

**SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES**

Council Chamber  
Halifax City Hall  
8 September 1993  
5:30 P.M.

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

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

**PRESENT:** Her Worship Mayor Ducharme, Chairman; Deputy Mayor Fitzgerald; and Aldermen Holland, Downey, Meagher, Pottie, Adams, Hanson, Jeffrey, Crowley, and Stone.

**ALSO PRESENT:** Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of staff.

**PUBLIC HEARINGS**

**Street Closure - Portion of Cresthaven Drive**

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

Mr. Claude Isaacs, Development Assistant, addressed Council and outlined the proposed street closure of a portion of Cresthaven Drive and its exchange for certain equivalent lands as described in the staff report of 16 June 1993.

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

MOVED by Alderman Stone, seconded by Alderman Jeffrey that Parcels G2, P and H as shown on Plan TT-48-31751 (attached to the staff report of 16 June 1993) be closed and, subject to the approval of the Minister of Municipal Affairs, exchanged for Parcel L, Plan TT-48-31751.

Motion passed.

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

Heritage Hearing Re: 2125 Brunswick Street

A hearing concerning the above matter was held at this time.

A supplementary staff report dated 26 August 1993 was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and outlined the proposed heritage designation of the property located at 2125 Brunswick Street as described in the supplementary staff report of 26 August 1993. In his remarks, and as indicated in a report from the Heritage Advisory Committee (HAC) dated 28 June 1993, he noted that the HAC has evaluated the building and is recommending its inclusion in the Halifax Registry of Heritage Property.

Mr. Victor Moore, 2125 Brunswick, addressed Council representing the owners. He advised that they are in agreement with the proposed registration of their property as a heritage property. Mr. Moore indicated that they had a couple of questions with respect to the extent of renovations they could make to the exterior of their building i.e. if they wanted to change the numbers on their house, would they have to seek approval; or, if they wanted to have it re-pointed, would that necessitate approval and how long would that approval take; the benefits of going provincially and what kind of assistance would be available from the City or the Province.

Mr. Norris advised that substantial alterations are looked at noting that minor alterations are dealt with through the normal building permit process. For a substantial alteration, he advised that a report would have to be presented through staff to City Council. Mr. Norris added that the case before Council was for municipal registration at this point in time and, if the owner sought provincial registration, there would likely be a supporting documentation from the City. With respect to incentives, Mr. Norris pointed out that City Council is currently considering a package of incentives for property owners which will be voted on at the 16 September 1993 meeting of Halifax City Council.

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

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that this matter be forwarded to Council without recommendation and that, in the meantime, staff respond in writing to the questions raised by Mr. Moore.

Motion passed.

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

**Appointment**

This item was deferred to this meeting from the last meeting of Halifax City Council held on 26 August 1993.

A report from Her Worship Mayor Ducharme dated 8 September 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that the following appointment be approved:

**CITY OF HALIFAX BOARD OF POLICE COMMISSIONERS**

Honourable Alan R. Abraham, CHAIRMAN

Term to expire 31 January 1996

Motion passed.

**Alderman Jeffrey retires from the Chamber.**

**ADDED ITEMS**

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

**Voting Delegates - UNSM Annual Conference**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the following delegates to the Union of Nova Scotia Municipalities' Annual Conference (to be held in Halifax from 15-17 September) be appointed by City Council:

Her Worship Mayor Moira Ducharme

Deputy Mayor Walter Fitzgerald

Alderman Graham Downey

Alderman Marie O'Malley

Alderman Bill Stone

Alternate: Alderman Mary Ann Crowley

The motion was put and passed.

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

**Union of Nova Scotia  
Municipalities- Dues for 1993/94**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Council instruct its voting members to support the following motion at the UNSM Annual Conference to be held 17 September 1993:

BE IT RESOLVED that, effective January 1st, 1994, the annual dues paid to the Union of Nova Scotia Municipalities by the members will be determined by the following dues formula:

- (1) all units to pay a base fee of \$700; and
- (2) a combination of two factors, the unit's population and its assessment, be used to calculate the remaining dues assessed. The factors will be calculated based on 85 percent of the required dues balance being based on population, likewise 15 percent on assessment; further
- (3) a limit on dues increase per unit be established such that no unit will experience a dues increase in excess of 10 percent in any given year during the term of this particular formula; and
- (4) this formula to remain unchanged for three years.

The motion was put and passed.

**Report - Halifax Taxi and Limousine Commission  
Re: Limitation of Taxi Licenses**

MOVED by Alderman Adams, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Halifax City Council be **immediately** requested to approach the Province of Nova Scotia concerning an amendment to the Halifax City Charter which will enable the City of Halifax to restrict, if deemed appropriate, the number of taxi vehicle licenses.

Alderman Adams questioned how the process would be initiated with respect to acquiring the enabling legislation to limit the number of vehicles in the City of Halifax.

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

The Acting City Solicitor, Mr. Barry S. Allen, advised that the normal process would be to have a letter prepared for the Mayor's signature to the Attorney General.

A discussion ensued with Alderman Downey speaking against placing a limitation on the number of taxi licenses in the City. Alderman Downey indicated that he could not support the motion to send the matter to the Province to request an amendment to the City Charter for the enabling legislation for this purpose.

The discussion continued and Alderman Adams urged Council to obtain copies of the public meeting minutes held on this particular issue. He added that there was another meeting last Thursday regarding the issue of limitation and what it means and does not mean. The Alderman advised that, in his opinion, the Taxi Commission and City Council have a responsibility to the individuals involved in the Taxi Industry to effect limitation.

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

**Union of Nova Scotia Municipalities  
Conference - Resolution 46A**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council instruct its delegates to the Union of Nova Scotia Municipalities' Conference to strongly support the revised resolution requiring legislative changes by the Province of Nova Scotia enabling automatic conviction for outstanding parking tickets and a refusal to do business by the Registry of Motor Vehicles where parking fines remain unpaid.

The motion was put and passed.

**Case No. 6852: Proposed Land Exchange  
- 12-16½ Rockingstone Road**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Planning Committee:

1. staff be authorized to seek an exchange of land holdings between the City of Halifax and Jacob and Wadad Ghosn;

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

2. in exchange for the property at 12-16½ Rockingstone Road, the City shall deed to the Ghosns a 100 ft. by 200 ft. parcel of land on the north side of Main Avenue, said land being to the immediate west of Civic No. 31 Main Avenue;
3. the deed transfer tax associated with the Main Avenue site be absorbed by the City (the amount to be paid from Account No. CK019, "Sundry Expenses - Land Acquisition");
4. the exchange agreement shall require that the Main Avenue property be developed generally in accordance with Plan No. P200/19567 of Case No. 6582;
5. the future use of 12-16½ Rockingstone Road be restricted to a single- or two-unit dwelling; furthermore, that a portion of the site may be reserved for parkland and public walkway purposes.

The motion was put and passed.

Alderman Adams requested immediate demolition of the building in question.

**Report from Planning Advisory Committee Re: Case No. 6698 -  
Proposed Amendments to the Municipal Development Plan and  
Land Use Bylaw (Development of Land Adjacent to Kearney  
Lake) - DATE FOR HEARING**

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MOVED by Deputy Mayor Fitzgerald, seconded by  
Alderman Pottie that, as recommended by the Planning  
Committee, City Council set a date for a public hearing to  
amend the Municipal Development Plan and Land Use Bylaw as  
follows:

- (1) a new policy 2.1.6 to be added to the City-Wide Objectives and Policies section as follows:  
  
2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.
- (2) a new section 14(A)(g) to be added to the mainland portion of the Land Use Bylaw as follows:

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

(g) R-1 and R-2 uses on lots which abut the existing public street network for the area designated "Residential Environments" for the area of Kearney Lake west of the Bicentennial Highway.

The motion was put and passed.

The City Clerk advised that the recommended date for a public hearing was **Wednesday, 20 October 1993, at 7:30 p.m.** in the Council Chamber.

**Report from Planning Advisory Committee Re: Case No. 6536 -  
Proposed Amendments to the Municipal Development Plan and  
Land Use Bylaw Re: Additions and Changes to Non-Conforming  
Structures and Uses (DATE FOR PUBLIC HEARING)**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Planning Committee, City Council set a date for a public hearing to amend the Municipal Development Plan and Land Use Bylaw as follows:

- (1) Policy 3.15 of the Implementation Section of the MDP is to be replaced by the following:

**3.15** Pursuant to the authority of the Planning Act, the Land Use Bylaw shall allow for the replacement of deteriorated portions of non-conforming structures or structures containing non-conforming uses. Such replacements shall not change the location or nor increase the size or area of the existing encroachment or non-conformity nor result in any increase in the habitable volume of the structure.

- (2) the peninsula and mainland portions of the Land Use Bylaw shall be amended by including the following:

Section 16F(2) - Peninsula  
Section 14H(2) - Mainland

In the case of a non-conforming structure or a structure containing a non-conforming use, deteriorated stairs, decks, chimneys, fuel tanks and air conditioners may be replaced, provided that:

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

(i) in the case of a non-conforming front, side or rear or rear yard, such replacements do not change the location of nor increase the area of the existing encroachment;

(ii) in the case of a non-conforming lot coverage, the replacement does not increase the size of the non-conformity; and

(iii) that all other requirements of the Bylaw are adhered to.

The motion was put and passed.

The City Clerk advised that the recommended date for a public hearing was **Wednesday, 20 October 1993, at 7:30 p.m.** in the Council Chamber.

**Report from Heritage Advisory Committee Re:  
Date for Hearing - Recommended Heritage  
Property (5476-82 Clyde Street)**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Heritage Advisory Committee, the City Planning Committee recommend that Council consider the inclusion of the buildings located at 5476 and 5280-5482 Clyde Street in the Halifax Registry of Heritage Property; and further, that in accordance with the requirements of Section 14(2) of the Heritage Property Act, a date be set to provide the owners thereof an opportunity to be heard.

The motion was put and passed.

The City Clerk advised that the recommended date for a public hearing was **Wednesday, 20 October 1993, at 7:30 p.m.** in the Council Chamber.

**Award of Tender #93-150 - Microcomputer Equipment**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, authority be granted to award tender 93-150 for microcomputer equipment (at a bid price of \$1,452.00 for workstation 'A' and a bid price of \$2,050.00 for workstation 'B') to the lowest bidder in each instance, Microtek Systems Limited.

Motion passed.



**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

**File #913048 - Office Systems Furniture**

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

1. authority be granted to continue the Haworth agreement through Office Interiors, the current Haworth Dealer, at the same terms and conditions with the exception of the discount which is increased from 57 percent to 62 percent;
2. authority be granted to purchase the current Library requirements at a cost of \$23,469.00 and subsequent system requirements as specifically approved in current budgets for an additional five (5) year period.

Motion passed.

**Hillcrest Street Curb & Gutter**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works:

- a) the project, concrete curb and gutter on both sides of Hillcrest Street between Coronation Avenue and Adelaide Avenue, estimated at \$40,000, be approved for 1993; and,
- b) funds for this project be transferred from Capital Account No. 91358 - Borden Street New Paving; and,
- c) the project proceed under Section 391 of the City Charter, i.e., without the right of petition.

Motion passed.

**Expropriation of Lands - Bedford Highway Widening**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works recommend:

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

1. the parcels of land listed on Attachment "A" of the 26 August 1993 staff report as follows be expropriated by the City of Halifax for street purposes, and that offers of compensation based on appraisals as indicated on Attachment "A", be made to the owners:

| OWNER                                     | PARCEL # | PLAN #      | SIZE               | OFFER  |
|---|----------|-------------|--------------------|--------|
| Roman Catholic<br>Episcopal Corp.         | B-14     | TT-48-31771 | 4.2 <sup>2</sup>   | \$ 362 |
| Coastal Flooring<br>& Wall Limited        | B-16     | TT-48-31773 | 10.1m <sup>2</sup> | 970    |
| Halifax County<br>Condo. Corp.<br>No. 191 | B-17     | TT-48-31774 | 1.6m <sup>2</sup>  | 155    |
| Alfred Gordon                             | B-21     | TT-48-31776 | 66.1m <sup>2</sup> | 6,119  |
| Rockingham Plaza<br>Limited               | B-22     | TT-48-31777 | 7.4m <sup>2</sup>  | 717    |

and, further,

2. the Mayor be authorized to seek Orders of Immediate Possession from the Attorney General for each of the required parcels.

Motion passed.

**Award of Tender #93-10 - Sidewalk Renewal  
- Gottingen Street (E) North of Stadacona Entrance**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works, Tender #93-10 for the project, materials and services listed for the unit prices quoted at a total bid price of \$76,582.70 and a total project cost of \$92,000.00 be awarded to G. & R. Kelly Enterprises Ltd. and, further, that funding be authorized from account number 92708.

Motion passed.

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

**Award of Tender #93-104 - Paving Renewal  
- Dutch Village Road @ Joseph Howe Drive**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works, tender 93-104 for the project, materials and services listed for the unit prices quoted at a bid price of \$215,405.00 and a total project cost of \$258,486.00 be awarded to Standard Paving Maritime Ltd. subject to DOT&C approval for cost-sharing and, further, that funding be authorized from account number 91412 - Intersection Renewal (Joseph Howe @ Dutch Village).

Motion passed.

**Award of Tender #93-152 - Asphalt Pad,  
Compost Facility**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works, authority be granted to award Tender #93-152 (asphalt pad, compost facility) in the amount of \$45,000.00 to Standard Paving, with funds being made available in account number 25331.9133.91660 titled Asphalt - Other Transportation - Compost Facility.

Motion passed.

**Award of Tender #93-164 - Sheffield in the Park Playground -  
Landscape Construction**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works, authority be granted to award tender 93-164 (Sheffield in the Park Playground - Landscape Construction) to TAG Enterprises at a cost of \$56,496.00 with funds being made available from account number 26109.9160.97053 titled Recreation Equipment Playground Assets - Recreation, Cultural - Sheffield Park Playground.

Motion passed.

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

**Award of Consultant Services -  
Seawall/Boardwalk Ferry Terminal**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works:

1. Council approve the appointment of Beasy Nicoll Engineering Ltd. for the preparation of engineering design, tender drawings and specifications;
2. the compensation to be made in accordance with guidelines as recommended by APENS estimated at \$35,000.00 plus G.S.T. at a total cost of \$37,450.00;
3. funding for payment to the consultant be authorized from Capital Account No. 91604, Chebucto Landing; and,
4. Her Worship the Mayor and the City Clerk be authorized to sign the agreement with Beasy Nicoll Engineering Ltd. on behalf of the City.

Motion passed.

**Award of Tender 93-162 - New Roof, 1403 Robie Street**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Committee on Works, authority be granted to award tender 93-162 (new roof, 1403 Robie Street) at a bid price of \$29,425.00 to TAG Enterprises Limited with funds being made available from account number 22402.0082.95005 titled New Roof - 1403 Robie Street.

Motion passed.

At approximately 6:00 p.m., there being no further business to discuss, the meeting adjourned.

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

/MS

**SPECIAL COUNCIL  
8 SEPTEMBER 1993**

**HEADLINES**

**PUBLIC HEARINGS:**

Street Closure - Portion of Cresthaven Drive..... 609  
Heritage Hearing - 2125 Brunswick Street..... 610  
Appointment.....611

**ADDED ITEMS:**

Voting Delegates - UNSM Annual Conference..... 611  
Union of Nova Scotia Municipalities- Dues for 1993/94....612  
Report - Halifax Taxi and Limousine Commission  
Re: Limitation of Taxi Licenses..... 612  
Union of Nova Scotia Municipalities  
Conference - Resolution 46A ..... 613  
Case No. 6852: Proposed Land Exchange  
- 12-16½ Rockingstone Road ..... 613  
Report from Planning Advisory Committee Re: Case No. 6698 -  
Proposed Amendments to the Municipal Development Plan and  
Land Use Bylaw (Development of Land Adjacent to Kearney  
Lake) - DATE FOR HEARING ..... 614  
Report from Planning Advisory Committee Re: Case No. 6536 -  
Proposed Amendments to the Municipal Development Plan and  
Land Use Bylaw Re: Additions and Changes to Non-Conforming  
Structures and Uses (DATE FOR PUBLIC HEARING)..... 615  
Report from Heritage Advisory Committee Re:  
Date for Hearing - Recommended Heritage  
Property (5476-82 Clyde Street)..... 616  
Award of Tender #93-150 - Microcomputer Equipment..... 616  
File #913048 - Office Systems Furniture..... 617  
Hillcrest Street Curb & Gutter ..... 617  
Expropriation of Lands - Bedford Highway Widening..... 617  
Award of Tender #93-10 - Sidewalk Renewal  
- Gottingen Street (E) North of Stadacona Entrance.... 618  
Award of Tender #93-104 - Paving Renewal  
- Dutch Village Road @ Joseph Howe Drive..... 619  
Award of Tender #93-152 - Asphalt Pad,  
Compost Facility..... 619  
Award of Tender #93-164 - Sheffield in the Park  
Playground - Landscape Construction..... 619  
Award of Consultant Services -  
Seawall/Boardwalk Ferry Terminal..... 620  
Award of Tender 93-162 - New Roof, 1403 Robie Street.... 620

# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
16 September 1993  
8:00 P.M.

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

The meeting opened with Reverend Wayne G. Lynch leading members of Council and others present in prayer.

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

**ALSO PRESENT:** Mr. Wayne Anstey, Acting City Manager; Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of City staff.

## Presentation - Canada Games Medallists

Her Worship Mayor Ducharme addressed Council from the podium with Deputy Mayor Fitzgerald taking the seat of the Chair.

Before proceeding with the order of business, Her Worship Mayor Ducharme made a presentation to a group of athletes who she noted brought a great deal of recognition to the City during the Canada Games. Her Worship asked each of the following Canada Games medallists to come forward at this time and receive a scroll from Council in recognition of their achievements in Camloops:

Sean Andrews, Mark Ritcey, Jason Shannon, Alison MacNeil, Paul Baskett, Fred Curry, Pat Cody, Barb O'Neil, Matthew Shaffner, Richard Dalton, Anne Marie Farnell, Kate E. Gillespie, Cindy Montgomerie, Heidi Stanish, Stephanie R. Johnson, Amanda Shaw, Nicole Webb, Geoffrey Axell, Hieu Quach, Colin March, Rene Wong.

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

CITY COUNCIL  
16 SEPTEMBER 1993

**Presentation: Mr. Larry Power**  
**Canadian Union of Public Employees**

A report dated 13 September 1993 from the City Clerk was submitted along with an attached request from Mr. Larry Power, Canadian Union of Public Employees, to address Council at this time.

Her Worship Mayor Ducharme noted that there were a number of members of Local 449, of C.U.P.E., who were present and have great concerns about their immediate future. Mayor Ducharme advised that she had met with Mr. Larry Power and Mr. Sampson this afternoon and has given her commitment that she will attend the School Board meeting on Tuesday evening to call for some humane action in any cutbacks that the School Board is contemplating.

Council subsequently agreed to hear from Mr. Power at this time.

Mr. Larry Power, Canadian Union of Public Employees, addressed Council. On behalf of Local 449, the Halifax District School Board maintenance employees, Mr. Power expressed his appreciation for Council providing the opportunity for him to come forward at this time. Mr. Power also expressed appreciation to Mayor Ducharme for meeting with them this afternoon to express their views.

Mr. Power went on to inform Council of the situation they find themselves in. In his remarks, he advised that in June they were informed by the School Board that they had entered into a contract for 5 years with Servicemaster which he noted was a United States based company. Mr. Power advised that this contract was for an approximate value of 3.5 million dollars for a 5 year term. He added that the contract did not go to public tender and was awarded because the School Board felt that Servicemaster had the expertise that they do not have in the area of administration of maintenance and the janitorial department. Since that time, Mr. Power noted that they have been assured on numerous occasions that there would be approximately 15 percent of the total employees in their bargaining unit and in the janitorial end of the department affected through job loss. Mr. Power indicated that they had looked at alternatives through severance packages and had been prepared for approximately 15 percent. He added that the School Board was "up front" in saying that it was not going to be 15 percent strictly from their bargaining unit or the janitorial bargaining unit but a total of 15 percent.

Mr. Power went on to advise that yesterday they were presented with the **preliminary** report that Servicemaster

**CITY COUNCIL  
16 SEPTEMBER 1993**

has presented to the School Board administration. In this report, he noted that over 50 percent of their bargaining unit, 32 of 61 employees, will possibly lose their jobs. Mr. Power went on to raise a number of issues and concerns regarding the proposed job reduction and asked Council for its support.

Alderman Jeffrey noted that he intended to add this item to the agenda at which time he would ask that a strong message be sent to the School Board from Council objecting strenuously to the proposed job reduction.

A short discussion ensued with Alderman Downey referring to an information report of 10 August 1993 in response to questions he had raised with respect to the contract. He indicated that he had concerns with the way in which the contract was entered into and suggested that Council should obtain a legal opinion with regard to the 5 year contract. Alderman Downey added that he was very much surprised that Council was not informed on what was taking place.

**NOTE: See page 625 for the continuation of the above item.**

**MINUTES**

The Minutes of the last regular meeting of Halifax City Council held on August 26, 1993, and of the special meeting held on August 18, 1993, were approved as circulated on a motion by Deputy Mayor Fitzgerald, seconded by Alderman O'Malley.

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

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

- 20.1 Award of Tender 93-46: Sidewalk Renewals
- 20.2 Award of Tender 93-45: Sidewalk Renewals
- 20.3 Streets Improvements
- 20.4 Additional Capital Budget Requirements
- 20.5 Award of Tender 93-119: Street Improvement Program
  - Cogswell Street Interchange, Ramps #1, 2 & 3B
- 20.6 Award of Tender 93-120: Street Improvement Program
  - Chebucto Road (B/S) Connaught Avenue to William Hunt Avenue



**CITY COUNCIL  
16 SEPTEMBER 1993**

- 20.7 Dartmouth Ferry Proposal - Metropolitan Authority  
(Deputy Mayor Fitzgerald)
- 20.8 Presentation: Mr. Larry Power,  
Canadian Union of Public Employees (to be dealt  
with at the beginning of the agenda).

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

**Presentation: Mr. Larry Power,  
Canadian Union of Public Employees**

A presentation was made by Mr. Larry Power earlier in the meeting.

Alderman Jeffrey addressed the matter and MOVED, seconded by Alderman Crowley that Her Worship Mayor Ducharme, on behalf of Council, express to the Halifax District School Board, Council's support for the Canadian Union of Public Employees, for the Maintenance Workers of the Halifax District School Board, C.U.P.E., Local 449, pertaining to the Servicemaster contract and indicate strongly Council's opposition to the proposed recommendations.

With the permission of Council, Alderman Pottie indicated that he would like to add to the motion that Council seek information as to why the contract was not tendered. He added that he has also been advised that the School Board has admitted that they do not have the capability of supervising the maintenance and the janitorial staff. If this is the case, the Alderman questioned why the City was paying the administration of the School Board the money that is paid to them and expressed the view that this question should also be answered.

The Chairman noted that answers to Alderman Pottie's questions would be sought.

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

**CITY COUNCIL  
16 SEPTEMBER 1993**

**DEFERRED ITEMS**

**Heritage Hearing Re: 2125 Brunswick Street**

A heritage hearing into the above matter was held on 8 September 1993.

This matter was forwarded to Council without recommendation pending receipt of a staff report in response to questions raised by Mr. Moore (2125 Brunswick Street) at the public hearing held on 8 September 1993.

A letter dated 15 September 1993 from Mr. Dan Norris, Heritage Planner, to Mr. Victor Moore, 2125 Brunswick Street, was submitted.

In response to a question from Alderman Downey, Mr. Dan Norris, Heritage Planner, addressed Council and confirmed that Mr. Moore and the co-owners of 2125 Brunswick Street were contacted this evening and have agreed and are pleased to have their house registered.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that City Council approve the registration of 2125 Brunswick Street as a designated heritage property.

The City Clerk recorded that Alderman O'Malley was not in attendance at the public hearing on this matter and therefore was unable to participate in the vote.

Motion passed with Alderman O'Malley abstaining.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 8 September 1993, as follows:

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council table the Halifax Water Commission's Annual Report (1 April 1992 - 31 March 1993), and receive with thanks the dividend payment in the amount of \$300,000.00.

The motion was put and passed.

CITY COUNCIL  
16 SEPTEMBER 1993

Halifax Water Commission - Sale of the  
Big Indian Lake Watershed Lands

This matter was forwarded without recommendation to Council pending receipt of additional information from staff.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, 22 September 1993, pending a report from the Halifax Industrial Commission.

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

Rockingham Community Centre

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve an expenditure of \$2,146.61 from the Rockingham Community Centre's reserve account to meet the cost of replacing floor tile on the lower floor level, as submitted by the low bidder, Hallmark Floors Ltd.

The motion was put and passed.

Irving Oil Property - Expropriation Settlement

This matter was forwarded without recommendation to Council pending receipt of additional information from the Acting City Solicitor.

A private and confidential staff report dated 9 September 1993 was submitted.

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

1. the Irving Oil Company be paid the sum of \$775,000.00 in full compensation of all claims arising from the expropriation by the City of Halifax of the sewer easement across the Irving Arch property, and for all claims related to construction of the work;
2. funds be approved from Capital Reserves Account Number 26111 8398.

Motion passed with Alderman Meagher voting in opposition.

**CITY COUNCIL  
16 SEPTEMBER 1993**

**Atlantic Rim Network**

Deputy Mayor Fitzgerald addressed the matter and MOVED, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council authorize staff to pursue the exploration of the establishment of the Atlantic Rim Network, along the lines discussed in the staff report dated 1 September 1993.

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

**Acquisition of Parcel B-1, 7 Bayview Road**

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, Parcel B-1, Plan TT-48-31758, be acquired from Mr. & Mrs. Earl J. Petite for \$4,500 as settlement in full for all claims (funds are available in Account No. 91502, the capital account for the project).

The motion was put and passed.

**Payment for Outside Consultants**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council authorize the payment of:

- (1) \$9,095.00 to **Ingram and Ingram Real Estate Services**, with funds available in Capital Account No. 91502, "the Bedford Highway Widening Project");
- (2) \$2,166.75 and \$6,596.55 to **AT-Tech Appraisal Consultants Limited** and \$684.80 to **TAG Enterprises Limited**, with funds available in Capital Account No. 91504, "Herring Cove Widening."

The motion was put and passed.

**CITY COUNCIL  
16 SEPTEMBER 1993**

Settlement of Claims

Following a short explanation from the City Manager on this item at the request of the Deputy Mayor, it was MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee:

- 1) Council authorize staff to submit a revised wording of Section 196 and 200 to the Province for incorporation into the Halifax City Charter. This revised wording would clarify the ambiguity such as that contained in Section 200(1), such that the amount of any claim to be accepted by the City Manager and City Treasurer and the amount of any reduction from the amount originally requested are clearly and separately identified.
  
- 2) Staff be authorized to include in Section 196 that insurance settlements up to the insurance deductible which is set annually by Council may be made by staff in accordance with insurance industry standards. Furthermore, in the case of Section 200, the amount by which any claim made by the City may be settled shall be limited to the amount of the City Manager's signing authority.

Motion passed.

Central Spryfield School Playground

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

A staff report dated 13 September 1993 was submitted.

In the absence of Alderman Adams, it was MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Stone that forty thousand dollars (\$40,000) be transferred from Hartlen Playground Expansion (#97019) to Central Spryfield School (#97069) to effect the improvements which would enhance play equipment, installation and use.

Motion passed.

**CITY COUNCIL  
16 SEPTEMBER 1993**

COMMITTEE ON WORKS

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 8 September 1993, as follows:

Ordinance 186 Respecting Alteration of Grades,  
and Erosion and Sediment Control

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Committee on Works, Ordinance 186 be referred to the construction and development industries for comment and returned to Council in three months time for notice of motion.

Motion passed.

Vimy Avenue - Lot B-1D

A supplementary staff report dated 13 September 1993 was submitted.

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

- (a) identify the Vimy Avenue/Bedford Highway Grade Separated Interchange as a project in the capital budget for 1994-95 and subsequent years;
- (b) precommit a maximum of \$750,000 from the 1994-95 capital budget for acquisition for Lot B-1D Vimy Avenue as shown in Plan No. P200 14932 (attached to the confidential staff report of 31 August 1993), plus appraisal and other associated costs, the amount to be specified or amended in a future report to Council; and
- (c) expropriate the lands identified as Lot B-1D on plan P200/14932, case 4991, prepared by John A. McElmon & Associates Ltd. on 27 March 1986, the amount of compensation to be resolved at a future time.

Alderman Jeffrey addressed the matter and agreed that the motion on the floor would eliminate some of the problems being experienced in Ward 9. However, the Alderman advised that this week he received a number of calls from

**CITY COUNCIL  
16 SEPTEMBER 1993**

residents of Ward 10 who have asked that he speak on their behalf pertaining to Granbury Place at 45 Vimy Avenue. Alderman Jeffrey noted that the residents of Granbury Place are concerned about the possibility of the highway going in front of this particular building and the effect it would have on their equity and value of their properties. Alderman Jeffrey indicated that he had compassion for the residents in the area and was concerned about the connector going in front this building which has a beautiful piece of land. He expressed his difficulty in making a decision on the item.

Deputy Mayor Fitzgerald addressed the matter and indicated that he could not support the motion. He indicated that he would like to know where the roadway is going to go and the affect it will have on Granbury Place. The Deputy Mayor also went on to express the view that the provincial government should cost share in the land acquisition for this major arterial road. He also noted that the recommendations of the Task Force were still being studied. In his remarks, Deputy Mayor Fitzgerald reiterated his opposition to the motion and suggested that the matter should be deferred to the next Committee of the Whole Council meeting.

Alderman Stone noted that it was his understanding the building was under construction and will continue under construction because the permit was in place. He added that every day will cost the City more money if the City does not make a decision.

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

**Appeal of Decision to Refuse Driveway Cut  
- Ordinance #180**

This matter was forwarded to the Council without recommendation pending receipt of additional information.

An information report dated 10 September 1993 from the Acting City Solicitor was submitted. An information report from the Acting City Manager dated 13 September 1993 was also submitted.

A letter from Vaughn and Jacqueline Doyle, 27 Colindale Street, dated 16 September 1993 was submitted along with a petition signed by 14 neighbours stating that they have no objection to the installation of a second driveway at 27 Colindale Street.

Alderman Hanson addressed the matter and noted that various items of information from staff in relation to the regulations concerning the request for a second driveway has been submitted. He advised that it was his interpretation

**CITY COUNCIL  
16 SEPTEMBER 1993**

from the information he received that Council would be acting against the law if it approved the appeal. The Alderman added that his research confirms that the Director of Engineering and Works did not err in his decision to refuse a second driveway access at 27 Colindale Street.

Alderman Hanson went on to suggest that there was somewhat of a compromise available. He explained that the owners, if they wish to reapply for the relocation of the existing driveway to install a 15' wide driveway ramp along the south side of their property and to close the existing driveway, approval would be granted. Alderman Hanson indicated that he would also recommend that, if this was done, the existing driveway be restored to its original condition prior to construction of the sidewalk.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that Council uphold the decision of the Director of Engineering and Works to refuse the application for an additional driveway cut at 27 Colindale Street and, further, that the option be available to the owners that they be permitted a 15 foot wide driveway ramp along the south side of their property provided they close off the existing driveway as well as restore the property (i.e. do not leave a hole or a gap where the driveway was previous to relocation).

Alderman Hanson noted that negotiation between the property owners and the Director of Engineering and Works should take place at the earliest date with respect to the relocation of the existing driveway.

The motion was put and passed.

**Four Way Stop - Intersection of Rosedale Avenue  
and Willett Street (Referral to Traffic Authority)**

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Committee on Works, this matter be referred to the Traffic Authority and, further, once the report is provided to Council, the Traffic Authority meet with the petitioners particularly Mr. Sheldon MacDonald, who had made a presentation to Council on behalf of the residents, to explain the decision taken by the Authority.

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



**CITY COUNCIL  
16 SEPTEMBER 1993**

PLANNING COMMITTEE

Council considered the report from a meeting of the Planning Committee held on Wednesday, 8 September 1993, as follows:

**Civic No. 2491-93 Windsor Street  
- GTL Investments Limited**

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, the City Solicitor be authorized to apply to the Supreme Court of Nova Scotia for an injunction in respect of the illegal development of the property at 2491-93 Windsor Street, Halifax, Nova Scotia, pursuant to section 445(A) of the **Halifax City Charter**, as being contrary to provisions of the City of Halifax **Land Use Bylaw** and the **Planning Act**.

The motion was put and passed.

Gifts of Land

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Planning Committee, Council endorse the concept relating to "Gifts of Land," as outlined in the staff report of 29 July 1993 **with the exception** that in subsection (3) of proposed section 203A the said resolution require an affirmative vote of at least **nine** members of Council.

Following a discussion, the motion was put and passed.

**Case No. 5270 Morris Street - Substantial Alteration  
- Registered Heritage Property**

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, City Council approve the application for substantial alteration to 5270 Morris Street, a registered heritage property, as shown on drawings dated June 18, 1993, for an addition to the property with the proviso that the proposed door into the dining room return to the Heritage Advisory Committee should the owners wish to proceed with that option.

Motion passed.

**CITY COUNCIL  
16 SEPTEMBER 1993**

**Case No. 6815: 6437 North Street**

MOVED by Alderman Pottie, seconded by Alderman Stone that, as recommended by the Planning Committee, Council take the report dated 15 June 1993 (attached to the staff report of 30 August 1993) from the table and approve the recommendation contained therein as follows:

"that approximately 500 square feet of the rear yard of 6451 Chebucto Road be exchanged for Parcel N-1, 6437 North Street, subject to resubdivision approval by the development officer."

Alderman Meagher spoke against the motion and expressed the view that he would rather see a minor variance granted to the applicant.

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

**Heritage Conservation Incentives**

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

- 1) Council approve the proposed Guidelines for Heritage Conservation Incentives, consisting of a program for Major Projects attached as Appendix A, a program for Minor Projects attached as Appendix B; and the proposed Building Conservation Standards, attached as Appendix C (all appendixes are attached to the staff report of 2 September 1993);
- 2) Council increase the annual amount allocated to the Heritage Fund from \$50,000 to \$100,000;
- 3) not more than sixty percent of the annual allocation be made available for major project grants, and not more than forty percent of the annual allocation be made available for minor project and consultant study grants;
- 4) the grants be awarded by Council on the recommendation of staff and the Heritage Advisory Committee;
- 5) all projects be eligible for assistance in any three years within a five year period;

**CITY COUNCIL  
16 SEPTEMBER 1993**

- 6) applications be reviewed early in March and June each year;
- 7) fifty percent of the available funds be allocated in April and fifty percent in July of each year.

Motion passed.

**96 Rufus Avenue - Rezoning**

MOVED by Alderman Jeffrey, seconded by Alderman Stone that, as recommended by the Planning Committee, this matter be forwarded to the Planning Advisory Committee to consider the request to change the property at 96 Rufus Street back to a non-conforming use and provide a report in this regard to Council as soon as possible.

Motion passed.

**MOTIONS**

**Motion Deputy Mayor Fitzgerald Re: Proposed Ordinance 185,  
the False Alarm Ordinance - FIRST READING**

Notice of Motion in respect of this matter was given at the last meeting of Halifax City Council held on 26 August 1993.

A copy of draft Ordinance 185, Respecting Burglary and Robbery Alarm Systems, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that City Council give FIRST READING to the adoption of Ordinance 185, Respecting Burglary and Robbery Alarm Systems, the purpose of which is to reduce the number of false alarms, and refer the matter to the next Committee of the Whole Council meeting to be held on **Wednesday, 22 September 1993**, for consideration and report.

Motion passed.

**MISCELLANEOUS BUSINESS**

**Appointments**

A report from Her Worship Mayor Ducharme dated 16 September 1993 was submitted.

**CITY COUNCIL  
16 SEPTEMBER 1993**

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that City Council approve the following appointments:

**PLANNING ADVISORY COMMITTEE**

Mr. Graham Read

Term to expire January 31, 1996

**ECONOMIC DEVELOPMENT TASK FORCE**

Mr. John Dick

Motion passed.

**QUESTIONS**

**Question Alderman Jeffrey Re: Rats - Dutch Village Road**

Alderman Jeffrey advised that today he was in a restaurant across the street from 3670 Dutch Village Road when he noticed two rats coming out from a retaining wall at 3670 Dutch Village Road. The Alderman added that the Rodent Control Officer has been addressing the situation by using poison. However, the problem which has arisen is that the feed is attracting rats and they are dying in the street and elsewhere.

Alderman Jeffrey requested the Rodent Control Officer to revisit this site and see if there are any other methods which could be used to get rid of the rats.

**Question Alderman Jeffrey Re: Telephone Pole at the Corner of Dutch Village Road and Rufus Street**

Alderman Jeffrey advised that on the corner of Dutch Village Road and Rufus Street there is a telephone pole in very poor shape and in fact, he expects that it is ready to fall soon. Alderman Jeffrey asked that staff look into this matter and notify the proper authorities so that immediate action can be taken.

**Question Alderman Jeffrey Re: Street Brawl - Halifax West High School Dance**

Alderman Jeffrey advised that on this past Saturday night, Halifax West High School held their first dance of the this school year and it was a catastrophe. He explained that

**CITY COUNCIL  
16 SEPTEMBER 1993**

there was approximately 200 students in the centre of the road, seven or eight police cruisers arrived, and approximately 11 students were arrested. The Alderman noted that he spoke on this very matter several years ago and it seems to be occurring again. Alderman Jeffrey added that he did not think that it was necessarily the students from Halifax West causing the trouble, noting that there were gangs from other areas in attendance.

Alderman Jeffrey indicated that the business owners and residents of the area are becoming quite concerned because the activity has resulted in damage to businesses and property in the area. Alderman Jeffrey requested a report from the Halifax Police Department on the incident and a report from the School Board on what it intends to do to provide protection to the community, should it decide to continue with the high school dances.

**Question Alderman Stone Re: Playground Sign -  
Bridgeview Playground**

Alderman Stone advised that there previously was a sign on Flamingo Drive advising drivers of a playground, namely the Bridgeview Playground. He added that the sign was broken and at the request of a resident it was replaced, however, it was replaced with a 'No Parking' sign. Alderman Stone noted that there are two separate posts for signs and one should be for the 'No Parking' and the other should advise of the playground ahead. The Alderman requested that staff see that the playground sign is replaced.

**Question Alderman Stone Re: Playground - Mandaville Court**

Alderman Stone advised that the Mandaville Court playground area needs to be upgraded with either sand or gravel and, in particular, he noted that the area below the 'monkey bars' was quite rocky and should have sand or something to protect children if they fall.

**Question Alderman Stone Re: Traffic Congestion -  
Corner of Willett Street and Main Avenue**

Alderman Stone advised that the corner of Willett Street and Main Avenue, going south, has a fair amount of vehicle congestion particular at 8:30 a.m. He requested the Traffic Authority to look at this situation with the idea of putting in two lanes--one lane making a left turn to go down Main Avenue and one lane going straight ahead or turning right. Alderman Stone added that, on occasion, there are approximately 15 or 16 cars backed up.

**CITY COUNCIL  
16 SEPTEMBER 1993**

**Question Deputy Mayor Fitzgerald Re: Budget Policy**

Deputy Mayor Fitzgerald advised that, in the past, Council has suggested that during the budget process any monies saved should be put back into the general account and not spent on other projects. He added that this was something that perhaps Council should look at given the fact that Council has just learned the City could be facing a six million dollar deficit next year. The Deputy Mayor indicated that he would like the City Manager to consider this.

**Question Deputy Mayor Fitzgerald Re:  
Halifax Harbour Clean-up**

Deputy Mayor Fitzgerald made reference to the importance of the Halifax Harbour Clean-up Project and advised that, in showing good faith to the Minister of the Environment, Council should write to the Minister urging him to get on with the job.

In this regard, the Deputy Mayor advised that he would like this item placed on the agenda of the next Committee of the Whole, scheduled for **Wednesday, 22 September 1993** and that staff provide a report on how much money the City could come up with over the next five years.

The Acting City Manager advised that, in general terms, if the City was requested to pay the same percentage it originally agreed to pay, then the City could do it. He added that he believes the cost now would be about 60 million dollars.

**Question Deputy Mayor Fitzgerald Re: Neptune Theatre**

Deputy Mayor Fitzgerald advised that Neptune Theatre has major plans for a facility in the City. He asked that a report be provided updating Council of any requests Neptune have of the City of Halifax.

**Question Deputy Mayor Fitzgerald Re: Metro Centre**

Deputy Mayor Fitzgerald requested that at the next Committee of the Whole, scheduled for **Wednesday, 22 September 1993**, the item 'Sale of the Metro Centre to the Province' be placed on the agenda.

**CITY COUNCIL  
16 SEPTEMBER 1993**

**Question Deputy Mayor Fitzgerald Re: Intersection at Windsor Street, Kempt Road, Lady Hammond Road, and Bedford Highway Service Road**

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Deputy Mayor Fitzgerald also requested that at the next Committee of the Whole, scheduled for **Wednesday, 22 September 1993**, the item 'Intersection at Windsor Street, Kempt Road, Lady Hammond Road, Bedford Highway Service Road' be place on the agenda for the purpose of determining if plans exist for improvements to the intersection.

**Question Deputy Mayor Fitzgerald Re: Walkway to Elizabeth Sutherland School**

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Deputy Mayor Fitzgerald noted that people of the Greystone area, who go to the Elizabeth Sutherland School, do so by using a walkway which can be hazardous because it is not well lit and it goes through trees, a brook, etc. The Deputy Mayor asked that staff look into this matter and see if there is something feasible that could be done to improve the situation.

**At 10:00 p.m. Her Worship retired from the meeting and the Deputy Mayor assumed the Chair.**

**Question Alderman O'Malley Re: Subsidized Bus Tickets for High School Students**

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Alderman O'Malley addressed the matter of the sale of subsidized bus tickets to high school students by the Halifax District School Board, and advised that she has recently received many calls from parents living in the Mulgrave Park area with children attending St. Pat's and Queen Elizabeth High Schools, expressing concern that their children are no longer permitted to purchase these subsidized tickets. She noted that this is causing great hardship, adding that one single mother has three children attending high school and cannot afford to pay the full fare.

Alderman O'Malley advised that she did not know what could be done about the situation, however, suggestions were made that the students should walk to school. She indicated that this was unreasonable because it is a very long walk, especially in inclement weather, from Mulgrave Park to the High Schools.

Alderman O'Malley asked that this matter be referred to the Director of Social Planning to see if there is any avenue available which would enable the City to assist the families who are faced with this problem. She advised that she has the contact names and would be willing to make

**CITY COUNCIL  
16 SEPTEMBER 1993**

connection to see if there is some possible ways for the City to assist these students.

**Question Alderman Hanson Re: City Properties**

Alderman Hanson requested that a report be provided with respect to an assessment of City properties that are not taxable for increased revenues and which could be made available to property owners, such as an abutter. He requested that the report provide an action plan and explain how these lands are disposed of. The Alderman advised that there were many such pieces of lands around the City, however, property owners are not being given the opportunity to acquire them.

**Question Alderman Hanson Re: Halloween, 1993**

Alderman Hanson advised that Halloween falls on a Sunday this year, however he suggested it would be more appropriate for the celebration to be held on Saturday, the 30th. The Alderman added that this should be conveyed to the community so that people will not be confused as to the date on which Halloween is celebrated.

The Chairman concurred with Alderman Hanson, noting that the various bars and establishments in the downtown area would probably celebrate on the Saturday, and he suggested that the public should be encouraged to celebrate Halloween on Saturday the 30th rather than Sunday the 31st.

**Question Alderman Crowley Re: Noise from Trucks  
Coming off the Bi-Centennial Highway**

Alderman Crowley noted that recently she received a number of complaints from the residents off the lower end of Joseph Howe Drive (from Bayers Road towards the Bedford Highway side) regarding the large trucks coming off the Bi-Centennial Highway. She advised that these trucks make a lot of noise and it was bothering the residents, especially when they are trying to sleep at night. Alderman Crowley asked that staff look into this matter and see if something could be done to the surface of the roadway which might improve the situation, even if it involved planning for something in the future.

**Question Alderman Crowley Re: City-owned Property on  
Chebucto Road**

Alderman Crowley advised that some time ago she had made a request regarding a piece of land owned by the City on Chebucto Road, adding that it is an area where people like to



**CITY COUNCIL  
16 SEPTEMBER 1993**

park their cars, sometimes for months. She noted that staff erected a 'No Parking, City Property' sign, but there are still problems and the police are called from time to time to remove vehicles. She suggested that Council could be more proactive and close this area off so the police do not have to be engaged on an ongoing basis to remove vehicles. In this regard, Alderman Crowley requested a report from staff on the matter.

**Question Alderman Crowley Re: Trees on Ralston Avenue**

Alderman Crowley noted that on Ralston Avenue there are some trees with overhanging branches which almost touch the road. She advised that this was becoming hazardous and she asked that staff investigate this matter.

**Question Alderman Meagher Re: City Action Regarding  
Decrease in the Grant from Nova Scotia Power**

Alderman Meagher questioned what action, if any, the City intends to take in regards to the decrease in the grant from the Nova Scotia Power Corporation.

In response, the Chairman suggested, and it was so agreed that this matter would be placed on the agenda of the next Committee of the Whole, scheduled for **Wednesday, 22 September 1993**.

**At 10:15 p.m.** Her Worship returned to the meeting and the Deputy Mayor assumed his usual seat in Council.

**Question Alderman Meagher Re: Crossing Guard at  
Connaught Avenue**

Alderman Meagher advised that on the corner of Connaught Avenue and Quinpool Road, there is one crossing guard who is responsible for the crossing of Connaught Avenue and Quinpool Road. Alderman Meagher added that the crossing guard is doing a commendable job, however, in light of the extremely busy roads, the Alderman suggested that the guard needed assistance. Alderman Meagher asked that the Police Department provide a report with respect to placing another crossing guard in this location.

**Question Alderman Meagher Re: Expenditures for Properties**

Alderman Meagher made reference to agenda items discussed earlier this evening where Council approved expenditures for acquiring various properties, and expressed concern about the impact on the Sale of Land Account. He

**CITY COUNCIL  
16 SEPTEMBER 1993**

requested a report on where the money will come from to pay these bills in the amount of about \$3,000,000.

**Question Alderman Meagher Re: City of Halifax Tax Bill  
Postmarked from Dartmouth**

Alderman Meagher noted that a friend of his had received his City of Halifax tax bill and it was postmarked from Dartmouth. He questioned why this would be postmarked Dartmouth. (Alderman Meagher submitted the postmarked envelope to the City Manager)

**Question Alderman Meagher Re: Claim for Damages -  
Parker Street**

Alderman Meagher advised that a resident on Parker Street fell over roots of a City tree and he added that the adjusters have looked into the matter. Alderman Meagher submitted a letter on the matter and asked that it be placed on the agenda of the next Committee of the Whole, scheduled for **Wednesday, 22 September 1993**.

**Question Alderman Meagher Re: Excessive Noise**

Alderman Meagher advised that last week a resident on Seaforth Street was having difficulty with one of the condominium properties at the head of Beech Street on Chebucto Road. He indicated that there was a party at this location which created a lot of noise and disruption for the neighbours. Alderman Meagher noted that the Police Department has the authority to issue tickets to people making undue noise in a residential area after a certain hour, and he added that in many cases the resident making the complaint would be happy to offer their name so that a ticket would be issued. The Alderman alluded to the point that, instead, it seems that the police simply respond by attempting to quiet the people down. Alderman Meagher requested a report from the Police Department on the matter.

**Question Alderman Pottie Re: Intersection of  
Chebucto Road and Connaught**

Alderman Pottie advised that he attended a PTA meeting of Saint Catherine's School and concerns were expressed that, due to changes in the schools, a lot of the children going to Saint Catherine's are using the intersection of Chebucto Road and Connaught Avenue to get there. He added that they would like the situation monitored to determine how many children cross this intersection in the morning, at noon, and after school to see if it warrants a crossing guard.

**CITY COUNCIL  
16 SEPTEMBER 1993**

**Question Alderman Pottie Re: Minor Hockey Registration Policy**

Alderman Pottie advised that it has been brought to his attention that the application form for the Halifax Hawks Minor Hockey Association has had a policy change such that the registration will not be accepted without payment. He noted that it is a "No Pay, No Play Policy".

Alderman Pottie added that he understands the City of Halifax pays towards the House League approximately 100 dollars per registration for all the children who play in the House League. In this regard, the Alderman advised that he believed the City is meeting part of the expense. Alderman Pottie requested a report on whether this policy has caused hardship on any families within the City of Halifax or if anyone has been turned away as a result of this policy. He suggested that, if this has been the case, there should be some means of helping those people.

**ADDED ITEMS**

**Award of Tender 93-46: Sidewalk Renewals**

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that Council make the following tender award:

1. Tender 93-46 for the project, materials and services listed for the unit prices quoted to Ocean Contractors for the tendered amount of \$86,891 and a total project cost of \$105,000; and, further, that
2. funding be authorized from account numbers 92734, 92737, 92738, 92735 (Sidewalk Renewals).

Motion passed.

**Award of Tender 93-45: Sidewalk Renewals**

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

**CITY COUNCIL  
16 SEPTEMBER 1993**

MOVED by Alderman O'Malley, seconded by Alderman Pottie that Council make the following tender award:

1. Tender 93-45 for the project, materials and services listed for the unit prices quoted for the following items: Items 1 & 3 to Ocean Contractors at a bid price of \$66,503.00/Project Cost of \$79,500. Item #2 to G. & R. Kelly at a bid price of \$15,435/Project Cost of \$18,500.00 and a total combined cost of \$98,000.00.
2. Funding be authorized from account numbers 92736, 92739, 92695 (Sidewalk Renewals).

Motion passed.

**Streets Improvements**

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

A staff report dated 14 September 1993 was submitted.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that City Council authorize the additional expenditure of up to \$150,000.00, under the existing Contract #93-107 with Atlantic Colas Ltd., with funds available in Capital Account #91410.

Motion passed.

**Additional Capital Budget Requirements**

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

A report from the Halifax Industrial Commission dated 14 September 1993 was submitted.

The Chairman noted that the Acting City Manager is suggesting that this matter be forwarded to the next Committee of the Whole Council meeting to be held on **22 September 1993** pending receipt of a staff report and recommendation.

It was subsequently MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that this matter be forwarded to the next Committee of the Whole Council meeting to be held on **22 September 1993** pending receipt of a staff report and recommendation.

Motion passed.

CITY COUNCIL  
16 SEPTEMBER 1993

Award of Tender 93-119: Street Improvement Program -  
Cosqswell Street Interchange, Ramps #1, 2 & 3B

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

A staff report dated 13 September 1993 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Council make the following tender award:

1. Tender 93-119 for the project, materials, and services listed for the unit prices quoted at a bid price of \$197,000.00 and a total project cost of \$237,000.00 to Standard Paving Maritime Ltd. subject to renegotiating the DOT&C approval for cost sharing;
2. funding be authorized from account number 91406 Street Improvements Program.

Motion passed.

Award of Tender 93-120: Street Improvement Program -  
Chebucto Road (B/S) Connaught Avenue to William Hunt Ave

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

A staff report dated 14 September 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that Council make the following tender award:

1. Tender 93-120 for the project, materials and services listed for the unit prices quoted at a bid price of \$366,703.75 and a total project cost of \$440,000.00 to Basin Contracting Ltd. subject to renegotiating the DOT&C approval for cost-sharing;
2. Funding be authorized from account number 91406-Street Improvements Program.

Motion passed.

**CITY COUNCIL  
16 SEPTEMBER 1993**

**Dartmouth Ferry Proposal - Metropolitan Authority  
(Deputy Mayor Fitzgerald)**

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

For the information of those members of Council who are not on the Metropolitan Authority, Her Worship Mayor Ducharme advised that the City of Dartmouth yesterday made approaches about taking over the ferry. Her Worship noted that no agreement was reached on the ferry and eventually the Mayor of Dartmouth proposed that the Authority buy the ferries for the value of the debt. Mayor Ducharme indicated that this motion will be coming before the Authority on September 28 and that the CEO's will meet in the meantime.

Deputy Mayor Fitzgerald addressed the matter and advised that the City of Halifax has agreed in the past that the Dartmouth ferry should be part of the metropolitan transportation system. He added that the City has agreed in principle to cost share in the actual operating deficit. However, the Deputy Mayor expressed difficulty in paying the accumulated deficit. He went on to suggest that there were various scenarios to consider. For example, the Deputy Mayor suggested that the City pay 1/3rd of the operating costs, negotiate to pay a portion of the deficit i.e. 25 percent, and ask the provincial government to cost share as well in the deficit.

Deputy Mayor Fitzgerald indicated that he would like to receive a report on the scenarios that are available, advantages, and long term projections. He suggested that Council should make a decision at the next Committee of the Whole Council meeting to be held on **Wednesday, 22 September 1993**, on how far it is prepared to go with respect to the ferry system. The Deputy Mayor asked that the item be on the agenda at that time to be fully debated and that options be put forth by the City Manager.

Alderman Pottie addressed the matter and expressed concern about the Metropolitan Authority taking over the ferry system. He went on to suggest that the feasibility of the City taking over the ownership and the operation of the Dartmouth Ferry be addressed. Alderman Pottie further suggested that the City of Halifax pay the value of the deficit, \$1,000,000.00, over a 10 or 15 period for the Dartmouth Ferry system and that cost sharing be provided from the other municipalities. Alderman Pottie indicated that he would like to receive information in this regard at the Committee of the Whole Council on Wednesday, 22 September 1993.

**CITY COUNCIL  
16 SEPTEMBER 1993**

Alderman Pottie also suggested that it might be worthwhile for H.R.D.A. to consider taking over the Dartmouth Ferry system.

There being no further business to discuss, the meeting was adjourned at approximately 10:40 p.m.

**HER WORSHIP MAYOR MOIRA DUCARME  
AND  
DEPUTY MAYOR WALTER FITZGERALD  
CHAIRMEN**

**EDWARD A. KERR  
CITY CLERK**

M/S

CITY COUNCIL  
16 SEPTEMBER 1993

HEADLINES

|   |           |
|---|-----------|
| Presentation - Canada Games Medallists.....   | 622       |
| Presentation: Mr. Larry Power<br>Canadian Union of Public Employees.....  | 623 & 625 |
| <b>MINUTES</b> .....  | 623       |
| <b>APPROVAL OF THE ORDER OF BUSINESS,<br/>ADDITIONS AND DELETIONS</b> .....                                     | 624       |
| <b>DEFERRED ITEMS</b>   |           |
| Heritage Hearing Re: 2125 Brunswick Street.....   | 626       |
| <b>REPORT - FINANCE AND EXECUTIVE COMMITTEE</b>   |           |
| Annual Report - Halifax Water Commission<br>(TO BE TABLED) .....  | 626       |
| Halifax Water Commission - Sale of the<br>Big Indian Lake Watershed Lands.....                                  | 627       |
| Rockingham Community Centre.....  | 627       |
| Irving Oil Property - Expropriation Settlement.....   | 627       |
| Atlantic Rim Network.....   | 628       |
| Acquisition of Parcel B-1, 7 Bayview Road.....  | 628       |
| Payment for Outside Consultants.....  | 628       |
| Settlement of Claims.....   | 629       |
| Central Spryfield School Playground .....   | 629       |
| <b>REPORT - COMMITTEE ON WORKS</b>  |           |
| Ordinance 186 Respecting Alteration of Grades,<br>and Erosion and Sediment Control .....                        | 630       |
| Vimy Avenue - Lot B-1D.....   | 630       |
| Appeal of Decision to Refuse Driveway Cut<br>- Ordinance #180 .....   | 631       |
| Four Way Stop - Intersection of Rosedale Avenue<br>and Willett Street.....                                      | 632       |
| <b>REPORT - PLANNING COMMITTEE</b>  |           |
| Civic No. 2491-93 Windsor Street<br>- GTL Investments Limited.....  | 633       |
| Gifts of Land.....  | 633       |
| Case No. 5270 Morris Street - Substantial<br>Alteration - Registered Heritage Property.....                     | 633       |
| Case No. 6815: 6437 North Street.....   | 634       |
| Heritage Conservation Incentives.....   | 634       |
| 96 Rufus Avenue - Rezoning.....   | 635       |
| <b>MOTIONS</b>  |           |
| Motion Deputy Mayor Fitzgerald Re: Proposed<br>Ordinance 185, the False Alarm Ordinance -<br>FIRST READING..... | 635       |
| <b>MISCELLANEOUS BUSINESS</b>   |           |
| Appointments.....   | 635       |



CITY COUNCIL  
16 SEPTEMBER 1993

QUESTIONS

|  |     |
|--|-----|
| Question Alderman Jeffrey Re:<br>Rats - Dutch Village Road .....   | 636 |
| Question Alderman Jeffrey Re: Telephone Pole<br>at the Corner of Dutch Village Road<br>and Rufus Street .....                                    | 636 |
| Question Alderman Jeffrey Re: Street Brawl -<br>Halifax West High School Dance .....   | 636 |
| Question Alderman Stone Re: Playground Sign -<br>Bridgeview Playground .....   | 637 |
| Question Alderman Stone Re: Playground -<br>Mandaville Court .....   | 637 |
| Question Alderman Stone Re: Traffic Congestion -<br>Corner of Willett Street and Main Avenue .....   | 637 |
| Question Deputy Mayor Fitzgerald Re: Budget Policy.  | 638 |
| Question Deputy Mayor Fitzgerald Re:<br>Halifax Harbour Clean-up .....   | 638 |
| Question Deputy Mayor Fitzgerald Re:<br>Neptune Theatre .....  | 638 |
| Question Deputy Mayor Fitzgerald Re: Metro Centre.   | 638 |
| Question Deputy Mayor Fitzgerald Re: Intersection<br>at Windsor Street, Kempt Road, Lady Hammond Road,<br>and Bedford Highway Service Road ..... | 639 |
| Question Deputy Mayor Fitzgerald Re: Walkway to<br>Elizabeth Sutherland School .....   | 639 |
| Question Alderman O'Malley Re: Subsidized Bus<br>Tickets for High School Students .....  | 639 |
| Question Alderman Hanson Re: City Properties .....   | 640 |
| Question Alderman Hanson Re: Halloween, 1993 .....   | 640 |
| Question Alderman Crowley Re: Noise from Trucks<br>Coming off the Bi-Centennial Highway .....  | 640 |
| Question Alderman Crowley Re: City-owned<br>Property on Chebucto Road .....  | 640 |
| Question Alderman Crowley Re: Trees on<br>Ralston Avenue .....   | 641 |
| Question Alderman Meagher Re: City Action<br>Regarding Decrease in the Grant from<br>Nova Scotia Power .....                                     | 641 |
| Question Alderman Meagher Re: Crossing Guard at<br>Connaught Avenue .....  | 641 |
| Question Alderman Meagher Re: Expenditures for<br>Properties .....   | 641 |
| Question Alderman Meagher Re: City of Halifax Tax<br>Bill Postmarked from Dartmouth .....  | 642 |
| Question Alderman Meagher Re: Claim for Damages -<br>Parker Street .....   | 642 |
| Question Alderman Meagher Re: Excessive Noise .....  | 642 |
| Question Alderman Pottie Re: Intersection of<br>Chebucto Road and Connaught .....  | 642 |
| Question Alderman Pottie Re: Minor Hockey<br>Registration Policy .....   | 643 |

**CITY COUNCIL  
16 SEPTEMBER 1993**

**ADDED ITEMS**

Award of Tender 93-46: Sidewalk Renewals.....643  
Award of Tender 93-45: Sidewalk Renewals.....643  
Streets Improvements.....644  
Additional Capital Budget Requirements.....644  
Award of Tender 93-119: Street Improvement Program  
- Cogswell Street Interchange, Ramps #1, 2 & 3B..645  
Award of Tender 93-120: Street Improvement Program  
- Chebucto Road (B/S) Connaught Avenue  
to William Hunt Avenue.....645  
Dartmouth Ferry Proposal - Metropolitan Authority  
(Deputy Mayor Fitzgerald).....646

# SPECIAL MEETING HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
22 September 1993  
7:30 P.M.

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

The meeting was opened with Deputy Mayor Walter Fitzgerald leading those present in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Ms. Sharon Glynn, representing the City Solicitor; City Clerk; and other members of City staff.

## ADDED ITEMS

It was agreed that the following matters be added to the agenda from a meeting of the Committee of the Whole Council held earlier in the day:

### Duffus Street Pumping Station

MOVED by Alderman O'Malley, seconded by Alderman Crowley that, as recommended by the Committee on Works:

- (a) Council approve the appointment of the firm of **R.V. Anderson and Associates Ltd.** to undertake a preliminary study of the problems at the Duffus Street Pumping Station, at the cost of \$20,000.00, including G.S.T.;
- (b) the payment of the consultant be authorized from the Pollution Control Capital Account No. 95011; and
- (c) Council authorize staff to negotiate design fees with the same consultant upon completion of the preliminary report.

The motion was put and passed.

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

**Additional Capital Budget Requirements  
- Halifax Industrial Commission**

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

- (1) the recommendation of the Industrial Commission in respect of the grading of the Trinity site (as outlined in the Commission's report of 14 September 1993) be approved; and that
- (2) staff be requested to bring forward, for Council's consideration, terms of reference for a cost/benefit analysis of the Halifax Business Parks.

Objections to the motion were voiced by Aldermen Adams and Meagher, both of whom expressed the view that Council should be concentrating its efforts on the rejuvenation of the City's downtown area (and, in particular, Barrington and Gottingen Streets), rather than contributing to the well-being of the industrial parks.

After some discussion, the motion was put and passed with Aldermen Adams and Meagher voting in opposition.

**Case No. 6750: Rezoning from C-1  
to C-2A: Clayton Park Plaza**

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Planning Committee, the application to rezone the Clayton Park Plaza, at the corner of Lacewood Drive and Glenforest Drive, from C-1 (Local Business Zone) to C-2A (Minor Commercial Zone), be approved by City Council.

The motion was put and passed with the following members abstaining from the vote owing to their absence from the 18 August public hearing: Aldermen Meagher, O'Malley, and Crowley.

**Tender #93-38: Balcome Drive Pumping Station**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Committee on Works, Tender #93-38 (Balcome Drive - Pumping Station) be awarded to **D.A. Lanthier Const.**, the lowest responsible tender meeting all tender criteria, at a bid price of \$71,082.50 and a total project cost of \$85,000.00.

The motion was put and passed.

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

Property Acquisition - Bedford Highway Widening

MOVED by Alderman Stone, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Parcels B-7 (as shown on Plan TT-48-31764), B-8 (as shown on Plan TT-48-31765), B-9 (as shown on Plan TT-48-31766), B-10 (as shown on Plan TT-48-31767) and B-11 (as shown on Plan TT-48-31768) and Civic No. 138 Bedford Highway be acquired from **Mount Saint Vincent University** for \$350,000 as settlement in full (funds to be made available from Account No. 91506, the capital account for the Bedford Highway Widening Project).

The motion was put and passed.

Captain William Spry Centre Restoration (Phase II)

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council ratify a contract with **Pyramid Builders Limited** up to an amount of \$40,000, with funds available from Capital Account No. 90005, within the overall total project cost of \$916,000 as previously approved by Council.

The motion was put and passed.

Halifax Water Commission - Sale of  
Big Indian Lake Watershed Lands

MOVED by Alderman Hanson, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, City Council approve the sale of the Big Indian Lake Watershed Lands by the Halifax Water Commission.

The motion was put and passed.

Award of Tender #93-37: Northcliffe  
Centre Parking Lot Expansion

MOVED by Alderman Stone, seconded by Alderman Adams that, as recommended by the Committee on Works, Tender 93-37, the Northcliffe Centre Parking Lot Expansion, be awarded to **Dexter Construction Co. Ltd.**, the lowest responsible tender meeting all tender criteria, for a total bid price of \$120,276.00 and a total project cost of \$144,000.00 (funds to be made available from Account No. 97073 with an amount of \$44,000 being transferred from

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

Account No. 97009, the Rockingham Ridge Recreation Development Account).

The motion was put and passed.

**Award of Tender #93-110: Streets  
Upgrading, Resurfacing (Part III)**

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Committee on Works:

1. Tender 93-110 (Streets Upgrading/Resurfacing - Part III) be awarded to **Standard Paving Maritime Ltd.**, the lowest responsible tender meeting all tender requirements, at a bid price of \$539,750.00 and a total project cost of \$592,976.00; and that
2. Council authorize an increase to the gross funds in Account No. 91410 by \$36,000 because of increased DOT&C cost sharing.

The motion was put and passed.

**PUBLIC HEARINGS**

**Public Hearing Re: Case No. 6736 - Appeal of  
Minor Variance Refusal (2473 Windsor Street)**

A public hearing to consider the appeal of a minor variance refusal pertaining to the property located at 2473 Windsor Street was held at this time.

In his overview of the staff report dated 30 August 1993, Mr. Gary Porter, a Planner with the City's Development and Planning Department, advised that, in seeking to legalize the existing four-unit apartment building located at 2473 Windsor Street, Pentagon Investments Ltd. had requested minor variances of the lot frontage, lot area and side yard requirements of the City's Land Use Bylaw requirements (the authorized use of this property is as a duplex).

Mr. Porter went on to point out that, when reviewing this application against the conditions set out in the Provincial Planning Act, staff noted the following points:

- (a) the requested variances could not, in staff's opinion, be considered "minor" given that the lot is less than half the size required for a four-unit building.

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

Furthermore, the frontage is deficient (only 30 feet where a minimum of 80 feet is required) and the area measures a mere 3826 square feet (compared to an 8000 square foot requirement);

- (b) the difficulties which characterize the site at 2473 Windsor Street were found to be common to the area, given that the majority of properties in this neighborhood are of a comparable size;
- (c) there was, in staff's view, an intentional disregard for the law since the conversion to four units had been undertaken without the necessary permits.

Under the circumstances, therefore, Mr. Porter advised that staff had felt obligated to refuse the request for a minor variance.

Mr. Duff Harper, a solicitor representing the owners of the property in question (Pentagon Investments Ltd.) addressed Council to emphasize that 2473 Windsor Street had been purchased as a four-unit building over eleven years ago. He therefore questioned whether the land use requirements currently in place should be applied to the property, or whether, in fact, those in effect at the time of purchase should more appropriately be utilized.

Mr. Harper went on to point out that the current owners of this property have never sought to conceal the existence of the four units, having duly registered them with the Residential Tenancies Board. Furthermore, he suggested that the property is well maintained and that area residents have never had cause to complain about the existence of the four units (in this context, Mr. Harper submitted a petition signed by approximately 18 residents of the immediate area indicating their support for the Pentagon application).

Mr. Harper concluded his remarks by alleging that there had been no intentional disregard for the law on his client's part but that, instead, such disregard had occurred before the property's purchase by Pentagon at the time when the four units had been illegally created by the previous owners.

There were no further persons wishing to address Council in this regard.

MOVED by Alderman Meagher, seconded by Alderman Holland that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 30 September 1993.

The motion was put and passed.

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

**Public Hearing Re: Case No. 6759 -  
Development Agreement (16 Dentith Road)**

A public hearing to consider an application for a development agreement at 16 Dentith Road (the South Centre Mall) was held at this time.

Mr. Gary Porter, a Planner with the City's Development and Planning Department, briefly overviewed the staff report of 12 August 1993. In his remarks, Mr. Porter advised that an application has been received from Bayers Road Bowlarama Ltd. to install a total of 20 amusement machines in two separate areas of the Mall's bowling alley, one being adjacent to the entrance of the bowling centre, the other in a licensed bar area near the bowling lanes themselves. He added that, by definition, an "amusement centre" is a commercially operated facility having more than three machines and that, under the provisions of the Land Use Bylaw, a development agreement with the City is necessary in order that an amusement centre of this nature can be established.

Mr. Porter went on to refer to policies in the Municipal Development Plan pertaining to amusement centres, noting, in particular, that those policies support the establishment of such facilities in the City's Central Business District, in shopping centres or in other major commercial areas, provided that the location does not negatively impact on residential areas, schools or community facilities. Mr. Porter concluded his remarks by indicating that, having given this application careful consideration, staff are of the opinion that the proposal is consistent with the City's policies in this regard and have therefore recommended approval.

Mr. Arthur McMillin, President of Bayers Road Bowlarama Ltd., responded to questions from various members of Council.

With reference to a question from Alderman Stone, Mr. McMillin advised that he has discussed his proposal in detail with the managers of the South Centre Mall, who are in agreement with his application. On a further note, Mr. McMillan indicated that access to the video gambling machines (which will be located in the licensed bar area of the bowling area) will be restricted to those 19 years of age and over, adding that these regulations will be carefully enforced by a full-time staff member.

Mr. McMillin also responded to questions from Mr. Frank Fisher, a resident of Leiblin Park, concerning (a) access to the amusement machines and (b) the number of video gambling machines that are permitted for this location. With reference to (b), Mr. McMillin advised that, under current Provincial regulations, the bowling



**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

alley facility at the South Centre Mall is restricted to two (2) video gambling machines.

Ms. Mona Drabble, a resident of Williamswood, addressed Council and, speaking as a member of the Multi-Service Advisory Committee for the William Spry Community Centre, indicated her opposition to this proposal. In her remarks, Ms. Drabble pointed out that, in the opinion of many experts, amusement machines are addictive, particularly to young people, and often serve as a gathering place for drug traffickers. Furthermore, she pointed out that amusement machines appear to serve no useful purpose since the users get nothing in return nor do the machines require any meaningful physical or mental activity. Under the circumstances, therefore, Ms. Drabble advised that the Multi-Service Advisory Committee as well as the Board of Directors of St. Paul's United Church are diametrically opposed to the establishment of the proposed amusement centre at the South Centre Mall.

There were no further persons wishing to address Council in this regard.

MOVED by Alderman Adams, seconded by Alderman Hanson that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for 30 September 1993.

The motion was put and passed.

**Public Hearing Re: Case No. 6764 - Development  
Agreement/Lot Modification (6275-77 Duncan Street)**

A public hearing was held at this time to consider an application from Ramzi and Catherine El-Tawil for a development agreement (lot modification) to permit the building at 6275-77 Duncan Street to be used as a three-unit building.

Using a diagram of the property in question, Mr. Gary Porter, a Planner with the City's Development and Planning Department, provided Council with a brief overview of the staff report dated 12 August 1993.

In his remarks, Mr. Porter advised that staff have reviewed this application using the criteria outlined in Section 15 of the Peninsula portion of the Land Use Bylaw and have reached the following conclusions:

- (a) the property located at 6275-77 Duncan Street is not unique, given that its characteristics (in terms of use, architecture and size) are common to many other properties in the immediate neighborhood;

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

- (b) the proposed use is not considered to be appropriate for this site as the frontage is only 33 feet (compared to an 80 foot requirement), the area measures 3300 square feet (as opposed to a required 8000 square feet), and neither side yard meets the minimum requirement of six feet;
- (c) while the said property is zoned R-2, staff are of the opinion (based on discussions held during the Peninsula North detailed area planning process) that this site is not suited for a four-unit building, particularly given the relatively small size of the lot and the current lack of "unbuilt" space.

Under the circumstances, therefore, staff have recommended that Council refuse the application for a development agreement (lot modification) at 6275-77 Duncan Street.

Mr. Wilfred P. Moore, Q.C., representing the owners of the property in question, read from a prepared brief dated 21 September 1993 and previously distributed to members of Council.

In his remarks, Mr. Moore advised Council that his clients propose to use the first and second storeys of the Duncan Street property as rental units, while using the third storey as living space for themselves and their young family. In this context, he made reference to the floor plans which have been submitted to staff concerning the proposed renovations of the third floor and emphasized that, since that none of these structural changes will be visible from the building's exterior, they will have little if any impact on the physical character of the existing neighborhood.

Mr. Moore went on to note that the addition of a third unit to this building should be easily accommodated in terms of parking spaces, since ample parking facilities are already available in the rear of the lot. He further noted that the property in question is zoned R-2 which allows up to four dwelling units. While acknowledging the deficiencies in terms of lot frontage which pertain to this property, Mr. Moore emphasized that the building in question is a particularly tall structure and therefore easily capable of accommodating three units.

Mr. Moore advised that the El-Tawils very much enjoy living in the Duncan Street neighborhood and wish to continue to do so if they are able to meet their financial obligations by obtaining rental income from the first and second storeys. In concluding his remarks, he pointed out that the property at 6275-77 Duncan Street is already the subject of a development agreement with the City for a day nursery. Mr. Moore indicated that, if the El-Tawil's

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

current request for a development agreement (i.e., to permit use of the building as a three-unit structure) is approved, they will take steps to have the previous agreement rescinded.

Mrs. Catherine El-Tawil, co-owner of the property in question, made a brief presentation to indicate that she and her family greatly enjoy living on Duncan Street and hope that Council will allow them to continue to do so by granting their request for a development agreement.

Ms. Clare M. MacIntosh, a resident of 6291 Duncan Street, addressed Council emphasizing that, in expressing her opposition to the application, she did not intend any personal ill-will against the El-Tawils as her neighbors. Ms. MacIntosh suggested, however, that in matters such as this it was Council's responsibility to "separate the people from the problem," adding that despite the owners' need to generate rental income, the consequent adverse effects for the surrounding neighborhood must also be taken into consideration.

Noting that she has been involved in the detailed area planning process for this section of the City for a number of years, Ms. MacIntosh pointed out that, on a number of previous occasions, Council has consistently taken the view that, in order to preserve the existing character of the Duncan Street neighborhood, only low-density housing should be permitted. To do otherwise, Ms. MacIntosh suggested, would have a variety of adverse effects, noting, in particular, the necessity for paved back yards to provide sufficient parking.

Ms. Susan M. Brown, a resident of 6279 Duncan Street (adjacent to the property in question), also spoke highly of the El-Tawils as neighbors but concurred with the remarks made earlier by Ms. MacIntosh pertaining to the adverse effects which would result from the addition of a third unit at 6275-77 Duncan. In voicing her opposition to the application, Ms. Brown urged Council to consider the investments made by existing property owners on Duncan Street and the negative impact high-density housing would have on those investments.

Dr. Peter Dalton, a resident of 6281 Duncan Street, made reference to the El-Tawils as "good" neighbors, emphasizing that, under different circumstances, he very much wished they could modify their property to suitably accommodate their family. Dr. Dalton pointed out, however, that if Council approved the development agreement now under consideration, there were no guarantees that subsequent owners of the Duncan Street property would maintain it in a manner similar to that of the El-Tawils. Noting that the integrity of the existing neighbourhood would therefore be jeopardized, Dr. Dalton indicated that

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

he was reluctantly submitting his opposition to the development agreement.

Responding to a question from Alderman Meagher, the City Clerk advised that the following correspondence had been received with regard to this application:

- Correspondence, dated 20 June 1993, from Clare M. MacIntosh and David G. Smith, 6291 Duncan Street, Halifax, B3L 1K4
- Correspondence, dated 16 September 1993, from S. M. Brown and R. M. Sherman, 6279 Duncan Street, Halifax, B3L 1K4
- Correspondence, dated 17 September 1993, from Mr. Wayne F. Howatt, 6290 Duncan Street, Halifax, B3L 1K3
- Correspondence received on 21 September 1993 from Clare M. MacIntosh and David G. Smith, 6291 Duncan Street, Halifax, B3L 1K4

Alderman Meagher noted that he himself had received roughly 10 telephone calls in opposition to this proposal, adding, however, that all of the callers had spoken highly of the El-Tawils as neighbors.

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

MOVED by Alderman Meagher, seconded by Alderman Holland that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 30 September 1993.

The motion was put and passed.

**Public Hearing Re: Case No. 6716  
- Peninsula North (Area 4)**

Ms. Shelley A. Dickey, a Planner with the City's Development and Planning Department, briefly overviewed the proposal (outlined in the Planning Advisory Committee's report to City Council of 9 August 1993) concerning Area 4 of the Peninsula North Detailed Area Plan.

Ms. Dickey began her remarks by advising that Area 4, which is bounded by North, Gottingen, Young and Barrington Streets, generally consists of low-density housing to the north with CFB Stadacona to the south covering the majority of the area. The proposed changes are as follows:

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

- (1) a new Generalized Future Land Use Map to include:
  - a "Canadian Forces Base" designation, specifically designed for Peninsula North, to be applied to CFB Stadacona
  - a "Low-Density Residential" designation for the majority of the residential area except for: (a) a small "Medium-Density Residential" area at the corner of Gottingen and Young Streets; (b) a "Park and Institutional area" for the schools and churches at the corner of Gottingen and Russell Streets and for the park on Barrington Street; and (c) a "Major Commercial" designation for the building at Barrington and Young Street.
- (2) a new policy for Area 4 related to CFB Stadacona stating that, while the City recognizes the economic contribution of CFB Stadacona and encourages growth, the request is made that the Federal Government consult with the City if changes are proposed which could affect the surrounding neighborhood
- (3) a new zoning map which adheres to the patterns established by the Generalized Future Land Use Map
- (4) a new zone specifically created for the CFB Stadacona area which limits uses to Canadian military installations

In addition to the proposal relevant to Area 4 of Peninsula North, Ms. Dickey advised that a general amendment to the Land Use Bylaw for **all** of Peninsula North is also under consideration. This technical amendment replaces the abbreviated phrase "office of a professional person" with the following: "office of a professional person located in the dwelling house used by such professional person as his private residence." Ms. Dickey noted that this amendment is being proposed to ensure consistency throughout the Land Use Bylaw particularly with regard to Sections 34H and 43H.

Ms. Janice L. Snair, Property Development Officer with Government Services Canada, addressed Council with respect to the impact of the proposed amendments on Civic No. 2740 Barrington Street, known as the Queen's Printer Building. In her remarks, Ms. Snair pointed out that under the proposed amendments, the Queen's Printer property will be subjected to the same regulations as CFB Stadacona, despite the fact that its use and characteristics differ significantly. She went on to note that the situation is exacerbated by the fact that there is now a proposal to use the upper storey of the Queen's Printer building to accommodate a Correctional Services facility, a use which would be inconsistent with the objectives of the proposed

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

amendments to the Municipal Development Plan. Ms. Snair added that, even if negotiations to house a correctional facility at this location were not successful, the approval of the proposed amendments would make it extremely difficult to utilize this building for anything else but a military installation or uses accessory to it. Under the circumstances, therefore, Ms. Snair requested that, in acknowledgement of the concerns expressed regarding 2740 Barrington Street, City Council agree to consider an amendment to the proposed Plan and Zoning Bylaw at a later date, at which time more information can be made available.

Several members of Council expressed concern that this request from Government Services Canada is being made at what they referred to as "the eleventh hour." Responding to a question from Alderman Meagher in this context, Ms. Dickey advised that while submissions had previously been made to the Planning Advisory Committee on this matter, the Committee had ultimately resolved **not** to recommend a wider range of uses for the Queen's Printer Building.

When asked to comment, Ms. Snair advised that her Department had previously been unable to provide the City with definitive information regarding the proposed use of the Queen's Printer Building, since negotiations with a possible future tenant had not progressed to any satisfactory extent. She went on to emphasize that, because these negotiations are still in their early stages, Government Services Canada merely wanted to bring the situation to Council's attention at this point in time.

Mr. Gary S. Lines, a resident of 5270 Russell Street, briefly addressed Council, noting that CFB Stadacona abuts his property on two sides. In his remarks, Mr. Lines expressed concern that the MDP policies proposed in relation to the CFB Stadacona property holdings are not sufficiently detailed, particularly in terms of the manner in which the Base will be permitted to undertake future expansions. Mr. Lines pointed out that the R-1 neighborhood immediately north of CFB Stadacona is heavily populated by young families that have recently moved in, and, as such, is worth preserving. He therefore recommended that the proposed policies be rewritten to clearly reflect the intention that any expansion by CFB Stadacona should be undertaken in the best interests of both parties.

There were no further persons wishing to address Council in this regard.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 30 September 1993.

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

The motion was put and passed.

Correspondence, dated 22 September 1993, was received from Ms. Janice L. Snair, MCIP, Property Development Officer, Real Estate - Atlantic Region, Government Services Canada.

**Public Hearing Re: Case No 6763 - Appeal of  
Minor Variance Refusal (1778-80 Cambridge Street)**

A public hearing was held at this time to consider an application for a minor variance of the lot frontage and lot area requirements of the Land Use Bylaw for the property located at 1778-80 Cambridge Street in order that the building located at this civic address can be converted to a total of four units.

Mr. Gary Porter, a Planner with the City's Development and Planning Department, using maps and diagrams of the property in question, briefly overviewed the report received from the Development Officer on 19 August 1993.

In his remarks, Mr. Porter advised that staff have reviewed the matter in detail and have drawn the following conclusions:

- (a) the requested variance is not, in staff's opinion, "minor" in nature, given that the lot in question is only slightly larger than the minimum lot size required for **three** units (a conversion to four units is being proposed). In this context, it is noted that the lot frontage measures only 51 feet (compared to a 60 foot requirement) while the lot area is deficient 900 square feet on a 6000 square foot requirement;
- (b) the difficulties which are characteristic of the property located at 1778-80 Cambridge Street are, in actuality, common to the area, given that the majority of the properties in this neighborhood are of comparable size.

Under the circumstances, therefore, and in deference to the provisions of the Planning Act, Mr. Porter reported that the Development Officer had felt compelled to refuse the application for a minor variance.

Ms. Margaret Holgate, speaking on behalf of her mother, Mrs. Marjorie Holgate (owner of the property in question), addressed Council in support of the application. In her remarks, Ms. Holgate emphasized that when the building in question was initially purchased, its interior constituted a considerable health hazard as well as being

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

an eyesore to neighboring residents. She went on to point out, however, that owing to a significant financial investment in the property, the building has been substantially improved and, at the present time, consists of a two-bedroom apartment in the basement, a four-bedroom apartment on the main floor, and a six-bedroom apartment on the upper two floors.

Referring in particular to the six-bedroom unit on the upper two floors, Ms. Holgate noted that, economically speaking, such an arrangement lends itself only to multiple tenants, adding that the situation is exacerbated by the fact that the property in question is located in close proximity to several of the City's universities. She went on to emphasize, however, that, in deference to the existing character of the surrounding neighborhood, an application has been made for permission to convert this unit into two (consisting of one three-bedroom unit and one two-bedroom unit) in the hope that the smaller units will attract professional couples and/or small families.

Ms. Holgate went on to suggest that, owing to the characteristics peculiar to this site, the provision of adequate parking spaces for four units would not constitute a problem. In this context, she pointed out that, rather than serving as a parking facility, it is proposed that the back yard of 1778-80 Cambridge Street be landscaped as a garden to be accessible to residents of all four of the building's units. She concluded her remarks by emphasizing that, if the conversion to four units is approved, the conversion will in no way impact on the exterior of the building, and reiterating that, in her opinion, the surrounding neighborhood would be better served by a well-managed building with smaller units.

Mr. Tim Mader, a resident of 1784 Cambridge Street, addressed Council to voice the concerns of a number of property owners and residents of the Cambridge/Beech Street area. In his remarks, Mr. Mader emphasized that he and his fellow property owners were very much opposed to the conversion of this building to four units, pointing out that increased population density very often leads to theft and property damage. In addition, Mr. Mader made reference to the parking requirements which will be created by the proposed conversion, emphasizing that parking is already at a premium in this neighborhood.

On another but related matter, Mr. Mader made reference to the many problems and inconveniences he, as the abutting property owner, has experienced since renovations on the building's interior began some weeks ago. He therefore suggested that this type of what he termed "irresponsible" behavior on the part of the owners of 1778-80 Cambridge Street is indicative of what neighbors



**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

can expect from them in the future. He therefore urged Council to deny the request for the minor variance at this site and furthermore, to take steps to make planning and zoning changes to block the establishment of "informal rooming houses" which, in many instances, negatively effect the character of existing neighborhoods.

In conclusion, Mr. Mader suggested that, contrary to staff's allegation, there **has** been intentional disregard for the Bylaw. He pointed out that the fourth floor of 1778-80 Cambridge has been without windows for quite some time, the insulation, gyprock and wiring have been completed, and four electrical meters have been installed.

Mr. Alan Hayman addressed Council, speaking as a trustee of the Fort Massey United Church, the owner of property located immediately to the south of 1778-80 Cambridge Street. Mr. Hayman voiced the Church's opposition to the proposed minor variance and concurred with the points put forward by the previous speaker. In his remarks, he pointed out that the result of the conversion will be a "rooming house" in the middle of a low-density residential neighborhood, an undertaking that will have very serious impacts on the character of the Cambridge Street area.

Mrs. Marjorie Holgate, owner of the property in question, addressed Council to emphasize that while she had purchased the building at 1778-80 Cambridge knowing that it contained only three units, it had been her understanding at the time that permission to convert to four units would be easily obtained. Mrs. Holgate went on to refer to the problems experienced by abutting property owners during the previous renovation period and while apologizing for the inconvenience, pointed out that they had actually been caused by her contractor. In this context, she suggested that, if permission to convert to four units is received from City Council, she herself intended to take up residence in the building, thereby being in a better position in the future to ensure that any future problems are dealt with promptly.

Mr. Wayne MacIntosh, a resident of 6270 Jubilee Road and a former tenant of the building in question, briefly addressed Council to suggest that because Ms. Margaret Holgate (who acted on her mother's behalf in purchasing this property) is a licensed realtor, it was curious that she would not have been familiar with the City's regulations concerning structural conversions.

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

MOVED by Alderman Holland, seconded by Alderman Meagher that the appeal be denied and that City Council

**SPECIAL COUNCIL  
22 SEPTEMBER 1993**

uphold the decision of the Development Officer to refuse the application for a minor variance with regard to Civic Nos. 1778-80 Cambridge Street.

The motion was put and passed.

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

DEPUTY MAYOR WALTER FITZGERALD  
CHAIRMAN

\*K

**HEADLINES**

**ADDED ITEMS**

|   |     |
|---|-----|
| Duffus Street Pumping Station .....     | 651 |
| Additional Capital Budget Requirements  |     |
| - Halifax Industrial Commission .....   | 652 |
| Case No. 6750: Rezoning from C-1        |     |
| to C-2A: Clayton Park Plaza .....       | 652 |
| Tender #93-38: Balcome Drive            |     |
| Pumping Station .....                   | 652 |
| Property Acquisition - Bedford          |     |
| Highway Widening .....                  | 653 |
| Captain William Spry Centre             |     |
| Restoration (Phase III) .....           | 653 |
| Halifax Water Commission - Sale of      |     |
| Big Indian Lake Watershed Lands .....   | 653 |
| Award of Tender #93-37: Northcliffe     |     |
| Centre Parking Lot Expansion .....      | 653 |
| Award of Tender #93-110: Streets        |     |
| Upgrading, Resurfacing (Part III) ..... | 654 |

**PUBLIC HEARINGS**

|   |     |
|---|-----|
| Public Hearing Re: Case No. 6736 -            |     |
| Appeal of Minor Variance Refusal              |     |
| (2473 Windsor Street) .....                   | 654 |
| Public Hearing Re: Case No. 6759 -            |     |
| Development Agreement (16 Dentith Road) ..... | 656 |
| Public Hearing Re: Case No. 6764 -            |     |
| Development Agreement/Lot Modification        |     |
| (6275-77 Duncan Street) .....                 | 657 |
| Public Hearing Re: Case No. 6716 -            |     |
| Peninsula North (Area 4) .....                | 660 |
| Public Hearing Re: Case No 6763 - Appeal      |     |
| of Minor Variance Refusal (1778-80            |     |
| Cambridge Street) .....                       | 663 |

# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
30 September 1993  
8:00 P.M.

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

The meeting opened with members of Council, led by Her Worship Mayor Ducharme, joining in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Mr. Wayne Anstey, Acting City Manager; Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of City staff.

## MINUTES

The Minutes of the last regular meeting of Halifax City Council held on 16 September 1993, and of the special meeting held on 8 September 1993, were approved as circulated on a motion by Alderman Downey, seconded by Alderman O'Malley.

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

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

City Council  
30 September 1993

- 20.1 Award of Tender 93-165 - Computer Network Hardware (Supply Only)
- 20.2 Award of Tender 93-177 - St. Catherine's Sportsfield - Landscape Construction
- 20.3 File #913625 - Wash & Screen  
3/8" Washed Chips
- 20.4 Award of Tender #93-30 Bedford Highway Improvements - Phase 1
- 20.5 Award of Tender #93-188 - Wanderers Grounds Sportsfield Landscape Renovations
- 20.6 New City Hall Offices
- 20.7 Report Tax Concessions and Grants Committee - Recommendations for Grants
- 20.8 Extension - Acting City Manager

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

DEFERRED ITEMS

Case No. 6736: Appeal of Minor Variance Refusal  
- 2473 Windsor Street

A public hearing into the above matter was held on 22 September 1993.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the decision of the Development Officer to refuse the minor variance application at 2473 Windsor Street, lands of Pentagon Investments Limited, be **upheld** for the reasons set out in the 30 August 1993 staff report, specifically:

- 1. The variance is not minor in that it violates the intent of the land use bylaw.

City Council  
30 September 1993

2. The difficulty experienced is general to the properties in the area; and
3. The difficulty experienced results from the intentional disregard for the requirements of the land use bylaw.

The City Clerk advised that Aldermen Pottie and Jeffrey should not participate in the vote on this item.

Motion passed with Aldermen Jeffrey and Pottie abstaining.

**Case No. 6759: Development Agreement - 16 Dentith Road**

A public hearing into the above matter was held on 22 September 1993.

Alderman Adams addressed the item and advised that since the public hearing on this matter he has received a number of calls from community groups, namely the Multi-Service Centre with the William Spry Centre and also a local church group, who are expressing a problem with the situation.

It was therefore MOVED by Alderman Adams, seconded by Alderman Holland that the application for a development agreement to permit an amusement centre for a maximum of 20 machines at the South Centre Mall, lands of Devan Properties Ltd., 16 Dentith Road, be **refused** by City Council.

The City Clerk advised that Aldermen Pottie and Jeffrey should not participate in the vote on this item.

Motion passed with Aldermen Jeffrey and Pottie abstaining and Deputy Mayor Fitzgerald voting in opposition.

**Case No. 6764: Development Agreement - Lot Modification  
- 6275-77 Duncan Street**

A public hearing into the above matter was held on 22 September 1993.

City Council  
30 September 1993

A petition signed by 18 residents in the immediate area of 6275-77 Duncan Street in support of staff's recommendation to refuse the application for a development agreement was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the application for a development agreement to permit three units at 6275-77 Duncan Street, lands of Ramzi and Catherine El-Tawil be refused by City Council for the reasons set out in the 12 August 1993 staff report, specifically, because:

1. A three unit building is out of character with the land use in the area;
2. The property at 6275-77 Duncan Street is similar to others in the area in terms of use and architecture and is not unique which is a necessity in order to consider approval of this application;
3. It would be inappropriate to reduce the lot size requirement for this lot to 3100 sq. ft. in light of the fact that the recently approved Peninsula North Plan for this area confirmed the standard for three units as 8000 sq. ft.; and
4. The appropriate development of this lot is no more than two units given its small size.

Alderman Hanson addressed the matter and referred to the petition noted above. He expressed the view that this matter should be deferred to the next Committee of the Whole Council meeting to provide an opportunity for a compromise. The Alderman suggested that staff, the Alderman for the area, and others concerned with this matter should meet in an attempt to reach a compromise.

MOVED by Alderman Hanson, seconded by Alderman Downey that this matter be deferred to the next meeting of Halifax City Council to be held on 14 October 1993.

The motion to defer was put and passed with Alderman Meagher and O'Malley voting in opposition.

City Council  
30 September 1993

Case No. 6716: Peninsula North - Area 4

A public hearing into the above matter was held on 22 September 1993.

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald:

1. That the recommendation of the Planning Advisory Committee for Municipal Development Plan and Land Use Bylaw amendments for area 4 of Peninsula North, as found in Appendix I of the report from the Chairman of the Planning Advisory Committee dated 9 August 1993, be adopted; and, in addition,
2. That the recommendation of the Planning Advisory Committee for technical Land Use Bylaw amendments related to offices of professional persons in Peninsula North, as found in appendix I of the report from the Chairman of the Planning Advisory Committee dated 9 August 1993, be approved.

The City Clerk advised that Aldermen Pottie and Jeffrey should not participate in the vote on this item.

Motion passed with Aldermen Jeffrey and Pottie abstaining.

PETITIONS AND DELEGATIONS

Petition Alderman Adams Re: Stray Cats

Alderman Adams submitted a petition containing 82 signatures of concerned citizens in Ward 7 requesting that all the stray cats be removed from the parking lots between 532 to 540 Herring Cove Road. The petition stated that these cats are an extreme nuisance and present a health problem and also fight and make noises all night long.

City Council  
30 September 1993

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 22 September 1993, as follows:

Halifax Taxi and Limousine Commission  
Re: Limitation of Taxi Licenses

Alderman Jeffrey retired from the Council Chamber at the beginning of this item.

A private and confidential report from Mr. Barry S. Allen, Acting City Solicitor, was submitted.

A report from Mr. John Swinimar, Interim President, and Mr. Darshan S. Virk, Secretary, United Cab Drivers Association of Halifax, was submitted entitled "United Cab Drivers Association of Halifax 1993's Perspective on Limitation."

Her Worship Mayor Ducharme addressed City Council from the podium with the Deputy Mayor assuming the seat of the Chair.

Her Worship Mayor Ducharme began her remarks by noting that there were citizens present in the public gallery tonight who were concerned for their ability to earn a living. She pointed out that at the last meeting of City Council there were maintenance workers with the School Board present who were also concerned about their ability to earn a living. Mayor Ducharme commented that the citizens in the gallery tonight were taxi drivers and that the difference tonight is that the City has a group present for whom it has some jurisdiction over.

Her Worship went on to advise that during the past week, she had met with representatives from the taxi industry and talked at some length about their concerns. She added that she had also met with Alderman Adams whom she noted has spent a great deal of time over the last 48 hours working on a compromise for all concerned parties. Mayor Ducharme expressed the view that Alderman Adams has come up with a compromise which addresses just about everyone's concerns adding that there has been some give and take on all sides.



Her Worship expressed the belief that Council will find the motion of Alderman Adams an acceptable one.

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

As stated by Her Worship, Alderman Adams advised that there has been a lot of negotiation during the past 48 hours and longer. He pointed out that members of the taxi industry have been before Council on a number of occasions and that there have been numerous meetings with the Commission, the drivers, and basically everyone with an interest in this issue. Alderman Adams indicated that he believes that a compromise has finally been reached.

Alderman Adams went on to note that, as everyone is aware, a three year freeze was recommended last week but was defeated by the Committee of the Whole Council. As a result, the Alderman indicated that further meetings and discussion took place in an attempt to find a compromise. Alderman Adams commented that he was pleased to advise that there has been a compromise reached.

Before putting forward the following motion, Alderman Adams requested that Mr. John Swinimer, who has been instrumental in this entire process, be allowed to address Council on this motion even though it may not be in accordance with the rules of order of Council.

MOVED by Alderman Adams, seconded by Alderman Pottie that Halifax City Council give approval to the concept of taxi license limitation for the City of Halifax and, on that basis, authorize that:

- (1) effective 30 September 1993, a one-year moratorium be placed on the issuance of all new taxi operator licenses with the proviso that the proposed driver education course be scheduled as quickly as possible under the following conditions:
  - (A) that enrolment be restricted to 30, and that those individuals be unemployed at the time of registration;
  - (B) that, upon successful completion of this course of instruction, applicants be entered on a waiting list pending Council's resolution of the limitation proposal; and
  - (C) that, of the 30 individuals registered for the driver education course, an appropriate proportion be applicants for a limousine chauffeur's license.

Furthermore, that:

- (2) an independent consultant be immediately appointed to review all facets of this matter and to make recommendation to council within a six-month timeframe as to the most appropriate form of license limitation for the City of Halifax and the manner in which it should be implemented; and further that, as part of the review process, the consultant be directed to confer with all stakeholders in the local taxi industry; and
- (A) that the consultant bring to the attention of Council any other matter which they think is important to the upgrading of the industry, and of interest and concern to the welfare of the taxi industry.
- (3) the procedure for the necessary amendment of Ordinance 116, the Taxi Bylaw, be initiated immediately.

In putting forth his motion, Alderman Adams urged members of Council to support the above motion.

With the agreement of Council, Mr. John Swinimer, representing the United Cab Drivers Association of Halifax, addressed Council. In his remarks, Mr. Swinimer advised that the Association would be willing to entertain a new school with limited entries of 30 providing it is controlled entry into the taxi industry. Mr. Swinimer concurred that the motion on the floor was a compromise and one that could be accepted. In making a decision, he asked that members of Council keep in mind that taxi drivers are struggling and they do need the support of Council.

A short discussion followed with Mr. Swinimer responding briefly to questions from Council.

Alderman Adams requested that the above motion be **amended** at this time (to which Council agreed) by replacing Part (1B) with the following words:

**That, upon successful completion of this course of instruction, applicants be entitled to a taxi or limousine license.**

A discussion followed during which time Alderman Holland expressed concern about placing restrictions on the enrolment for the proposed driver education course. He expressed the view that to restrict the ability of the public to enter the industry, is really not in the public's best

interests nor in the long term interest of the industry. The Alderman suggested that by allowing all applicants to enter, a higher standard of driver and industry will be achieved.

Deputy Mayor Fitzgerald noted that he did not support the motion at last week's Committee of the Whole Council meeting for a three year freeze. He expressed the view that the Taxi Commission has not done its job over the years and that this was why all of a sudden the frustration of the taxi drivers was coming to the surface.

Following the last Committee of the Whole Council meeting, the Deputy Mayor indicated that he talked with Mr. Swinimar as well as members of the Taxi Industry. He added that, at that time, he told the drivers that he had no difficulty in supporting a one year freeze nor the concept of controlled entry into the industry.

Deputy Mayor Fitzgerald advised that he did have some concern with respect to what it might cost to hire a consultant. The Deputy Mayor indicated that he would also have liked to have included in the motion the request that the consultant review the Taxi Ordinance as it presently exists as well as the role of the Taxi Commission. He suggested that the Commission obviously has not been functioning effectively and perhaps should be abolished. The Deputy Mayor indicated that he would like the consultant to review this matter as well.

Responding to a question from Alderman O'Malley, the Acting City Manager advised that the consultant would have to be appointed by City Council and that items pertaining to the source of the funding, costs, qualifications, etc., would have to be brought before Council.

The discussion continued with the Acting City Solicitor clarifying that his understanding of the motion is that it is a motion to limit the number of licenses which will be given to drivers. He added that it would not mean a limitation on the number of cars that can be licensed pointing out that the limitation itself would only apply to the drivers.

Further to the Acting City Solicitor's clarification, Alderman Stone added that his understanding was that 30 people will be able to take the course. However, he noted that if only 28 out of the 30 applicants graduate, only 28 licenses are issued, and then the moratorium is in effect.

Alderman Adams noted that Alderman Stone's understanding was correct.

During a further discussion, in response to a question from the Deputy Mayor, the Acting City Solicitor

advised that part (1A), which states that the 30 individuals must be unemployed, was something he wished to review between now and next week. He noted that this part did cause him some concern because he was not sure that it was an appropriate area for municipal regulation at least in terms of taxis. The Acting City Solicitor suggested that there may also be some practical difficulties in trying to do it as well and indicated that he would report on the matter next week.

In closing the debate, Alderman Adams noted that it has taken a long process to reach a final conclusion. He added that he could fully support the Deputy Mayor's request that the consultant be asked to address ways in which to improve the taxi ordinance and the industry.

The motion, as amended, was put and passed as follows:

"THAT Halifax City Council give approval to the concept of taxi license limitation for the City of Halifax and, on that basis, authorize that:

- (1) effective 30 September 1993, a one-year moratorium be placed on the issuance of all new taxi operator licenses with the proviso that the proposed driver education course be scheduled as quickly as possible under the following conditions:
  - (A) that enrolment be restricted to 30, and that those individuals be unemployed at the time of registration;
  - (B) that, upon successful completion of this course of instruction, applicants be entitled to a taxi or limousine license.
  - (C) that, of the 30 individuals registered for the driver education course, an appropriate proportion be applicants for a limousine chauffeur's license.

Furthermore, that:

- (2) an independent consultant be immediately appointed to review all facets of this matter and to make recommendation to council within a six-month timeframe as to the most appropriate form of license limitation for the City of Halifax and the manner in which it should be implemented; and further that, as part of the review process, the consultant be directed to confer with all stakeholders in the local taxi industry; and
  - (A) that the consultant bring to the attention of Council any

other matter which they think is important to the upgrading of the industry, and of interest and concern to the welfare of the taxi industry.

- (3) the procedure for the necessary amendment of Ordinance 116, the Taxi Bylaw, be initiated immediately."

**Note:** Notice of motion in respect of this item was given at a later point in tonight's agenda.

**Payment of Consultant's Fees -  
Bedford Highway Widening Project**

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, payment of \$7,651.73 to At-Tech Appraisal Consultants be approved with funds to be made available from Account #91506, the Bedford Highway Widening Capital Account.

Motion passed.

**Spryfield Auto Parts - Loss of Business Claim**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the settlement of the loss of business claim at 390 Herring Cove Road, with Spryfield Auto Parts Limited, approved on 29 June 1993, be amended to include an additional amount for interest at six percent simple on the loss of business and cleanup portions of the approved settlement, with funds to be made available from Account No. 91504, Herring Cove Road Widening Capital Account.

Motion carried.

**Capital Lease - Halifax Metro Centre - Data General  
of Canada Inc.**

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

1. Council ratify the capital lease agreement of the Halifax Metro Centre and that the Mayor and City

Clerk be empowered to ratify the lease agreement and request approval of same by the Minister of Municipal Affairs; and

- discussions take place within Council as to a satisfactory structure for the integration of all Departments, Boards and Commissions of the City of Halifax into an overall economic framework.

Following a discussion, the motion was put and passed.

### Dartmouth Ferry Proposal - Metropolitan Authority

A supplementary staff report dated 29 September 1993 was submitted.

Deputy Mayor addressed the matter and MOVED, seconded by Alderman Meagher that Council accept the basis of funding of the ferry operation as outlined in the draft agreement attached to the staff report of 21 September 1993, as amended by the supplementary staff report of 29 September 1993 which results in a cost sharing formula as follows:

|                   |            |
|-------------------|------------|
| City of Halifax   | 34 percent |
| City of Dartmouth | 34 percent |
| County of Halifax | 29 percent |
| Town of Bedford   | 3 percent  |

During a discussion on this item, Alderman Stone expressed the view that, in the integration of the system, consideration should be given to making the cost to ride the ferry the same as transit bus fares.

Alderman Pottie indicated that he believed that the ferry system is probably the most unique link between the two cities and probably the most vital. He advised that he did have some difficulty with the Metropolitan Authority managing the ferry system because he had a problem with the way in which the Authority manages some of their affairs. Alderman Pottie went on to suggest that there should be a contest within each municipality to name the ferry. He also suggested a marketing strategy to try and create some extra revenue for the ferry system i.e. a means by which tourists could have their pictures taken for a charge on the ferry.

The Chairman advised that Alderman Pottie's suggestions would be brought to the Metropolitan Authority.

Motion passed.

Halifax Harbour Clean-Up

The Chairman advised that the Acting City Manager has requested that the wording from the Committee of the Whole Council meeting be changed to indicate that the City of Halifax is prepared to contribute its share according to the formula.

Deputy Mayor Fitzgerald addressed the matter and MOVED, seconded by Alderman Stone that a letter be forwarded to the Minister of the Environment advising that Council views this as an important project which should get underway as soon as possible, and that the City of Halifax is prepared to contribute its share according to the original formula.

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

File No. 913548: Maintenance - Halifax Police Department - Computer Room Peripherals

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, authority be granted to award the tender for Maintenance - Halifax Police Department - Computer Room Peripherals to Black and McDonald Limited for a five (5) year period at a cost of \$9,200.00, with funds to be made available from account #22504.0212 titled Rapid Maintenance.

Motion carried.

REPORT - COMMITTEE ON WORKS

Council considered the report from a meeting of its Committee on Works, held on Wednesday, 22 September 1993, as follows:

Ordinance 180, Schedule "A" - Newspaper Vending Boxes

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, Schedule "A" of Ordinance 180 be amended by the addition of the 61 new locations and the deletion of 25 locations, (the 22 previously noted locations, plus the 3 new locations), as noted in the previous staff report of 26 August 1993.

Motion carried.

98 Coronation Avenue - Water Runoff

This matter had been forwarded to Council without recommendation.

Alderman Jeffrey advised that he received a report from the Engineering and Works Department with respect to this matter. He indicated that, throughout the winter months, staff will be monitoring this situation very closely and he added that he hoped staff will be vigilant on this matter because it is an ongoing problem.

REPORT - SAFETY COMMITTEE

Council considered the report from a meeting of its Safety Committee, held on Wednesday, 22 September 1993, as follows:

Mayor's Youth Advisory Committee

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Safety Committee, a staff report be provided with respect to the recommendation that two youths be members of certain committees of Council, and further, that staff discuss with the chairmen of various committees to determine where the students could be useful.

Motion carried.

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

Proposed Ordinance 185, the False Alarm Ordinance -  
SECOND READING

This item was considered at the last Committee of the Whole Council meeting held on 22 September 1993.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that City Council approve SECOND READING to the adoption of Ordinance 185, Respecting Burglary and Robbery Alarm Systems (received in the City Clerk's Office on 16 September 1993) the purpose of which is to reduce the number of false alarms.

Alderman O'Malley expressed some concern that the proposed ordinance as it now stands, suggests that persons who have an alarm system but do not have an alarm company monitoring it, would be required to go through an alarm company.



City Council  
30 September 1993

The Acting City Solicitor responded that the ordinance does not impose a requirement that everyone would have to make contact with an alarm company.

In response to further questioning by Alderman O'Malley, the Acting City Solicitor advised that Schedule "A" (Alarm Permit) attached to the ordinance could be amended to indicate that the name of contact people with the alarm company needs to be provided only where applicable.

MOVED in amendment by Alderman O'Malley, seconded by Alderman Pottie the motion be amended to add to the ordinance the words, "where applicable" be inserted after the words "Alarm Company Contact" in Schedule "A" of the proposed ordinance.

Following further questions to which the Acting City Solicitor responded, the amendment was put and passed.

The motion as amended was carried.

**REPORT - PLANNING COMMITTEE**

Council considered the report from a meeting of its Planning Committee, held on Wednesday, 22 September 1993, as follows:

**Case No. 6706: Amendment to Land Use Bylaw - Signs in Park and Institutional Zones**

This matter was forwarded to Council without recommendation.

A supplementary staff report dated 27 September 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that this matter be forwarded to the Planning Advisory Committee for review and that it be requested to review the matter of signs in public parks with the Art Allocation Committee prior to providing its advice to City Council.

Motion carried.

**Case No. 6292: Stage II Approval - Clayton Park West Phase 2**

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, City Council approve the cost sharing formula for Lacewood Drive extension as shown in the amended Section 10 (b) of the draft

development agreement in Appendix 2 of the 10 September 1993 staff report.

Motion carried.

Development Agreement to Permit Expansion of a  
Non-Conforming Use - 155 Rufus Avenue

This matter was forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Stone that a date for a public hearing be set to hear the application for a development agreement to permit expansion of a non-conforming use of 155 Rufus Avenue.

Motion carried.

The City Clerk advised that the recommended date for a hearing was **Wednesday, 20 October 1993, at 7:30 p.m.** in the Council Chamber, Halifax City Hall, to which it was agreed.

QUESTIONS

Question Alderman Jeffrey Re: Odour in the Vicinity of  
Barrington and Duffus Streets

Alderman Jeffrey noted that there is a strong odour in the area of Duffus and Barrington Streets and he added that there is an individual who believes he knows how to correct this problem. The Alderman advised that this individual has submitted a proposal to staff of the Engineering and Works Department and he requested that staff provide a report on the merits of this proposal.

Question Alderman Jeffrey Re: Assessment Appeals

Alderman Jeffrey advised that he has received a number of calls from residents who have appealed their assessments and won, and who are having difficulty in getting reimbursed. He explained that there seems to be some confusion such that when the individuals go to get their refund, they are told that they have to wait for an adjustment to be made or that they are unaware the individual's assessment has been decreased. As well, Alderman Jeffrey pointed out that the reimbursement does not include interest. He requested that this matter be investigated and resolved.

Question Alderman Jeffrey Re: Springvale Elementary School

Alderman Jeffrey advised that recently he was made aware that the students from Springvale Elementary School have been moved to Major Stephens School. The Alderman noted that it was his understanding that this school was declared surplus and therefore, it would be turned over to the City. Alderman Jeffrey added that this school should have been torn down.

Alderman Jeffrey went on to explain that Service Master, which was hired by the School Board, has moved into Springvale, changed the locks, and has a multitude of supplies stored in the building. He also noted that the garage at Halifax West High School is also being used by Service Master. Alderman Jeffrey questioned if the City was getting a rental fee for the use of the school or for the garage at Halifax West. As well, Alderman Jeffrey questioned why the Springvale Elementary School has not been turned back over to the City as surplus and with plans for demolition.

At approximately 10:05 p.m. Alderman Jeffrey retired from the meeting.

Question Alderman Holland Re: Hugh MacLennan House

Alderman Holland made reference to the recent demolition and controversy surrounding the Hugh MacLennan House on South Park Street and he requested that staff to sit down with representatives from the Canadian Broadcasting Corporation to see if some sort of memento could be reconstructed on the property in recognition of Hugh MacLennan.

Question Deputy Mayor Fitzgerald Re: Senior Citizens Housing - Lowering of Age Requirement

The Deputy Mayor noted that there was a recent report that, due to a surplus of senior citizen housing, the Minister of Housing was considering lowering the age requirement for people wanting to enter senior citizens housing. The Deputy Mayor questioned if this was correct, adding that he receives many calls from people who are having difficulty in getting senior citizen accommodations, and he asked that staff provide a report on the matter.

Question Deputy Mayor Fitzgerald Re: Two Hour Parking in Residential Districts

Deputy Mayor Fitzgerald noted that during the summer months, the Commissionaires were extremely vigilant with respect to the two-hour parking in residential districts. He explained that, since the university students are back, there is more abuse of the two-hour parking limit and he requested a report be provided on why the

Commissionaires are not as vigilant now as they were in the summer.

Question Deputy Mayor Fitzgerald Re: Rooming Houses

Deputy Mayor Fitzgerald noted that he and other aldermen were once again having difficulty with rooming houses in their wards. He made reference to one situation where someone with an 11 or 12 bedroom house and who could not get a rezoning has put upwards of 23 students in the house. The Deputy Mayor indicated that there must be some way to get this under control and he questioned if Council could begin the process of establishing some legislation concerning rooming houses.

Question Deputy Mayor Fitzgerald Re: Transportation Study

Deputy Mayor Fitzgerald requested an update on when Council could expect to receive the transportation study.

Question Deputy Mayor Fitzgerald Re: Control of Garbage

Deputy Mayor Fitzgerald made reference to garbage incineration, and pointed out that some places in the United States have to import garbage to burn in their incinerator in order to meet the quota. He questioned if the City of Halifax has the authority to determine what is going to happen to its garbage (e.g. can it prohibit garbage from going to the dump).

Question Deputy Mayor Fitzgerald Re: Her Worship's Presentation to the School Board

The Deputy Mayor advised that recently Her Worship gave a presentation to the School Board on behalf of Council. He questioned if a reply has been received concerning the questions and the presentation Her Worship made.

Question Alderman Stone Re: Lane Painting - Willett Street

Alderman Stone noted that on Willett Street (going north) at Dunbrack, there was some paving recently and new lanes were put in, however, the arrows which direct traffic have not been painted and he asked that staff look into this.

Question Alderman Stone Re: Tender - Pioneer Avenue

Alderman Stone advised that the tender for Pioneer Avenue closed on September 17, however it has not yet been awarded. He noted that other tenders which closed on this

date have been awarded, and he questioned if there was some difficulty with this tender and, if not, he advised that he would like to see it come forward as soon as possible.

**Question Alderman Stone Re: Speeding - Main Avenue at MacFatrige Road**

Alderman Stone noted that he received a call from a lady whose puppy was killed in the area of Main Avenue at MacFatrige Road. He added that apparently, vehicles are speeding down the hill from where the Titus Smith School used to be, through MacFatrige Road, and down to the Bedford Highway. Alderman Stone requested that the police monitor this area, particular between the hours of 6 p.m. and 8 p.m. Also, Alderman Stone advised that he understood this area has a bus lane and that some vehicles were using this lane and he asked that the police monitor this during the day.

**Question Alderman Stone Re: Bridge Toll Increase for Buses**

Alderman Stone noted that in today's newspaper, there was a report of a bridge toll hike for buses. Alderman Stone noted that the City of Halifax used to receive a deadhead charge because the bus terminal was in Dartmouth, however, the City of Halifax no longer receives this charge. He suggested that it may be worthwhile for Metro Transit and the Authority members to consider the idea of locating some of the buses on this side of the bridge, adding that the industrial park could be used as a location for a terminal.

**Question Alderman Stone Re: Condition of Kearney Lake Road**

Alderman Stone advised that staff did a great job in resurfacing the Bedford Highway in the area of the Fairview Overpass. He added that the area from Kearney Lake Road to the City limits is in terrible condition and he asked that staff look into this and see what could be done this year to provide some initial maintenance. He suggested that either resurfacing or repaving was needed.

**Question Alderman Adams Re: 17 Auburn Avenue**

Alderman Adams advised that a particular area of Thornhill Park, there have been a number of leaks in the water pipes, many of which have been repaired by the Water Commission. He added however, Auburn Avenue has the same problem, specifically in the area of Civic No.'s 28-30. Alderman Adams explained that water is coming through the pavement and running down the street and into driveways. He asked that staff look at identifying and repairing the leaks.

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CITY COUNCIL  
30 SEPTEMBER 1993

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Question Alderman Crowley Re: Lighting - Abbott Drive  
and Ralston Avenue

Alderman Crowley advised that the lighting at the end of Abbott Drive and Ralston Avenue was quite poor and she asked that staff investigate this.

Question Alderman Crowley Re: Sidewalk Patching

Alderman Crowley noted that previously she raised a question about the black patches on sidewalks. She questioned if there was any other substance or colour which could be used, advising that it has a patchwork appearance and some property owners feel it devalues their property. She noted that one area particularly affected was Chebucto Road, on the right side. Alderman Crowley questioned if other areas of the country used different substances and she asked staff to provide a report on whether there were alternatives to the present black patching.

Question Alderman Crowley Re: Entrance to the City -  
Barrington Street

Alderman Crowley noted that the entrance to the City via Barrington Street (off the new bridge) is extremely untidy and she questioned if it could be cleaned up to some extent to improve the appearance.

Question Alderman O'Malley Re: Parking Signs

Alderman O'Malley noted that parking signs which in the past have been posted to trees have been removed and placed on posts in concrete cement. She requested a report from staff on what the cost to date has been in changing the signs and what it is listed under in the budget.

Question Alderman O'Malley Re: City Hall Security

Alderman O'Malley requested a report on the security measures at City Hall, i.e. are they being reviewed particularly in light of recent events.

Question Alderman O'Malley Re: Federal Building - Corner of  
Normandy Drive and Rosemeade Avenue

Alderman O'Malley advised that it was her understanding that the federally-owned building at the corner of Normandy Drive and Rosemeade Avenue is about to be demolished. She questioned if the City of Halifax, in particular, the Real Estate Division has any interest in this piece of property and she requested a report on this matter.

**Question Alderman Meagher Re: Update - Resurfacing of  
North Street**

Alderman Meagher requested an update with respect to the resurfacing of North Street, from Chebucto Road to Robie Street.

**Question Alderman Meagher Re: Patching -  
Oxford Street and Allan Street**

Alderman Meagher advised that for two years the area of Oxford Street, from Oak Street to Chebucto Road (on the west side) has been in need of some sort of improvement and he suggested that if it isn't improved the situation will only worsen. As well, Alderman Meagher noted that Allan Street was in need of patching or resurfacing and that it should be done prior to winter. He asked that staff investigate these items and see what could be done.

**Question Alderman Meagher Re: Petition - Ultramar Service  
Station**

Alderman Meagher submitted a petition with approximately seven names, from Mrs. Helen Taylor concerning the 24 hour Ultramar Service station located at the corner of Chebucto Road and Beech Street. He requested that a copy be sent to the Acting City Solicitor and the Planning Advisory Committee.

**Question Alderman Meagher Re: Claim for Damages -  
Parker Street**

Alderman Meagher noted that he recently raised the matter of an individual who tripped over tree roots on Parker Street. The Alderman noted that the individual received a letter from an insurance adjuster. Alderman Meagher questioned if the matter had been researched and he requested a report on this matter.

**Question Deputy Mayor Fitzgerald Re: Ogden Martin's  
Incinerator**

Deputy Mayor Fitzgerald submitted to the City Clerk an article entitled, "Ogden Martin: Trash and Burn" concerning the Ogden Martin incinerator in Lake County, Florida and the excessive cost it was to the community. The Deputy Mayor asked that the article be circulated.



**Question Alderman Downey Re: Provincial Cost-Sharing  
of Projects**

Alderman Downey advised that in July he asked a question concerning cost-sharing of projects with the Province. In light of the recent Provincial budget announcement, Alderman Downey requested a full report on how it will affect City employees and, also, what will be impact be on the City's social assistance budget.

**Question Alderman Hanson Re: 1993 Halloween Celebrations**

Alderman Hanson noted that he received correspondence on his desk this evening with respect to Halloween falling on a Sunday. He added that when this occurred in 1982, the municipality of St. John, N.B. passed a resolution in this regard. Alderman Hanson indicated that there is some confusion with the public as to when Halloween will be celebrated and asked that this matter be placed on the agenda of a future meeting. The Alderman advised that he would submit the correspondence he received this evening.

**NOTICES OF MOTION**

**Notice of Motion Alderman Adams Re:  
Amendment to Ordinance 116, the Taxi and Limousine Bylaw**

Alderman Adams gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 14 October 1993, he intends to introduce a motion to amend Ordinance 116, the Taxi and Limousine Bylaw.

The purpose of this amendment is to initiate a moratorium on the issuance of licenses to taxi operators, pending the outcome of a comprehensive review.

**Notice of Motion Deputy Mayor Fitzgerald Re:  
Introduction of Ordinance 187, the Ferry Ordinance**

Deputy Mayor Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 14 October 1993, he intends to introduce Ordinance 187, the Ferry Ordinance.

The purpose of this ordinance is to confer on the Metropolitan Authority the authority to own and operate the existing Dartmouth Ferry System as part of Metro Transit.

MOVED by Alderman Adams, seconded by Alderman Hanson that with respect to Tender 93-165 - Computer Network Hardware (supply only):

- a) Part B be awarded to Sirius Solutions Ltd. in the amount of \$9,951.00 and,
- b) Parts C & D to Inmac Inc. for a total of \$7,976.37, with funds being available in the account number 26114.8300.80435 titled Computer Equipment - Network Expansion 146599.

Motion carried.

**Award of Tender 93-177 - St. Catherine's Sportsfield - Landscape Construction**

A staff report dated 23 September 1993 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Adams that Tender 93-177 - St. Catherine's Sportsfield - Landscape Construction be awarded to Elmsdale Landscaping in the amount of \$33,517.75, with funds being available in the account number 25206.9160.97007 titled St. Catherine's Sportsfield - Landscape Construction.

Motion carried.

**File #913625 - Wash & Screen 3/8" Washed Chips**

A staff report dated 27 September 1993 was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that Tender File #913625 - Wash & Screen 3/8" Washed Chips be awarded to Conrad Brothers Limited at a price of \$5.75/tonne (G.S.T. extra @ 7%), with funds being available from account number 22902.652 titled Sundry Expenses - Chip Seal Unpaved Streets.

Motion carried.

**Award of Tender #93-30 Bedford Highway Improvements -  
Phase I**

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A staff report dated 21 September 1993 was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that:

- a) Council approve the award of Tender #93-30, Alternative "A", Bedford Highway Improvements - Phase 1 (Bayview Road - Tremont Drive) to Dexter Construction Company Ltd., at the unit prices quoted and a tender price of \$6,731,655.00 and a total project cost of \$8,174,000.00, subject to:
  - i) approval of cost-sharing from the Nova Scotia Department of Transportation and Communications, and,
  - ii) approval of immediate possession of expropriated lands by the Attorney General of Nova Scotia.
- b) Council approve the appointment of O'Halloran Campbell Consultants Ltd. to provide project management and site inspection services for this project at an estimated cost of \$380,000.00, and,
- c) Council authorize Her Worship the Mayor and City Clerk to sign an agreement with O'Halloran Campbell Consultants Ltd. on behalf of the City for consultant services.

Motion carried.

**Award of Tender #93-188 - Wanderers Grounds Sportsfield  
Landscape Renovations**

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A staff report dated 27 September 1993 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Tender #93-188 - Wanderers Grounds Sportsfield - Landscape Renovations be awarded to Elmsdale Landscaping in the amount of \$93,738.42, with funds being available from account number 25206.9133.91610 titled Wanderers Grounds Sportsfield - Landscape Renovations.

Motion carried.

New City Offices

A staff report dated 29 September 1993 was submitted.

Alderman Downey addressed the matter and referring to the recommendation contained in the submitted staff report of 29 September 1993, spoke in opposition to the recommendation that Council authorize staff to proceed with a call for proposals with respect to this matter.

In his remarks, Alderman Downey referred to his comments at the public meeting which was held on this matter, and strongly emphasized that he is opposed to any proposal for a new City Hall Building at this time, and he added that the recommendation in the staff report could give the public the perception that City Council is giving this idea serious consideration.

A discussion ensued and subsequently, it was MOVED by Alderman Downey, seconded by Alderman Holland that this matter, i.e. call for proposals to meet the City's administrative office needs, be deferred to the next meeting of the Committee of the Whole, scheduled for Wednesday, 6 October 1993.

Motion carried.

Report Tax Concessions and Grants Committee -  
Recommendations for Grants

A report dated 30 September 1993 was submitted.

Alderman Meagher addressed the matter and, in reference to the submitted report, advised that the Committee did not have enough time to deal with all the recommendations and that there were still some recommendations to come forward.

Alderman Pottie noted that there were two 'Centennial Arena Commission' items listed, one for the Operating account and one for payments on the zamboni over three years. He advised that it was his understanding that the payments for the zamboni were to come from the operating account and he requested further information on this.

Mr. Bernard G. Smith, Director of Finance addressed Council and indicated that he expected the figure for the zamboni was not an additional amount and that it was simply a breakdown of the total amount for the Centennial Arena Commission. Mr. Smith advised that he would check this and report back to Council.

A brief discussion ensued and **it was generally agreed** to approve the recommendations as contained in the

report, with the exception of the two items relating to the Centennial Arena Commission and that these items would be deferred to the next meeting of the Committee of the Whole.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that:

- a) the two items pertaining to the Centennial Arena Commission contained in the 30 September 1993 staff report be deferred to the next meeting of the Committee of the Whole, scheduled for **Wednesday, 6 October 1993**, and
- b) the recommendations for grants for the 1993/94 as follows be approved:

|  | <u>RECOMMENDED</u><br><u>1993/94 GRANT</u> | <u>COMMENTS</u> |
|--|--|-----------------|
| <b><u>CULTURAL</u></b>                                 |  |                 |
| Centre for Art Tapes<br>(Society for Art Presentation) | \$ 300.00                                  |                 |
| Maritime Conservatory of Music                         | 4,550.00                                   |                 |
| Multicultural Council of Halifax/Dartmouth             | 3,640.00                                   |                 |
| Neptune Theatre  | 19,565.00                                  |                 |
| Nova Scotia Kiwanis Music Festival                     | 2,002.00                                   |                 |
| Symphony Nova Scotia                                   | 19,565.00                                  |                 |
| Theatre Arts Guild                                     | 1,365.00                                   |                 |
| <b><u>DAYCARES</u></b>                                 |  |                 |
| Alexandra Children's Centre                            | \$ 7,737.04                                |                 |
| Children's Development Centre                          | 6,425.29                                   |                 |
| St. Joseph's Children's Centre                         | 413.14                                     |                 |
| South End Community Daycare                            | 8,515.96                                   |                 |
| <b><u>MISCELLANEOUS</u></b>                            |  |                 |
| Bide-A-While Shelter Society                           | \$ 185.00                                  |                 |
| Clean Nova Scotia Foundation                           | 1,365.00                                   |                 |
| Halifax Block Parent Association                       | 2,730.00                                   |                 |
| Kline Heights Management                               | 728.00                                     |                 |
| North British Society<br>(Metropolitan Scottish Games) | 910.00                                     |                 |
| Oxford Community School Council                        | 500.00                                     |                 |
| People First of Halifax/Dartmouth                      | 200.00                                     |                 |
| Psoriasis Society of Nova Scotia                       | 650.00                                     |                 |
| <b><u>RECREATION</u></b>                               |  |                 |
| George Dixon Horseshoe Club                            | 728.00                                     |                 |
| Halifax Junior Bengal Landers                          | 5,915.00                                   |                 |
| Halifax Rowing Club                                    | 1,820.00                                   |                 |
| Halifax Super Tiger Cats                               | 728.00                                     |                 |
| Inner City Youth Club                                  | 910.00                                     |                 |

**City Council  
30 September 1993**

|                           |           |
|---------------------------|-----------|
| Maskwa Aquatic Club       | 4,095.00  |
| Spryfield Lions Club Rink | 18,200.00 |

**SOCIAL SERVICES**

|   |           |                |
|---|-----------|----------------|
| Bayers/Westwood Family Support<br>Service Association     | \$ 500.00 |                |
| Brunswick Street United Church Inner<br>City Camp Program | 900.00    | For Youth Camp |
| Callow Veterans' & Invalids' Welfare League               | 3,185.00  |                |
| Canadian Mental Health Association                        | 3,276.00  |                |
| Canadian National Institute for the Blind                 | 1,911.00  |                |
| Canadian Paraplegic Association                           | 2,002.00  |                |
| Canadian Red Cross  | 20,000.00 |                |
| Children's Aid Society                                    | 2,275.00  |                |
| Coalition Supportive Services                             | 2,475.00  |                |
| Coverdale Foundation                                      | 1,365.00  |                |
| Elizabeth Fry Society                                     | 1,001.00  |                |
| Family Service Association                                | 2,730.00  |                |
| Family Service of Support                                 | 910.00    |                |
| Golden Age Society  | 3,558.38  |                |
| Gordon B. Isnor Senior Citizens                           | 550.00    |                |
| Halifax Association for Community Living                  | 3,640.00  |                |
| Halifax Metro Welfare Rights                              | 910.00    |                |
| Halifax Seniors Council                                   | 1,092.00  |                |
| Help Line   | 7,220.00  |                |
| Home of the Guardian Angel                                | 2,000.00  |                |
| Metro Area Family Planning Association                    | 1,820.00  |                |
| Metro Volunteer Week Association                          | 455.00    |                |
| North End Community Health Association                    | 3,003.00  |                |
| Operation Go Home   | 2,500.00  |                |
| Parent N' Tot Meeting Place                               | 1,000.00  |                |
| Port Cities Debt Counselling                              | 1,820.00  |                |
| Rainbow Haven   | 455.00    |                |
| St. John Ambulance  | 2,275.00  |                |
| St. Leonards Society                                      | 2,275.00  |                |
| Service for Sexual Assault Victims                        | 4,095.00  |                |
| Spencer House   | 7,871.50  |                |
| Stepping Stone Program                                    | 910.00    |                |
| Sunrise Manor Association                                 | 550.00    |                |
| Veith House Headway                                       | 1,820.00  |                |
| Volunteer Resource Centre                                 | 4,140.00  |                |
| Ward 5 Community Centre                                   | 7,280.00  |                |
| Ward 9 Friendship Group                                   | 637.00    |                |
| Youth Alternative Society                                 | 2,184.00  |                |

Motion carried.

**Extension - Acting City Manager**

A report from Her Worship Mayor Moira Ducharme,  
dated 30 September 1993 was submitted.

MOVED by Alderman Stone, seconded by Alderman Holland that the appointment of Mr. Wayne Anstey as Acting City Manager be extended for 60 days or until such time a new City Manager is appointed.

Motion carried.

There being no further business to discuss, the meeting adjourned at 10:25 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
DEPUTY MAYOR FITZGERALD  
CHAIRMEN

HEADLINES

|  |     |
|--|-----|
| MINUTES . . . . .  | 667 |
| APPROVAL OF THE ORDER OF BUSINESS,<br>ADDITIONS AND DELETIONS . . . . .                      | 667 |
| DEFERRED ITEMS:  |     |
| Case No. 6736: Appeal of Minor Variance Refusal<br>- 2473 Windsor Street . . . . .           | 668 |
| Case No. 6759: Development Agreement - 16 Dentith Road .                                     | 669 |
| Case No. 6764: Development Agreement - Lot Modification<br>- 6275-77 Duncan Street . . . . . | 669 |
| Case No. 6716: Peninsula North - Area 4 . . . . .  | 671 |
| PETITIONS AND DELEGATIONS:   |     |
| Petition Alderman Adams Re: Stray Cats . . . . .   | 671 |
| REPORT - FINANCE AND EXECUTIVE COMMITTEE:  |     |
| Halifax Taxi and Limousine Commission<br>Re: Limitation of Taxi Licenses . . . . .           | 672 |
| Payment of Consultant's Fees -<br>Bedford Highway Widening Project . . . . .                 | 677 |
| Spryfield Auto Parts - Loss of Business Claim . . . . .                                      | 677 |
| Capital Lease - Halifax Metro Centre - Data General<br>of Canada Inc. . . . .                | 677 |
| Dartmouth Ferry Proposal - Metropolitan Authority . . . .                                    | 678 |

Halifax Harbour Clean-Up . . . . . 679  
File No. 913548: Maintenance - Halifax Police Department -  
Computer Room Peripherals . . . . . 679

**REPORT - COMMITTEE ON WORKS:**

Ordinance 180, Schedule "A" - Newspaper Vending Boxes . . 679  
98 Coronation Avenue - Water Runoff . . . . . 680

**REPORT - SAFETY COMMITTEE:**

Mayor's Youth Advisory Committee . . . . . 680

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

Proposed Ordinance 185, the False Alarm Ordinance -  
SECOND READING . . . . . 680

**REPORT - PLANNING COMMITTEE:**

Case No. 6706: Amendment to Land Use Bylaw - Signs in Park  
and Institutional Zones . . . . . 681

Case No. 6292: Stage II Approval -  
Clayton Park West Phase 2 . . . . . 681

Development Agreement to Permit Expansion of a  
Non-Conforming Use - 155 Rufus Avenue . . . . . 682

**QUESTIONS:**

Question Alderman Jeffrey Re: Odour in the Vicinity of  
Barrington and Duffus Streets . . . . . 682

Question Alderman Jeffrey Re: Assessment Appeals . . . . 682

Question Alderman Jeffrey Re: Springvale Elementary  
School . . . . . 683

Question Alderman Holland Re: Hugh MacLennan House . . . 683

Question Deputy Mayor Fitzgerald Re: Senior Citizens Housing  
- Lowering of Age Requirement . . . . . 683

Question Deputy Mayor Fitzgerald Re: Two Hour Parking in  
Residential Districts . . . . . 683

Question Deputy Mayor Fitzgerald Re: Rooming Houses . . 684

Question Deputy Mayor Fitzgerald Re: Transportation  
Study . . . . . 684

Question Deputy Mayor Fitzgerald Re: Control of Garbage . 684



City Council  
30 September 1993

|  |     |
|--|-----|
| Question Deputy Mayor Fitzgerald Re: Her Worship's<br>Presentation to the School Board . . . . .             | 684 |
| Question Alderman Stone Re: Lane Painting - Willett<br>Street . . . . .                                      | 684 |
| Question Alderman Stone Re: Tender - Pioneer Avenue . . . . .  | 684 |
| Question Alderman Stone Re: Speeding - Main Avenue at<br>MacFatrige Road . . . . .                           | 685 |
| Question Alderman Stone Re: Bridge Toll Increase for<br>Buses . . . . .                                      | 685 |
| Question Alderman Stone Re: Condition of Kearney Lake<br>Road . . . . .                                      | 685 |
| Question Alderman Adams Re: 17 Auburn Avenue . . . . .   | 685 |
| Question Alderman Crowley Re: Lighting - Abbott Drive<br>and Ralston Avenue . . . . .                        | 686 |
| Question Alderman Crowley Re: Sidewalk Patching . . . . .  | 686 |
| Question Alderman Crowley Re: Entrance to the City -<br>Barrington Street . . . . .                          | 686 |
| Question Alderman O'Malley Re: Parking Signs . . . . .   | 686 |
| Question Alderman O'Malley Re: City Hall Security . . . . .  | 686 |
| Question Alderman O'Malley Re: Federal Building - Corner of<br>Normandy Drive and Rosemeade Avenue . . . . . | 686 |
| Question Alderman Meagher Re: Update - Resurfacing of<br>North Street . . . . .                              | 687 |
| Question Alderman Meagher Re: Patching -<br>Oxford Street and Allan Street . . . . .                         | 687 |
| Question Alderman Meagher Re: Petition - Ultramar Service<br>Station . . . . .                               | 687 |
| Question Alderman Meagher Re: Claim for Damages -<br>Parker Street . . . . .                                 | 687 |
| Question Deputy Mayor Fitzgerald Re: Ogden Martin's<br>Incinerator . . . . .                                 | 687 |
| Question Alderman Downey Re: Provincial Cost-Sharing<br>of Projects . . . . .                                | 688 |
| Question Alderman Hanson Re: 1993 Halloween Celebrations . . . . .   | 688 |

**NOTICES OF MOTION:**

Notice of Motion Alderman Adams Re:  
Amendment to Ordinance 116,  
the Taxi and Limousine Bylaw . . . . . 688

Notice of Motion Deputy Mayor Fitzgerald Re:  
Introduction of Ordinance 187, the Ferry Ordinance . . 688

**ADDED ITEMS:**

Award of Tender 93-165 - Computer Network Hardware  
(Supply Only) . . . . . 689

Award of Tender 93-177 - St. Catherine's Sportsfield -  
Landscape Construction . . . . . 689

File #913625 - Wash & Screen 3/8" Washed Chips . . . . . 689

Award of Tender #93-30 Bedford Highway Improvements -  
Phase I . . . . . 690

Award of Tender #93-188 - Wanderers Grounds Sportsfield  
Landscape Renovations . . . . . 690

New City Offices . . . . . 691

Report Tax Concessions and Grants Committee -  
Recommendations for Grants . . . . . 691

Extension - Acting City Manager . . . . . 693

# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
14 October 1993  
8:00 P.M.

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

The meeting opened with members of Council, led by Her Worship Mayor Ducharme, joining in the recitation of the Lord's Prayer.

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

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

Prior to the start of the meeting, Her Worship noted that Mr. Tom Abraham's (Executive Assistant to the City Manager) mother-in-law passed away recently.

As well, Alderman Meagher noted that Mr. Noble Driscoll had passed away recently. Alderman Meagher advised that Mr. Driscoll was a survivor of the Halifax Explosion and that his experience had been included in a book on the disaster.

Alderman Holland noted that a prominent citizen of the City of Halifax, Mr. Donald McInnes, had also passed away recently.

Her Worship indicated that condolences on behalf of Council would be sent to all three families.

## Clean Nova Scotia Foundation

Her Worship noted that today she attended the Clean Nova Scotia Foundation luncheon and awards along with Alderman Holland and Deputy Mayor Fitzgerald, and that the City was presented with a contributor award for both contributing to Clean Nova Scotia and for contributing to the environment by being recognized as one of the master reducers in the amount of waste that goes to the landfill.

COUNCIL  
14 OCTOBER 1993

MINUTES

The minutes of the last regular meeting of Halifax City Council held on 30 September 1993, and of the special meeting held on 22 September 1993, were approved as circulated on a motion by Deputy Mayor Fitzgerald, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS,  
ADDITIONS AND DELETIONS

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

- 20.1 Award of Tender #93-199: Supply and Install Vehicle Exhaust Extraction System - West Street Fire Station.
- 20.2 Award of Tender #93-201: Exterior Masonry Wall Repairs - Bloomfield Centre.
- 20.3 Award of Tender #93-202 - Repairs to Point Pleasant Park Gate House Exterior.

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

- 20.4 Halloween 1993

Alderman Holland noted that there were two members in attendance from the Point Pleasant Park Commission, and he therefore requested that item 20.3 be moved up on the agenda so it could be dealt with earlier.

Her Worship suggested and **it was agreed** that item 20.3 would be dealt with as the first item under the Finance and Executive Committee.

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

Proclamation - Waste Reduction Week - 16-23 October 1993

Her Worship advised that a Proclamation has been signed designating the week of October 16 to 23 as Waste Reduction Week. She also noted that Wednesday, 20 October

COUNCIL  
14 OCTOBER 1993

has been designated as Wasteless Wednesday, and Saturday 23 October 1993 has been designated as Swap Saturday.

DEFERRED ITEMS

Case No. 6764: Development Agreement/Lot  
Modification, 6275-77 Duncan Street

This matter had been deferred from the 30 September 1993 meeting of City Council.

A letter dated 12 October 1993 from Susan Brown 6279 Duncan Street, Halifax, N. S., was submitted.

A letter dated 4 October 1993 from Susan Brown, 6279 Duncan Street, Halifax, N.S., was submitted.

A letter dated 14 October 1993 from Wilfred P. Moore, Q.C, Chandler Moore, Barristers & Solicitors was submitted.

Alderman Meagher addressed the matter and advised that, as was requested at 30 September 1993 by Alderman Hanson, a meeting was held with the solicitor for the applicant and the only thing which transpired from this meeting was that the applicants advised they would relinquish their right to a day care centre. Alderman Meagher pointed out though, that this was not a problem with the neighbours.

Alderman Meagher indicated that he could not support the application for the reasons as outlined in the 12 August staff report. Specifically, Alderman Meagher advised that a three unit building is out of character with the land use in this area; the property in question is similar to others in the area in terms of use and architecture and is not unique; and the lot would be reduced to 3,100 sq. ft. while the standard under the approved Peninsula North Plan would require it to be 8,000 sq. ft. Alderman Meagher added that the appropriate development of this lot is not more than two units given its small size.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the application for a development agreement to permit three units at 6275-77 Duncan Street, lands of Ramzi and Catherine El-Tawil be refused for the following reasons:

1. A three unit building is out of character with the land use in this area;
2. The property at 6275-77 Duncan Street is similar to others in the area in terms of use and

**COUNCIL  
14 OCTOBER 1993**

architecture and is not unique which is a necessity in order to consider approval of this application;

3. It would be inappropriate to reduce the lot size requirement for this lot to 3100 sq. ft. in light of the fact that the recently approve Peninsula North Plan for this area confirmed the standard for three units as 8000 sq. ft.; and
4. The appropriate development of this lot is no more than two units given its small size.

Alderman Meagher pointed out that the neighbours have no animosity against the El-Tawil's, however, their concern is with potential future problems and they would like the lot to remain R-2.

Alderman Hanson spoke in support of the application noting that El-Tawil's have a growing family and it is for this reason that they need the extra space. The Alderman advised that he visited the site and he does not see the application as being offensive to the neighbourhood.

A discussion ensued with Mr. Gary Porter, Planner, responding to questions of Council.

The Chairman called the question and following a show of hands, the motion was carried with Alderman Pottie abstaining due to non-attendance at the public hearing.

**NOTE: Notice of Motion of Reconsideration with respect to this matter was given by Alderman Hanson at a later point in the meeting.**

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 30 September 1993, as follows:

**Award of Tender #93-202 - Repairs to Point Pleasant Park Gate House Exterior**

During the approval of the agenda, Council agreed to deal with this item at this time.

A staff report dated 14 October 1993 was submitted.

**COUNCIL  
14 OCTOBER 1993**

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

1. Tender 93-202 Repairs to Point Pleasant Park Gate House Exterior be awarded to Blunden Construction at a total bid price of \$36,539.00 (including all taxes).
2. Council authorize a transfer of an additional \$12,000 from Capital account unused funds account #92999 to account #91675 titled Point Pleasant Park Gate House for a total project cost of \$49,000.

Motion carried.

Atlantic School of Theology (Library) - Request for Funding

A staff report dated 13 October 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that Council take the request of the Atlantic School of Theology under advisement and have staff bring the matter forward for consideration during the 1994 budget deliberations.

Motion carried.

Twinning Agreement - Metropolitan Borough of Calderdale, England

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, Halifax City Council approve the formalization of a twin-city relationship between the Metropolitan Borough of Calderdale, England (of which Halifax, England, is the main town) and the City of Halifax, the purpose of which will be to promote ties of friendship through the historical bonds presently existing between the two cities.

Motion carried.

Reduction of Nova Scotia Power 1993 Payment

A staff report dated 13 October 1993 was submitted.

**COUNCIL**  
**14 OCTOBER 1993**

A report dated 14 October 1993 from Her Worship Mayor Ducharme was submitted.

Referring to her submitted memo, Her Worship noted that the Minister of Municipal Affairs advises that she is giving consideration to redrafting the legislation with respect to this matter which would be similar to the old formula.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie the following resolution be approved with respect to the Nova Scotia Power grant:

BE IT RESOLVED that the Council of the City of Halifax express extreme concern that it was not consulted prior to the passing of legislation which has reduced the payment of Nova Scotia Power Inc. grants in lieu of taxes to the City by more than 50% in 1993, and

BE IT RESOLVED that Council express its concern that the Province has not seen fit to correct the situation for 1993, recognizing the extreme pressures being placed on the City by cutbacks and grant reductions in other areas, a reduction of the grant by the Nova Scotia Power Inc, . of over 50%, reducing revenues to the City by over \$900,000, is totally unreasonable,

BE IT FURTHER RESOLVED that Council call upon the Province to express its resolve to correct this situation for 1994 recognizing that to allow this situation to continue beyond one year would be totally unacceptable.

Alderman Stone addressed the matter and indicated that he believed that since the Nova Scotia Power was a private company, City Council should not be accepting anything less than 100% of their taxes.

The Chairman pointed out that the reason the Minister did not want to tax Nova Scotia Power as a private company was that some municipalities would receive no money and that power rates would rise.

In response to a question by Alderman Stone, Her Worship advised that the Minister indicated there would be consultation prior to passing legislation and it would be ready for the spring sitting of 1994.

The City Manager noted that the position the Minister seems to be taking was what staff had first recommended and that the full taxation resolution U.N.S.M. proposed was staff's second position. He added that staff's position was that to go back to the original formula would be in the best interest of the City.

Motion carried.



COUNCIL  
14 OCTOBER 1993

Election Procedures Task Force - Ward Boundaries

MOVED by Alderman Holland, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the ward boundaries not be changed before the next municipal election.

Her Worship noted that since the task force was now disbanded, it would be appropriate for a letter of Council to be sent to the members thanking them for their work.

The motion was carried with Alderman Stone voting in opposition.

Halifax Welfare Rights

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, funding to the Halifax Welfare Rights organization be continued.

Motion carried.

Payment of Fees for Consultant

MOVED by Alderman Adams, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the invoice of C.B.C.L. Limited dated 23 July 1993 and numbered 93528A in the amount of \$1,505 be paid by the City, with funds being available in Account #91504, the capital account for the Herring Cove Road widening.

Motion carried.

Reserve - Regionally Applied Police  
Information Delivery System (RAPID)

A supplementary staff report dated 13 October 1993 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, a reserve account be established for the RAPID computer system, such reserve to receive 1/12th of the annual budgets of each participating municipality and payments made in accordance with authorized guidelines, as applied in the day to day operations of the City of Halifax.

COUNCIL  
14 OCTOBER 1993

Following a brief questioning of the Director of Finance and the City Manager the motion was carried.

F.C.M. Resolutions - Municipal Infrastructure,  
Social Housing and Grants-In-Lieu of Taxes

MOVED by Alderman Holland, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Halifax City Council support the following Federation of Canadian Municipalities resolutions and forward them to the local federal candidates for comment **before 25 October:**

FCM RESOLUTION ON MUNICIPAL INFRASTRUCTURE

WHEREAS a cost-shared program to renew deteriorating municipal infrastructure would also achieve other goals such as protecting the environment and creating jobs;

WHEREAS major studies demonstrate a link between infrastructure renewal and competitiveness;

WHEREAS the municipal infrastructure renewal program proposed by the Federation of Canadian municipalities could create 63,000 jobs in each of its five years;

WHEREAS countries worldwide are making major commitments to renew municipal infrastructure;

WHEREAS the Premiers, during their 1993 Annual Conference in Nova Scotia, agreed on the necessity of developing a national infrastructure program as a key to improving Canada's competitiveness and stressed the need for the involvement of new partners;  
and

WHEREAS municipalities, through the Federation of Canadian Municipalities, have called for a national program of infrastructure renewal to be funded equally by all three orders of government;

**COUNCIL**  
**14 OCTOBER 1993**

**BE IT RESOLVED** that the municipality of the City of Halifax communicate publicly its support for a tri-partite program to renew municipal infrastructure, and seek the opinions of local candidates in the federal election on this issue; and

**BE IT FURTHER RESOLVED** that the municipality of the City of Halifax take action to reinforce public support for a national infrastructure renewal program.

**FCM RESOLUTION - SOCIAL HOUSING**

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

WHEREAS in the April 1993 federal budget, for the first time in decades, no funds were committed to new social housing units;

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

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

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

WHEREAS the City of Halifax relies on social housing to help provide decent and affordable housing to citizens in need, has waiting lists for social

**COUNCIL**  
**14 OCTOBER 1993**

housing and cannot accept the federal government's abandonment of new social housing;

**BE IT RESOLVED** that the City of Halifax call on all federal candidates in the area to support a reversal of the federal decision to eliminate funding for new social housing; and

**BE IT FURTHER RESOLVED** that the City of Halifax take all steps necessary to raise this issue in the federal election.

**RESOLUTION REGARDING FEDERAL GRANTS IN LIEU OF TAXES**

WHEREAS in December 1992 the federal Minister of Finance announced a two-year freeze on the government's property tax payments, or grants in lieu of taxes, committing an unprecedented intrusion into the setting of municipal property tax rates;

WHEREAS figures in the 1993 federal budget forecast a 10 percent reduction in the payment of the federal government's local property taxes;

WHEREAS the freeze forces home owners and businesses to pay higher property taxes to make up for the revenue shortfall;

WHEREAS the freeze provides the CBC, Canada Post and other Crown Corporations with millions of dollars of unfair tax advantages over their private sector competitors;

WHEREAS there is no justification for a freeze or a reduction of the government's property tax bill since grants in lieu of taxes have risen at the same rate as total property taxes across Canada, and the government's own 1992 evaluation of grants concluded existing payments represented the federal government's fair share of local costs as property owner; and

WHEREAS the federal government's behaviour sets a dangerous example by

COUNCIL  
14 OCTOBER 1993

encouraging disrespect for the integrity of Canada's tax system;

**BE IT RESOLVED** that the Municipality of the City of Halifax call on all federal candidates in the area: (a) to support an end to the federal freeze on grants in lieu of taxes; (b) to oppose any reduction in the federal commitment to paying a fair share of municipal costs on its properties; and (c) to support needed improvements to the Municipal Grants Program; and

**BE IT FURTHER RESOLVED** that the Municipality of the City of Halifax communicate publicly its support for this resolution.

Motion carried.

Land Exchange - Portion of Kempt Road

MOVED by Alderman Pottie, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Parcel "KR" on Plan TT-40-29588 be exchanged for lands owned by the CNR identified as Parcels "B" and "F" on Plan 11132-47 attached to the staff report of 27 September 1993.

Motion carried.

Land Exchange - 100 Leiblin Drive  
- Evans Avenue and Young Avenue

A supplementary staff report dated 8 October 1993 was submitted.

MOVED by Alderman Adams, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the remainder of the Titus Smith School lands fronting on Evans Avenue and Lot "A" Young Avenue be exchanged for 100 Leiblin Drive on the understanding that the owner of 100 Leiblin Drive, Mr. Peter Haas, will pay the City \$20,000 to make up for the difference in value between the City's lands and his land.

Referring to the submitted supplementary staff report, Alderman Holland noted that it indicates the value of the lot on Young Avenue was worth \$100,000 in 1990, however, land values have declined since this time. Alderman Holland added that he did not believe the value of this particular property has declined 30% and he indicated

COUNCIL  
14 OCTOBER 1993

that he would like to amend the motion such that the lot would be put up for tender and if it did not receive a higher price, then the value remain at \$70,000. The Alderman added that he was not opposed to the transaction but that he was against the value that was being placed on the lot.

The Chairman noted that the amendment would be contrary to the motion and ruled it out of order.

Alderman Adams pointed out that the supplementary staff report states that perhaps there is a higher value to this lot but the value is being made up on the other piece of land and, therefore, it is equal for both parties.

The motion was carried with Aldermen Holland and Downey voting against.

Expropriation - Parcel 10-A, Pioneer Avenue

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, the recommendations as contained in the confidential staff report of 27 September 1993 be approved as follows:

1. that Parcel 10-A shown on Plan TT-48-31846 be expropriated by the City of Halifax and that compensation in the amount of \$6,344, be offered to 2061981 Nova Scotia Limited in accordance with the Expropriation Act.
2. that the Mayor be authorized to seek Orders of Immediate Possession from the Attorney General for Parcel 10-A as shown on Plan No. TT-48-31846.

Motion carried.

Award of Tender 93-151: Printer Equipment

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive, authority be granted to award Tender #93-151 for printer equipment as listed below to the lowest bidder meeting specifications, **Titan Technology**, for a period of one (1) year, with funds being made available from various accounts:

|   |            |
|---|------------|
| Laser Printer - Full Size - Category 1: |            |
| Titan Technology                        | \$1,280.00 |
| Laser Printer - Desktop - Category 3:   |            |

COUNCIL  
14 OCTOBER 1993

|   |        |
|---|--------|
| Titan Technology  | 963.00 |
| Monochrome Dot Matrix: Wide Carriage:<br>Titan Technology   | 497.81 |
| Monochrome Dot Matrix: Narrow Carriage:<br>Titan Technology | 347.06 |

Motion carried.

Settlement of Claim - Gael General Contractors v. Clarke Transport Canada Inc. Seaboard Contractors Inc., Halifax Industrial Commission, City of Halifax, Guarantee Company of North American (Defendants) and O'Halloran Campbell Consultants Ltd. and Daniel P. O'Halloran (Third Parties)

MOVED by Alderman Adams, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, the recommendation as contained in the confidential staff report of 29 September 1993 to settle this action be approved and that the Mayor and City Clerk be authorized to execute all appropriate releases in this action.

Motion carried.

Proposed Call for Proposals - City Administrative Offices

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council authorize staff to publicly advertise an immediate call for proposals to meet the City's administrative office needs, with terms of reference and criteria for selection as outlined in the staff report of 29 September 1993, closing thirty (30) days after appearance of the first notice.

Motion carried.

Report Tax Concessions and Grants Committee -  
Recommendations for Grants (Centennial Arena Commission)

MOVED by Alderman Stone, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the recommendations of the Tax Concessions and Grants Committee be approved for the Centennial Arena Commission in the amount of \$54,600 for Operating and \$16,666.67 for the zamboni for a total of \$71,266.67.

Motion carried.

COUNCIL  
14 OCTOBER 1993

Halifax Natal Day 1993

MOVED by Alderman Holland, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council approve the overexpenditure of \$3,613.35 in connection with Halifax Natal Day 1993, with funds being made available from the General Government Account RC 0121-811, "Special Events."

Alderman Pottie requested, **and it was agreed** that "1994 Natal Day Festivities" be included on the agenda of the next regular meeting of the Committee of the Whole, scheduled for **20 October 1993**.

Motion carried.

Provincial Five-Day Unpaid Leave Program

A staff report dated 13 October 1993 was submitted.

A private and confidential information report dated 14 October 1993 was submitted.

The following is the motion recommended from the Finance and Executive Committee:

- (a) the City of Halifax serve notice on the Province of Nova Scotia that it strongly disagrees with its policy regarding unpaid leave; and that
- (b) a report from the Acting City Solicitor be requested as to the appropriate legal action which might be taken or other options which might be open to the City in this regard.

Alderman Pottie addressed the matter, advising that it was not proper or within the province's jurisdiction to take 2 percent of the wages from the municipal employees. He added that it would add an incredible expense to the taxpayers of the City of Halifax.

Referring to the submitted reports, Alderman Pottie noted that staff indicate there are avenues Council could pursue regarding this matter and he advised that, given the hardship it will impose on taxpayers and municipal employees, he would support a motion which would advise the Province that the City strongly disagrees with its policy regarding unpaid leave, and that staff should continue the review of possible legal challenges.



**COUNCIL**  
**14 OCTOBER 1993**

Alderman Pottie strongly recommended that representation should be made to the Law Amendments Committee in opposition to the proposed bill including an explanation of the resulting hardship the City will be facing.

A discussion ensued with most Aldermen speaking in strong support of the recommendation. Alderman Downey advised that he could not support taking legal action against the Province, adding that it would only end up costing the City more money.

**9:25 p.m. - Her Worship assumed Deputy Mayor Fitzgerald's seat on Council, with the Deputy Mayor taking the Chair.**

Her Worship addressed Council and advised that the impact on the taxpayers of the Provincial policy is that they will end up paying the same taxes three or four times.

Her Worship also advised that this action takes away the ability of the City to suggest that its employees give up five days pay because it is being done by another level of government. She noted that references have been made to the situation in Ontario, however, she noted that this situation was different because the municipalities jointly owed their Province money. On another point, Her Worship advised that a municipality in Western Canada took legal action against such a proposal and won their case.

Her Worship went on to point out that she and the Mayors of the other metro municipalities have had dialogue with the Minister, however, this has been to no avail. She advised that she and staff have put forth various suggestions of other areas where the funds could be taken, but the Minister would not permit this.

Her Worship indicated that as a former mayor of Dartmouth, the Premier should have known the impact this policy would have on the Metro area. She noted that in response to the very recent announcement concerning the need to find a landfill site, the Premier responded by saying that he would not interfere with municipal business with the landfill. She indicated, however, this was contrary to what he said as Mayor of Dartmouth and as President of U.N.S.M., when he demanded that the Province develop a provincial waste management plan. She suggested that if the Premier has decided not to interfere with municipal business, then he should leave the municipalities alone to look after their own business.

**9:30 p.m. - Her Worship returned to the Chair with Deputy Mayor Fitzgerald assuming his usual seat on Council.**

COUNCIL  
14 OCTOBER 1993

Following further comments, at the request of Alderman Downey, Council agreed to vote separately on each part of the motion.

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

- (a) the City of Halifax serve notice on the Province of Nova Scotia that it strongly disagrees with its policy regarding unpaid leave;

Motion carried.

MOVED by Alderman Pottie, seconded by Alderman Adams that:

- (b) Council instruct the City Solicitor to continue the review of possible legal challenges which can be raised respecting the provincial leave program and to report back to Council when a firm recommendation respecting specific action can be made.

With a show of hands, the vote resulted in a tie. The Mayor broke the tie by voting in favour, and the motion was carried.

REPORT - COMMITTEE ON WORKS

Council considered the report from a meeting of its Committee on Works, held on Wednesday, 6 October 1993, as follows:

Award of Tender #93-114: Street Improvements - Coburg Road

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-114 for Street Improvements - Coburg Road for the project, materials and services listed and for the unit prices quoted be awarded to Dexter Construction Ltd. at the combined price of \$268,946.00 and a total combined project cost of \$322,936.00, with funds being available in Street Improvements Account #91406.

The motion was put and passed.

COUNCIL  
14 OCTOBER 1993

Award of Tender #93-115: Street  
Improvements - Summer Street

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-115 for Street Improvements - Summer Street for the project, materials and services listed and for the unit prices quoted be awarded to **Basin Contracting Ltd.** at a bid price of \$114,131.25 and a total project cost of \$136,958, with funds being available in Street Improvements Account #91406.

The motion was put and passed.

Award of Tender #93-123: Street Improvements Program -  
University Avenue (B/S) Summer Street to Tower Road

Following is the recommendation from the 6 October meeting of the Committee on Works:

That, as recommended in the staff report of 1 October 1993, Tender #93-123 not be approved.

After a brief discussion and advice from the Acting City Manager, it was moved by Alderman Downey, seconded by Alderman Pottie that City Council award Tender #93-123 (Street Improvements Program - University Avenue: Summer Street to Tower Road) to **Standard Paving Maritime Ltd.** at a cost of \$357,000.00, on condition that this project be implemented in 1994 as a precommitment against the F.Y. 1994/95 funding for the Streets Improvement Program (all as outlined in the staff report dated 1 October 1993).

The motion was put and passed.

Award of Tender #93-23: Pioneer Avenue Upgrading

MOVED by Alderman Stone, seconded by Alderman Pottie that, as recommended by the Committee on Works, Tender #93-23 (Pioneer Avenue Upgrading) be awarded to **K. C. MacPhee Contracting** for the project, materials and services listed and at the unit prices quoted for a bid price of \$127,045.00 and a total project cost of \$153,000.00, with funds being available from Account #91357 (New Paving).

The motion was put and passed.

COUNCIL  
14 OCTOBER 1993

REPORT - PLANNING COMMITTEE

Council considered the report from a meeting of its Planning Committee, held on Wednesday, 6 October 1993, as follows:

**Case No. 6547: Definition of Dwelling Unit and Secondary Dwelling Units**

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Planning Committee, given the problems created by recent court decisions, and the problems of enforcement as described in the report of 2 September 1993, Council retain the current definition of dwelling unit.

The motion was put and passed.

**Case No. 6756: Development Agreement (556-558 Tower Road)**

Following is the recommendation from the 6 October meeting of the Planning Committee:

That this matter be forwarded to Council without recommendation and that, in the interim, staff meet with the applicant, concerned neighbours, particularly Mr. David Gough, and the Alderman for the area, and bring forth a further report by the next regular City Council meeting.

Noting that residents hope to hold another, larger meeting on this issue within the next several days, it was moved by Alderman Holland, seconded by Alderman Adams that the matter be deferred to the next regular meeting of Halifax City Council **scheduled for Thursday, 28 October 1993.**

The motion to defer was put and passed.

**Case No. 6754: Schedule "G" - Development Agreement (81-Unit Apartment Building, Corner of Lower Water Street and Bishop Street)**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, a public hearing be scheduled to hear the proposal to construct an 81-unit apartment building at the corner of Lower Water Street and Bishop Street.

The motion was put and passed.

COUNCIL  
14 OCTOBER 1993

The City Clerk advised that the requested public hearing would be held on **WEDNESDAY, 17 NOVEMBER 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

MOTIONS

**Motion Alderman Adams Re: Amendment to Ordinance 116, the Taxi and Limousine Bylaw (Moratorium on Taxi Operator Licenses) - FIRST READING**

Notice of Motion with regard to the proposed amendments was given by Alderman Adams at a regular meeting of Halifax City Council held on Thursday, 30 September 1993.

A report, dated 13 October 1993, was submitted from the Acting City Solicitor.

MOVED by Alderman Adams, seconded by Alderman Hanson that Halifax City Council give FIRST READING to the following amendments proposed to Ordinance 116, the Taxi Ordinance, relating to the moratorium on Taxi Operator Licenses:

BE IT ENACTED by Halifax City Council that Ordinance 116, being the Taxi Ordinance, as enacted and approved by the Minister of Municipal Affairs on July 14th, 1988, and as subsequently amended, is hereby further amended by adding the following section immediately following section 14:

14A(1) Notwithstanding any other provision of this ordinance, no taxi driver's license shall be issued before October 1, 1994 except to the first thirty (30) unemployed persons on the Inspector's waiting list who elect to take the course of instruction required by this ordinance.

(2) Subsection (1) does not apply to the renewal of a taxi driver's license.

and further, that this matter be forwarded to the next regular meeting of Committee of the Whole Council, scheduled for Wednesday, 20 October 1993, for consideration and report.

The motion was put and passed with Alderman Holland voting in opposition.

**COUNCIL**  
**14 OCTOBER 1993**

**Motion Deputy Mayor Fitzgerald Re: Introduction  
of Ordinance 187, the Ferry Ordinance - FIRST READING**

Notice of Motion with regard to this matter had been given by Deputy Mayor Fitzgerald during a regular meeting of Halifax City Council held on Thursday, 30 September 1993.

On the advice of the Acting City Solicitor, it was agreed that this matter be deferred to the first regular meeting of Halifax City Council in November, being **Tuesday, 9 November 1993.**

**QUESTIONS**

**Question Alderman Adams Re:  
12, 14, 16, and 16½ Rockingstone Road**

With reference to the property located at 12, 14, 16, and 16½ Rockingstone Road, Alderman Adams noted that the exchange has now been completed but asked for information as to when the building is scheduled for demolition.

**Question Alderman Adams Re: Ward 7 Association**

As an information item, Alderman Adams advised that the next meeting of the Ward 7 Association will be held on Tuesday, 26 October, adding that all interested parties are encouraged to attend.

On another but related matter, Alderman Adams asked for information as to whether there might be any funding available from the City to cover Ward Association costs such as for printing and other similar expenses.

**Question Alderman Adams Re: Intersection in the Vicinity of Civic Nos. 287 and 278 Lacewood Drive**

Alderman Adams noted that there are no traffic controls at the four-way intersection in the vicinity of Civic Nos. 287 and 278 Lacewood Drive. The Alderman expressed concern about safety at this location, and requested a report from the Traffic Authority.

**Question Alderman Adams Re: Drainage Problems - Civic Nos. 600 and 700 Herring Cove Road**

Alderman Adams advised that there are major drainage problems in the area between Civic Nos. 600 and

COUNCIL  
14 OCTOBER 1993

700 Herring Cove Road (on the west side of the street), with several property owners having lost their lawns and driveways as a result of water run-off from a neighboring street.

While noting that Mr. Lou Coutinho of the City's Works Division is helping to deal with these difficulties on an interim basis, the Alderman asked for information as to what options might be available to permanently resolve the issue.

**Question Alderman Adams Re:**  
**Award of Tenders - City Employees**

Alderman Adams asked for information as to the feasibility of allowing certain members of City staff (such as City Field employees) to submit bids through their supervisors on various capital projects.

In making this request, the Alderman pointed out that such an approach would not only provide City employees with an opportunity for additional work (to compensate for the 2 percent pay reduction they are currently facing), but might also supply them with the experience necessary to become competitive in this particular market.

**Question Alderman Holland Re: Payment**  
**of Taxes on Electricity Used By the City**

Alderman Holland asked for information as to whether, under the regulations imposed by the new Provincial Government, the City of Halifax will be expected to pay the 3 percent tax on the electricity it uses, especially through its street and traffic lights.

**Question Alderman Holland Re: Snow Removal**

Alderman Holland questioned whether the City currently has a contract with a private entrepreneur for the removal of snow from residential sidewalks, and, if so, what are the terms of that contract, how did it come to be tendered, and by what process.

**Question Alderman Holland Re: Advance**  
**Payments to Elected Officials**

Alderman Holland requested information (in the form of a written report) as to whether, since the change in government in 1970, the City of Halifax has made pay advances to any elected official. The Alderman went on to

**COUNCIL**  
**14 OCTOBER 1993**

note that if such payments **have** been made, he would like to know when and what the policy is concerning such matters.

**Question Alderman Holland Re: Police Horse "King"**

Alderman Holland made reference to the recent death of the Halifax Police Department's horse, calling "King" a very valuable asset to the City and a presence that was greatly appreciated especially by visitors to Point Pleasant Park. In making these comments, the Alderman asked for information as to the steps that could be taken to ensure a replacement for "King."

Her Worship Mayor Ducharme advised that the Halifax Police Commission will be meeting on Monday, 18 October, and that Alderman Holland's request will be considered at that time.

**Question Alderman Holland Re: School Zone - LeMarchant and South Streets**

Alderman Holland requested that the Traffic Authority consider erecting a "School Zone" sign in the vicinity of LeMarchant and South Streets. In putting forward this request, the Alderman advised that he had recently been speaking with a local traffic guard, who expressed concern that vehicles in this area appear to be travelling at abnormally high speeds.

**Question Alderman Crowley Re: St. Andrew's School**

Alderman Crowley made reference to the recent demolition of a portion of the St. Andrew's School building, emphasizing that she had received a number of compliments on the speed and efficiency with which the project was completed.

The Alderman went on to request a report regarding the plans for the St. Andrew's property as well as for the community centre itself, adding that she would also appreciate receiving information concerning the budget for the existing part of the building and any plans for future repairs.

**Question Alderman Crowley Re: Street Cleaning Signs**

Alderman Crowley reported that there would appear to be a number of street cleaning signs erected in areas where street cleaning is undertaken only irregularly. Despite the fact that, according to residents, "months" can



**COUNCIL**  
**14 OCTOBER 1993**

go by without a sweeper visiting the street, motorists who park in violation of the posted signs continue to be ticketed. The Alderman therefore asked for information on how this process is rationalized.

**Question Alderman Crowley Re:**  
**Construction and Improvements - City Roadways**

While acknowledging the necessity for street improvements, Alderman Crowley expressed concern that, in some instances, such projects are occurring in close proximity to each other, a situation that can cause numerous traffic problems particularly during the supper rush hour. As an example, the Alderman noted that extensive road repairs are currently underway on Chebucto Road and on Joseph Howe Drive, two major arteries in close proximity to each other that are heavily travelled by motorists.

Alderman Crowley therefore asked for information as to how these street improvement projects are scheduled; specifically whether any attempt is made to keep these arteries open and to protect them as much as possible from the negative effects of construction/repair on adjacent roadways. Referring again to the situation on Chebucto Road and Joseph Howe Drive, the Alderman asked for staff comment as to why these two projects are occurring simultaneously.

**Question Alderman O'Malley Re:**  
**Jury Duty - "Essential Service" Employees**

Alderman O'Malley asked for information from the Acting City Solicitor as to the regulations which pertain to City employees engaged in "essential services" (e.g., police and fire protection), who are called for jury duty.

The Alderman went on to advise that it had always been her understanding that individuals employed in these positions could be excused from jury duty on the basis that their presence "on the job" was indeed essential. She pointed out, however, that several weeks ago a fire station in Ward 5 was forced to close because a full staff complement could not be provided, a situation which arose, in part, from the fact that one of the employees had been called to jury duty. Alderman O'Malley reported that she had received a number of calls from concerned residents in this regard, and would therefore appreciate receiving a report on the matter.

COUNCIL  
14 OCTOBER 1993

Question Alderman O'Malley Re:  
1994/95 Budget Review Process

Alderman O'Malley asked to be advised as to whether a deadline has yet been set to receive input from members of Council with regard to the 1994/95 budget review deliberations.

Question Alderman O'Malley Re: Late Reports

Alderman O'Malley made reference to the number of late reports which had been placed on Council's desks just prior to this evening's meeting, and expressed concern that, by using this approach, staff were depriving members of the opportunity to properly peruse the contents of these documents.

Question Alderman Stone Re: Condition of the  
Bedford Highway (Kearney Lake Road - City Limits)

Alderman Stone made reference to a question raised during the 30 September City Council meeting with regard to the condition of the Bedford Highway, in particular that section between the Kearney Lake Road and the City limits. Referring to an Information Report dated 7 October 1993 subsequently received, the Alderman indicated that he was pleased to see that staff appear to concur with his opinion that this portion of the Highway is indeed deserving of "extraordinary maintenance."

While noting that the City will continue to undertake minor repairs and routine maintenance, Alderman Stone expressed the hope that staff will also make a serious attempt at pursuing a cost-sharing arrangement with the Province so that this very heavily-travelled roadway can be restored to a suitable condition. In this context, he indicated that he would appreciate having this item included in the 1994/95 budget deliberations.

Question Alderman Stone Re:  
Transportation Study

Alderman Stone made reference to an Information Report dated 7 October 1993 and entitled "Transportation Study," and asked to be provided with further details; namely, the Study's terms of reference, its reporting schedule, the opportunities for public involvement, and, finally, information as to whether members of Council will be given an opportunity for input before the group's final report is completed.

COUNCIL  
14 OCTOBER 1993

**Question Alderman Downey Re:**  
**Crosswalk Accidents**

Alderman Downey made reference to the fact that over the last several weeks there have been a number of individuals (primarily children) injured while using various of the City's crosswalks. Under the circumstances, the Alderman asked for a report from the Chief of Police as to what additional enforcement measures are being taken to counteract this problem.

On another but related matter, Alderman Downey made reference to a recent report that a tourist had been injured while using a crosswalk on Brunswick at the George Street intersection. Pointing out that the accident had apparently been caused by the presence of loose gravel left lying on the street, the Alderman asked for information as to whether the construction company involved in this repair project would be held liable.

**Question Alderman Downey Re:**  
**Sidewalk Repairs**

Alderman Downey made reference to those situations involving sidewalk repairs in which, once barricades are mounted, pedestrians are forced to walk on the street itself since there is no sidewalk on the other side.

Using the situation on Cogswell Street as an example, the Alderman questioned whether anything could be done to re-position the barricades so as to better ensure pedestrian safety.

**Question Deputy Mayor Fitzgerald Re:**  
**Temporary Closure - Halifax Country Library**

Deputy Mayor Fitzgerald made reference to the fact that the Halifax County Library is scheduled to close for several weeks during the months of December and January. The Deputy Mayor expressed concern that, as a result of that closure, City facilities will suffer an influx of County users, and therefore asked if staff are making any special arrangements in this regard.

**Question Deputy Mayor Fitzgerald Re:**  
**Metropolitan Authority - Garbage**

Deputy Mayor Fitzgerald made reference to the problems that continue to plague the Metropolitan Authority with regard to an appropriate means of addressing the region's garbage problem. Indicating that, in his view,

COUNCIL  
14 OCTOBER 1993

the Authority has "placed all its eggs in one basket, the Deputy Mayor strongly recommended that Halifax City Council meet to hear an update on the current situation and to consider the options that are now available.

**Question Deputy Mayor Fitzgerald Re:  
Herring Cove Road Widening Project**

Deputy Mayor Fitzgerald asked to be provided with information from Mr. W. A. Sullivan, the City's Chief Engineer, with regard to the plans for improving the Herring Cove Road, beginning at the Armdale Rotary and moving outward.

In this same context, the Deputy Mayor advised that he has noticed a number of vacant commercial properties (particularly, service stations) along this section of Herring Cove Road and suggested that, if appropriate, this might be the most cost-efficient time for the City to acquire these sites.

**Question Deputy Mayor Fitzgerald Re:  
Street Improvements - Jubilee Road**

Deputy Mayor Fitzgerald noted that while there have been a number of street improvement projects completed in and around Ward 2 over the last several months, no work as yet has commenced on two very problematical intersections, those being Vernon at Jubilee, and Preston Street at Jubilee Road.

The Deputy Mayor emphasized that these intersections are heavily travelled both by motorists and by pedestrians, and asked for information from staff as to when improvements are scheduled to begin.

**Question Alderman Hanson Re:  
Deployment of Crossing Guards**

Alderman Hanson asked to be provided with information as to the rationale used in allocating crossing guards to particular locations, noting that, in his opinion, once guards have familiarized themselves with the characteristics of a particular intersection, it would seem prudent to keep them at that site.

In this context, the Alderman made reference to the crosswalk at Fenwood and Herring Cove Road, and pointed out that there would appear to have been a number of changes in personnel in recent weeks at this rather hazardous intersection.

COUNCIL  
14 OCTOBER 1993

Question Alderman Hanson Re: Armdale Rotary - Signage

Alderman Hanson reported that he had recently received a complaint from a motorist who, in using the Armdale Rotary, had had his visibility vis a vis an oncoming vehicle impeded by the sign which indicates that the Rotary will be closed during the 4:00-5:30 p.m. rush hour period.

The Alderman therefore asked that staff investigate the situation and, if the sign is indeed found to be obstructive, to consider it raising it slightly so that motorists can see under it.

Question Alderman Pottie Re:  
Street Improvements - Connaught Avenue

Alderman Pottie made reference to that section of Connaught Avenue between Bayers Road and Windsor Street, which is heavily used by heavy trucks, and asked that staff designate this project for major improvements in the 1994/95 capital budget.

Question Alderman Pottie Re:  
Sidewalk Improvements - Oxford Street

Alderman Pottie made reference to the sidewalk on the east side of Oxford Street between Summit and Vienna as being in deplorable condition, noting that he has received a number of complaints from people who have tripped and injured themselves. The Alderman therefore asked if staff would consider having asphalt applied to the problem areas before the cold weather sets in.

Question Alderman Pottie Re:  
Traffic Patterns - Oxford Street

Alderman Pottie advised that he has had a number of complaints regarding traffic flows on Oxford Street, particularly between North Street and Bayers Road. In this context, the Alderman noted that many motorists appear to think that Oxford is a two-lane street with the result that when one motorist comes to a halt for a child using a crosswalk, another motorist pulls around him and enters the intersection.

Emphasizing that there have been frequent "near misses" because of this behavior, Alderman Pottie asked the Traffic Authority to consider the installation of some sort of cautionary signs, such as "One Lane Only" or "Slow - Children Playing," in an attempt to address the problem.

**COUNCIL**  
**14 OCTOBER 1993**

**Question Alderman Pottie Re:**  
**Meeting with Provincial Representatives**

Alderman Pottie made reference to the breakdown in "rapport" between the Province and the City of Halifax in recent weeks, and strongly recommended that Mayor Ducharme attempt to impress upon Premier Savage that the City is eager to attempt a reconciliation of sorts.

In putting forward this recommendation, Alderman Pottie suggested that arrangements might be made for Provincial and Council representatives to meet on a regular (i.e., monthly) basis, with perhaps a small committee of Council members being established for this purpose.

**Question Alderman Pottie Re:**  
**Accidents Involving Motor Vehicles and Pedestrians**

Alderman Pottie made reference to the large number of accidents involving pedestrians and motorists which have occurred in the City over recent weeks, and strongly recommended that the Police Department mount a public awareness campaign pertaining to pedestrian safety. In his remarks, the Alderman emphasized that motorists must be made alerted to the fact that the City takes a "zero tolerance" approach to pedestrians being injured by vehicles while using crosswalks.

**Question Alderman Pottie Re:**  
**Police Department's Horse - Replacement**

Alderman Pottie made reference to the recent demise of "King," the Police Department's horse, praising the animal for the good will he generated on the City's behalf. The Alderman went on to suggest that, in his view, the kind of contribution that can be made by a mounted patrol should not be restricted to the City's South End and therefore asked that, in making plans for King's replacement, if monies could be found for **two** such horses.

Concurring with Alderman Pottie's remarks, Her Worship Mayor Ducharme suggested that consideration be given to erecting a plaque in Point Pleasant Park in memory of King's service to the City.

**Question Alderman Crowley Re:**  
**Crosswalk Markings**

Alderman Crowley noted that the crosswalk markings in the vicinity of the Sir John Thompson Manor have become extremely hard to see, and therefore asked that

COUNCIL  
14 OCTOBER 1993

staff undertake to have them repainted out of deference to the many senior citizens who use this particular crosswalk.

NOTICES OF MOTION

**Notice of Motion Alderman Hanson Re:**  
**Reconsideration of Council's Resolution - Case**  
**No. 6764: Development Agreement/Lot Modification,**  
**6275-77 Duncan Street (Agenda Item 5.1 - 14 October 1993)**

Alderman Hanson gave Notice of Motion that, at the next regular meeting of Halifax City Council, **scheduled for Thursday, 28 October 1993**, he proposes to introduce a Motion of Reconsideration with regard to the resolution made by Council on 14 October 1993 with regard to Agenda Item 5.1 - "Case No. 6764: Development Agreement/Lot Modification, 6275-77 Duncan Street."

**Notice of Motion Alderman Stone Re:**  
**Proposed Amendments to Ordinance 180, the**  
**Streets Ordinance (Locations - Newspaper Boxes)**

Alderman Stone gave Notice of Motion that, at the next regular meeting of Halifax City Council, **scheduled for Thursday, 28 October 1993**, he proposed to introduce for First Reading amendments to Ordinance 180, the Streets Ordinance.

The purpose of these proposed amendments is to alter the locations at which newspaper boxes can be placed.

ADDED ITEMS

**Award of Tender #93-199: Supply and Install**  
**Vehicle Exhaust Extraction System (West End Fire Station)**

This matter had been added to the agenda at the request of the City Clerk.

A staff report, dated 6 October 1993, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that Tender #93-199 (Supply and Install Vehicle Exhaust Extraction System - West End Fire Station) be placed with **Rideout Tool & Machine Inc.**, the lowest bidder meeting specifications, for a price of \$42,867.52 (funds to be made available in Account Number 22502.9120.91009 titled "Supply and Install Vehicle Exhaust Extraction System - West End Fire Station").

The motion was put and passed.

COUNCIL  
14 OCTOBER 1993

Award of Tender #93-201: Exterior  
Masonry Wall Repairs - Bloomfield Centre

This matter had been added to the agenda at the request of the City Clerk.

A staff report, dated 12 October 1993, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that Tender #93-201 (Exterior Masonry Wall Repairs - Bloomfield Centre) be placed with **C. W. Stone Contractors** at a bid price of \$34,434.29 and a total project cost of \$37,000.00 (funds to be made available in Account Number 22504.9133.91635 titled "Exterior Masonry Wall Repairs - Bloomfield Centre").

The motion was put and passed.

Award of Tender #93-202: Repairs to  
Point Pleasant Park Gate House Exterior

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

Halloween 1993 (Alderman O'Malley)

This matter had been added to the agenda at the request of Alderman O'Malley, who requested clarification regarding the City's plans for this year's Halloween events.

Referring to a discussion which took place during the 6 October meeting of Committee of the Whole Council, the Acting City Solicitor emphasized that the City of Halifax does not have the authority to regulate the date on which Halloween will be observed. Mr. Allen pointed out, however, that having reviewed the matter carefully, City services (and, in particular, police personnel) will be prepared to respond appropriately on both Saturday, 30 October, when it is expected that the annual Mardi Gras events will take place, and on Sunday, 31 October, for the usual "trick or treating" activities.

There being no further business to be discussed, the meeting was adjourned at approximately 10:20 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

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HEADLINES

|  |     |
|--|-----|
| CLEAN NOVA SCOTIA FOUNDATION .....   | 698 |
| MINUTES .....  | 699 |
| APPROVAL OF THE ORDER OF BUSINESS,<br>ADDITIONS AND DELETIONS .....  | 699 |
| PROCLAMATION - WASTE REDUCTION WEEK .....  | 699 |
| DEFERRED ITEMS   |     |
| Case No. 6764: Development Agreement/Lot<br>Modification, 6275-77 Duncan Street .....  | 700 |
| REPORT - FINANCE AND EXECUTIVE COMMITTEE   |     |
| Award of Tender #93-202: Repairs to Point<br>Pleasant Park Gate House Exterior .....   | 701 |
| Atlantic School of Theology (Library)<br>- Request for Funding .....   | 702 |
| Twinning Agreement - Metropolitan<br>Borough of Calderdale, England .....  | 702 |
| Reduction of Nova Scotia Power<br>1993 Payment .....   | 702 |
| Election Procedures Task Force -<br>Ward Boundaries .....  | 704 |
| Halifax Welfare Rights .....   | 704 |
| Payment of Fees for Consultant .....   | 704 |
| Reserve - Regionally Applied Police<br>Information Delivery System (RAPID) .....   | 704 |
| F.C.M. Resolutions: Municipal Infrastructure,<br>Social Housing, and Grants-in-Lieu of Taxes .....   | 705 |
| Land Exchange - Portion of Kempt Road .....  | 708 |
| Land Exchange - 100 Leiblin Avenue/Evans<br>Avenue and Young Avenue .....  | 708 |
| Expropriation - Parcel 10-A, Pioneer Avenue .....  | 709 |
| Award of Tender #93-151: Printer Equipment .....   | 709 |
| Settlement of Claim - Gael General Contractors<br>v. Clarke Transport Canada Inc., Seaboard<br>Contractors Inc., Halifax Industrial Commission,<br>City of Halifax, Guarantee Company of North<br>America (Defendants) and O'Halloran Campbell<br>Consultants Ltd. and Daniel P. O'Halloran<br>(Third Parties) ..... | 710 |
| Proposed Call for Proposals - City<br>Administrative Offices .....   | 710 |
| Report - Tax Concessions and Grants<br>Committee (Centennial Arena Commission) .....   | 710 |
| Halifax Natal Day (1993) .....   | 711 |
| Provincial Five-Day Unpaid Leave Program .....   | 711 |

HEADLINES (CONT'D)

REPORT - COMMITTEE ON WORKS

|   |     |
|---|-----|
| Award of Tender #93-114: Street Improvements<br>- Coburg Road .....   | 713 |
| Award of Tender #93-115: Street Improvements<br>- Summer Street .....   | 714 |
| Award of Tender #93-123: Street Improvements<br>Program - University Avenue (B/S), Summer<br>Street to Tower Road ..... | 714 |
| Award of Tender #93-23: Pioneer Avenue<br>Upgrading .....   | 714 |

REPORT - PLANNING COMMITTEE

|   |     |
|---|-----|
| Case No. 6547: Definition of Dwelling<br>Unit and Secondary Dwelling Units .....  | 715 |
| Case No. 6756: Development Agreement -<br>556-558 Tower Road .....  | 715 |
| Case No. 6754: Schedule "G" - Development<br>Agreement for 81-Unit Apartment Building<br>(Corner of Lower Water and Bishop Street)<br>- SET DATE FOR PUBLIC HEARING ..... | 715 |

MOTIONS

|  |     |
|--|-----|
| Motion Alderman Adams Re: Amendment to<br>Ordinance 116, the Taxi and Limousine Bylaw<br>(Moratorium on Taxi Operator Licenses)<br>- FIRST READING ..... | 716 |
| Motion Deputy Mayor Fitzgerald Re:<br>Introduction of Ordinance 187, the Ferry<br>Ordinance (FIRST READING) .....  | 717 |

QUESTIONS

|   |     |
|---|-----|
| Question Alderman Adams Re: 12, 14,<br>16 and 16½ Rockingstone Road .....                                     | 716 |
| Question Alderman Adams Re:<br>Ward 7 Association .....   | 717 |
| Question Alderman Adams Re: Intersection<br>in the Vicinity of Civic Nos. 287 and 278<br>Lacewood Drive ..... | 717 |
| Question Alderman Adams Re: Drainage<br>Problems - Civic Nos. 600 and 700<br>Herring Cove Road .....          | 717 |
| Question Alderman Adams Re: Award of<br>Tenders - City Employees .....  | 718 |
| Question Alderman Holland Re: Payment of<br>Taxes on Electricity Used By the City .....                       | 718 |
| Question Alderman Holland Re: Snow Removal .....  | 718 |
| Question Alderman Holland Re: Advance<br>Payments to Elected Officials .....                                  | 718 |
| Question Alderman Holland Re:<br>Police Horse "King" .....  | 719 |

**COUNCIL  
14 OCTOBER 1993**

**HEADLINES (CONT'D)**

|  |     |
|--|-----|
| Question Alderman Holland Re: School<br>Zone (LeMarchant and South Streets) .....                          | 719 |
| Question Alderman Crowley Re:<br>St. Andrew's School .....   | 719 |
| Question Alderman Crowley Re: Street<br>Cleaning Signs .....   | 719 |
| Question Alderman Crowley Re: Construction<br>and Improvements - City Roadways .....                       | 720 |
| Question Alderman O'Malley Re: Jury<br>Duty - "Essential Service" Employees .....                          | 720 |
| Question Alderman O'Malley Re: 1994/95<br>Budget Review Process .....                                      | 721 |
| Question Alderman O'Malley Re: Late Reports .....  | 721 |
| Question Alderman Stone Re: Condition<br>of the Bedford Highway (Kearney Lake<br>Road - City Limits) ..... | 721 |
| Question Alderman Stone Re:<br>Transportation Study .....  | 721 |
| Question Alderman Downey Re:<br>Crosswalk Accidents .....  | 722 |
| Question Alderman Downey Re:<br>Sidewalk Repairs .....   | 722 |
| Question Deputy Mayor Fitzgerald Re:<br>Temporary Closure - Halifax County Library .....                   | 722 |
| Question Deputy Mayor Fitzgerald Re:<br>Metropolitan Authority - Garbage .....                             | 722 |
| Question Deputy Mayor Fitzgerald Re:<br>Herring Cove Road Widening Project .....                           | 723 |
| Question Deputy Mayor Fitzgerald Re:<br>Street Improvements - Jubilee Road .....                           | 723 |
| Question Alderman Hanson Re: Deployment<br>of Crossing Guards .....  | 723 |
| Question Alderman Hanson Re: Armdale<br>Rotary - Signage .....   | 724 |
| Question Alderman Pottie Re: Street<br>Improvements - Connaught Avenue .....                               | 724 |
| Question Alderman Pottie Re: Sidewalk<br>Improvements - Oxford Street .....                                | 724 |
| Question Alderman Pottie Re: Traffic<br>Patterns - Oxford Street .....                                     | 724 |
| Question Alderman Pottie Re: Meeting<br>with Provincial Representatives .....                              | 725 |
| Question Alderman Pottie Re: Accidents<br>Involving Motor Vehicles and Pedestrians .....                   | 725 |
| Question Alderman Pottie Re: Police<br>Department's Horse - Replacement .....                              | 725 |
| Question Alderman Crowley Re:<br>Crosswalk Markings .....  | 725 |

COUNCIL  
14 OCTOBER 1993

HEADLINES (CONT'D)

NOTICES OF MOTION

|   |     |
|---|-----|
| Notice of Motion Alderman Hanson Re:<br>Reconsideration of Council's Resolution -<br>Case No. 6764: Development Agreement/Lot<br>Modification, 6275-77 Duncan Street (Agenda<br>Item 5.1 - 14 October 1993) ..... | 726 |
| Notice of Motion Alderman Stone Re:<br>Proposed Amendments to Ordinance 180,<br>the Streets Ordinance (Locations -<br>Newspaper Boxes) .....  | 726 |

ADDED ITEMS

|  |     |
|--|-----|
| Award of Tender #93-199: Supply and<br>Install Vehicle Exhaust Extraction<br>System - West Street Fire Station ..... | 726 |
| Award of Tender #93-201: Exterior<br>Masonry Wall Repairs - Bloomfield Centre .....                                  | 727 |
| Award of Tender #93-202: Repairs to<br>Point Pleasant Park Gate House Exterior .....                                 | 701 |
| Halloween 1993 (Alderman O'Malley) .....   | 727 |

**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

Council Chamber  
Halifax City Hall  
20 October 1993  
7:30 P. M.

A special meeting of Halifax City Council was held at this time. The meeting was opened with Her Worship Mayor Moira Ducharme leading those present in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Ms. Mary Ellen Donovan, representing the Acting City Solicitor; and Ms. Karen F. Swim, Acting City Clerk.

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that the amended agenda, as proposed by the Acting City Clerk, be approved.

The motion was put and passed with unanimous consent.

**PUBLIC HEARINGS**

**Public Hearing Re: Case No. 6820: Development Agreement  
- 155 Rufus Avenue**

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

Mr. Paul Dunphy, Planner, addressed Council and outlined the application for a development agreement with Cheryl and James Bottomley to permit construction of an addition to a non-conforming use at 155 Rufus Avenue. He noted that the addition will be 28 ft. by 16 ft. and will contain a bedroom, family room, bathroom and unfinished basement. A new deck will also be constructed. As described in a staff report of 14 September 1993, Mr.

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

Dunphy provided Council with an analysis of the application and advised that staff was recommending approval of the proposed development agreement.

Mr. James Bottomley, 155 Rufus Avenue, addressed Council and noted that he and his wife had just purchased the property and wanted to create much needed living space with the proposed addition.

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

Alderman Jeffrey addressed the matter and, as presented by staff, noted that the proposed addition conforms with all requirements of the R-1 zone for height and setback, etc., and is compatible with the character of the neighbourhood. He added that there have been no letters in opposition to the proposed development.

It was therefore MOVED by Alderman Jeffrey, seconded by Alderman Hanson that:

1. City Council enter into a development agreement with Cheryl and James Bottomley to permit construction of an addition to a non-conforming use at 155 Rufus Avenue.
2. Council requires that the development agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

**Heritage Hearing Re: Recommended Heritage Property  
- 5476 and 5480-82 Clyde Street**

A heritage hearing concerning the buildings at 5476 and 5280-5482 Clyde Street was held at this time.

Mr. Dan Norris, Heritage Planner, addressed Council and reviewed the proposed heritage designation of the two properties at 5476 and 5480-82 Clyde Street. Mr.

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

Norris went on to briefly highlight the information including research material, evaluation and application, as attached to a staff report of 14 October 1993. A large scale photograph showing the property's original form was also presented to Council.

In his review, Mr. Norris advised that the owners of both properties were not objecting to the proposed registration.

A resident of 5476 Clyde Street addressed Council and advised that she was the treasurer of the Black Rose Housing Co-op. In her remarks, she indicated that they were very much in support of registering this property as a heritage property. She added that the house was very well built by a German craftsman and was certainly beautiful.

Mr. Daniel O'Connor, 5480-82 Clyde Street, addressed Council and advised that he was very much in support of the registration and valued the heritage aspects of the property.

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

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that this matter be forwarded to the next meeting of City Council scheduled for 28 October 1993 without recommendation.

Motion passed.

**Alderman Adams retired from the Council Chamber at this point in the meeting.**

**Public Hearing Re: Case No. 6698: Amendments to the  
Municipal Development Plan and Land Use Bylaw  
- Development Adjacent to Kearney Lake Road**

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

Mr. J. Michael Hanusiak, Planner II, addressed Council and, as detailed in a staff report of 26 April 1993, outlined the proposed amendments to the Municipal Development Plan and Land Use Bylaw that will allow a limited amount of new development in the vicinity of Kearney Lake.

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

In his presentation, Mr. Hanusiak noted that the Planning Advisory Committee held a public meeting on the proposed amendments and, as outlined in a report dated 30 August 1993 from the Chairman, raised various issues. He went on to note that staff is recommending approval of the proposed amendments as contained in the staff report of 26 April 1993 with the exception that the bylaw provision be revised as agreed to by staff and the PAC.

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

Responding to a question from Alderman Stone, the Acting City Clerk advised that no correspondence in favour of or in opposition to the proposed amendments was received.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as outlined in the Planning Advisory Committee's report of 30 August 1993, Halifax City Council approve the following amendments to the Municipal Development Plan and Land Use Bylaw as follows:

1. New Policy 2.1.6 to be added to the City Wide Objectives and Policies section as follows:
  - 2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.
2. A new Section 14(A)(g) to be added to the mainland portion of the Land Use Bylaw as follows:
  - (g) R-1 and R-2 uses on lots which abut the existing public street network for the area designated "Residential Environments" for the area of Kearney Lake west of the Bicentennial Highway.

Motion passed.



**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

**Public Hearing Re: Case No. 6536: Proposed Amendments  
to the Municipal Development Plan and Land Use Bylaw  
- Non-Conforming Structures and Uses**

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

Mr. J. Michael Hanusiak, Planner II, addressed Council and outlined the proposed amendments to the Municipal Development Plan and Land Use Bylaw that would allow certain deteriorated features of non-conforming structures containing non-conforming uses to be replaced by right. As described in the staff report of 22 April 1993, Mr. Hanusiak reviewed the background concerning the proposed amendments and advised that staff were recommending their approval.

A report from the Planning Advisory Committee dated 31 August 1993 recommended that the proposed amendments be approved with the change, as agreed by staff and the PAC, that the word "setback" in the proposed bylaw amendment be changed to "front, side or rear yard."

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Stone that this matter be forwarded to the next meeting of City Council scheduled for 28 October 1993 without recommendation.

Motion passed.

**ADDITIONS**

**Appointments**

This item had been added to the agenda at the request of Her Worship Mayor Ducharme, who submitted two (2) confidential memorandums, both dated 20 October 1993.

MOVED by Alderman O'Malley, seconded by Alderman Hanson that City Council:

- (1) approve the recommendation from Her Worship Mayor Ducharme, as contained in a confidential memorandum dated 20 October 1993, pertaining to the appointment of a Deputy Mayor for the period 1 November 1993 - 1 November 1994; and further, that this appointment be publicly announced during the regular meeting of Halifax City Council scheduled for Thursday, 28 October 1993;

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

- (2) approve the recommendations from Her Worship Mayor Ducharme, as contained in the confidential memo dated 20 October 1993, pertaining to the appointment of members of Council to City boards and commissions (all terms to expire 1 November 1994) as follows:

**HER WORSHIP MAYOR DUCHARME**

Arbitration Committee  
Audit Committee  
Emergency Measures Civil Defence Organization  
Halifax Forum Commission  
Halifax-Hakodate Committee  
Halifax Industrial Commission  
Metropolitan Authority  
Planning Advisory Committee  
Directors of Point Pleasant Park  
Board of Police Commissioners - City of Halifax  
Halifax Recreation Committee  
Retirement Committee  
Tourism Halifax Committee  
Metropolitan Area Planning Commission  
Halifax Water Commission

**ALDERMAN LONNY HOLLAND**

Art Allocation Committee  
Audit Committee  
Design Advisory Committee  
Halifax Court Commission  
Halifax-Hakodate Committee  
Metropolitan Authority  
Directors of Point Pleasant Park  
Tourism Halifax Committee  
Transit Advisory Committee  
Retirement Committee

**ALDERMAN WALTER R. FITZGERALD**

Heritage Advisory Committee  
Halifax Industrial Commission  
Planning Advisory Committee  
Tourism Halifax Committee  
Trade Centre Limited  
Metropolitan Authority

**ALDERMAN GRAHAM L. DOWNEY**

Halifax-Dartmouth Bridge Commission  
Business Improvement District Commission  
- Spring Garden Road  
Emergency Measures Civil Defence Organization  
Halifax Forum Commission

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

Board of Harbour City Homes  
Tax Concessions and Grants Committee  
Transit Advisory Committee

**ALDERMAN NICHOLAS MEAGHER**

Arbitration Committee  
Audit Committee  
Halifax Forum Commission  
Planning Advisory Committee  
Tax Concessions and Grants Committee

**ALDERMAN MARIE O'MALLEY**

Halifax-Dartmouth Bridge Commission  
Advisory Committee on Concerns of Ageing  
Board of Harbour City Homes  
Halifax Recreation Committee  
Tax Concessions and Grants Committee  
Trade Centre Limited

**ALDERMAN PATRICK POTTIE**

Arbitration Committee  
Board of Health  
Halifax Forum Commission  
Halifax Natal Day Committee  
Board of Police Commissioners - City of Halifax  
Emergency Measures Civil Defence Organization  
Retirement Committee

**ALDERMAN STEPHEN D. ADAMS**

Board of Health  
Halifax Forum Commission  
Lakes and Waterways Advisory Committee  
Mainland South Community Centre Corporation  
Metropolitan Area Planning Commission  
Halifax Recreation Committee  
Halifax Taxi and Limousine Commission

**ALDERMAN RON HANSON**

Audit Committee  
Advisory Committee on Concerns of Ageing  
Board of Harbour City Homes  
Mainland South Community Centre Corporation  
Trade Centre Limited  
Transit Advisory Committee  
Halifax Water Commission

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

**ALDERMAN THOMAS J. JEFFREY**

Audit Committee  
Board of Health  
Emergency Measures Civil Defence Organization  
Halifax Forum Commission  
Halifax Recreation Committee

**ALDERMAN VANCE L. MACDONALD**

Art Allocation Committee  
Audit Committee  
Heritage Advisory Committee  
Halifax Industrial Commission  
Metropolitan Authority  
Tax Concessions and Grants Committee

**ALDERMAN MARY ANN CROWLEY**

Board of Health  
Business Improvement District Commission  
- Downtown Halifax  
Halifax-Hakodate Committee  
Halifax City Regional Library Board  
Halifax Natal Day Committee  
Neptune Theatre Foundation  
Tourism Halifax Committee

**ALDERMAN BILL STONE**

Emergency Measures Civil Defence Organization  
Halifax City Regional Library Board  
Board of Police Commissioners - City of Halifax  
Retirement Committee  
Tourism Halifax Committee  
Trade Centre Limited  
Transit Advisory Committee

The motion was put and passed.

Award of Tender #93-14: New Sidewalk  
Pryor Street and Dutch Village Road

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

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Committee on Works, Tender #93-14 (Sidewalk Construction - Pryor Street and Dutch Village Road) be awarded to Ocean Contracting Ltd. for a total combined bid price of \$92,085.00 and a

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

**ALDERMAN THOMAS J. JEFFREY**

Audit Committee  
Board of Health  
Emergency Measures Civil Defence Organization  
Halifax Forum Commission  
Halifax Recreation Committee

**ALDERMAN VANCE L. MACDONALD**

Art Allocation Committee  
Audit Committee  
Heritage Advisory Committee  
Halifax Industrial Commission  
Metropolitan Authority  
Tax Concessions and Grants Committee

**ALDERMAN MARY ANN CROWLEY**

Board of Health  
Business Improvement District Commission  
- Downtown Halifax  
Halifax-Hakodate Committee  
Halifax City Regional Library Board  
Halifax Natal Day Committee  
Neptune Theatre Foundation  
Tourism Halifax Committee  
Recreation Committee

**ALDERMAN BILL STONE**

Halifax City Regional Library Board  
Board of Police Commissioners - City of Halifax  
Tourism Halifax Committee  
Trade Centre Limited  
Transit Advisory Committee

The motion was put and passed.

**Award of Tender #93-14: New Sidewalk  
Pryor Street and Dutch Village Road**

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

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Committee on Works, Tender #93-14 (Sidewalk Construction - Pryor Street and Dutch Village Road) be awarded to **Ocean Contracting Ltd.** for a total combined bid price of \$92,085.00 and a

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

total project cost of \$111,000 (funding to be authorized from Account Numbers 91228 and 91229, "New Sidewalks").

The motion was put and passed.

**Case No. 6431: 3763-3771 Dutch Village Road  
(Plan Amendment Request) - SET DATE FOR PUBLIC HEARING**

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

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, a public hearing date be scheduled to consider a possible Municipal Development Plan amendment with reference to 3763-71 Dutch Village Road.

The motion was put and passed.

The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 8 DECEMBER 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Case No. 6523: Development Agreement  
20 Dawn Street (SET DATE FOR PUBLIC HEARING)**

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

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Planning Committee, a public hearing date be scheduled to consider an application for a development agreement (to permit a new roof structure) at 20 Dawn Street.

The motion was put and passed.

The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 NOVEMBER 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

**Case No. 6761: Cost-Sharing  
- Ross Street Extension**

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

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, Halifax City Council approve the expenditure of \$27,500 (representing the full estimated cost of the 80 foot extension of Ross Street), and that funds in this amount be placed in the Capital Budget.

The motion was put and passed.

**Case No. 6738: Amendment to the MDP and  
LUB (Residential Development District Zone)**

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that, as recommended by the Planning Committee, the recommendations as outlined in the staff report of 8 October 1993, pertaining to amendments to the Municipal Development Plan and Land Use Bylaw (Residential Development District Zone), be forwarded to the Planning Advisory Committee for review and report.

In seconding this motion, Alderman Hanson noted that he would greatly appreciate having this matter dealt with by the PAC as quickly as possible, preferably at its meeting scheduled for Tuesday, 26 October.

The motion was put and passed.

**Case No. 6755: Application for Development Agreement  
- 5969 College Street (SET DATE FOR PUBLIC HEARING)**

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Planning Committee, a public hearing be scheduled to consider:

- (a) the application for the internal conversion of the existing registered heritage building located at 5969 College Street to permit five residential units and four office units; and

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

- (b) the substantial alteration of the existing registered heritage building through the construction of an eight-unit residential addition.

The motion was put and passed.

The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 NOVEMBER 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Case No. 6766: Proposed Development Agreement  
- 2046 Robie Street (SET DATE FOR PUBLIC HEARING)**

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

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the Planning Committee, a public hearing date be scheduled to consider an application for a development agreement (to permit the construction of an at-grade parking lot) at 2046 Robie Street.

The motion was put and passed.

The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 NOVEMBER 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Award of Tender #93-123: Street Improvements Program  
(University Avenue - Summer Street to Tower Road)**

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, City Council:

- (1) rescind the motion made at City Council on 14 October 1993 as follows:

THAT City Council award Tender #93-123 (Street Improvements Program - University Avenue: Summer Street to Tower Road) to **Standard Paving Maritime Ltd.** at a cost of \$357,000.00, on condition that this project be implemented in 1994 as a recommitment against the F.Y. 1994/95 funding for the Street Improvements Program (all as outlined in the staff report dated 1 October 1993).



**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

- (2) approve the following motion to award  
Tender #93-123 to **Dexter Construction Ltd:**

THAT City Council award Tender #93-123 (Street Improvements Program - University Avenue: Summer Street to Tower Road) to **Dexter Construction Ltd.** at a cost of \$357,000.00, on condition that this project be implemented in 1994 as a recommitment against the F.Y. 1994/95 funding for the Streets Improvement Program (all as outlined in the staff report dated 1 October 1993).

The motion was put and passed.

**Park Projects Limited v. City of Halifax;  
A. N. Norton v. City of Halifax**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Council authorize the retention of outside counsel to defend the City and its employees in the actions commenced by Park Projects Ltd. and A. N. Norton.

The motion was put and passed.

**Settlement of Claim - 218 Bedford Highway**

This matter had been forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

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

- (a) Council approve the settlement of claim as negotiated between staff and the owner of Civic No. 218 Bedford Highway, for a lump sum amount of \$27,500 including costs;
- (b) Council approve the payment to the consultant, **ADI Nolan Davis (NS) Limited**, for design fees, the sum of which is not to exceed \$5,000.00 including all taxes; and

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

- (c) funds for the payments be approved from Capital Account No. 22304-9140-94008.

The motion was put and passed.

**Halloween "Trick or Treating"**

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

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Halifax City Council encourage its citizens to take part in "trick or treating" on Saturday evening (30 October 1993).

The motion was put and passed.

**W. N. White Co. - 213-215 Bedford Highway**

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

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, staff be authorized to negotiate with the owners of W. N. White Co., located at 213-215 Bedford Highway, a possible compromise position which may allow the business to relocate to the Bayers Lake Industrial Park.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 8:20 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
20 OCTOBER 1993**

**HEADLINES**

Approval of the Order of Business,  
Additions and Deletions .....732

Public Hearing Re: Case No. 6820:  
Development Agreement - 155 Rufus Avenue .....732

Heritage Hearing Re: Recommended Heritage  
Property - 5476-82 Clyde Street .....733

Public Hearing Re: Case No. 6698:  
Amendments to the Municipal Development Plan  
and Land Use Bylaw - Development Adjacent  
to Kearney Lake Road .....734

Public Hearing Re: Case No. 6536: Proposed  
Amendments to the Municipal Development Plan  
and Land Use Bylaw - Non-Conforming  
Structures and Uses .....736

**ADDITIONS**

Appointments .....736

Award of Tender #93-14: New Sidewalk  
- Pryor Street and Dutch Village Road .....739

Case No. 6431: 3763-71 Dutch Village  
Road (Plan Amendment Request) - SET  
DATE FOR PUBLIC HEARING .....740

Case No. 6523: Development Agreement  
20 Dawn Street (SET DATE FOR PUBLIC HEARING) ....740

Case No. 6761: Cost-Sharing - Ross  
Street Extension .....741

Case No. 6738: Amendment to MDP and LUB  
- Residential Development District Zone .....741

Case No. 6755: Application for Development  
Agreement - 5969 College Street (SET DATE  
FOR PUBLIC HEARING) .....741

Case No. 6766: Proposed Development  
Agreement - 2046 Robie Street (SET DATE  
FOR PUBLIC HEARING) .....742

Award of Tender #93-123: Street  
Improvements Program (University Avenue) .....742

Park Projects Limited v. City of Halifax;  
A. N. Norton v. City of Halifax .....743

Settlement of Claim - 218 Bedford Highway .....743

Halloween "Trick or Treating" .....744

W. N. White Co. - 213-215 Bedford Highway .....744