

**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
3 April 1991
7:35 p.m.

A Special Meeting of Halifax City Council, Public Hearings 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 O'Malley; and Aldermen Holland, Fitzgerald, Downey, Pottie, Hanson, and Jeffrey.

ALSO PRESENT: Ms. Nadine Smillie, representing the City Solicitor; City Clerk, and other members of City staff.

At the request of the City Clerk, the following item was added to the agenda:

Award of Tender #91-02: Underground Wiring - Argyle Street (Prince to Blowers) and Grafton Street (Prince to Sackville)

This item was forwarded to this meeting from a regular meeting of the Committee on Works held earlier on this date.

MOVED by Alderman Holland, seconded by Alderman Pottie that

- (1) Council increase gross funds in Account No. CK026, U/G Wiring - CBD, to \$216,000 without affecting the net funding in this account;
- (2) Council award Tender #91-02, for project materials and services listed at the unit prices quoted, at a bid price of \$179,500, to L. J. Casavechia Contracting Ltd. and a Total Project Cost of \$207,000;
- (3) Council approve estimated cost-sharing with Maritime Tel & Tel for their work as follows:

City's share - \$30,000
MT&T's share - \$ 9,000 (Recoverable)

- (4) funding for this project be authorized from Capital Account Number CK026, Underground Wiring, CBD Area, at a Total Project Cost of \$216,000 Gross and \$207,000 Net.

The motion was passed with Alderman Downey voting against.

Public Hearing Re: Case No. 6241: Appeal of Minor Variance Refusal - 6342 Bayers Road

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

A staff report dated 8 March 1991 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and using diagrams outlined the appeal against his decision as Acting Development Officer for a minor variance of the lot coverage requirement of the land use bylaw for the single family dwelling at 6342 Bayers Road (as illustrated in the staff report).

At 7:40 Alderman Flynn enters the meeting.

Mr. Hanusiak concluded his presentation and responded to questions from Council.

Mr. Hal Dobbelsteyn, the appellant, addressed Council and advised that he was the owner of the property in question and has lived at this address for 16 years.

In his presentation, Mr. Dobbelsteyn indicated that he did not intentionally disregard the requirements of the Land Use Bylaw, but that, this being the first time constructing a project of this size, he was not familiar with all the procedures for obtaining the appropriate permit, particularly with minor variances.

Mr. Dobbelsteyn advised that he initially agreed with staff to demolish half of his garage in order to stay within the 35 percent lot coverage requirement and that this was a mistake on his part. He noted that had he applied for a minor variance prior to construction, he would have been granted the variance.

Mr. Dobbelsteyn added that after building the addition, he realized that he still had sufficient space for his family's needs, and that to demolish the garage would leave it with a stunted appearance and it would detract from the looks of the back yard and would serve no purpose other than to

abide by his agreement. He pointed out that nearly 30 percent of the lots on his block presently exceed the 35 percent lot coverage.

Mr. Dobbelsteyn advised that he contacted his immediate neighbours regarding this matter and there were no objections. In conclusion, Mr. Dobbelsteyn expressed his regret for his lack of knowledge of the City's approval system concerning minor variances and he requested that Council rule favourably on his request so that he could keep his garage intact.

For Council's information, Mr. Dobbelsteyn displayed photographs of his garage on the overhead monitor.

Mr. Dobbelsteyn responded to questions from Council.

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

MOVED by Alderman Pottie, seconded by Alderman Jeffrey that the decision of the Acting Development Officer to refuse the request for a minor variance be overturned and the appeal be granted.

The motion was carried with Alderman Flynn abstaining.

Public Hearing Re: Case No. 6228: Appeal of Minor Variance Refusal - 2134 Robie Street

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

A staff report dated 26 February 1991 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and using diagrams outlined the appeal against his decision as Acting Development Officer to refuse the application for a minor variance of the side yard requirement of the land use bylaw for the single family dwelling at 2134 Robie Street.

At 7:50 Alderman Ducharme entered the meeting.

Mr. Hanusiak noted that a petition with 10 signatures requesting that the Development Officer's decision be upheld was submitted from the neighbours of the area in question.

Mr. Hanusiak responded to questions from Council.

Mr Peter Nicholson, the appellant, addressed Council and advised that he has owned the property for two years. In reference to the submitted petition, Mr. Nicholson advised that this was the first time he became aware of it.

In his remarks, Mr. Nicholson indicated that he did not intentionally disregard the requirements of the Land Use Bylaw in building the deck and steps, but rather, it was due to the fact that he was unfamiliar with the appropriate procedures. He added that once he was informed of the correct procedures and required permits, he proceeded in trying to rectify his application.

Referring to the staff report, Mr. Nicholson advised that, in his opinion, the difficulty he experienced was specific to his property because it was so narrow.

In conclusion, Mr. Nicholson advised that he did not intentionally disregard the land use bylaw, but rather he was remiss in not being properly educated.

Mr. Nicholson responded to questions from Council.

Ms. Ella Corbin, a resident of 6027 Williams Street, addressed Council and spoke in opposition to the minor variance request.

Ms. Corbin referred to an application she had before Council a couple of months ago and indicated that it was refused on the grounds of not meeting a minor variance requirement.

A short discussion followed concerning whether or not this application was similar to Ms. Corbin's, and Mr. Paul Dunphy, Planner, addressed Council and advised that Ms. Corbin's application was for a development agreement under Schedule C in Peninsula North to legalize the occupancy of a four unit building which did not meet the bylaw requirements. Mr. Dunphy added that Ms. Corbin's application was not a minor variance request.

In conclusion, Ms. Corbin indicated that in applications where the bylaw requirements are not met, no allowances should be permitted and everyone should adhere to the requirements.

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

A petition with 10 signatures requesting the Development Officer's decision be upheld was submitted.

MOVED by Alderman Flynn, seconded by Alderman Portie that the decision of the development officer be overturned and the minor variance be granted.

A discussion ensued regarding Council's tradition of forwarding public hearing items to regular meetings of City Council for final decision.

The Chairman advised that it was the tradition of Council to wait one week before making a final decision in order that it would have time for further reflection on the items. He added that, in some circumstances where it was obvious that there were no objections, Council has made exceptions to this tradition and approved items at Public Hearings.

Alderman Hanson advised that he was prepared to move an amendment to the motion that the matter be forwarded to Council without recommendation, but this was ruled out of order by the Chair.

Following a discussion, it was MOVED by Alderman Fitzgerald, seconded by Alderman Holland that this matter be deferred to the next regular meeting of City Council.

The motion to defer was carried.

**Public Hearing Re: Case No. 6117: Lot Modification Agreement
- 2575/81 Creighton Street**

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

Mr. Paul Dunphy, Planner, addressed Council and using diagrams outlined the application by the Kopek Company for a lot modification agreement to modify the bylaw requirements for the existing four unit building on 2575/81 Creighton Street (as contained in the staff report 28 January 1991).

Mr. Dunphy responded to questions from Council.

Mr. Christopher Fyles addressed Council and advised that he was one of the owners of the property.

Mr. Fyles advised that he was requesting approval of this matter so that the property will have two separate owners. He noted that if granted approval, nothing would change with respect to the property except that it would have two owners which, he added, would provide more stability on the street.

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

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

Motion carried.

Public Hearing Re: Case No. 6154: Development Agreement - 1677/79 Preston Street

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

Mr. Paul Dunphy, Planner, addressed Council and using diagrams outlined the application for a development agreement to permit four dwelling units on the property of 1677/79 Preston Street (as contained in the staff report dated 4 February 1991).

In concluding his presentation, Mr. Dunphy noted that, at an earlier session of Council, it was proposed that the effective date of conversion be June 1, 1993 as opposed to April 11, 1993 which was contained in the draft development agreement. He added that if Council approved this matter, staff would make this change.

Mr. Dunphy responded to questions from Council.

Mr. Sharma, the applicant, addressed Council and advised that he purchased this building as an investment 11 years ago. He indicated that he purchased the building as four units and he subsequently found out that it has been this way for the last 29 years. Mr. Sharma noted that the neighbours have not complained about the four units and that the building across from this one contains five units.

Mr. Sharma advised that one of his tenants was an elderly person around the age of 80 and has lived there for four years. He indicated that if Council refuses his request then he would possibly be put in the position of evicting her. In conclusion, Mr. Sharma advised that, if at all possible, he would like to retain the building as four units, but if Council decided against this, then he would accept Council's decision and convert it to three units.

Mr. Dunphy responded to further questions.

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

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

Motion carried.

There being no further business to discuss, the meeting adjourned at 8:40 p.m.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

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HEADLINES

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SPECIAL MEETING OF HALIFAX CITY COUNCIL
M I N U T E S

Council Chamber
Halifax City Hall
10 April 1991
4:00 p.m.

A Special Meeting of Halifax City Council was held on the above date to commemorate the 150th Anniversary of Incorporation of the City of Halifax.

PRESENT: His Worship Mayor Wallace, Chairman; Deputy Mayor O'Malley; and Aldermen Holland, Fitzgerald, Downey, Meagher, Pottie, Grant, Hanson, Jeffrey, Ducharme, Flynn, and Stone.

ALSO PRESENT: Mr. Donald F. Murphy, Q.C., City Manager; Mr. Wayne Anstey, City Solicitor; Edward Kerr, CMC, City Clerk.

INVOCATION

Reverend John Newton, Pastor, St. Paul's Anglican Church, addressed City Council and all those in attendance and provided a brief history of St. Paul's Church, highlighting in particular, the events surrounding the Church in 1841.

Following this, City Council, and those in attendance joined Rev. Newton in a recitation of the Lord's Prayer.

INTRODUCTION

His Worship Mayor Wallace welcomed His Honour the Lieutenant Governor of Nova Scotia, Lloyd Crouse, and Her Honour Mrs. Crouse. Also acknowledged was the presence of members of the Executive Council and House of Assembly; Mayor Joseph Tolan and Mayoress Tolan of Halifax England; Most Reverend James Hayes, Archbishop of the Diocese of Halifax and representatives from Maritime Command, Vice Admiral R. George, Commander, Maritime Command and Captain J. Nethercott.

His Worship also acknowledge the presence of former members of Halifax City Council; the former President of the Union of Nova Scotia Municipalities, Mr. Ken Wilkeson; Mayor John Savage, Dartmouth; Mayor Peter Christie, Bedford; and Alan Knockwood.

In noting the special historical significance of the occasion, His Worship expressed his appreciation to all those who were in attendance.

Presentation - Dr. Lou Collins - 1841

Dr. Lou Collins, Civic Historian, addressed Council and presented a synopsis of the history of Halifax from its founding in 1749 to its incorporation as a City in 1841. In his remarks, Dr. Collins spoke in particular about the number attempts that were made to incorporate the City from the first effort in 1785 until incorporation was successful in 1841.

In closing, Dr. Collins expressed his appreciation to His Worship and members of City Council for permitting him to comment on the City of Halifax at this historic meeting.

GREETINGS

His Honour the Lieutenant Governor of Nova Scotia, Lloyd Crouse

His Honour the Lieutenant Governor of Nova Scotia, Lloyd Crouse, addressed the meeting and brought greetings and congratulations to the City of Halifax on this day.

His Honour referred to Publication No. 9 entitled, Glimpses of Halifax from 1867 to 1980, as prepared by Phyllis Blakely under the direction of archivist D. C. Harvey, and he recited excerpts of this book pertaining to City Hall during this period in history. His Honour also made reference to an article in this day's newspaper by former Mayor Edmund Morris concerning the difficulty that was experienced in becoming incorporated, and he indicated that it was a befitting tribute to the City.

In closing, His Honour Lieutenant Governor Crouse extended his good wishes to His Worship, City Council, and the City of Halifax in future years.

Honourable Terence R. B. Donahoe, Minister of Tourism and Culture, Province of Nova Scotia, representing the Speaker of the House of Assembly

Honourable Terence R. B. Donahoe addressed the meeting and elaborated on how the Act of Incorporation was first introduced, the events leading up to the passage of the Act, and he advised that in 1841 the Bill which incorporated the Town of Halifax was ultimately passed and given Royal Assent.

To mark the occasion, Mr. Donahoe presented a copy of the Act of Incorporation of 1841 to the City of Halifax, which

His Worship Mayor Wallace accepted on the City's behalf. Upon making the presentation, Mr. Donahoe read the first paragraph of the Act.

Mr. Donahoe then conveyed greetings from the Premier, and government and people of Nova Scotia, and he extended best wishes from the speaker of the Nova Scotia Legislature.

Mayor Joseph Tolan, Mayor of Calderdale, Halifax, England

Mayor Joseph Tolan, Mayor of Calderdale, Halifax, England addressed the meeting and expressed his appreciation to His Worship for extending an invitation to attend this special meeting.

In his comments, Mayor Tolan noted the link between the two Cities through the student music exchange program and he advised that there was great disappointment this year when the students of Halifax, Canada were unable to participate in the program. Mayor Tolan noted that while he and his wife were waiting to board a plane for Canada in Amsterdam this morning, the students from the music centre in Halifax, Canada were also waiting to board the same plane, coming from a trip in Europe. He added that although he missed the opportunity of meeting these students at City Hall in Halifax, England, he was grateful for having the opportunity to meet and chat with them on the plane.

In recognition of the occasion of the 150th Anniversary, Mayor Tolan advised that he intended to present to the City a portrait of various scenes in Halifax, England. He added that, unfortunately, the portrait did not arrive at the same time that he and his wife did, but that he had been advised it would be available for him to present before he returned to England. In conclusion, Mayor Tolan congratulated the City of Halifax on its 150th Anniversary of Incorporation.

Vice Admiral R. George, Commander, Maritime Command

Vice Admiral R. George addressed the meeting and extended greetings to the City on this special occasion on behalf of the Navy.

Vice Admiral George noted that next year, the Navy would be presenting a sculpture of a sailor to the City of Halifax. He added that the sculpture was a life size World War II sailor, dressed in square rig with a hammock in one arm and kitbag in the other and that it would be situated on the Halifax waterfront.

In recognition of the 150th Anniversary of Incorporation, Vice Admiral George and Captain J. Nethercott presented a bronze replica of the statue to the City.

On behalf of the City, His Worship accepted the gift and, in expressing his appreciation to the Navy, His Worship pointed out that the Mace used in Council had also been a gift from the Navy.

SIGNING OF OFFICIAL GUEST BOOK

Prior to retiring from the Chair for the signing of the official guest book, His Worship Mayor Wallace thanked all those in attendance for sharing in this historic occasion.

Upon retiring to assist with the signing of the official guest book, Deputy Mayor Marie E. O'Malley assumed the Chair.

His Honour the Lieutenant Governor of Nova Scotia, Lloyd Crouse and Her Honour Mrs. Crouse then signed the official guest book.

In concluding the meeting, His Worship presented 150th Anniversary Lapel Pins to Lieutenant Governor Crouse and Mrs. Crouse and he advised that everyone in the Halifax School System was presented with these pins to mark the occasion.

On a motion moved by Alderman Jeffrey, seconded by Alderman Fitzgerald the meeting adjourned at 5:50 p.m.

HIS WORSHIP MAYOR WALLACE
DEPUTY MAYOR MARIE E. O'MALLEY
CHAIRMEN

/sm

EDWARD KERR
CITY CLERK

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**HALIFAX CITY COUNCIL
M I N U T E S**

Council Chamber
Halifax City Hall
11 April 1991
8:00 P. M.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Marie O'Malley; and Aldermen Holland, Fitzgerald, Downey, Meagher, Pottie, Grant, Hanson, Jeffrey, Ducharme, Flynn, and Stone.

ALSO PRESENT: City Manager; City Solicitor; City Clerk; and other members of City staff.

The meeting was opened with the recitation of the Lord's Prayer led by Deputy Mayor O'Malley.

Proclamation: Halifax City Music Day

His Worship Mayor Ron Wallace read the following proclamation with reference to the designation of Saturday, 13 April as "Halifax Schools Music Day:"

WHEREAS it is the intention of the Department of Music Education of the Halifax District School Board to enhance the lives of citizens through music education and, in so doing, improve the quality of life for present and future generations,

AND WHEREAS the Department of Music Education of the Halifax District School Board desires to increase the awareness of the citizens of Halifax of the musical talents of our children through performances in public places,

AND WHEREAS the musical talents and skills of our children should be supported and celebrated by all citizens of Halifax,

I, Ron Wallace, on behalf of members of Council, do hereby proclaim Saturday, 13 April 1991, to be Halifax Schools Music Days in the City of Halifax.

His Worship then introduced Ms. Kaye Pottie, Director of the City's School Music Program, who noted that the music

program serves two purposes, offering music education to every child in the City school system and also addresses the special talents of those students who are able to pursue music as a career. She went on to advise that, on 13 April, the music program will be taken to the public with students performing in seven local malls.

Ms. Pottie then introduced the Queen Elizabeth High School String Ensemble who presented two musical selections for Council's pleasure.

**Presentation: Mayor Joseph Tolan and
Mayoress Sheila Tolan (Halifax, England)**

His Worship Mayor Wallace welcomed Mayor Joseph Tolan and his wife, Mayoress Sheila Tolan, of Halifax, England, who had recently arrived to help commemorate the City's 150th birthday.

Mayor Tolan addressed Council briefly and presented Mayor Wallace with a painting showing some of the historic buildings in Halifax's sister city in England.

MINUTES

Minutes of a Special Meeting of Halifax City Council, held on Wednesday, 20 March 1991, and of a regular meeting held on Wednesday, 27 March were approved on a motion by Alderman Fitzgerald, seconded by Alderman Meagher.

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

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

- 20.1 Heritage Deferral - 5254 Kent Street
- 20.2 Request for Sale of Food for
Charity (Argyle Street)
- 20.3 Expropriation of Parcel H-28 Oakhill Drive
- 20.4 Former Esso Service Station - Corner
of Spring Garden Road and Dresden
Row (Alderman Downey)

It was moved by Alderman Fitzgerald, seconded by
Alderman Hanson that Item 10.1, "Setting of the 1991 Tax Rate,"
be deleted from the agenda in order to afford Council an
opportunity to review the budget in its final draft.

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- 20.1 Heritage Deferral - 5254 Kent Street
- 20.2 Request for Sale of Food for Charity (Argyle Street)
- 20.3 Expropriation of Parcel H-28 Oakhill Drive
- 20.4 Former Esso Service Station - Corner of Spring Garden Road and Dresden Row (Alderman Downey)

It was moved by Alderman Fitzgerald, seconded by Alderman Hanson that Item 10.1, "Setting of the 1991 Tax Rate," be deleted from the agenda in order to afford Council an opportunity to review the budget in its final draft.

Alderman Flynn spoke in opposition to the motion, emphasizing that, by prolonging this matter, Council is seriously interfering with the ability of City departments, including the Halifax District School Board, to get on with their 1991 projects.

Speaking in support of the motion, Alderman Holland pointed out that, in his opinion, there is no necessity for the City's administration to "grind to a halt," simply because the setting of the tax rate (and approval of departmental budgets has been postponed. The Alderman went on to note that, in the private sector, this problem is controlled by allowing departments to spend up to the rate at which they spent during the previous budget year, providing that amount is not higher than the rate proposed in the current year's preliminary budget.

Alderman Holland pointed out that, in terms of the City's administration, because last year's rates were lower than those proposed for 1991, there should be no difficulty in allowing the departments to proceed in this fashion. In the matter of contractual commitments, Alderman Holland suggested that the staff members in question be given notice that their contracts might not be renewed, depending on the outcome of the budget deliberations. He added that, in his opinion, this strategy represents a well-organized approach to contingency situations.

Alderman Holland concluded his remarks by suggesting that there is nothing to be gained by forcing members of Council to deal with a matter with which they are not yet totally comfortable, and strongly urged that the setting of the tax rate be deferred until the budget is reexamined for further savings.

After a prolonged discussion, the motion was
defeated.

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

20.5 Halifax District School Board Budget

On the recommendation of the City Manager, the Council
agreed that Item 20.5, "School Board Budget," be discussed first
prior to Item 10.1, "Setting of the 1991 Tax Rate."

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

20.6 Stipends Report

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

Alderman Grant and Stone retire from the meeting.

DEPERRERED ITEMS

Case No. 6228: Appeal of Minor Variance
Refusal - 2134 Robie Street

A public hearing into this matter was held on Wednesday, 3 April 1991.

Referring to a memorandum, dated 9 April 1991, received from the City Solicitor, Alderman Meagher confirmed with Mr. Anstey that because of his [Alderman Meagher's] absence from the 3 April public hearing, he is now unable either to address or to vote on this matter.

Alderman Flynn advised that, in the week since the public hearing, he had had an opportunity to discuss the minor variance issue with residents of the surrounding neighborhood and, on that basis, had decided to revise his position on the matter.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that the decision of the Development Officer be upheld with the appeal of the minor variance refusal being refused.

Deputy Mayor O'Malley indicated that, based on the objections raised by area residents regarding the application for a minor variance, she too would be supporting the motion.

The City Clerk advised that Alderman Ducharme (in addition to Alderman Meagher) was ineligible to vote owing to her absence from the 3 April public hearing.

The motion was put and passed with Alderman Downey voting in opposition and Ducharme and Meagher abstaining.

Case No. 6117: Lot Modification Agreement
- 2575/81 Creighton Street

A public hearing with regard to this matter had been held on Wednesday, 3 April 1991.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that:

- 1) Council enter into a development agreement with Kopek Company to permit the subdivision of 2575/81 Creighton Street into two lots;

- 2) Council requires that the development agreement shall be signed within 120 days, or any extension thereof granted by council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval shall be void and obligations arising hereunder shall be at an end.

The motion was put and passed with Alderman Meagher abstaining owing to his absence from the 3 April public hearing.

Case No. 6154: Development Agreement
- 1677/79 Preston Street

A public hearing into this matter was held on Wednesday, 3 April 1991.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that:

- 1) City Council enter into a development agreement with Sudner Lal and Tej Kumari Sharma to permit use of 1677/79 Preston Street as a four dwelling unit building and its conversion to three dwelling units within two years;
- 2) Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Alderman Meagher was absent from the 3 April public hearing.

The motion was put and passed with Alderman Meagher abstaining.

Streets Committee

This matter had been deferred from the last regular meeting of Halifax City Council held on 27 March 1991.

A report, dated 11 April 1991, was submitted from His Worship Mayor Ron Wallace, Chairman of the Streets Committee.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Streets Committee, City Council approve in principle the following amendment to Ordinance 180, the Streets Ordinance, and direct City staff to arrange for its introduction for First Reading:

That Ordinance 180, the Streets Ordinance be amended to create an approved mobile canteen vending location on the west side of Lower Water Street, approximately 55 feet north of George Street.

The motion was put and passed.

Alderman Grant and Stone return to the meeting.

MOTIONS OF RECONSIDERATION

Motion - Deputy Mayor O'Malley: Reconsideration of City Council Resolution of 27 March 1991 Re: Halifax Port Corporation Proposed Service Road - Fairview Cove to Richmond Terminal

Following is the resolution approved by Halifax City Council with regard to this matter from its meeting of 27 March 1991:

- (1) City Council approve the final design plans for the proposed service road based on the following conditions:
 - (a) the cost of the relocation of the playground be part of the contractual agreement to be absorbed by the Port Corporation;
 - (b) the cost of an appropriate fence installation be part of the contractual agreement to be absorbed by the Port Corporation;
 - (c) the cost of the treeline installation be part of the contractual agreement to be absorbed by the Port Corporation;
- (2) City Council approve the maintenance by the City of the roadway once it is constructed.

Deputy Mayor O'Malley commenced her remarks by pointing out that, to date, no written information has been received to her knowledge from the Department of the

Environment regarding the anticipated impact of diesel fumes and exhaust on Seaview Park and its users. The Deputy Mayor went on to request that, if approval in this context has already been obtained from the Department of the Environment, it be circulated to Council; she added that if approval has not yet been received, staff should be asked to obtain the necessary information from the Port Corporation and circulate that material to members of Council.

Deputy Mayor O'Malley reiterated that area residents are extremely concerned that they will not be given an opportunity for input through the auspices of a public information session. In this context, she noted that on Wednesday, 10 April, she had been asked to meet at the North Branch Library with a group representing some eleven different organizations, all concerned that the access road is proposed to be undertaken without an opportunity for public input. The Deputy Mayor noted that another point which was raised during that meeting was a concern which she herself had expressed in a memo to staff, dated 19 November 1990, namely the potential destruction of the site of the former Africville community.

Deputy Mayor O'Malley quoted from a letter, dated 6 February 1991, received from Mr. Cliff White, Director, Community Planning Association/Nova Scotia which supported the proposal that a public meeting be convened. She also quoted from a letter, dated 19 February 1991, received from Mr. Ian Robinson, Chairman, Halifax Board of Trade.

The Deputy Mayor submitted a letter received earlier in the evening from the Africville Genealogy Society (dated 11 April 1991) addressed to Halifax City Council and urging that a public hearing be held on the proposed road to Seaview Park. That letter was subsequently turned over to the City Clerk with a request that it be copied and distributed to members of Council.

In conclusion, Deputy Mayor O'Malley emphasized that the women's groups with whom she had met earlier in the week had, in the space of 24 hours, collected a total of 275 signatures from individuals who are deeply concerned that Council is not holding a public meeting on this extremely sensitive issue. This petition was subsequently delivered to the City Clerk with a request that it be copied and distributed to members of Council.

It was subsequently moved by Deputy Mayor O'Malley, seconded by Alderman Jeffrey that the resolution of City Council approved at its meeting of Wednesday, 27 March 1991, be reconsidered.

The motion was put and defeated with five (5) members of Council voting for it and seven (7) voting against as follows:

- FOR:** Deputy Mayor O'Malley, and Aldermen Meagher,
Pottie, Grant, and Jeffrey (5)
- AGAINST:** Holland, Fitzgerald, Downey, Hanson,
Ducharme, Flynn and Stone (7)

PETITIONS

Petition Alderman Fitzgerald Re:
Condominium Tipping Fees

Alderman Fitzgerald submitted a petition signed by approximately 44 members of Halifax County Condominium Corporation No. 11 (The Carlyle) in opposition to the payment by condominium owners of garbage tipping fees.

Alderman Fitzgerald submitted this petition to the City Clerk for recording purposes.

Halifax District School Board Budget

Alderman Ducharme declared a conflict of interest and retired from the meeting.

This matter had been added to the agenda at the request of Alderman Pottie.

After some discussion and comments from the City Manager, it was moved by Alderman Pottie, seconded by Alderman Jeffrey that City Council uphold the City Manager's recommendation with regard to the Halifax District School Board.

In putting forward this motion, Alderman Pottie made reference to a proposal put forward by Alderman Hanson at a budget meeting held earlier in the day; namely, that the School Board be allocated \$1.7 million in addition to the amount recommended by the City Manager. The Alderman emphasized that he personally could not support that motion on the basis that, at this point in time, there is no indication as to where the funds to cover that addition will be obtained.

After a prolonged discussion, a recorded vote was requested.

The motion was put and defeated with four (4) voting in favor and seven (7) voting against as follows:

- FOR:** Deputy Mayor O'Malley, and Aldermen Pottie,
Jeffrey, O'Malley and Meagher (4)

FOR: Deputy Mayor O'Malley, and Aldermen Meagher,
Pottie, Grant, and Jeffrey (5)

AGAINST: Holland, Fitzgerald, Downey, Hanson,
Ducharme, Flynn and Stone (7)

PETITIONS

Petition Alderman Fitzgerald Re:
Condominium Tipping Fees

Alderman Fitzgerald submitted a petition signed by approximately 44 members of Halifax County Condominium Corporation No. 11 (The Carlyle) in opposition to the payment by condominium owners of garbage tipping fees.

Alderman Fitzgerald submitted this petition to the City Clerk for recording purposes.

Halifax District School Board Budget

Alderman Ducharme declared a conflict of interest and retired from the meeting.

This matter had been added to the agenda at the request of Alderman Pottie.

After some discussion and comments from the City Manager, it was moved by Alderman Pottie, seconded by Alderman Jeffrey that City Council uphold the City Manager's recommendation with regard to the Halifax District School Board.

In putting forward this motion, Alderman Pottie made reference to a proposal put forward by Alderman Hanson at a budget meeting held earlier in the day; namely, that the School Board be allocated \$1.7 million in addition to the amount recommended by the City Manager. The Alderman emphasized that he personally could not support that motion on the basis that, at this point in time, there is no indication as to where the funds to cover that addition will be obtained.

After a prolonged discussion, a recorded vote was requested.

The motion was put and defeated with four (4) voting in favor and seven (7) voting against as follows:

FOR: Deputy Mayor O'Malley, and Aldermen Pottie,
Jeffrey, and Meagher (4)

AGAINST: Aldermen Stone, Flynn, Hanson, Grant,
Downey, Fitzgerald and Holland (7)

It was subsequently moved by Alderman Hanson, seconded by Alderman Grant that, with regard to the Halifax District School Board budget, City Council approve, on the revenue side, \$1.7 million (in addition to the 4.0 percent increase recommended by the City Manager), and that the School Board be instructed to reduce its expenditures by \$2 million.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that the motion be amended to add the following: "and that a joint committee (as proposed by Ms. Jacqueline Gale, Co-Chairman of the Halifax District PTA in her submission of 5 April 1991) be established immediately to discuss matters of mutual concern.

The amendment to the motion was put and passed.

The motion, as amended, was put and passed.

11:00 p.m. - Alderman Ducharme returned to the meeting.

Setting of the 1991 Tax Rate

MOVED by Alderman Pottie, seconded by Deputy Mayor O'Malley that City Council accept the Operating Budget for the City of Halifax as submitted by the Director of Finance and as modified during the recent budget deliberations.

Alderman Fitzgerald reiterated his concerns that because members of Council have not yet examined the operating budget in its final draft, and strongly urged that the matter be deferred until Council have had an opportunity to do so.

After some discussion, it was moved by Alderman Jeffrey, seconded by Alderman Fitzgerald that the matter be deferred, and that a further budget review meeting be scheduled for WEDNESDAY, 17 APRIL 1991 at 12:00 Noon in the Council Chamber.

The motion to defer was put and passed.

In this context, it was moved by Alderman Flynn, seconded by Alderman Ducharme that City Council seek a further extension of the date (to 30 April 1991) for the setting of the 1991 tax rate from the Province of Nova Scotia.

The motion was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 3 April 1991 as follows:

Report - Election Procedures Committee Re:
Status of Committee

This matter was forwarded to Council without recommendation.

Alderman Grant, Chairman of the Election Procedures Committee, addressed the matter and reviewed the report and recommendations of the Election Procedures Committee as outlined in their report of 6 March 1991.

The Chairman suggested that a report from the Legal Department should be provided on the matter and Alderman Grant advised that Legal was part of the process.

MOVED by Alderman Meagher, seconded by Alderman Pottie that this matter be deferred to a future Committee of the Whole Council meeting pending receipt of a staff report.

Motion passed.

11:30 p.m. His Worship Mayor Wallace retired from the meeting with Deputy Mayor O'Malley assuming the seat of the Chair.

Ordinance No. 165, the Blasting Ordinance

MOVED by Alderman Stone, seconded by Alderman Ducharme that consideration of the Blasting Ordinance be deferred to the Finance and Executive Committee meeting scheduled for WEDNESDAY, 8 MAY 1991, that staff circulate copies of the draft ordinance to the Construction Association of Nova Scotia and the local insurance companies for their information and comment, and that representatives of these groups be invited to attend this meeting to make presentation on the subject and answer questions from Council.

In moving the motion, Alderman Stone commented that he was greatly concerned with regard to the paragraph in the draft ordinance that indicates that there will be some provision made for blasting for quarry sites on Sundays. He noted that he was strongly opposed to this provision.

Motion of deferral was put and passed.

Alternate Sources of Revenue Committee

This item was forwarded to Council without recommendation.

MOVED by Alderman Ducharme, seconded by Alderman Pottie that this matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 17 April 1991.

Motion passed.

Report - Advisory Committee on the Concerns of Aging
Re: Titus Smith School (Proposal for Seniors Housing)

MOVED by Alderman Ducharme, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council pass a resolution endorsing the possible purchase by the Province of Nova Scotia of the Titus Smith School property for use as housing for senior citizens, and requesting that City staff meet to discuss the matter with Provincial representatives.

Motion passed.

Mainland Common Master Plan - Selection
of Consultants to Prepare Master Plan

MOVED by Alderman Stone, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to enter into an agreement with Robert Park Associates Limited to prepare a Master Plan for the Mainland Common in accordance with the Terms of Reference attached to the staff report dated 25 March 1991 at a cost not to exceed \$98,440.00, with contingencies up to the total of \$100,000 authorized in Account 9160-97013 (Mainland Common - Design and Site Development) in the capital budget.

Motion passed.

Grant of Easement - Lot 26 Colpitt Lake Road

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the easement shown on Plan TT-42-30142 (of the staff report dated 15 March 1991) be granted to the owners of Civic No. 21, Colpitt Lake Road, for both sewer and water servicing and right-of-way purposes at a price of \$469.

Motion passed.

Expropriation - Service Easements,
Melville Cove Storm Sewer Project

This matter was forwarded to Council without recommendation.

MOVED by Alderman Hanson, seconded by Alderman Ducharme that this matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 17 April 1991.

Motion passed.

Award of Tender 91-91-R - Five (5) Combination Dump Bodies with
Plows - Side Dump

MOVED by Alderman Jeffrey, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, authority be granted to award tender 91-91-R for five (5) Combination Dump Bodies with Plows - Side Dump to Scotia Equipment, the lowest bidder meeting specifications, in the amount of \$139,324.70.

Motion passed.

Award of Tender 91-90-R - Five (5) Truck Chassis

MOVED by Alderman Holland, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, authority be granted to award tender 91-90-R for five (5) Truck Chassis be awarded to Bob McDonald Chev Olds in the amount of \$217,723.00.

Motion passed.

Interest on Past-Due Taxes

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

An information report dated 4 April 1991.

No action was required on this matter.

Award of Tender 91-88 - Supply of Hot Dense
Graded Asphaltic Material

MOVED by Alderman Pottie, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, authority be granted to issue a Price Agreement, as

outlined in the staff report of 27 March 1991, to Municipal Contracting Ltd. (the lowest bidder meeting specifications).

Motion passed.

Mardi Gras Committee

A discussion ensued and Alderman Grant indicated that he would like to see, before approving an allocation of funds over \$1000.00 for any City-wide special event, that the organizers of these events bring in an audited itemized list of events and costs to City Council for review.

The City Manager noted that the Alderman's suggestion could not be effected for the Mardi Gras, as it was not a City sponsored event, but agreed that it could be done for other future special events if it was Council's wish.

MOVED by Alderman Grant, seconded by Alderman Jeffrey that the Mardi Gras Committee meet under the Chairmanship of Alderman Fitzgerald to call for proposals from anyone who is interested in coordinating the Mardi Gras Festival; and, further that, prior to approval of any allocation of funds over \$1000.00 for City-wide special events, the organizers of these events be compelled to provide City Council with an audited itemized list of costs for those events.

Motion passed.

COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its meeting held on 3 April 1991 as follows:

Seasonal Workers, Local 108

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

An information report dated 5 April 1991 was submitted.

Alderman Downey addressed the matter and expressed concern about bringing back Local 108 seasonal employees two weeks later than last year. He indicated that bringing the men back later could affect their chances of receiving unemployment and might mean that some of them would go on social assistance. The Alderman emphasized the need to protect these employees and suggested a need for someone to contact Mr. Charlie MacDougall, President of Local 108, to get his views on the matter.

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At the request of Alderman Downey, it was agreed that this matter be added to the agenda for the next Committee of the Whole Council meeting scheduled for Wednesday, 17 April 1991.

11:45 p.m. His Worship Mayor Wallace returned to the meeting with Deputy Mayor O'Malley taking her usual seat in Council.

CITY PLANNING COMMITTEE

City Council considered the report of the Committee Planning Committee from its meeting held on 3 April 1991 as follows:

Billboards

Deputy Mayor Ducharme declared a conflict of interest with respect to this item and retired from the meeting.

MOVED by Alderman Holland, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, Ordinance 166 (relating to signs, billboards and advertising structures) remain as written for the time being; that the staff report on this matter, dated 18 January 1991, be tabled; and further, that City staff meet with representatives of the billboard industry to further discuss matters of mutual concern, and that a report on the group's findings be submitted to Council at some future date.

Motion passed.

Alderman Grant asked that inquiries be made with the Industrial Commission and perhaps the tenants of the Industrial Park to receive their comments on the matter.

5536 Sackville Street - Irving Oil Station
(Recommendation to Register as a Heritage Property)

Deputy Mayor O'Malley returned to the meeting at this point.

MOVED by Alderman Downey, seconded by Alderman Ducharme that, as recommended by the City Planning Committee, Council consider 5536 Sackville Street (the Irving Oil Station) for inclusion in the Halifax Registry of Heritage Property, and that in accordance with the requirements of Section 14(2) of the Heritage Property Act, a date be set to provide the owner thereof an opportunity to be heard.

Motion passed.

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11 APRIL 1991

At the request of Alderman Downey, it was agreed that this matter be added to the agenda for the next Committee of the Whole Council meeting scheduled for Wednesday, 17 April 1991.

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Motion passed.

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Motion passed.

The City Clerk advised that the public hearing date would be set for 5:00 p.m. on Wednesday, 22 May 1991 in the Council Chamber.

Case No. 6023: Rezoning R-1 to R-4, Portion of 6,
6A and 8 Flamingo Drive and 3 Queen Avenue

MOVED by Alderman Stone, seconded by Alderman Ducharme that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application to rezone a portion of 6-8 Flamingo Drive and 3 Queen Avenue (land of Rockingham Professional Center Ltd.) from R-1 to R-4.

Motion passed.

The City Clerk advised that the public hearing date would be set for Wednesday, 8 May 1991, beginning at 7:30 p.m. in the Council Chamber.

QUESTIONS

Question Alderman Jeffrey Re: Meeting with the Honourable Tom McInnis, Minister of Industry Trade and Technology

Alderman Jeffrey asked that His Worship Mayor Wallace arrange a meeting as soon as possible with the Honourable Tom McInnis, Minister of Industry Trade and Technology, with respect to the proposed racetrack.

His Worship Mayor Wallace advised that he was pursuing the matter.

Question Alderman Jeffrey Re: Arbitration (Mr. Bob Ivey)

Alderman Jeffrey questioned the status of the case with respect to the arbitration concerning Mr. Bob Ivey.

The City Manager advised that a report was just circulated on the matter and that, therefore, members of Council should be receiving it very shortly.

Question Alderman Jeffrey Re: Ramp off the Bicentennial Highway leading onto Dutch Village Road

Alderman Jeffrey noted that the traffic in the intersection ("as one exists the ramp off the Bicentennial highway onto Dutch Village Road and cuts into the Bayers Road area as you make a left hand turn going down Joseph Howe Drive"), becomes blocked when there is more than one tractor.

trailer. He asked that the Traffic Authority review the possibility of putting a flashing amber light at that intersection so one can at least make a left hand turn when the trucks are in the intersection.

Question Alderman Jeffrey Re: City Field

Alderman Jeffrey noted that it was his understanding that the City Manager had received a report from the President of Local 108, Mr. Charlie MacDougall, pertaining to problems within the City Field Division. The Alderman asked that that report be circulated to members of Council. He went on to note that Mr. MacDougall would like to appear before Council to address the matter and indicated that he would like a report on this possibility.

The City Manager advised that he would check with Mr. MacDougall to determine if he had any problem with the report being circulated.

Question Alderman Grant Re: Improvements to Micmac Boulevard

Alderman Grant referred to the information report dated 12 March 1991 respecting improvements to the Micmac Boulevard Interchange on Highway 111, exit 5, which stated that this work was done in conjunction with the Micmac Rotary upgrading. The Alderman asked that staff provide a report on the actual costs of those improvements to the Micmac Boulevard on Highway 111.

Question Alderman Grant Re: Meeting with Industrial Commission

Alderman Grant asked that His Worship Mayor Wallace attempt to arrange an informal session within the next two weeks with the Industrial Commission and members of Council.

Question Deputy Mayor O'Malley Re: Halifax Port Corporation

Deputy Mayor O'Malley asked that staff contact the Port Corporation to request a copy of the approval that they may have received from the Department of the Environment regarding the road through Seaview Park. She asked that a copy of that approval be circulated to Council.

Question Deputy Mayor O'Malley Re: Transfer Station

Deputy Mayor O'Malley asked that the Metropolitan Authority be requested to direct the staff at the Transfer Station to refrain from charging tipping fees to homeowners who

are going there in their own vehicles to unload clean up items from around their own properties.

Question Alderman Stone Re: Crosswalk - Corner of Willett Street and Chadwick Place

Alderman Stone made reference to the crosswalk at the corner of Willett Street and Chadwick Place and asked that staff investigate the possibility of erecting pedestrian lights at this location.

Question Alderman Stone Re: Diesel Trailer Trucks

Alderman Stone noted that in the past Council has addressed the matter, through the Halifax Police Department, of diesel trailer trucks parking for long periods of time on the side of the road. He commented that a new problem now exists in that these trucks are parking in driveways and allowing their trucks to run for approximately two hours which leaves a smell in the neighbourhood. The Alderman questioned whether or not there were any regulations that could address this matter particularly in light of the noise and health factor.

Question Alderman Stone Re: Clayton Park West Homeowners Association Request for Neighbourhood Park

Alderman Stone submitted a copy of a letter he received from the Clayton Park West Homeowners Association concerning the need for a neighbourhood park for the many young children living in this section of the City. Alderman Stone asked that the letter be circulated to all members of Council, the Parks and Grounds Division, and the Recreation Department with the request that an attempt be made to help the residents get a start on a playground area.

Question Alderman Downey Re: North End Library Roof

Responding to a question from Alderman Downey, the City Manager advised that a reply has not yet been received with respect to monies from the Explosion Fund for the North End Library Roof.

Question Alderman Downey Re: Maitland Street Parking Lot

Alderman Downey questioned the status of the negotiations with respect to the Maitland Street parking lot.

In response, the City Manager advised that the developer was pursuing his proposal with the Federal

Government. He added that there may be a report coming to Council on the matter within the next few weeks with respect to the Federal site.

Alderman Downey indicated that he would continue to monitor the situation.

Question Alderman Fitzgerald Re: Street Cleaning

Alderman Fitzgerald commented that although street cleaning has started, there does not appear to be any difference in the streets in his Ward. He asked that the Engineering and Works Department provide him with a report outlining the street cleaning schedule.

Question Alderman Fitzgerald Re: Peninsula North

Alderman Fitzgerald noted that Council, in connection with the Peninsula North Planning Strategy, had decided to deal with the four properties in the area of the Forum Commission on Almon, Robie, and Young Streets, plus the Acadian Lines, as quickly as possible. He expressed the concern that staff now is intending to deal with them in the future even though Council had ordered that they be done first. The Alderman asked that the City Manager look into this matter.

Question Alderman Fitzgerald Re: Recreation Committee

Alderman Fitzgerald questioned the status of the Recreation Committee and the City Manager commented that the matter would be brought forward at the next Committee of the Whole Council meeting.

Question Alderman Fitzgerald Re: Security for Dignitaries

Alderman Fitzgerald questioned how the amount of security for visiting dignitaries was determined and the City Manager advised that this was a responsibility of the Halifax Police Department.

Alderman Fitzgerald indicated that he would like to receive some indication as to how the amount or level of security is determined.

Question Alderman Ducharme Re: Circulation of Petitions

Alderman Ducharme noted that she has been admiring the City Department's recycling boxes. She went on to comment on the tremendous amount of paper which is used on circulating petitions and suggested that consideration be given to devising

a system where petitions could be put on display in the Aldermen's Office in order to save paper.

Question Alderman Downey Re: Trash Cans -
Spring Garden Road area

Alderman Downey asked that staff look into the possibility of relocating the trash cans along Spring Garden Road, Clyde Street, and South Park Street.

Question Alderman Hanson Re: Clean-up along St. Margaret's
Bay Road, Herring Cove Road

Alderman Hanson asked that priority be given to cleaning up the City owned property along St. Margaret's Bay Road and the Herring Cove Road noting that the tour buses will be visiting shortly.

Alderman Hanson also asked that priority be given to upgrading the City owned land where the pumping station is at the end of Crescent Street. He noted that because of the strain on funds last year, it was suggested that this could be done this year.

Question Alderman Grant Re: Flooding around Guildwood Crescent
- Graves Oakley Park

Alderman Grant commented on the flooding problem in the Guildwood Crescent and Graves Oakley Park area. He noted that he has monitored this situation for a number of months and, in the last few months, the water levels have increased. Alderman Grant added that there is a lake of water behind the properties that is on Nova Scotia Housing Commission land which fills up and spills over on residents' properties. The Alderman asked that a meeting be arranged between the Housing Department and the City to try and find a resolution to this problem.

Question Alderman Meagher Re: Fire on John Street

Alderman Meagher referred to the fire which occurred on John Street about a week ago and suggested that letters of thanks should be sent to the Fire Department and the residents on John Street for their aid in the situation.

His Worship Mayor Wallace advised that there were letters sent in this regard.

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His Worship Mayor Wallace advised that there were letters sent in this regard.

Question Alderman Meagher Re: Egg Pond

Alderman Meagher asked that staff investigate the possibility of refurbishing the Egg Pond in time for the summer and provide a report in this regard.

Question Alderman Fitzgerald Re: Litter Baskets

Alderman Fitzgerald questioned whether consideration has ever been given to the idea of corporate/citizen sponsorship of litter baskets.

His Worship Mayor Wallace advised that there is an "Adopt a Basket Program" but that there is some problem with respect to collection costs. He agreed that this was a program the City could consider.

Question Alderman Fitzgerald Re: Condominium Collection - Recycling Program

Alderman Fitzgerald questioned when apartment and condominium people would be given the opportunity to participate in the City's recycling program for newspapers, tins, bottles, and glass.

The Chairman advised that a program was being developed for 1991 in this regard.

MOTIONS

Motion - Alderman Fitzgerald Re: Tipping Fees - Condominium Corporations

A letter dated 21 March 1991 from R. A. Ward, P.Eng., 5959 Spring Garden Road, was submitted.

Alderman Fitzgerald advised that a report from staff was pending showing how the removal of tipping fees from condominiums could be implemented by October 1st.

The City Manager advised that staff is checking with cities across Canada where it was indicated that this was being done.

NOTICES OF MOTION

Notice of Motion Deputy Mayor O'Malley Re: Amendment to Ordinance 180, the Streets Ordinance

Deputy Mayor O'Malley gave notice of motion that at the next meeting of Halifax City Council to be held on **Thursday, the 25th day of April, 1991**, she proposes to introduce for first reading an amendment to Ordinance Number 180, the Streets Ordinance. The purpose of the amendment is to create an approved mobile canteen vending location on the west side of Lower Water Street, approximately 55 feet north of George Street.

ADDED ITEMS

Heritage Deferral - 5254 Kent Street

A supplementary staff report dated 26 March 1991 was submitted.

This matter was last discussed at the Special meeting of City Council held on 23 January 1991.

MOVED by Alderman Holland, seconded by Alderman Meagher that the property at 5254 Kent Street be registered in the Halifax Registry of Heritage Property.

Motion passed.

Request for Sale of Food for Charity - Argyle Street

A staff report dated 11 April 1991 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that City Council give permission to the Halifax Windjammers professional basketball team to sell refreshments from locations on the sidewalks in the area of Argyle and George Streets in association with their pre-game pep rally on 3 May 1991, the exact locations to be determined by the Traffic Authority after consultation with the Windjammers.

Motion passed.

Expropriation of Parcel H-28 Oakhill Drive

A supplementary staff report dated 9 April 1991 was submitted.

MOVED by Alderman Stone, seconded by Alderman Meagher that James and Hazel McNab be offered an additional \$1500 for

Parcel H-28, based on the appraisal by At-Tech Appraisal Consultants Ltd.

Motion passed.

Former Esso Service Station - Corner of Spring Garden and Dresden Row (Alderman Downey)

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

Alderman Downey addressed the matter and asked that Fire Chief Thomas M. Power be requested to report on the feasibility of moving the underground tanks at the former Esso Service Station location at the corner of Spring Garden Road and Dresden Row. He added that he would like the Chief to advise on what the ruling or situation is on the removal of tanks in situations where stations have been closed.

At approximately 12:15 a.m., there being no further business to discuss, the meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR O'MALLEY
CHAIRMEN

K/M

E. A. KERR, CMC
CITY CLERK

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