

Council,  
April 16, 1969

background covering the applicant's various requests to the City in connection with his property on Oxford Street. He said that in November of 1968 Dr. Shah was issued a permit by the Building Inspector which enabled him to make certain alterations to the basement and top floor, with the restriction that the basement be used only for recreational and storage purposes. The plan submitted by Dr. Shah at that time, he said, showed bathroom facilities on both the basement and top floor levels, which plans were approved and the facilities installed. Following that, he said, around the first week in December, 1968, after discussions with the City staff, Dr. Shah submitted a new plan for the third floor. Mr. Donahoe stated that the new plans, according to Dr. Shah, incorporated suggestions put forward by City staff and the Building Inspector, which would make the top floor more habitable, and accordingly new stairs and seven windows were constructed. Although a utility sink was part of the plan at that time, Mr. Donahoe said, it had never received official approval, although Dr. Shah contended that the Building Inspector had given his verbal approval. In mid-December, he added, Dr. Shah applied to have his dwelling approved as a triplex, which application was refused by the Building Inspector, and which refusal Dr. Shah subsequently appealed before the Town Planning Board in January, 1969. He said that just prior to Dr. Shah's appearance to appeal the triplex application, he had been advised by the Building Inspector that he would not be permitted to install a sink on the top floor of the house. The permit issued by the Building Inspector, he said, made it a condition that the alterations approved for the top floor were with the understanding

Council,  
April 16, 1969

that the top floor would be considered as part of the living accommodations of the floor below.

Mr. Donahoe then quoted a letter from the Building Inspector dated March 24, 1969 which outlined his reasons for refusing Dr. Shah permission to install a hand-basin on the top floor. Dr. Shah being an insistent fellow, he said, then applied to have a laundry tub installed on the top floor, and Mr. Donahoe quoted a letter from the Building Inspector dated March 25, 1969 refusing that application.

Mr. Donahoe said it was his understanding that one member of Council had discussed this problem with Dr. Shah and had assured him that there would be no problem in his being allowed to carry out the work he desired on his dwelling, and which, in fact, he was entitled to do.

At this point Alderman Connolly asked Mr. Donahoe if the member of Council he was referring to was himself, and upon his being told it was, said he denied such an allegation. Mr. Donahoe said that he possibly should not have made such a statement, since it was only based on statements made by Dr. Shah, who had been having great difficulty in communicating with all concerned due to language problems.

Mr. Donahoe then repeated the grounds for the appeal as outlined in his letter of April 8, 1969, and respectfully requested that Dr. Shah's appeal be approved and he be allowed to install a hand-basin or laundry tub, or both, on the top floor of his dwelling at 2024 Oxford Street.

Alderman Sullivan said that when the matter first came before Council, it was his understanding that Dr. Shah intended to make a small self-contained unit on the

Council,  
April 16, 1969

top floor to accommodate a couple, or possibly a couple with one child, and in view of the housing shortage, Alderman Sullivan said he had been very sympathetic to this proposal. However, he said, he had since seen an advertisement for a group of 10 students or nurses for rooms at an Oxford Street house, and if in fact the house in question was Dr. Shah's, this would alter his thinking considerably.

At the request of the Chairman, Dr. Shah then came forward to confirm that the advertisement referred to by Alderman Sullivan was for his house.

Mr. Donahoe on being faced with the fact that the advertisement was for Dr. Shah's dwelling, said in its defence that Halifax was becoming more and more a center for institutions like colleges, hospitals, etc., and accommodation for students, nurses, etc. was as much a problem as for families.

The Building Inspector then came forward and by means of a diagram, indicated to Council the layout of 2024 Oxford Street. Mr. Jefferson said that since Council had ruled the dwelling unsuitable as a triplex dwelling, he was in the position that he could not authorize anything which would, in effect, create a triplex dwelling without referring the matter back to Council. In the face of the owner wanting to develop the top floor, he had insisted upon the exit stairway and the windows, but felt the matter should stop right there, since to allow Dr. Shah's request for installation of a basin or laundry tub would have the effect of creating a self contained unit on the top floor, and thus turning the dwelling into a triplex. In reply to a question from Alderman LeBlanc, the Building Inspector said he did not feel there was any problem

Council,  
April 16, 196

with regard to fire exits for the top floor, since Dr. Shah had installed the additional staircase between the second and top floors.

9:42 p.m. - His Worship the Mayor arrives.

Alderman Meagher asked Mr. Donahoe what provision his client would be making for parking facilities for ten roomers, since it was conceivable each roomer would own an automobile. At first Mr. Donahoe said he did not see that this had any bearing on the appeal, until Alderman Meagher pointed out that the occupants of 2024 Oxford would have to park all along the street, and this would have a consequence to the other occupants of the street.

MOVED by Alderman Abbott, seconded by Alderman Hogan, that the decision of the Building Inspector in this matter be upheld. Motion passed.

9:45 p.m. - His Worship the Mayor assumed the Chair, and Alderman Allen took his regular place in Council.

#### PETITIONS AND DELEGATIONS

##### Petition to Rezone One Section of Bridgeview Subdivision

A petition signed by approximately fifty persons, all residents of one section of Bridgeview Subdivision, was submitted, in which was outlined their reasons for requesting Council to have the area Rezoned from R-2 to R-1.

The Chairman said that at this point Council was not in a position to consider the matter, except to refer it as an application to the Town Planning Board.

MOVED by Alderman Abbott, seconded by Alderman Sullivan, that the matter be referred to the Town

Council,  
April 16, 1969

Planning Board for their consideration. Motion passed.

At the request of Alderman McGuire, it was agreed to bring up Item 15(e) for discussion at this time in order to accommodate the large group of persons in the gallery who had attended for this discussion.

TOWN PLANNING BOARD

Dunbrack Street

The recommendation of the Town Planning Board read as follows:

1. A right-of-way of 100-120 ft. for the Dunbrack arterial from St. Margaret's Bay Road to Kearney Lake Road, be reserved as soon as possible, and that until this right-of-way has been reserved, no future development in its general line shall be allowed. The general line for the Dunbrack arterial, which will be dictated by topography and existing developments, shall be as follows:

At St. Margaret's Bay Road it will pass east of First Chain Lake. At Bicentennial Highway it will meet the existing Dunbrack Street right-of-way to allow an interchange. The 66-foot right-of-way along existing Dunbrack Street will require a 34-foot widening on the west side to bring it to the minimum of 100 feet. From its line along existing Dunbrack Street the arterial will dip east to follow right-of-way reservations through Clayton Park and Mount Saint Vincent. Then it will follow a line through undeveloped lands until it touches in the vicinity of Donaldson Street, where further study will be required to set a line.

2. A right-of-way be reserved at this time for a full interchange between Dunbrack Street and the Bicentennial Highway, the lines of which will depend on a more detailed consideration of interchange types and their associated costs.

The following submission was presented by the Fairview Home-Owners Association:

"Area residents accepted amalgamation since they felt dissatisfaction with County Council's handling of planning and zoning in Fairview. The County Councillors from Hubbards to Ecum Secum shepherded some doubtful planning with respect to sewers, water, zoning and streets in Fairview and we in Fairview are now paying for poor services due to their short-sighted planning.

Council,  
April 16, 1969

"It was with anger that we read that Halifax City Council's Committee had agreed in principle to whole heartily endorse the part of the "Old County Master Plan" which deals with the limited access arterial highway from Kearney Lake interchange across Bicentennial and on to the Bay Road. This matter of the highway was brought before the City Planning Board at an informal public hearing on September 3, 1968. Our recommendation to the City Planning Board was that the highway be located 750 feet westerly from Dunbrack Street.

"During the two-hour Public hearing the Halifax City Planning Board voted 6 to 0 in favour of recommending that City Council officially endorse the relocation of the proposed limited access arterial highway to the location we recommended, which was to be 750 feet westerly from Dunbrack Street.

"This is not simply a matter of concern for Fairview residents but also Fairmount-Springvale subdivision residents strongly felt that the road was unnecessary, and rate payers of that area have presented strong points against that part of the Old County Master Plan.

"Further, the legal counsel for Clayton Park Developers stated that our recommended location of 750 feet westerly from Dunbrack Street would not in any way interfere with their development.

"From reading the press we conclude that the Halifax Mayor has scorned the County Council and County Planners for their lack of planning and lack of foresight in dealing with civic planning what is now the annexed areas. Now it seems that the Council's Committee of the Whole has taken the easy way out, as did County Council, and made decisions without consulting the entire blocks of population affected. They have taken the recommendations of Mr. Dodge and Mr. Lubka without knowing all the facts.

"On page ten of Mail Star, April 10, 1969, it appears that City Engineer C.L. Dodge states that the idea of the Limited Access Arterial Highway had been accepted by the City, the Regional Planning Commission, and the Province.

"In rebuttal, the City of Halifax turned down the idea of that highway in early September, 1968; the Minister of Highways had washed his hands of anything to do with that idea just prior to that date.

"Mr. Dodge has elaborated on the concept of low accident rate, controlled access, traffic lights and smooth flow of vehicular traffic, but he has omitted some very important and crucial facts. The people in the effected areas who have to pay the cost of bad planning were not considered. The many hundred of children who go to schools adjacent to Dunbrack Street, are they not to be

Council,  
April 16, 1969

"considered just because it is not conventional to draw them on a planners chart or map - are their lives to be needlessly endangered?

"We here point out that if the highway were located 750 feet westerly from Dunbrack Street that it would abutt to a 66-foot right of way which was granted by the Province more than 70 years ago -- this is for the area westerly from Ashburn Golf Course.

"City tax-payers would save many thousands of dollars by not having to buy high cost land from Ashburn or other privately owned land. We believe that with our recommended location much Crown land would be made available at very small cost compared to private land costs.

"Should this 750 feet westerly from Dunbrack Street be used, it would eliminate the cost of traffic lights and the proposed overhead cross-walks for children, since the land to the west of the highway location we have proposed is zoned for general building zone, hence there would be no residential buildings west of the highway. It has been pointed out by a competent land surveyor that due to the structure of the land and bedrock, it would be most uneconomical to attempt building residential dwellings there due to the high cost of land and rock work. Thus the need to leave this area zoned a general building zone for industrial use.

"Our main objections to your proposed highway is the concern for and love of our children, the unnecessary waste of tax money, and the abhorrence of bad civic planning.

"It appears that the treatment we would receive at the hands of the City Planning Board will be no better than we experienced in the past when we were part of the County.

"Our positive and worthwhile recommendation to you is this; build the highway 750 feet westerly from Dunbrack Street. We have shown many reasons why it should be so, and you have no public support for doing otherwise."

Alderman McGuire said that the Home Owners Association had met the night previous, and had agreed unanimously to send a delegation to the Council meeting this evening, head by Mr. Murray Josey, President of the Association, in order that Council could be made aware of their feelings in this matter before arriving at a decision. Council then agreed to hear from Mr. Josey.

Council,  
April 16, 1969

Mr. Josey's remarks covered the same ground as his written submission, and he summed up the main objections to the proposed location of Dunbrack Street as follows:

1. Concern for the safety of school children who would have to cross back and forth.
2. An unnecessary waste of tax money by purchasing expensive privately owned land, which would be necessary under the proposed location.
3. An abhorrence of bad civic planning in general and their fears that they would fare no better in this regard under the City's Planning Board than they had under the County's.

Alderman Ivany asked the Chairman if he could be advised of what action Council had previously taken in this matter, as referred to by Mr. Josey, as the matter was not too clear in his mind.

The Chairman said that at the time the matter was before the Council last year, it actually had no right to make any decision since the area was not part of the City at that time. It was true, however, he added, that Council had approved a motion that the Department of Highways, the County, and the Regional Planning Commission be advised that it was against the proposed location of the arterial road along Dunbrack, and recommended that it be moved to the west of the school. This recommendation of Council, he said, had been contrary to advice submitted by staff.

Alderman McGuire read the motion from the Minutes of September 12, 1968 Council, and asked for the City Solicitor's opinion if the City had made any commitment in that motion.

The City Solicitor said that the City had no status in the matter at the time the motion was passed, so



Council,  
April 16, 1969

it merely represented an expression of their views at the time; however, he added, that view was expressed by a different Council than the one considering the matter this evening, so it was not inconceivable that the present Council might take a different stand in the matter.

Alderman Abbott said that at the time the matter was discussed in the Committee of the Whole, he was under the impression that the residents in the area were satisfied with the proposed location of the route, but in the light of the representations which had been made this evening he was aware that this was not the case.

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that the matter be deferred for two weeks to allow staff an opportunity to meet with the Fairview Home Owners Association in an effort to reach a compromise on the location of the arterial road.

Alderman Abbott suggested that a special meeting of Council should be called, following the above meeting of staff and the Home Owners Association, and after hearing from all concerned, attempt to reach a decision.

Alderman LeBlanc said he supported the above motion, but would also like to suggest that a small committee of Aldermen be appointed by the Chairman to attend the meeting between staff and the Home Owners Association. The Chairman suggested that Aldermen Abbott, LeBlanc and Hogan form such a Committee.

Alderman McGuire said he agreed it was important to be fully aware of the feelings of the residents in the area before making a decision in the matter, but felt it was also important to know if there were any serious implications

Council,  
April 16, 1969

in deferring a decision at this time. He suggested that staff be asked to indicate their feelings about a delay in the matter.

Mr. Dodge said that some of the present problems facing staff connected with a decision in this matter was the property belonging to Mr. MacAulay and the School, and the sewer question in Clayton Park. Also, he said, the Planning Department might have some problems relating to the Dunbrack arterial road. In addition, he stated, there were developers in the Fairmount Subdivision who wanted to commence work immediately, but could not do so until a decision had been made in the location of the arterial road. Mr. Dodge then said that he felt it would be impossible to locate the arterial road any further west, as it would conflict with the existing interchange. He said he did not care how many engineering consultants were approached on this question, they would all come to the same conclusion. He then pointed out that the route was intended to be a 30-mile per hour limited access route, similar to Robie Street through the center of the City, with traffic lights.

Alderman Ivany said he was in favour of hearing further from the residents in the area, but rather than delay it two weeks suggested it be brought back to the Town Planning Board the following week.

Alderman McGuire spoke next, stating that since the proposed arterial road was in his Ward, he had been following the matter more closely than he might have otherwise. He said there were two aspects causing concern to the resident (i) a second access to the Fairmount Subdivision, and (ii) the safety aspect with regard to children crossing back and forth to school.

Council,  
April 16, 1969

He said he had met with the Home Owners Association the previous evening and felt the whole problem had been given a fair hearing, and as Mr. Josey's submission indicated, the main concern was the safety of the children, although there was also the secondary argument about the purchase of prime land from Ashburn. He said that while he did not want to deny the people of his Ward an opportunity of a hearing in the matter, he did not see sufficient evidence to warrant moving the arterial route from its present location. Regarding the safety aspect of the road, he noted that the land west of Dunbrack was intended for residential use, so that even if the route were moved further west at this time to remove the safety hazard for children presently in the location, in no time there would be another group of children who would have to cross back and forth to reach the school. He said that Council's obligation was not only to the children of today, but also to the children of the future, so that by moving the route further west would not in the long run solve any safety hazard which existed. Furthermore, and he felt this was essential to the whole debate, he said that after discussion with experts in the matter, he was satisfied that the proposed roadway with its 30 m.p.h. speed limit, traffic lights, etc. would be a safer road to cross for children than any road which presently existed in Fairview. He referred to the suggestion put forward by the Home Owners that the route loop west of the school, and said to do this would destroy the very safety aspect of the road by obstructing a clear line of sight for motorists. However, he added, if Council wished to hold a further Hearing in the matter, he felt that was consistent with past practice, but for himself

Council,  
April 16, 1969

after thorough investigation and consultation on the problem, he had not come across any evidence which would warrant a further delay in arriving at a decision, which he was prepared to make tonight.

Alderman Allen said that while supporting the view that the residents in the area should have a further chance to express their views, and possibly come up with some compromise acceptable to all concerned, he was also aware of the developers' position in the matter, and the importance of not holding these people up unnecessarily.

Alderman Abbott indicated his willingness to amend his motion to read that the matter be deferred to the next Committee of the Whole meeting, rather than be deferred for two weeks, providing Staff could meet with the Home Owners Association before that meeting.

Alderman Meagher asked if it would be possible for a Committee of the Whole meeting to be held in the Fairview area, and Alderman Allen said he supported such a suggestion.

MOVED by Alderman Allen, seconded by Alderman McGuire, that the matter be referred to a Committee of the Whole Council meeting to be held Tuesday evening, April 22, 1969 in Fairview Heights School, at which a delegation from the Home Owners Association could have their views expressed through their spokesman, together with the views of any other interested parties.

Alderman McGuire said he felt that the questions which the Home Owners Association would raise at such a meeting, would require several members of staff to attend, such as the City Engineer, the Traffic Engineer, and someone

Council,  
April 16, 1969

from the Planning Department. He also suggested someone from the Regional Planning Commission be invited to attend and all developers in the area notified of the meeting.

Alderman Abbott said he would support Alderman Allen's motion providing it stated that the City Engineering staff would meet with the residents in the area prior to the Committee of the Whole meeting.

Mr. Dodge confirmed that Staff were agreeable to meeting with any of the City dwellers at any time.

The Chairman said this would involve two meetings, one between staff and the residents, and then a Committee of the Whole meeting.

Alderman LeBlanc asked for Mr. Josey's agreement to a meeting between Staff and a delegation from the Home Owners Association, before the issue was put before a larger meeting, and Mr. Josey agreed to this arrangement.

The City Clerk was then asked to read the motion as put by Alderman Allen, which called for the matter to be referred to a Committee of the Whole Council meeting in the area concerned. Alderman Allen said his reasoning was that two of the Aldermen had been absent when the matter was discussed at the previous Committee of the Whole meeting, so he felt they would benefit in attending any discussion between staff and the residents.

Alderman Allen's motion to refer was then put and lost, 3 voting for and 6 against it, as follows:

For	- Aldermen Abbott, Allen, and McGuire	....	3
Against-	Aldermen Connolly, Hogan, Ivany, LeBlanc, Meagher, and Sullivan	.....	6

Council,  
April 16, 1969

Public Hearing The Chairman said the original motion by Alderman Abbott was now before the Council, which Alderman Abbott and his Secunder agreed to re-word as follows:

Committee, April MOVED by Alderman Abbott, seconded by Alderman McGuire, that the matter be referred back to the Committee of the Whole Council meeting of April 23, 1969, and that Engineering and other staff members meet with a delegation of residents from the area in the interim period, and bring in a recommendation to the April 23 meeting of the Committee of the Whole. Motion passed.

9:53 p.m. - Council adjourned for a private discussion in His Worship the Mayor's office.

10:25 p.m. - Council reconvened, the following members being present: His Worship the Mayor, Chairman; Aldermen Ivany, Meagher, Sullivan, Connolly, Allen, LeBlanc, McGuire, and Hogan.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

The report of the Finance and Executive was considered with respect to the following items:

Sewer - South Street - Children's Hospital:

MOVED by Alderman Hogan, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, the Children's Hospital be requested to pay the sum of \$74,420 towards the cost of the installation of the South Street Sewer and that the City agree to accept responsibility for the balance of the cost amounting to \$28,858. Motion passed with Alderman McGuire against.

Council,  
April 16, 1969

Public Hearing - Store Closing Hours - April 29, 1969

MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, April 29, 1969 at 8:00 p.m. be set as a time for a public hearing into the matter of store hours in the City of Halifax and that the meeting be advertised accordingly so that all persons interested in making their views known will be afforded an opportunity to be heard at that time. Motion passed.

Preservation - Waterfront Historic Buildings

A report dated April 16th was submitted by Staff in connection with the motion passed at the April 9th meeting of the Committee of the Whole concerning the issuing of a Call for Proposals for the use of the historic buildings by private enterprise. Also, at the April 9th meeting, staff had been instructed to investigate other matters in connection with the Waterfront Historic Buildings, and report to Council, which information was included in the April 16th staff report.

Several Alderman objected to making a decision with regard to the recommendation from the Finance and Executive Committee, before reading the April 16th staff report, which they had only received before the meeting. Since the report was three pages long, with attachments, it was suggested that the matter be deferred.

The Chairman asked the City Engineer to address Council regarding the urgency, if any, of deciding the issue this evening.

Mr. Dodge referred to a letter dated March 31 from the Department of National Defence putting a price of

Council,  
April 16, 1969

\$30,000 for a sewer easement over their property, and he felt this matter should be settled without any further delay.

The Chairman questioned whether this could be considered of sufficient urgency to demand the matter be settled at tonight's meeting.

The City Engineer said he would like to start work on the sewer the next day, and when the Chairman asked him what would happen if work did not commence the following day, he replied it was a question of reaching the point of delaying once too often, since the present sewer was already being pushed too far. With regard to the present staff report, he said it covered much of the same ground already put before Council.

After a further discussion, it was MOVED by Alderman Allen, seconded by Alderman Sullivan, that the matter be deferred until a Special Council meeting to be held at either 2 p.m. or 3 p.m. on Wednesday, April 23, 1969 prior to the meeting of the Committee of the Whole, the actual starting time to be left to the discretion of the City Clerk once he can determine how long the Committee of the Whole agenda will be. Motion passed.

Property Acquisition - #2201-2203 Barrington Street - Estate of Gladys Lillian Keefe

MOVED by Alderman Hogan, seconded by Alderman Sullivan, that as recommended by the Finance and Executive Committee, approval be given to the proposed Budget of the Halifax Housing Authority, subject to the Committee, the property of the Estate of Gladys Lillian Keefe, known as Civic No. 2201-2203 Barrington Street be purchased for \$8,000 in settlement in full for all claims and that it be demolished along with the properties on either side, known as



Council,  
April 16, 1969

Civic No. 2205-2207 and 2197-2199 Barrington Street, and that a borrowing resolution in the amount of \$9,500 from the Sale of Land Account be approved to provide for the acquisition and demolition of the surrounding buildings.

Motion passed

The Halifax Housing Authority - 1969 Budget

The recommendation of the Finance and Executive Committee read as follows: "That approval be given to the proposed 1969 Budget of The Halifax Housing Authority."

Alderman Sullivan said he was bothered by the fact that the \$41,000.00 for the conversion of the two coal fired heating plants to oil, had been deleted from the Budget, in view of the many complaints about a heavy discharge of soot in the area, and asked the Chairman if it would be possible to have the Province take a second thought on the matter.

The Chairman replied that, in fact, the Province had already taken five or six looks at this question, but there was nothing to prevent their being requested to consider the question of conversion from coal to oil again. He suggested that the Budget be approved with the stipulation that such consideration will be given in 1970.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, approval be given to the proposed 1969 Budget of the Halifax Housing Authority, subject to the Province agreeing to give further consideration in 1970 to conversion of the Heating Plant from coal to oil burning.  
Motion passed.

Council ,  
April 16, 1969

Amendments - City Charter - Sections 17 and 500 - Alderman McGuire

The amendments recommended by Alderman McGuire, as set forth in the minutes of March 26th Council, had been referred to this meeting of Council by the Committee without recommendation.

Alderman McGuire requested that the motion be dealt with in three separate sections as follows:

Section 1 - Dealing with Property Qualification

Section 2 - The position of employees of the Board of School Commissioners.

Section 3 - This section would depend on the decision made regarding Section 2.

On being questioned about whether it was proper to do so, the Chairman quoted from the Rules of Order of Council which gave the Chair the authority to grant such a request by a member of Council.

MOVED by Alderman McGuire, seconded by Alderman Hogan, that legislation be sought to amend Section 17(1) (d) of the City Charter to read:

"He has continuously resided in the City, or in an area annexed to the City, since the first day of January immediately preceding the date of a regular election; or, in the case of a special election, have continuously resided in the City, or in an area annexed to the City, for a period of ten months immediately preceding the first day of the month in which such special election is being held."

Alderman McGuire quoted from a report of the Provincial-Municipal Fact Finding Committee, to the effect that the total money derived from property taxes was decreasing in proportion to the total revenues assessed. He suggested that the person renting property was just as much a citizen of the City as the property owner, and this was becoming more so with the present trend to apartment living in the City. He said this change would only bring Municipal practice in line

Council,  
April 16, 1969

with what already prevailed at the Provincial and Federal levels. He said it would have the effect of removing a limitation on the choice of candidates the electorate would have. He referred also that the young people who, because of the housing shortage, remained in their parents' home after marriage, but who at the same time might have much to offer to public life.

Alderman Allen said he supported the motion, since it was the practice in the County of Halifax where he had previously served.

Alderman Sullivan felt the motion was an important one which would require more debate than time would allow this evening. He expressed doubts about a change which would allow a tenant to run for municipal office, since it was his opinion that this could lead to power blocks, and Council would wind up with the strongest representation in any one part of the City.

Alderman Ivany stated he had taken it upon himself to corresponded with nineteen cities, 15 in Canada, 2 in the United States, and 2 in England, in order to make a survey of what the general practice was in this regard. Unfortunately, he added, he had not had the opportunity to compile all the statistics, but felt it would be wrong to make a decision before studying the material gathered.

The Chairman asked Alderman McGuire if it was his intention to get legislation in 1970, or if he was still hoping to get something through the current session.

Alderman McGuire said it had not been his original intention to get legislation approved during the

Council,  
April 16, 1969

current session because he had not thought it possible, but he was in favour of so doing if it could be done with the Legislature's indulgence. He had also felt, he said, it was important to settle the question in an atmosphere far removed from an election, so that it was unfortunate that a by-election was now necessary in Ward 3. He said notice of his motion was given on March 19, so that the present meeting already represented somewhat of a delay in deciding the matter.

Alderman Ivany said that basically he supported the motion, but he wanted more serious consideration of the matter before making the change. It was, for that reason, he said, he had written to the various cities for information. On being asked how long he would require to compile all the letters into one report, Alderman Ivany said "two months."

Alderman Connolly said he, for one, was certainly interested in studying the information Alderman Ivany had gathered before making a decision, and therefore MOVED, with a second from Alderman Sullivan, that the matter be deferred for six weeks in order that Alderman Ivany can prepare a report outlining the practices in effect in the nineteen cities he had contacted.

Alderman McGuire felt a deferment of that length of time was just playing games and MOVED in amendment, seconded by Alderman Allen, that the matter be deferred for a period of two weeks. The amendment was put and lost.

Alderman Connolly's motion to defer the matter for a period of six weeks was then put and passed, with Aldermen Allen and McGuire against.

Council,  
April 16, 1969

Committee, approved. It was agreed to also defer any action on Sections 2 and 3 of Alderman McGuire's motion for a period of six weeks.

Renewal - Band Concert Agreement

MOVED by Alderman Sullivan, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, the Band Concert Agreement be renewed for the summer of 1969 at a total cost of \$2,610.00 and that His Worship the Mayor and the City Clerk be authorized to sign the agreement on behalf of the City of Halifax. Motion passed.

Application for Tag Day

MOVED by Alderman LeBlanc, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, approval be given to the Halifax Minor Football Association holding a tag day on September 27, 1969 in the City of Halifax. Motion passed.

Cost of Preparation - Plans, Profiles, Etc.

MOVED by Alderman Hogan, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, approval be given to a supplementary appropriation in the amount of \$5,000 under Section 316C of the City Charter, to provide for the remuneration to those individuals in the Engineering Division who will be required to work overtime in addition to that normally expected, on the plans, profiles, etc. relating to the new area. Motion passed.

Tax Exemption - Land for Narrows Bridge Approaches - Halifax-Dartmouth Bridge Commission

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive

Council,  
April 16, 1969

Committee, approval be given to the request of the Halifax-Dartmouth Bridge Commission that the City enter into an agreement that the taxes on certain lands for the approach roads to the Narrows Bridge, title for which on completion of construction of the streets will be conveyed to the City by a single deed, be reduced to \$1.00 for the year 1969 and thereafter until title to such lands is conveyed to the City, and that this reduction of taxes apply only to those lands which are vacant or unproductive and would not include properties that are leased and on which the Bridge Commission receives rentals; and that any legislation necessary be sought. Motion passed.

Payment to Canada Games Society:

MOVED by Alderman McGuire, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City pay the balance of its capital commitment of \$20,407.00 to the 1969 Canada Games Society at this time. Motion passed.

Tenders for Surplus Pumping Engine:

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the high tender submitted by Terrence Bay Volunteer Fire Department in the amount of \$1,300.00, for one surplus 1946 LaFrance Pumping Engine, be accepted. Motion passed.

Proposed Bond Issue - \$1,500,000.00:

MOVED by Alderman LeBlanc, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, approval be given to a bond issue in the amount of \$1,500,000, with an issue date of May 1, 1969, at a coupon rate to be determined close to the date of issue. Motion passed.

Council,  
April 16, 1969

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on April 9, 1969, with respect to the following matters:

Sewers - Wards 7, 8, 9 and 10

MOVED by Alderman McGuire, seconded by Alderman Allen that, as recommended by the Committee on Works:

1. Council indicate a policy of general opposition to rezoning to higher density in the areas affected by the sewer situation, but that it give the normal consideration on applications, with that policy in mind.
2. Council individually consider any development involving more than 25 units - whether these units be of single or multiple family type developments.
3. Council be prepared to accept the fact that sewer conditions in Wards 7, 8, 9 and 10 will be far from satisfactory for some considerable time to come and agree, subject to all other conditions being met, to the issuance by City Staff of building permits up to but not including 25 units.

Alderman Ivany thought that the question of basement apartments should be considered. He felt that they should not be permitted where there might be a chance of flooding.

His Worship the Mayor said that this might relate to the dwellings lower down the hill rather than those higher up.

Alderman Hogan thought that the City should point out to developers the inherent danger of flooding in any proposed construction.

In reply to a question from Alderman Connolly, the Building Inspector advised that backwater valves are mandatory

Council,  
April 16, 1969

on all fixtures below grade in new construction.

In reply to Alderman Ivany's question, the Building Inspector advised that he would have no reason to withhold an occupancy permit for a basement apartment in a new building if it met all the City's Ordinances and by-laws.

Alderman Connolly thought it might be a good idea to consider making it mandatory for backwater valves to be fitted to the building drain of all new construction.

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

#### Use of Public Gardens - Wedding Ceremony

MOVED by Alderman Hogan, seconded by Alderman McGuire that, as recommended by the Committee on Works, the request to use the Public Gardens for a marriage ceremony in June of 1969, be granted, provided the wedding party undertakes to assume financial responsibility for (1) any damage to City property and (2) the provision of uniformed personnel required for crowd control.

Alderman Ivany thought that it might be well to advise the persons that the cost of clearing up after such an event could be rather high. He referred to the cost of clearing up after a tea party held in the Public Gardens in connection with the Natal Day celebrations one year.

The motion was then put and passed with Aldermen Connolly and LeBlanc voting against.

#### Sale of Works of Art - Spring Garden Road - College of Art Students

MOVED by Alderman Meagher, seconded by Alderman



Council,  
April 16, 1969

Sullivan that, as recommended by the Committee on Works, permission be granted for the following students of the Nova Scotia College of Art to display and sell works of art along the Public Gardens fence at Spring Garden Road, near the corner of South Park Street, on the understanding that the area is maintained in satisfactory appearance and condition by the students:

Elaine MacEachern	Brenda Shupe
Ronald Jensen	Armand Bedard Jr.

Motion passed.

Tenders for Toilet Facilities - Wanderers Grounds (Canada Games)

MOVED by Alderman Connolly, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the low tender of Blunden Construction Limited, in the amount of \$16,948.00, be accepted for the work relating to the installation of Toilet Facilities at the Wanderers Grounds, required for the Canada Games. Motion passed.

Point Pleasant Park Canteen Plans

MOVED by Alderman Hogan, seconded by Alderman Meagher that, as recommended by the Committee on Works, the preliminary plans for the Point Pleasant Park Canteen, as submitted and as approved by the Directors of Point Pleasant Park, be approved. Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on April 9, 1969, with respect to the following matters:

Council,  
April 16, 1969

Tenders for Clothing - Fire Department

MOVED by Alderman Allen, seconded by Alderman

McGuire that, as recommended by the Safety Committee:

1. the following tenders for Uniform Clothing for the Fire Department be accepted:

Uniforms	G. B. Isnor Ltd.	\$74.75	Lowest tender
Ties	Morris Goldberg Ltd.	.67	Lowest tender
Overcoats	G. B. Isnor Ltd.	48.65	Lowest tender
Nylon Coats	Morris Goldberg Ltd.	24.00	Lowest tender
			meeting specifications
Uniform Trousers	T. Eaton Co. Ltd.	15.95	Lowest tender
Burberrys	Morris Goldberg Ltd.	36.00	Lowest tender

2. the purchase of Uniform Shirts be split evenly between G. B. Isnor Ltd. and Morris Goldberg Ltd. which firms submitted identical tenders of \$3.99.

Motion passed.

Tenders for Clothing - Police Department

MOVED by Alderman McGuire, seconded by Alderman

Meagher that, as recommended by the Safety Committee, the following tenders for Uniform Clothing for the Police Department be accepted:

Uniforms, 3 piece	Tony the Tailor	\$78.20	Lowest tender
Uniforms, 2 piece	G. B. Isnor Ltd.	62.95	Lowest tender
Uniform Trousers	Eatons Canada Ltd.	15.95	Lowest tender
Uniform Overcoats	Tony the Tailor	55.99	Lowest tender
Uniform Summer Hats	Morris Goldberg Ltd.	5.99	Lowest tender
Uniform Winter Hats	Morris Goldberg Ltd.	7.20	Lowest tender
Blue 3/4 Nylon Coats	E. & R. Inc.	43.50	Lowest tender
			meeting specifications
Uniform Shirts	Eatons Canada Ltd.	4.23	Selected on basis of quality
Grey Uniform Suits	Tony the Tailor	84.70	Lowest tender
Police Boots	Morris Goldberg Ltd.	11.40	Selected on basis of quality
Overshoes	Eatons Canada Ltd.	4.20	Lowest tender
Leather Gloves	Morris Goldberg Ltd.	3.45	Lowest tender
Black Socks	J & M Murphy Ltd.	.75	Lowest tender
Black Ties	Morris Goldberg Ltd.	.67	Lowest tender
Rainproof Cap Covers	Stokes Cap & Regalia	.55	Lowest tender
Reversible Rain-coats	G. B. Isnor Ltd.	34.00	Lowest tender

Council,  
April 16, 1969

Grey Winter Breeches	Tony the Tailor	\$17.98	Lowest tender
Officer Style Blue			
Uniforms	G. B. Isnor Ltd.	65.45	Lowest tender

Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on April 9, 1969 and April 11, 1969 with respect to the following matters:

Rezoning R-3 Residential to C-2 General Business - 5514  
Clyde Street

MOVED by Alderman Ivany, seconded by Alderman Sullivan that, as recommended by the Town Planning Board:

1. the application for rezoning from R-3 Residential to C-2 General Business of the property at 5514 Clyde Street, as shown on Drawing No. P200/2790, to permit a lunch counter to be located on the first floor of the dwelling now located on the lot, be approved;
2. a date be set for a public hearing into the matter;
3. the area outlined on the plan attached to the Staff Report dated April 9, 1969 be designated as the area within which people will be notified of the public hearing.

Motion passed.

Subdivision Alterations - 3350 and 3358 Prescott Street

MOVED by Alderman Sullivan, seconded by Alderman Ivany that, as recommended by the Town Planning Board, tentative approval be given to the alteration of four existing lots located at 3340, 3346, 3350 and 3358 Prescott Street, at Merkel, by creating two lots "A" and "B", 3350 and 3358 Prescott Street, final approval to be granted when the buildings located at 3340 and 3356 Prescott Street have been removed

Council,  
April 16, 1969

from the property, and that a public hearing be waived.

Motion passed.

**Extension to a Non-conforming Building, Modification of Front  
Yard Requirements - 3218 Beresford Road**

The report of the Board reads as follows:

"The Board had for consideration a Staff Report relating to an application for an extension to a non-conforming building and modification of front yard requirements at the above property, to permit the construction of a 35 ft. by 4 ft. one-storey addition to the front of the existing duplex dwelling, and a 10 ft. by 24 ft. one-storey addition to the rear of the dwelling, as shown on Plan No. P200/2740.

After considerable discussion, and after hearing certain comments by the applicant and Alderman Connolly, it was agreed to defer a decision on the application pending a report from Staff outlining their findings of conditions relating to other houses in the immediate vicinity of the applicant's.

The further Staff Report is expected to be presented to City Council at this meeting."

A Senior Planner displayed a sketch of the area of Beresford Road and indicated the dwellings which are single family and those which are duplex. He stated that after a further survey of the area, Staff have not changed their minds and continue to recommend refusal of the application.

Alderman Connolly said that he had viewed the area and he considered that those dwellings which have had additions constructed and alterations made are of much better appearance than those still remaining as single family dwellings. He considered that any extensions permitted would improve the building. He understood from the applicant that if he was permitted to construct the requested addition at the rear only, he would be satisfied.

After further discussion, it was MOVED by Alderman