment of Taxes Ordinance be amended as follows:

1. Clause (c) of Section 2 of said Ordinance No. 137 is amended by deleting the words, numbers and symbols "fourteen thousand dollars (\$14,000.00)" from the third line thereof and by substituting therefor the words, numbers and symbols "twenty-five thousand dollars (\$25,000.00)".

2. (1) Clause (b) of subsection (1) of Section 3 of said Ordinance No. 137 is amended by deleting the words, numbers and symbols "fourteen thousand dollars (\$14,000.00)" from the fourth line thereof and by substituting therefor the words, numbers and symbols "eighteen thousand dollars (\$18,000.00)".

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(2) Subsection (2) of said Section 3 is amended by deleting the word "April" from the third line thereof and by substituting therefor the word "June".

3. Section 5 of said Ordinance is amended by deleting the words, numbers and symbols "One Thousand Dollars (\$1,000.00) from the fourth line thereof and by substituting therefor the words, numbers and symbols "Fifteen Hundred Dollars (\$1,500.00).

Motion passed.

Motion Alderman Dewell re: Amendments to Ordinance Number 116, the Taxi Ordinance - FIRST READING

Alderman Dewell gave Notice of Motion of his intention to introduce First Reading of amendments to Ordinance 116, the Taxi Ordinance at the March 21, 1988 meeting of City Council.

MOVED by Alderman Dewell, seconded by Deputy Mayor Walker that City Council give First Reading to the amendments to Ordinance 116, the Taxi Ordinance, as follows, and refer the said amendments to Committee of the Whole Council for consideration and report:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance 116, the Taxi Ordinance as enacted by the City of Halifax and approved by the Minister of Municipal Affairs on June 15, 1988, as amended, is hereby further amended as follows:

The Third Schedule is repealed and the following substituted therefor:

THIRD SCHEDULE

ONE DOLLAR NINETY CENTS initial charge, up to 1/26 mile;

FIVE CENTS each 1/26 mile;

FOURTEEN DOLLARS per hour waiting time;

FIVE MINUTES GRACE to be allowed on pick-up;

TWENTY-FIVE CENTS each additional passenger;

HOURLY DRIVING RATES by arrangement between driver and passenger (without meter) - FIFTEEN DOLLARS PER HOUR;

ONE DOLLAR FIFTY CENTS each steamer trunk;

TWENTY-FIVE CENTS for each piece of luggage handled by driver;

TEN CENTS for each parcel or bag of groceries handled by driver;

CHILDREN under ten years shall be carried FREE when accompanied by an adult;

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SPECIAL RATES for the conveyance of children to and from school may be made by private arrangement with the owner or driver of the motor vehicle.

Alderman Dewell advised that these changes would become effective September 1, 1988 if approved by Council and the Minister of Municipal Affairs.

Motion passed.

### MISCELLANEOUS BUSINESS

Report - Returning Officer re: Electoral Divisions and Advance Poll

A report dated March 25, 1988 from Mary Cooley, Returning Officer was submitted.

MOVED by Alderman D. Grant, seconded by Alderman Hamshaw that Council approve the polling divisions for the Municipal Election to be held October 15, 1988 as outlined in the report from the Returning Officer dated March 25, 1988 and further that Saturday, October 8, 1988 be approved as the date for the second Advance Poll.

Alderman R. Grant referred to a difficulty being experienced in Ward 7 and Ward 8 in relation to Polling Stations 114 and 123. Alderman R. Grant noted at the top of Towerview Road there is a large apartment building. Alderman R. Grant advised that this apartment building is presently in Ward 7 and the occupants of that building vote in Poll 114. Alderman R. Grant noted, however, that geographically this apartment is located in Ward 8. Alderman R. Grant indicated that the residents of this apartment building are in Ward 7, however, all the neighbouring properties are in Ward 8.

Alderman R. Grant requested that Polls 114 and 123 be referred back to the Returning Officer and request that the apartment building at the very top of Towerview Road be included in Poll 123.

His Worship indicated that this would be a request to the Returning Officer to give consideration to including this building in Poll 123.

Alderman Hamshaw noted that if any of the Aldermen had problems with regard to polling stations they could address their concerns directly to the Returning Officer

Alderman R. Grant noted that this would actually require that the apartment building be moved from Ward 7 to Ward 8.

The Acting City Solicitor indicated that the Wards within the City are established by the Province and included in



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the City Charter. The Acting City Solicitor noted that moving a property to one Ward to another would require an amendment to the Charter.

Alderman R. Grant requested that the Returning Officer look into this and do whatever is necessary to correct the problem.

Alderman Cromwell requested that the Returning Officer review Polling Division 27 to determine if it actually is as is stated in the description. Alderman Cromwell indicated that he was not sure that the lines were exact.

His Worship indicated that Aldermen could direct their questions to the Returning Officer.

The motion was put and passed.

#### QUESTIONS

##### Question Deputy Mayor Walker re: Lands Located on Water

Deputy Mayor Walker referred to the discussion held by Council earlier in the meeting regarding access to waterfrontage and docking facilities. Deputy Mayor Walker noted that he would like a report regarding the amount of land in the City which had water frontage. Deputy Mayor Walker noted that he would like an estimate of how much of this land is owned by the City and how much is owned either privately or by a corporation. Deputy Mayor Walker noted that such a report would give Council an idea of just how much is owned privately and whether there is a need to develop a marina. Deputy Mayor Walker noted that his request included all the waterfront lands from the Bedford/City boundary to the City/Halifax County boundary.

##### Question Deputy Mayor Walker re: Boats on City Property

Deputy Mayor Walker referred to complaints he had received regarding boats being stored on City property in Purcell's Cove. Deputy Mayor Walker indicated that he would like an inspector to go out and investigate the situation. Deputy Mayor Walker asked that a report come forward with regard to the ownership of the boats and whether or not the boats are permitted to be at this location.

##### Question Alderman Cromwell re: Use of City Flag

Alderman Cromwell referred to the report dated March 21, 1988 regarding the use of the City Flag which has been distributed to Council and requested that this matter be placed on the agenda of the next meeting of the Committee of the Whole Council to be held on April 6, 1988. Alderman Cromwell indicated that this matter has been before Council on a number of occasions and indicated that he felt it was time Council resolved the matter.

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Question Alderman Leiper re: Grand Parade

Alderman Leiper referred to the report distributed to Council regarding the Grand Parade and noted that the report was both lengthy and informative. Alderman Leiper noted that the report indicated that Council must first determine the appropriate use of the Grand Parade. Alderman Leiper requested that, in light of staff's comment that the appropriate use of the Grand Parade must be determined, that this matter be placed on the agenda of the next meeting of the Committee of the Whole Council to be held on April 6, 1988.

Alderman R. Grant advised that he had requested that this matter be placed on the agenda for the upcoming meeting of the Committee of the Whole Council.

Question Alderman R. Grant re: Advertisement of Public Meetings

Alderman R. Grant referred to the public meeting recently held in relation to the Metro Transit Route Review and noted that the attendance had not been as great as was expected. Alderman R. Grant indicated that in speaking with a number of people regarding this matter he had received a number of comments regarding the City's policy in terms of advertising. Alderman R. Grant noted that there were many people who did not read the classified section of the newspaper and requested that in future public meetings advertisements be placed in the newspaper as a regular ad rather than in the classified section. Alderman R. Grant further requested that notices of public meetings be distributed to all radio and television stations in order that notice of these meetings may be included in their Public Service Announcements.

Question Alderman R. Grant re: Tourism Bureau Promotions

Alderman R. Grant requested that staff or the Director of the Tourism Department provide Council with a report regarding whether or not the department was presently involved in promotions which involved outside agencies. Alderman R. Grant asked if the department was presently actively involved in or researching innovative cooperative promotional schemes with other organizations or levels of government. Alderman R. Grant indicated that he would like to know what these schemes are and what objectives the department is trying to meet in relation to these schemes.

Question Alderman D. Grant re: Social Assistance - Telephone Allowance

Alderman D. Grant indicated that concern had been expressed to her regarding the lack of a telephone allowance provided through Social Assistance to single parents and those seeking employment. Alderman D. Grant indicated that it was her understanding that there were no monies available in the Social Assistance budget for telephones. Alderman D. Grant requested that this matter be placed on the agenda for the next meeting of

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the Committee to be held on Wednesday, April 6, 1988. Alderman D. Grant indicated that she would like a report for this meeting regarding the amount of money allocated for telephones and who is allowed to have a telephone. Alderman D. Grant noted that if the report cannot be available for the next meeting of the Committee of the Whole, she would like it placed on the agenda of the subsequent meeting of the Committee.

The Acting Chairman suggested that Mr. Crowell, Director of Social Planning should be in attendance at this meeting to respond to any questions in this regard, to which Alderman D. Grant agreed.

His Worship returns to the meeting and Deputy Mayor Walker takes his seat in Council.

#### NOTICES OF MOTION

Notice of Motion Alderman Downey re: Amendment to Ordinance  
181, The Spring Garden Road Business Improvement District  
Commission Ordinance

Alderman Downey gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on Thursday, April 14, 1988, he intends to introduce first reading of an amendment to Ordinance Number 181, The Spring Garden Road Business Improvement District Commission. The purpose of the amendment is to change the cheque signing authority as set out in the Ordinance.

#### ADDED ITEMS

Award of Tender #87-189 - Personal Service of Summonses

A staff report dated March 21, 1988 was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman R. Grant  
that authority be granted to award Tender #87-189 for personal service of summonses to Pinkerton Investigation and Security at a cost of \$5.50 per summons properly executed in accordance with the tender criteria and other governing legislation and further that approval be granted for supplemental funding to cover the cost of this service with this funding being offset by additional ticket receipts.

Alderman Cromwell addressed the matter noting that this matter has not been fully discussed by the Police Commission and that no recommendation in regard to this tender has been made by the Police Commission.

MOVED by Alderman Cromwell, seconded by Alderman Dewell  
that this matter be referred back to the Police Commission for consideration and a recommendation to City Council.

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Alderman Flynn requested that the report from the Police Commission indicate whether or not the funding for this item is included in the current police department budget as presented to Council.

The motion to refer was put and passed.

Extension for Setting the 1988 Tax Rates:

A staff report dated March 30, 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Cromwell  
that:

1. Council request the Minister of Municipal Affairs to seek, on behalf of the City of Halifax, an Order-In-Council extending the time within which the City may establish a tax rate for the 1988 year to April 15, 1988, in accordance with Section 189 and 594 of Chapter 52 of the Statutes of Nova Scotia, 1963 the Halifax City Charter;
2. Council set **Tuesday, April 5, 1988 from 3:00 p.m. to 10:00 p.m.** as the date for the next Budget meeting; and
3. Council add the Possible Setting of a Tax Rate to the agenda of the Special meeting of City Council to be held on Wednesday, April 6, 1988.

Motion passed.

Traffic on Rosedale & Gesner - Alderman Jeffrey

This matter was added to the agenda at the request of Alderman Jeffrey.

Alderman Jeffrey addressed the matter referring to the development growth in Fairview and noting the number of churches and schools located in this area of development. Alderman Jeffrey indicated that the area of Rosedale Avenue and Gesner Street was a very heavily travelled area and two accidents have happened in that area recently. Alderman Jeffrey went on to note that this evening a child had been injured as a result of being hit by a car while riding his bicycle. Alderman Jeffrey noted that this child was presently in critical condition as a result of that accident.

Alderman Jeffrey went on to note that there were no stop signs on Gesner Avenue and neither were there any signs indicating there were schools or children in the area. Alderman Jeffrey indicated that the lack of signs advising who has the right of way on Gesner Street was causing confusion for motorists. Alderman Jeffrey indicated that the motorists did not know who had the right of way. Alderman Jeffrey then referred to problems with traffic he had on Willet Street and indicated that a fatal accident had occurred before any corrective action had been taken in this regard.

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Alderman Jeffrey indicated that he would like the Traffic Authority to look into this matter and determine what can be done to correct the situation. Alderman Jeffrey indicated that he also wanted signs erected advising motorists that there was a school in the area and there were children present.

Halifax Industrial Commission - Alderman Cromwell

This matter was added to the agenda at the request of Alderman Cromwell.

Alderman Cromwell addressed the matter asking the City Manager if he had any information regarding the trip to Hong Kong planned by the Industrial Commission. Alderman Cromwell asked when the representatives would be leaving for Hong Kong and who would be acting as the City's representatives on that trip.

The City Manager indicated that the trip was scheduled to begin in approximately one week's time and to date it had not been decided who would make the trip. The City Manager advised that it had been proposed that three members of the Industrial Commission, the Executive Assistant to the Commission and a member of the sub-committee involved with international trade would represent Halifax. The City Manager noted, however, that two members of the Industrial Commission have advised that they are unable to take the trip.

Alderman Cromwell asked why the group going from Halifax had not attempted to make arrangements to accompany the Nova Scotia group going to Hong Kong. Alderman Cromwell went on to ask if the Industrial Commission was receiving or had requested any Provincial or Federal funding to offset the cost of the trip. Alderman Cromwell indicated that it was his understanding that the City was paying 100% of the cost of this trip. Alderman Cromwell indicated that he would like to know how many of the appointments scheduled in Hong Kong will be finalized before the trip begins.

Alderman Cromwell indicated that he was very much in favor of doing business with Hong Kong. Alderman Cromwell noted, however, that upon viewing an agenda of the trip he ascertained that the delegation was to meet with only the Canadian Trade Commission and with certain Consulates. Alderman Cromwell indicated that there was no mention of any meetings with individuals who would be doing business with Halifax. Alderman Cromwell noted that, given the costs involved, the City should know exactly what it is going to be achieved in visiting Hong Kong.

Alderman Cromwell requested that a meeting with the Industrial Commission be arranged for Tuesday, April 5, 1988 at 2:00 p.m. in order that Council might discuss this trip with the Commission. Alderman Cromwell indicated that he would like more information with regard to the trip before the delegation left for Hong Kong.

The City Manager addressed the matter noting that the Industrial Commission has been given a mandate by Council to

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promote the industrial development of Halifax. The City Manager went on to note that the Industrial Commission, in trying to achieve its mandate, had planned this trip to Hong Kong. The City Manager noted that before establishing trade relations with Hong Kong it would be necessary to make the appropriate contacts in Hong Kong. The City Manager indicated that the Canadian Trade Conference and the consulates were the best vehicles through which to make these contacts.

A short discussion ensued with Alderman Leiper referring to her involvement in two committees which were also attempting to promote economic activity and development in Halifax. Alderman Leiper indicated that these committees were also interested in undertaking some promotional trips and noted that a report from the Industrial Commission regarding any promotional trips they may have taken over the last year would be beneficial to the Committee.

Alderman Leiper indicated that she would like to know who went on these trips and how these individuals were selected. Alderman Leiper indicated that she would also like the report to include what contacts were made on these trips, what the objectives of the trip were and whether or not these objectives were achieved. Alderman Leiper noted that she would also like to know what viable results or improvements had been enjoyed by Halifax as a result of these trips.

A further discussion ensued with Alderman D. Grant noting that although she had only been on the Industrial Commission for a short time, she did have some information regarding the trip to Hong Kong. Alderman D. Grant indicated that Alderman O'Malley, as Chairman of the Marketing Committee, would be heading the delegation to Hong Kong. Alderman D. Grant indicated that she was sure that Alderman O'Malley could respond to Alderman Cromwell's questions and noted that she felt the members of the Industrial Commission would not view these questions as criticism. Alderman D. Grant noted that the Industrial Commission had budgeted some \$50,000 dollars in relation to the trip and indicated that she did not think that it was unreasonable of Council to want full information in relation to the trip given the budgeted expenditure.

After a further discussion the Chairman indicated that a meeting with the Chairman and Executive Director of the Industrial Commission would be arranged for Tuesday.

Press Room - Alderman D. Grant

This matter was added to the agenda at the request of Alderman D. Grant.

Alderman D. Grant referred to the press room which had been located in the Council Chamber before the renovation of the Chamber and indicated that a need for such a room has become evident over the last number of months. Alderman D. Grant indicated that the press room provides the members of the media with a place to write their stories and to contact their offices.

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Alderman D. Grant noted that the present situation was causing difficulty for both the press and Council. Alderman D. Grant requested that staff come forward with a report identifying such a room for use by the press. Alderman D. Grant indicated that the room should be provided with a desk and phone and noted that she would like this matter to be placed on the agenda for the next meeting of the Committee of the Whole scheduled for April 6, 1988.

10:55 p.m. There being no further business, the meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE  
DEPUTY MAYOR J. ALBERT WALKER  
CHAIRMEN

mmd/sh

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of 03/30/88

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SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
April 6, 1988  
7:30 p.m.

A special meeting of City Council, Public Hearing, was held on the above date.

After the meeting was called to order, the members of Council attending joined in reciting the Lord's Prayer.

Present: His Worship Mayor Wallace, Chairman; Deputy Mayor Walker; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Jeffrey, Leiper, Flynn, and Hamshaw.

Also Present: Mr. M. Hanusiak and Mr. C. Reddy, Development and Planning; Mr. G. Goneau, Representing the City Solicitor; Mr. P. Calda, City Manager; Mr. E. A. Kerr, City Clerk; and other members of City Staff.

Setting of 1988 Tax Rate & Budget

A report including a series of motions with an attached summary of Revenue and Expenditures for 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Cromwell that City Council ratify the decisions of Committee of the Whole Council with respect to the 1988 Operating Budget, as per the submitted summary of Revenue and Expenditures for 1988.

Motion carried with Alderman R. Grant voting in opposition.

MOVED by Alderman Flynn, seconded by Alderman Leiper that the Operating Budget for the Civic year 1988 be fixed at \$204,695,000.

Motion carried with Alderman R. Grant voting in opposition.

MOVED by Alderman Flynn, seconded by Alderman D. Grant that the gross expenditures for the Halifax District School Board for the Civic year 1988 be set at \$70,034,435.

Motion passed with Alderman R. Grant voting in opposition.

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MOVED by Alderman Flynn, seconded by Alderman Leiper  
that the interest rate on all reserves for 1988 be fixed at 4.0 %.

Motion passed.

MOVED by Alderman Flynn, seconded by Alderman Dewell  
that City Council ratify the motion of the Committee of the Whole  
Council with respect to the content and amount of the 1988 Capital  
Budget as per the summary submitted this date with a gross of  
\$27,779,000 and a net of \$23,901,000 and that 8 1/2% of the  
Operating Budget be set aside for Capital purposes in accordance  
with the previous policy adopted by Council.

Motion Carried.

MOVED by Alderman Flynn, seconded by Alderman D. Grant  
that under Section 227(1) of the City Charter, the tax exemptions  
for widows and senior citizens and head of single parent families  
be amended as follows, that total household income for the  
previous year, did not exceed \$18,000 and that the amount of tax  
reduction be set at \$300.00 for 1988.

Motion carried.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw  
that City Council give second reading to the proposed amendment to  
Ordinance 110, the Deed Transfer Tax Ordinance, as follows:

Ordinance 110, the Halifax Deed Transfer Tax Ordinance  
as enacted by City Council on the 27th day of August,  
1964 and approved by the Minister of Municipal Affairs  
on the 22nd day of October 1964, and as amended is  
further amended as follows:

1. Section 3 of said Ordinance 110 is amended by  
deleting the word "one" from the third line thereof and  
by substituting therefor the words "one and one  
quarter".

Alderman Jeffrey suggested that this matter had not been  
discussed at the Committee of the Whole Council. He went on to  
express the concern that the deed transfer tax is a double  
taxation and will cause a hardship to the citizens in the City and  
young people wanting to purchase homes.

Motion Carried with Alderman Jeffrey voting in  
opposition.

MOVED by Alderman Flynn, seconded by Deputy Mayor Walker  
that \$2,030,000 be appropriated from Capital surplus to the 1988  
Revenue Budget. Motion carried.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that Council request the Minister of Transportation to amend the Motor Vehicle Act with respect to increasing the upper limit of Meter Violations to \$20.00 and further request the Minister of Transportation to consider increasing the penalty for all other parking violations to \$20.00.

Alderman R. Grant MOVED an amendment, seconded by Alderman Leiper that the motion be amended to increase the amount of \$20.00 to \$25.00.

Amendment not carried.

Alderman Jeffrey addressed the original motion advising that he does not support the motion and suggested that it will be a deterrent to the downtown area. He further suggested that the revenue could be decreased rather than increased.

Original Motion carried.

MOVED by Alderman Flynn, seconded by Alderman Leiper that Council approve the reduction in penalty for Meter Violations from \$20.00 to \$7.50 if paid in 7 calender days (Inclusive of Issue Date).

Alderman R. Grant moved an amendment that the amount of \$7.50 be increased to \$10.00 and instead of "7 calender days" it be changed to "14 calender days".

There was no seconder to the amendment.

Original Motion Carried.

MOVED by Alderman Flynn, seconded by Alderman Cromwell that \$500,000 be appropriated from Sinking Fund surplus to the 1988 Revenue Budget.

Motion Carried.

MOVED by Alderman Flynn, seconded by Alderman Leiper that \$850,000 be appropriated for the Cumulative Net Operating Deficit from the 1988 Operating Budget.

Motion Carried.

MOVED by Alderman Flynn, seconded by Deputy Mayor Walker that the provisions of Section 41(2) to (9) inclusive, of the Assessment Act, shall not apply to the City of Halifax, with the result that there shall be no residential occupancy tax in the City of Halifax for the taxation year 1988. Motion Carried.

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MOVED by Alderman Flynn, seconded by Deputy Mayor Walker  
that the tax rate for the year 1988 be set at \$3.3645 per hundred  
dollars of assessment. This rate shall be applied to:

- (a) The full assessed value of property of a business character and nature; and
- (b) 36.5% of the assessed value of real property of a residential character and nature; and
- (c) Occupancy taxes as follows:
  - 1) The tax rate applied to 50% of the assessed value of the property of a business character or nature as determined by the Assessor under Section 7(1) of the Assessment Act.
  - 2) 25% of the assessed value of the properties as set out in Section 7(2)(a) of the Assessment Act, as determined by the Assessor.
  - 3) 75% of the assessed value of the properties as set out in Section 7(2)(b) of the Assessment Act, as determined by the Assessor.

Alderman R. Grant requested that at a future Committee of the Whole Council meeting, the Committee discuss possible new sources of revenue.

Motion carried with Alderman R. Grant voting in opposition.

MOVED by Alderman Flynn, seconded by Alderman Cromwell  
that the Fire Protection Rate be set at \$0.049 per hundred dollars of assessment for the year 1988.

Alderman R. Grant requested that the tax bill for this year separate the education tax from the residential tax. He suggested that the citizens have a right to know how much education tax is being collected compared to how much the City is collecting in taxes to operate the City.

The City Manager advised that Alderman R. Grant's request could not be initiated for this billing, but could be considered for next year.

Motion carried with Alderman R. Grant voting in opposition.

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ADOPTED RATES:	1987	1988	% Increase	\$ Increase
Residential	\$1.2308	\$1.2770	3.75%	\$0.046
Business Occupancy	\$3.2538	\$3.3645	3.40%	\$0.111
Commercial Property	\$3.3038	\$3.4135	3.32%	\$0.110
Fire Protection	\$0.0500	\$0.0490	-2.00%	(\$0.001)
Split	0.3629	0.3650	0.58%	\$0.002
Ratio Comm/Res	2.6843	2.6731	-0.42%	(\$0.001)

8:30 p.m. Mayor Wallace retires from the meeting with Deputy Mayor Walker assuming the seat of the Chair.

Case No. 5488 - Appeal of Variance Refusal - 1491 Carlton Street

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

A staff report dated March 7, 1988 was submitted.

Mr. M. Hanusiak, Development and Planning, with the aid of diagrams, presented a brief overview pertaining to the refusal of Mr. Michael McTague's application for a minor variance of the lot area and side yard requirements at 1491 Carlton Street to allow conversion of one unit of a semi-detached dwelling to a duplex. He noted that the application is also for a minor variance of the side yard, rear yard, and lot coverage requirements to allow a 12'x 16' deck/carport at the rear of the structure.

Responding to a question from Alderman Cromwell, Mr. Hanusiak concurred if the individual had applied for a building permit for the back deck, that in all probability it would have been granted.

Mr. Michael McTague, owner of the property in question, addressed Council and submitted the following (all of which are included in the official file of this meeting): a building permit; a letter dated March 14, 1988 from Graeme Higgs; and a letter dated March 29, 1988 from Mr. Dan B. Goodspeed.

Mr. McTague advised that prior to purchasing the property, he approached the City on April 9, 1988 with respect to the legal use of the property and to apply at the same time for a building permit. He noted that a building permit was issued to him. Mr. McTague went on to advise that, prior to purchasing the property, he had visited the property with an architect and the owner at which time the property contained a full sink in one room and a shower stall in another. He noted that the letters submitted state that the property in question contained a bathroom as well as a kitchen area. Mr. McTague advised that, at the time

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he applied for the building permit, the permit counter advised that the building in question was a two unit duplex. With respect to the deck, Mr. McTague commented that he stopped work on it immediately once the City informed him that he did not have a permit. He went on to advise that he was told he required a minor variance in September when he applied for the permit for the deck and confirmed that the adjacent property owners have no opposition to the minor variance.

There were no further persons present wishing to address Council.

MOVED by Alderman Cromwell, seconded by Alderman Downey that the decision of the Development Officer be overturned and the appeal for a minor variance be granted.

Motion passed.

Case No. 5333 - Development Agreement - 2502-18 Gottingen Street and 2535 Creighton Street

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

A supplementary staff report dated April 5, 1988 was submitted.

Mr. C. Reddy of the Development and Planning Department outlined the application, as illustrated in the staff report dated February 9, 1988, for a contract development to permit construction of a seven storey, 59 unit apartment building, together with a reinforced concrete parking structure and includes an existing 3 storey apartment building at 2502-18 Gottingen Street and 2535 Creighton Street.

Referring to the supplementary staff report dated April 5, 1988, Mr. Reddy noted that it outlines a problem that had arisen due to the fact that the latest possible date for insertion of the advertisement for the adoption of the Peninsula North Secondary Planning Strategy (PNSPS) would be either April 11th or April 12th. He further advised that Staff would recommend that Council approve the application this evening, if Council determined that it is acceptable in its present format.

Mr. D. Goodspeed, designer of the proposal, addressed Council and noted that the 11 storey 116 unit project that was proposed in 1982 and turned down by the Nova Scotia Municipal Board for being too massive and basically unsympathetic with the scale and patterns of the neighbourhood. In evolving the present proposal, he commented that they tried to address some of those concerns. Mr. Goodspeed explained that the project was divided

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chiefly into two separate buildings which he suggested did a lot to reduce its impact on the surrounding properties. He further noted that by doing this they have generated a significant amount of open space in mid block. He went on to advise that the buildings were also located on the site to try to respond to the character of the surrounding neighbourhood.

Mr. Goodspeed commented that the second phase consisted of a seven storey building fronting on Gottingen Street. He noted that Gottingen Street is much more intensely developed than Creighton Street and suggested that a seven storey mass was not at all out of line in this section of Gottingen Street. He commented that the other major issue identified in 1982 was one with regard to traffic flow. Mr. Goodspeed explained that they propose to break the parking provided on the site into three separate lots in attempting to decrease the concentration of cars using any one particular access point.

In summary overall, Mr. Goodspeed indicated that the development is much less intensive than what was proposed in 1982. He further noted that it is intended the seven storey building replace a string of four badly deteriorated houses currently fronting on Gottingen Street.

Mr. Goodspeed added a few more comments noting that the proposal was basically an as-of-right proposal with minor deficiencies that are outlined in the staff report. He noted that the deficiencies in open space and parking were interrelated. He further noted if they increased the open space by reducing the amount of parking under Peninsula North as currently proposed, this would allow an as-of-right condition. However, Mr. Goodspeed indicated that they would increase the parking deficiency under the current by-law. He went on to indicate, if Peninsula North was advertised in the interim, then until it is proclaimed, they would be forced to live by both bylaws.

9:10 p.m. His Worship Mayor Wallace returns to the meeting with Deputy Mayor Walker taking his usual seat in Council.

Mr. Michael Argand, developer, addressed Council advising that his family has owned the property in question for more than 20 years and have been trying to develop it since 1981/82. He noted that he received numerous positive remarks with respect to the 23 unit apartment built on the corner of Charles and Creighton Streets and indicated that it is his hope to do the same type of development, only on a larger scale, for the building proposed. Mr. Argand discussed a few of the objections to the 1981 proposal noting that a number of the concerns expressed were still true today. He explained that concern had been expressed with respect to the size and mass of the project, the lack of adequate parking, the concern for Mrs. Brown (owner of the



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property immediately in the centre of both of the projects), and also the ability of himself and his family to erect and maintain a property such as this. Mr. Argand suggested that many of the objections had been dealt with. He noted that unfortunately the situation with Mrs. Brown had not changed. Mr. Argand stated, if the project was approved, that they would do everything possible to minimize the effect of the development on her and on her property.

Mr. Argand commented that it was his understanding if this matter was not dealt with tonight, and the PNSPS advertisement goes in prior to Council deciding on this issue, not only would the development have to conform with the detailed area plan, he would have to wait until the plan was dealt with and until Council and the Province dealt with it too.

In concluding, Mr. Argand suggested that this project would add to the revival and rejuvenation of Gottingen Street.

Mr. Anthony Ross addressed Council in opposition to the proposed development. Mr. Ross advised that he opposed the development in 1981/82 at which time a number of dilapidated dwellings existed on the lots. He went on to note that when one examined the history of those dwellings, it would appear as though they were allowed to fall into a state of very substantial disrepair so that it would be so much of an eyesore that when the developer came before Council, Council could hardly disagree with anything because anything would be an improvement. Mr. Ross further suggested, if one looked at this from the point of view of reasonableness, it would be a very poor planning concept to permit a use of land which would allow so substantial deterioration that Council would be prepared to bend the rules to accommodate a developer because anything is better than what was there.

Mr. Ross went on to suggest that it appeared as though staff had put together the PNSPS and, in his view, it would be an indication of what the Municipality proposes as far as the general area is concerned. He went on to refer to the case "The City of Ottawa vs Boyd Builders", which ruled "if the Municipality has demonstrated a fair intention to do something particular with the land and is proceeding with reasonable dispatch, then that must take priority." He further implied, as the developer indicated, there might be a conflict between what the developer is advocating and what appears to be the intention of Council through the area planning strategy. He, therefore, suggested that the developer should be bound by the as-of-right development and given no alternative than to wait until such time the PNSPS was dealt with.

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Mr. Ross expressed the concern that the proposal is yet still a massive structure. He went on to suggest that Council consider too that Mrs. Brown has owned and occupied her premises well in access of twenty years. He inquired how the developer would minimize the effect of the development on Mrs. Brown who, he pointed out, is a very senior citizen.

Referring to the supplementary report, Mr. Ross noted that the second paragraph seemed to be absolutely consistent with the ruling of the Supreme Court of Canada in "City of Ottawa vs Boyd Builders". Mr. Ross suggested that Council would be remiss in its duty not to at least defer a decision on this matter and, in deferring a decision, if this project gets caught in the planning process, so be it because it was not a situation where the developer had no alternative.

Mr. Ross also addressed the traffic issue suggesting that the development would add to the traffic problems in this area during rush hours. He commented that, as he read the project report, it appeared as though the parking at the Charles Street entrance was limited to one level. He inquired whether vehicles could access lower and upper levels. Mr. Ross noted that the parking from Gottingen Street appeared to be the lowest level and the parking from Creighton Street seemed to be an upper level. He suggested that the question of whether or not you could go from one level to another needed to be looked at.

There were no further persons present which to address Council.

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

Responding to a question from Alderman Cromwell, Mr. Reddy advised that, it would be possible to put two buildings on the lot as of right under the new plan.

Motion carried.

9:40 p.m. The meeting adjourned.

Special Council  
Public Hearing  
April 6, 1988

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Motion carried.

9:40 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR WALLACE  
DEPUTY MAYOR WALKER  
CHAIRMEN

/mmd

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
April 14, 1988  
8:00 P. M.

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

The meeting was called to order with Alderman Richard Grant leading those present in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor J. Albert Walker; and Aldermen Deborah Grant, Cromwell, Downey, Meagher, O'Malley, R. Grant, Jeffrey, Leiper, Flynn and Hamshaw.

ALSO PRESENT: City Manager; W. Anstey representing the City Solicitor; City Clerk; and other members of City staff.

Presentation - Weedless Wednesday Awards Presentation

His Worship indicated that Dr. David MacLean, Director, Atlantic Health Unit and Mrs. Barbara Till, Occupational Health Nurse, City of Halifax were present this evening to make an award presentation in relation to Weedless Wednesday.

Dr. David MacLean addressed Council noting that Weedless Wednesday was sponsored by the Nova Scotia Department of Health and Fitness. Dr. MacLean noted that the award being presented this evening was in connection with the Corporate Challenge carried out in connection with Weedless Wednesday. Dr. MacLean indicated that each year a challenge is issued to businesses and industry to have the highest number of smokers quit for the day. Dr. MacLean went on to note that many businesses and industries have won over the past number of years and indicated that he was happy to advise Council that the City of Halifax had won the award this year. Dr. MacLean indicated that the City of Halifax had the highest number of smokers quit for the day.

Dr. MacLean indicated that Weedless Wednesday was extremely significant in that 10% of those persons quitting for Weedless Wednesday remained smoke free. Dr. MacLean noted that the City has been involved in the Corporate challenge since 1982 and recognized Barbara Till's efforts in organizing the challenge throughout city offices. Dr. MacLean indicated that the employee participation emphasized the interest in trying to give up smoking

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and suggested that the support received from co-workers and management was greatly appreciated by members of staff.

Mrs. Barbara Till addressed Council indicating that the City had been involved in the Corporate Challenge since 1982. Mrs. Till indicated that only two departments had been involved in 1982 and the number involved had increased until all departments were involved. Mrs. Till indicated that the City not only had the highest percentage of smokers quitting for the day but, the highest percentage of non-smoking employees. Mrs. Till indicated that the high percentage of non-smokers was in line with the national figures indicating that 2/3 of the population were non-smokers. Mrs. Till indicated that she was very proud of city employees and noted that this award was due to the hard work of the team captains and the employees. In closing, Mrs. Till noted that this award was the employees award.

Presentation - Chairman - Halifax Industrial Commission  
Mr. George Cooper

His Worship indicated that Mr. Cooper, Chairman of the Industrial Commission was not available to make a presentation this evening. His Worship went on to note that Mr. Cooper had submitted a five page report and an invitation to a special meeting of the Industrial Committee with Council to be held on Monday, April 25, 1988. His Worship indicated that a reception would be held in conjunction with that meeting. His Worship further advised that the Chairman has indicated that he will attend Committee of the Whole on a regular basis to keep Council informed.

Alderman Jeffrey indicated that he could not understand why Mr. Cooper was not present this evening. Alderman Jeffrey noted that it was his understanding that the Aldermen had requested that Mr. Cooper appear here this evening. Alderman Jeffrey indicated that he was aware of the meeting next with the Industrial Commission, however, he had some concerns regarding this matter that he wished to address in a public forum. Alderman Jeffrey indicated that the Industrial Commission had approved a motion that Mr. Cooper appear at Council and respond to the concerns raised by Council. Alderman Jeffrey indicated that he was disturbed that Mr. Cooper was not present this evening. Alderman Jeffrey indicated that he would like Mr. Cooper to appear at the next meeting of the Committee of the Whole Council.

His Worship noted that Mr. Cooper had agreed to appear before Council on a regular basis and note that Mr. Cooper could appear at the next meeting of the Committee of the Whole.

Alderman O'Malley indicated that he had expected Mr. Cooper to appear before Council this evening. Alderman O'Malley noted that Mr. Cooper and Mr. Corkum, Executive Director,

**\*AMENDED PAGE\***

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noted that Mr. Cooper and Mr. Corkum, Executive Director, Industrial Commission had been requested, by motion of the Industrial Commission, to appear at this meeting of Council. Alderman O'Malley indicated that both these gentlemen had indicated they would do so and their absence tonight left him somewhat bewildered.

Alderman O'Malley indicated that it was the intent of the Commission that the public have an opportunity to hear exactly what plans had been made in relation to the Hong Kong trip and the amount of work put into making these plans. Alderman O'Malley indicated that he felt a public response to the concerns expressed at the last meeting of Council was necessary. Alderman O'Malley indicated that it appeared that Mr. Cooper was not desirous of responding to those concerns in public and noted, this being the case, he would like the **\*Marketing Committee of the Industrial Commission\*** to appear before the next regular meeting of City Council to address Council's concerns.

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that the **\*Marketing Committee of the Industrial Commission\*** appear before the next meeting of City Council to respond to concerns expressed by members of Council in relation to the proposed Hong Kong trade mission and that the item be the first item on the agenda.

A further short discussion ensued and the Motion was put and passed.

8:20 p.m. Alderman Dewell joins the meeting.

#### MINUTES

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that the minutes of the regular meeting of City Council held on March 30, 1988 and of the special meeting of City Council held on April 6, 1988 be approved as distributed.

Alderman Jeffrey addressed Council referring to the minutes of April 6, 1988 in relation to the budget and the setting of the tax rate and noted that only one Alderman was recorded as being in opposition to certain motions made at that meeting. Alderman Jeffrey indicated that he would like to be recorded as being in opposition. Alderman Jeffrey indicated that the minutes were not correct and he would like them changed to indicate that he was in opposition to those motions.

His Worship noted that Alderman Jeffrey had not requested to be recorded as voting in opposition at the April 6, 1988 meeting. His Worship went on to note that the minutes did not indicate that Alderman Jeffrey had voted in favor of the

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Industrial Commission had been requested, by motion of the Industrial Commission, to appear at this meeting of Council. Alderman O'Malley indicated that both these gentlemen had indicated they would do so and their absence tonight left him somewhat bewildered.

Alderman O'Malley indicated that it was the intent of the Commission that the public have an opportunity to hear exactly what plans had been made in relation to the Hong Kong trip and the amount of work put into making these plans. Alderman O'Malley indicated that he felt a public response to the concerns expressed at the last meeting of Council was necessary. Alderman O'Malley indicated that it appeared that Mr. Cooper was not desirous of responding to those concerns in public and noted, this being the case, he would like the Management Committee to appear before the next regular meeting of City Council to address Council's concerns.

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that the Management Committee of the Industrial Commission appear before the next meeting of City Council to respond to concerns expressed by members of Council in relation to the proposed Hong Kong trade mission and that the item be the first item on the agenda.

A further short discussion ensued and the Motion was put and passed.

8:20 p.m. Alderman Dewell joins the meeting.

#### MINUTES

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that the minutes of the regular meeting of City Council held on March 30, 1988 and of the special meeting of City Council held on April 6, 1988 be approved as distributed.

Alderman Jeffrey addressed Council referring to the minutes of April 6, 1988 in relation to the budget and the setting of the tax rate and noted that only one Alderman was recorded as being in opposition to certain motions made at that meeting. Alderman Jeffrey indicated that he would like to be recorded as being in opposition. Alderman Jeffrey indicated that the minutes were not correct and he would like them changed to indicate that he was in opposition to those motions.

His Worship noted that Alderman Jeffrey had not requested to be recorded as voting in opposition at the April 6, 1988 meeting. His Worship went on to note that the minutes did not indicate that Alderman Jeffrey had voted in favor of the motion. His Worship indicated that the minutes reflected that the motion had been passed with Alderman R. Grant in opposition to



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the motion. His Worship further indicated that it was impossible for Council to know this evening who had voted for or against a motion put forward two weeks ago. His Worship indicated that Aldermen wishing to have their opposition to a motion recorded vote must give an indication of this at the time the vote is taken.

Alderman Jeffrey asked if the Chair was suggesting that a recorded vote must be held to ensure that an Alderman is recorded as being in opposition to a motion.

Alderman Meagher noted that a number of Aldermen had voted against certain motions put forward at the April 6, 1988 meeting. Alderman Meagher indicated that it was very difficult for the City Clerk to distinguish who was for and against a motion. Alderman Meagher indicated that Council should defer these minutes to the next meeting of the Committee of the Whole at which time they will review the minutes and make the appropriate corrections.

His Worship suggested that approval of the minutes could not be deferred and indicated to Council that if an item is of particular importance two Alderman need only request a recorded vote.

Alderman Jeffrey suggested that the appropriate corrections could be made at this time.

Responding to a question regarding the procedure for correction of minutes, Mr. W. Anstey, Senior Solicitor, indicated that the adoption of the minutes required a motion of Council and, therefore, a change or amendment to the minutes would require a motion by Council.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that the minutes of the Special Council meeting of April 6, 1988 regarding adoption of the budget and the setting of the tax rate be amended to indicate that Alderman Jeffrey voted opposition to all those motions which the minutes indicate to which Alderman R. Grant voted against.

His Worship indicated that he could not accept that motion.

Alderman O'Malley addressed Council requesting that this matter be referred to the Rules of Order Committee. Alderman O'Malley indicated that the adoption of the budget and the setting of the tax rate was probably the single most important item upon which Council votes. Alderman O'Malley requested that the Rules of Order Committee consider an amendment to the Rules of Order Ordinance making a recorded vote mandatory on motions dealing with the adoption of the Budget and the setting of the tax rate.

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His Worship indicated that the Committee could consider the matter.

Responding to comments from Alderman Meagher that he did not agree with the Chair's ruling that the motion was unacceptable, His Worship noted that the minutes must reflect what happened at the meeting. His Worship indicated that Alderman R. Grant had requested that he be recorded as voting in opposition to the motions, however, Alderman Jeffrey had not done so.

A further discussion ensued and it was MOVED by Alderman Meagher, seconded by Alderman O'Malley that this matter be deferred to the next regular meeting of City Council at which time a written opinion from the City Solicitor be provided to Council concerning the recording of votes in opposition to a motion and whether or not it is necessary to give notice to the City Clerk or whether voicing opposition is sufficient.

A discussion ensued with Alderman Leiper asking if the motion of deferral included the minutes of the regular meeting of City Council held on March 30, 1988.

Alderman Meagher indicated that the inclusion of the March 30, 1988 minutes would simplify the deferral and noted that they were included in the motion to defer.

The motion to defer was put and lost.

Following a further discussion, the question on the original motion was put with Alderman Jeffrey and Alderman O'Malley requesting a recorded vote as follows:

**FOR:** Deputy Mayor J. Albert Walker, Aldermen D. Grant, Cromwell, Dewell, Leiper, Flynn and Hamshaw

**AGAINST:** Aldermen Downey, Meagher, O'Malley, R. Grant and Jeffrey

The Chairman declared the motion to be passed.

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

The City Clerk indicated that he had no proposed additions to the agenda.

Alderman D. Grant requested that 'Public Access to Halifax Waterfront', 'Recycling of Waste' and 'Committee to Review Budget Procedures' be added as Items 20.1, 20.2, and 20.3 respectively.

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Alderman Cromwell requested that 'Street Vendors Ordinance' be added as Item 20.4

Alderman O'Malley referred to the Rules of Order Committee recommendations recently approved by Council and noted that it was his understanding that no item of major significance would be added to the City Council agenda. Alderman O'Malley indicated that it was his understanding that only items having some urgency would be added to the agenda. Alderman O'Malley indicated that, in his opinion, at least three of the four additions to the agenda were very significant items.

His Worship indicated that Council was encouraged not to add items to the City Council agenda unless of an extremely urgent nature.

Alderman Cromwell and D. Grant withdrew their requests for additions to the agenda indicating that they could deal with these items during the question period.

Alderman Dewell addressed Council indicating that he felt this move by Council was a very positive move. Alderman Dewell expressed concern that the Question Period would become an arena for debate as it has in the past. Alderman Dewell cautioned against a similar situation occurring.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn  
that the agenda, as distributed, be approved.

Motion passed.

#### DEFERRED ITEMS

Case No. 5333 - Development Agreement - 2502-18 Gottingen  
Street and 2535 Creighton Street

A public hearing into the above matter was held on April 6, 1988. A supplementary staff report dated April 7, 1988 was submitted.

Alderman Downey addressed the matter indicating that at the public hearing last week he had deferred this item to this evenings meeting. Alderman Downey noted that he supported the proposal, however, he would like to defer this matter to the Special Council meeting to be held on April 20, 1988. Alderman Downey noted that traffic studies were presently being carried out in the Gottingen Street/Brunswick Street area as a result of traffic accidents in the area. Alderman Downey then referred to Alderman Flynn's question regarding the Gottingen Street exit and noted that he had received some calls with regard to this matter. Alderman Downey noted that, given the number of children crossing the street to the George Dixon Centre, he would like to defer this

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matter to the Special Council meeting pending a further staff report regarding these matters.

MOVED by Alderman Downey, seconded by Alderman Meagher that this matter be deferred to the Special Council meeting to be held on Wednesday, April 20, 1988 pending receipt of a staff report regarding the traffic studies being undertaken in the Gottingen/Brunswick Streets area and the proposed Gottingen Street exit.

The motion to defer was put and passed with Alderman Hamshaw abstaining due to non-attendance at the Public Hearing.

#### PETITIONS AND DELEGATIONS

##### Petition Alderman Jeffrey re: Closure of Titus Smith School

Alderman Jeffrey submitted a petition signed by approximately 164 residents of the Titus Smith School area. Alderman Jeffrey advised that the petition was in opposition to the closure of the Titus Smith School. Alderman Jeffrey requested that the petition be referred to the Halifax District School Board and a copy be distributed to each member of City Council.

##### Petition Deputy Mayor Walker re: Minor Variance - 67 Withrod Drive

Deputy Mayor Walker indicated that he had received a copy of a petition from 49 residents of the Kline Heights area, as well as, approximately 10 letter opposing a minor variance at 67 Withrod Drive. Deputy Mayor Walker suggested that a public hearing should be held in relation to this matter in order that the residents might have an opportunity to voice their opposition. Deputy Mayor Walker asked if staff had any information regarding this matter.

Mr. Michael Hanusiak, Development Control, indicated that he was aware of the Minor Variance, however, he did not have the information with him and indicated that he would retrieve the information and report to Council later in the meeting.

It was agreed that this matter be deferred to later in the meeting pending a report from staff.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on April 6, 1988, as follows:

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Open Space Design Study - Lower Water Street/Waterfront

At the April 6, 1988 Finance and Executive Committee this matter was referred back to the Project Team with a request that they review the matter once more and bring back a recommendation to this meeting of Halifax City Council. A supplementary staff report dated April 7, 1988, with attached supplementary report from the Project Team dated April 7, 1988, was submitted.

MOVED by Alderman Downey, seconded by Alderman D. Grant that the City Clerk be authorized to execute a contract with Gordon Ratcliffe in association with Barrie and Langille Ltd. for the preparation of "An Open Space Design Study, Lower George Street - Waterfront Area", for a maximum cost of \$60,000, of which the City's share is to be \$20,000.

Motion passed.

Voting Delegates - FCM Conference

At the April 6, 1988 Finance and Executive Committee meeting Alderman Leiper agreed to coordinate, through the Alderman's Office, the gathering of the names of those members of Council who would be attending the FCM conference in order that the voting delegates might be identified. A report from Alderman M. Leiper, Ward 10 dated April 14, 1988 was submitted.

MOVED by Alderman Leiper, seconded by Alderman Walker that the following Aldermen be appointed as the voting delegates at the upcoming Federation of Canadian Municipalities Conference:

Alderman A. Flynn  
Alderman G. Downey  
Alderman R. Dewell  
Alderman M. Leiper (Alternate)

Motion passed.

Parking Grand Parade - Establishment of Committee

A report from His Worship Mayor Ron Wallace, on behalf of the Grand Parade Committee, dated April 13, 1988 was submitted.

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, Council confirm the establishment of a Committee, consisting of two Aldermen, being Alderman R. Grant and M. Leiper, and two members of staff, to prepare a report addressing both the removal of parking from the Grand Parade and some parking being left in the Grand Parade, and to bring back a report to Council for a decision.

Motion passed.

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MOVED by Alderman Leiper, seconded by Alderman R. Grant that City Council advertise a Public Meeting to be held in the Council Chamber at which the public will be invited to present written or oral recommendations on the future use of the Grand Parade.

Motion passed.

The City Clerk indicated that he was proposing **Tuesday, April 26, 1988 beginning at 7:30 p.m.** as the date and time for the public meeting, to which Council agreed.

Expropriation Settlement - Parcel H-115, 496 Herring Cove Road

MOVED by Alderman R. Grant, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, the expropriation of Parcel H-115, Plan TT-32-27075 be settled for \$1,450, plus simple interest from December 21, 1982.

Motion passed.

McCully House - Call for Proposals

A supplementary staff report dated April 11, 1988 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council authorize staff to negotiate with Keystone Development in regard to their submission to the Call for Proposals - McCully House, with the results to be forwarded to Council for consideration.

Motion passed.

1326, 1334, 1340 Barrington Street - Date for Hearing  
(Heritage Advisory Committee Report)

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, a date be set for a hearing to consider the inclusion of 1326, 1334, and 1340 Barrington Street in the Halifax Registry of Heritage Property and to provide the owners thereof an opportunity to be heard in this regard.

Motion passed.

The City Clerk advised that he was proposing that this hearing be held at the regular meeting of City Council to be held on **Thursday, May 26, 1988 beginning at 8:00 p.m.,** to which Council agreed.

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13 Withrod Road

MOVED by Deputy Mayor Walker, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a quit claim deed on behalf of the City, conveying Parcel S-1A to David P. Scarfe and Mary E. Scarfe.

Motion passed.

Use of City Flag

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Ordinance 101 respecting the Corporate Seal, Armorial Achievement and Flag, be amended to provide that the City flag is available to whomever wishes to use it.

Motion passed.

Admission of Harbour City Homes Employees to City of Halifax Superannuation Plan

MOVED by Alderman R. Grant, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Staff of the City of Halifax Non Profit Housing Society (Harbour City Homes) be admitted into the City of Halifax Superannuation Plan.

His Worship noted that the Chairman and the Manager of the Non Profit Housing Society had been requested to attend a meeting of the Committee of the Whole Council to discuss the role and work of the Society with members of Council.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment to Ordinance No. 172 - (No Smoking Sections in Restaurants - SECOND READING

Following is the recommendation of the Finance and Executive Committee:

"That the proposed amendments to Ordinance Number 172, the No Smoking Ordinance, as contained in Appendix A of the October 21, 1987 report from the City Solicitor and in the March 21, 1987 report from the City Solicitor be given SECOND READING."

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Correspondence dated April 13, 1988 from James R. Legge, Executive Director, Nova Scotia Restaurant and Foodservices Association was submitted.

Alderman Leiper addressed the matter referring to the letter dated April 13, 1988 from the Nova Scotia Restaurant Association and noting that she was somewhat surprised to have received this letter. Alderman Leiper went on to note that at the outset of the discussions regarding the amendments to the Ordinance she had met with the Nova Scotia Restaurant Association to discuss the matter. Alderman Leiper further noted that she had written to the Association advising of and explaining the subsequent amendments and had received no response.

Alderman Leiper indicated that she spoke with a representative of the Association regarding this request to defer. Alderman Leiper noted that she had advised the representative that she would be willing to propose a motion to defer this matter to the Committee of the Whole providing the Association's proposed amendment were forwarded to the City by Monday morning in order that the Legal Department might review the amendment and report in this regard to the Committee of the Whole.

MOVED by Alderman Leiper, seconded by Flynn that this matter be deferred to the next meeting of the Committee of the Whole.

Motion passed.

Amendments to Ordinance 137 - Deferred Payment of Taxes  
SECOND READING

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, City Council give SECOND READING to the amendments to Ordinance 137, the Deferred Payment of Taxes Ordinance, as follows:

BE IT ENACTED by City Council of the City of Halifax that Ordinance 137, the Deferred Payment of Taxes Ordinance be amended as follows:

1. Clause (c) of Section 2 of said Ordinance No. 137 is amended by deleting the words, numbers and symbols "fourteen thousand dollars (\$14,000.00)" from the third line thereof and by substituting therefor the words, numbers and symbols "twenty-five thousand dollars (\$25,000.00)".

2. (1) Clause (b) of subsection (1) of Section 3 of said Ordinance No. 137 is amended by deleting the words, numbers and symbols "fourteen thousand dollars (\$14,000.00)" from the fourth line thereof and by substituting therefor the words, numbers and symbols "eighteen thousand dollars (\$18,000.00)".



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(2) Subsection (2) of said Section 3 is amended by deleting the word "April" from the third line thereof and by substituting therefor the word "June".

3. Section 5 of said Ordinance is amended by deleting the words, numbers and symbols "One Thousand Dollars (\$1,000.00) from the fourth line thereof and by substituting therefor the words, numbers and symbols "Fifteen Hundred Dollars (\$1,500.00).

Motion passed.

Amendment to Ordinance Number 116 - the Taxi Ordinance (Proposed Rate Increases) - SECOND READING

Alderman Dewell addressed the matter referring to the concerns expressed by Aldermen O'Malley and Jeffrey at the Committee of the Whole regarding the impact of the increase in taxi rates on seniors living in Northwood Manor. Alderman Dewell noted that this concern had been responded to with a letter indicating that the impact would not be as serious as it was initially suggested by members of Council.

Alderman Dewell went on to note that it was difficult for Council to increase the rates of any form of public transportation, however, increasing costs to taxi drivers made this increase necessary and only fair to the drivers. Alderman Dewell requested that Council support the proposed increase and MOVED, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the following amendments proposed for Ordinance 116, the Taxi Ordinance, be forwarded to Halifax City Council for Second Reading:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance 116, the Taxi Ordinance as enacted by the City of Halifax and approved by the Minister of Municipal Affairs on June 15, 1978, as amended, is hereby further amended as follows:

The Third Schedule is repealed and the following substituted therefor:

THIRD SCHEDULE

ONE DOLLAR NINETY CENTS initial charge, up to 1/26 mile;

FIVE CENTS each 1/26 mile;

FOURTEEN DOLLARS per hour waiting time;

FIVE MINUTES GRACE to be allowed on pick-up;

TWENTY-FIVE CENTS each additional passenger;

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HOURLY DRIVING RATES by arrangement between driver and passenger (without meter) - FIFTEEN DOLLARS PER HOUR;

ONE DOLLAR FIFTY CENTS each steamer trunk;

TWENTY-FIVE CENTS for each piece of luggage handled by driver;

TEN CENTS for each parcel or bag of groceries handled by driver;

CHILDREN under ten years shall be carried FREE when accompanied by an adult;

SPECIAL RATES for the conveyance of children to and from school may be made by private arrangement with the owner or driver of the motor vehicle.

**SUCH INCREASES TO BE EFFECTIVE (UPON APPROVAL BY CITY COUNCIL AND THE MINISTER OF MUNICIPAL AFFAIRS) ON SEPTEMBER 1, 1988.**

Alderman O'Malley addressed the matter noting that by seconding the motion he wished to indicate that he was in favor of the rate increase. Alderman O'Malley noted, however, that his concerns stemmed from a conversation he had with Mr. Gerry Tobin of the Multi-Purpose Centre. Alderman O'Malley indicated that he expressed these concerns on behalf of the seniors of the City. Alderman O'Malley further noted that he had requested at Committee of the Whole that the Taxi Commission, before implementation of this increase in September, look at possible means of providing seniors with a discount in fares.

Alderman O'Malley went on to note that seniors living on fixed incomes would certainly be affected by the increase. Alderman O'Malley noted that many seniors had to use taxis due to their inability to walk to a bus stop or carry bags of groceries for any distance. Alderman O'Malley indicated that he would like the Taxi Commission to look at some way to provide a discount. Alderman O'Malley suggested that this might apply to only certain distances, certain pick up locations or, only for certain purposes such as grocery shopping or a visit to the doctor.

Alderman Dewell indicated that he would certainly bring this matter to the attention of the Commission.

Motion passed.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on April 6, 1988, as follows:

Development on Private Roads

This matter had been forwarded to City Council without recommendation.

MOVED by Deputy Mayor Walker, seconded by Alderman Richard Grant that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, April 20, 1988 for further discussion.

Alderman Jeffrey referred to the Information Report, dated March 17, 1988, in which it is indicated that staff are in the process of reviewing the implications of his (Alderman Jeffrey's) previous request concerning two landlocked parcels of lands which do not abut either a private road or a public street. In this regard, Alderman Jeffrey asked for information during the April 20 meeting of Committee of the Whole Council as to when a report on this matter will be forthcoming.

The motion to defer was put and passed.

Case No. 5593 - Bylaw Amendments to Preclude Adult Entertainment and Sex Aid Shops in All But C-6 Zones

MOVED BY Alderman O'Malley, seconded by Alderman Flynn that, as recommended by the City Planning Committee, a date be set for a public hearing to consider amendments to the Land Use Bylaw (as outlined in Appendix "A" of the March 29, 1988 staff report; and further, that these amendments be referred to the Planning Advisory Committee for consideration and report to Council.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, MAY 18, 1988 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

Proposed Linear Park - Mainland North

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the City Planning Committee, Council endorse the concept of a green pathway system in Mainland North, and that the City accept a deed for the portions of Crown Road Reserve

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described in the March 29, 1988 staff report, subject to survey as necessary, for consideration in the amount of \$144,000.00 to be deducted from land values owing the City currently under review, plus administrative costs of \$100.00 to be developed by the City for passive recreational purposes.

The motion was put and passed.

Case No. 5474 - Rezoning (R-2 to R-2A):  
5984-90 Young Street

MOVED by Alderman O'Malley, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, staff be directed to continue discussions with the owners of 5984-90 Young Street regarding appropriate development options for this site.

The motion was put and passed.

Allen's Mobile Home Park Limited

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, Council request the Planning Advisory Committee and staff to respond to the concerns contained in Mr. Reardon's letter of March 30, 1988 (concerning properties owned by Allen's Mobile Home Park Limited) and to submit a report to Council as quickly as possible.

Alderman Flynn made reference to other land holdings in Mainland South which Council had requested to be dealt with separately by the Planning Advisory Committee (i.e., subsequent to the approval of the Mainland South Secondary Planning Strategy), and asked for a progress report from the PAC with regard to these properties.

The motion was put and passed.

Kearney Lake Road and Wedgewood Park Area -  
Proposed Zoning Amendments

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the City Planning Committee, Council authorize staff to consult area residents and land owners regarding the proposed land use amendments (shown on Map 1 of the staff report dated March 9, 1988) in response to the submission from the Wedgewood Park residents dated February 27, 1987.

The motion was put and passed.

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MOTIONS

Proposed Amendment to Ordinance #181, the Spring Garden  
Road Business Improvement District Commission Ordinance  
FIRST READING

Alderman Downey gave Notice of Motion during a regular meeting of Halifax City Council held on March 30, 1988 of his intention to introduce First Reading of amendments to Ordinance Number 181, the Spring Garden Road Business Improvement District Commission Ordinance.

MOVED by Alderman Downey, seconded by Alderman Hamshaw that City Council give FIRST READING to the amendments to Ordinance #181, the Spring Garden Road Business Improvement District Commission Ordinance, as follows, and refer the said amendments to the next regular meeting of Committee of the Whole Council for consideration and report:

- (1) Subsection (3) of Section 9 of Ordinance 181 is amended by deleting the word "three" from the first line thereof, and by substituting therefor the word "four."
- (2) Said Subsection (3) is renumbered Subsection (2).
- (3) Subsection (3) of Section 10 of said Ordinance 181 is renumbered Subsection (2).

The motion was put and passed.

MISCELLANEOUS BUSINESS

Award of Tender #88-87: Personal Computer Equipment  
(Various Locations)

A staff report, dated April 7, 1988, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Leiper that authority be granted to award Tender #88-87 for personal computer equipment (various locations) to Datamaster (Alternate A in the staff report, dated April 7, 1988) as the lowest bidder meeting all required criteria.

The motion was put and passed.

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QUESTIONS

Question Alderman Cromwell Re: Mobile Street Vendors

Alderman Cromwell referred to a previously submitted report from the Streets Committee in which it is proposed that tenders be called with regard to various City locations for street vending.

In his comments, the Alderman noted that several street vendors had expressed their concern that the tendering policy, as suggested by the Streets Committee, would place undue financial hardship on the small operators (owing to the considerable financial outlays required in deposits for each tender) and would consequently result in all available locations being awarded to the larger national companies.

Alderman Cromwell suggested that this could be construed as discrimination against the smaller operators, and urged that the Streets Committee take this concern under advisement as quickly as possible.

Question Alderman Deborah Grant Re: Establishment of a Committee to Review Budget Procedures

Alderman Deborah Grant referred to the concerns raised periodically by her and other members of Council regarding the procedures currently in place for budget review. In this context, the Alderman asked for a report as to how a committee could be established to review those budget procedures.

Question Alderman Deborah Grant Re: Clean City Program

Alderman Deborah Grant made reference to the fact that on April 24-28 the City of Halifax is hosting Rendez-Vous Canada, the premier trade and travel sales event in the country, commenting that, in her opinion, it is of major importance that the City appears as clean as possible for this occasion. In this context, the Alderman asked for information as to the status of the Clean City campaign, and whether, in fact, it would be possible for the downtown core, in particular, to be as litter-free as possible while the show is underway.

His Worship indicated that an extra effort has already been organized for this event.

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Question Alderman Deborah Grant Re: Recycling of Solid Wastes

Alderman Deborah Grant noted that she had previously been advised by the City Solicitor's Department that it is, in fact, legally possible to ask citizens to separate their solid wastes. In this context, the Alderman requested a staff report as to how the City could begin to study methods of waste recycling and, in addition, the various markets presently available for recycled waste products.

Question Alderman Deborah Grant Re: Public Access to the Halifax Waterfront

Alderman Deborah Grant referred to policies presently contained in the City's Municipal Planning Strategy which are intended to preserve the Halifax Waterfront for public access. In this context, the Alderman asked for a staff report pertaining to the available controls over private lands which abut the Waterfront to ensure the public's complete access to that area. In addition, she requested information as to whether there are any specific controls in the City's Land Use Bylaw regarding access to the Waterfront.

Alderman Deborah Grant also asked for a report from the City's insurers as to the cost to a developer (or, alternatively, to the City) of assuming liability for public access to the Waterfront.

She noted that she would like to have this matter placed on the agenda of an upcoming meeting of Committee of the Whole Council, once these reports have been prepared.

Question Deputy Mayor Walker Re: Sunday Parking - Purcell's Cove Road

The Deputy Mayor referred to concerns raised by the congregations of the St. John the Baptist and the Greek Orthodox Churches regarding the fact that vehicular parking is prohibited at all times along Purcell's Cove Road.

In this context, Deputy Mayor Walker requested that the City's Traffic Authority investigate the feasibility of erecting "Sunday Parking Only" signs adjacent to these church properties.

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Question Deputy Mayor Walker Re: Traffic Light  
- Quinpool Road

Deputy Mayor Walker referred to the fact that after 4:30 p.m. residents from Wards 7 and 8 coming into the City to Simpsons or to Dutch Village Road must proceed up Quinpool Road and make a left turn to reach their destinations. He emphasized that traffic is extremely heavy on this portion of Quinpool Road which results in motorists having to wait long periods of time in order to make the left turn in question.

Under the circumstances, Deputy Mayor Walker requested that the Traffic Division investigate the feasibility of installing a traffic light (to be operational between the hours of 4:30 - 6:00 p.m.) in this area to afford motorists a better opportunity to make the left turn described above.

Question Alderman O'Malley Re: Homes for Special Care

Alderman O'Malley referred to a recent report that the Provincial Minister of Social Services has indicated that an additional \$5 million will be made available in 1988 for Homes for Special Care, and asked whether the City of Halifax is destined to receive \$3 million of that amount.

The City Manager indicated that information would be provided to the Alderman in this regard.

Question Alderman Leiper Re: Randall Park

Alderman Leiper indicated that she had been advised by a constituent (who had been in contact with another member of Council) that the monies initially allocated for Randall Park had been removed from the City's budget and reassigned. In this context, the Alderman asked for a report from the Department of Engineering and Works as to the exact location of the money for Randall Park, and where the upgrading on the Park now stands.

Question Alderman Leiper Re: Smoke-Free Environment, and  
Day Care Facilities (City of Halifax Employees)

Alderman Leiper noted that she had requested reports both on providing a smoke-free environment and day-care for City of Halifax employees. She noted that it was her understanding that work on the first report is currently underway, and emphasized that she would also appreciate receiving the second report in the near future.



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Question Alderman Leiper Re: Ecology Action Centre

Alderman Leiper made reference to a letter from the Ecology Action Centre in which an extended canvassing period was requested from the City.

His Worship Mayor Wallace indicated that a compromise has been effected whereby the Centre will retain their present canvassing period but increase the number of canvassers.

Question Alderman Flynn: Animal Control (Cats)

Alderman Flynn made reference to the number of wild or stray cats throughout the City, emphasizing that because the City's Animal Control Officer is not responsible for this type of animal, residents must take it upon themselves to deal with the situation. In this context, the Alderman advised that it costs an average of \$25.00 for a stray cat to be caught and put to sleep by a qualified veterinarian, emphasizing that when there are 7-8 animals of this type in one location, expenses to a particular resident or group of residents can be considerable.

Alderman Flynn asked for a report from staff containing suggestions as to how this problem can be more appropriately dealt with.

NOTICES OF MOTION

Notice of Motion Alderman Flynn Re: Amendments to Ordinance Number 156, the Pollution Control Charge Ordinance

Alderman Flynn gave Notice of Motion that, at the next regular meeting of Halifax City Council, scheduled for Thursday, April 28, 1988, he intends to introduce First Reading of amendments to Ordinance Number 156, the Pollution Control Charge Ordinance.

The purpose of these amendments are to change the reference in the Ordinance from the "Public Service Commission" to the "Halifax Water Commission," and to add the Northwest Interceptor System and the sewer systems serving the Bayers Lake and Ragged Lake Industrial Parks to the list of sewer systems, the cost of operation of which may be covered by the Pollution Control Account.

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Petition Deputy Mayor Walker Re: Minor Variance -  
67 Withrod Drive

This matter was deferred during an earlier portion of the meeting's agenda.

Deputy Mayor Walker indicated that he had now been advised by staff that a public hearing had been scheduled with regard to this minor variance appeal.

There being no further business to be discussed, the meeting was adjourned at 9:40 p.m.

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

E. A. KERR  
CITY CLERK

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