

Special Council,
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His Worship the Mayor asked if there was anyone present who wished to speak in connection with the demolition of this dwelling.

The Supervisor of Real Estate came forward and stated there was a problem involved, in so far as the owner of the property was a patient in the Scotia Nursing Home. He said it could become an issue and compared it with a previous case where a building on Barrington Street had been ordered demolished, and the City subsequently purchased the site. In this event, he said, it could be argued that the City placed itself in a more favourable position as purchaser by ordering demolition of the building on the site and thus decreased the total purchase price.

Alderman Meagher asked if the owner had been notified concerning the demolition of the building. The Building Inspector replied that in accordance with the procedure set out in the Charter, a formal notice had been sent by Registered Mail to the owner of the property, c/o the Scotia Nursing Home, and it was his understanding in such a case that the Administrator of the Home could act on behalf of a patient.

The Acting City Solicitor, however, said he could not agree with the Building Inspector's understanding in the matter, since the Charter specified that the notice be sent to the assessed owner of the property, and he doubted very much if the Administrator of a Nursing Home could act in legal matters which affected a patient. He therefore recommended that any approval given, be subject to the Court appointing a Guardian for the owner.

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Alderman Meagher, however, questioned Council taking any action until it knew the name of the Guardian with whom it was dealing.

MOVED by Alderman Meagher, seconded by Alderman Sullivan, that the matter be deferred until the Legal Department had clarified the issue and notified a legally appointed Guardian of the demolition order.

His Worship the Mayor said the Hearing was therefore adjourned for continuation at the time the foregoing motion had been carried out.

Alderman McGuire said that consideration should also be given to the comments made by Mr. Langmaid, but His Worship the Mayor said that matters of this kind should have been thoroughly considered by the time staff makes its recommendation, and he suggested that the City Manager ought to take the question under consideration.

The motion to defer was then put and passed.

2180 Upper Water Street

A report was submitted by the Building Inspector concerning demolition of a dilapidated building at 2180 Upper Water. The report stated:

"In my opinion this building is in such a state of deterioration as to be no longer suitable for occupancy or business purposes and it is therefore recommended that it be removed or destroyed in accordance with Section 438 of the City Charter."

A representative of the owners, T.P. Hogan & Co. stated that plans were underway to commence demolition on this building, together with 1519 and 1521 Lower Water Street which were also being considered today, within the next three weeks.

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three weeks. MOVED by Alderman Abbott, seconded by Alderman Ivany, that the structure situated at 2180 Upper Water Street be removed or destroyed in accordance with Section 438 of the City Charter, within one month of the date the Order is issued. Motion passed.

1519 Lower Water Street

A report was submitted by the Building Inspector concerning demolition of a dilapidated building situated at 1519 Lower Water Street. The report stated:

"In my opinion this building is in such a state of deterioration as to be no longer suitable for occupancy or business purposes and it is therefore recommended that it be removed or destroyed in accordance with Section 438 of the City Charter."

A representative of the owners had previously stated the owner's intention to start demolition within three weeks.

MOVED by Alderman LeBlanc, seconded by Alderman Hogan, that the structure situated at 1519 Lower Water Street be removed or destroyed in accordance with Section 438 of the City Charter, within one month of the date the Order is issued. Motion passed.

1521 Lower Water Street

A report was submitted by the Building Inspector concerning demolition of a dilapidated building at 1521 Lower Water Street. The report stated:

"In my opinion this building is in such a state of deterioration as to be no longer suitable for occupancy or business purposes and it is therefore recommended that it be removed or destroyed in accordance with Section 438 of the City Charter."

A representative of the building's owner had already stated that they intended to start demolition within

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three weeks.

MOVED by Alderman Abbott, seconded by Alderman Allen, that the structure situated at 1521 Lower Water Street, be removed or destroyed in accordance with Section 438 of the City Charter, within one month of the date the Order is issued. Motion passed.

710 Herring Cove Road

A report was submitted by the Building Inspector concerning demolition of a dilapidated dwelling at No. 710 Herring Cove Road. The report stated:

"In my opinion this building is in such a state of deterioration as to be no longer suitable for occupancy or business purposes and it is therefore recommended that it be removed or destroyed in accordance with Section 438 of the City Charter."

His Worship the Mayor asked if there was anyone present who wished to speak in connection with the demolition of this building, and Mr. S. Spatz, the owner, came forward. He said there were plans to develop the land but in the meantime he wished to retain the structure for use as a tool shed.

Alderman Abbott asked Mr. Spatz if he would be willing to spend a little money in order to make the building more presentable. Pictures of the structure were passed around for Council's study.

Mr. Spatz replied that since it was only intended to use the structure for a temporary period, he would not be willing to spend very much money on it. In reply to a question put by Alderman Ivany, he replied that six months would be long enough for the use he intended.

Alderman Allen, however, stated that he had been endeavouring for three and one-half years to have the building demolished, and felt that the pictures distributed spoke for themselves with regard to the eye-sore it presented. He questioned whether it was even safe for use as a tool-shed.

The Building Inspector said that possibly the ground floor could be used for such a purpose, but he would have to know exactly what it was intended to store, before he could give a definite answer. In any event, he did not feel there was justification to leave the building standing for another six months.

MOVED by Alderman Allan, seconded by Alderman McGuire that the building located at 710 Herring Cove Road, and identified as being 18 feet in length, 30 feet in width, and 23 feet high, be removed or destroyed in accordance with Section 438 of the City Charter, within two weeks from the date the Order is issued.

The motion was put and lost, four voting for the same, and five against it, as follows:

For	- Aldermen Hogan, McGuire, Meagher, and Allen	4
Against	- Aldermen Abbott, Connolly, Ivany, LeBlanc, and Sullivan	5

Alderman Allen said he sensed that opposition to his motion was based on the two weeks stipulation and

MOVED, seconded by Alderman LeBlanc that the building located at 710 Herring Cove Road, identified as being 18 feet in length, 30 feet in width, and 23 feet high, be removed or destroyed in accordance with Section 438 of the City Charter, within four weeks from the date the Order is issued.

The motion was put and passed, seven voting for the same and two against it, as follows:

For - Aldermen Connolly, Hogan, LeBlanc,
McGuire, Meagher, Sullivan, and Allen...7

Against - Aldermen Abbott and Ivany2

Shed - 710 Herring Cove Road

A second report from the Building Inspector concerning 710 Herring Cove Road, dealt with a shed situated on the property. The Building Inspector said that the same arguments against retention of the dwelling itself, applied to this shed, which Mr. Spatz said he would like to retain as a tool shed.

MOVED by Alderman Allen, seconded by Alderman Hogan that the shed situated on the property at 710 Herring Cove Road, identified as being 20 feet 7 inches in length, 17 feet wide, and 20 feet high, be removed or destroyed in accordance with Section 438 of the City Charter, within four weeks from the time the Order is issued. Motion passed.

27 Pine Grove Drive

A report was submitted by the Building Inspector concerning demolition of a dilapidated dwelling at 27 Pine Grove Drive. The report stated:

"In my opinion, this building is in such a state of deterioration as to be no longer suitable for occupancy or business purposes and it is therefore recommended that it be removed or destroyed in accordance with Section 438 of the City Charter. Because of recent fires in this structure and the high hazard to neighbouring dwellings it is suggested that the time limit for removal or destruction be reduced to seven days."

His Worship the Mayor asked if anyone wished to speak on the matter, and no one came forward.

Alderman Meagher asked if the owner had been advised of the Hearing, and the City Clerk replied in the affirmative.

MOVED by Alderman Hogan, seconded by Alderman McGuire, that the dwelling situated at 27 Pine Grove Drive, be removed or destroyed in accordance with Section 438 of the City Charter and because of the fire hazard involved the time limit for removal or destruction be reduced to seven days from the date the Order is issued. Motion passed.

4:45 P.M. - Meeting adjourned.

HEADLINES

Dilapidated Building - 1873 Hollis Street - Halifax Glass Works Building	957
Tender for Interior Painting, City Administration Space, Scotia Square	958
Tender of Electrical Requirements, City Administration Space, Scotia Square	959
Report - Tender for Two Truck Chassis With Cabs, 31,000 G.V.W.	960
Dilapidated Dwellings - 5180 Gerrish Street	960
- 2180 Upper Water Street	962
- 1519 Lower Water Street	963
- 1521 Lower Water Street	963
- 710 Herring Cove Road	964
Report - Committee on Works - Shed - 710 Herring Cove Road	966
- 27 Pine Grove Drive	966

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD,
CITY CLERK

ORDER OF BUSINESS

CITY COUNCIL

NOVEMBER 12, 1969

8:00 p.m.

1. Lord's Prayer

2. Roll Call

3. Minutes: October 29 and November 5, 1969

4. Approval of Order of Business, Additions & Deletions

5. Deferred Items:

- (a) Amendments - Zoning By-law, Parts 1, 2 and 6 (from Sept. 24, 1969)
- (b) Amendments - Ordinance No. 135 "Minimum Standards" SECOND READING

6. Motions of Reconsideration: NONE

7. Motions of Rescission: NONE

8. Public Hearings & Hearings:

- (a) Rezoning - Land, East Side Seymour Street and West Side of Henry Street between University Avenue and South Street -
and Allen. From R-3 Zone to Park & Institutional Zone

9. Petitions & Delegations: (a) Mr. Murray Warrington - Account for Painting

10. Report - Finance & Executive Committee:

- (a) Conveyance of Land to Mr. William Coughran - 3168 Needham Street -
Fort Needham
- (b) C.N.R. Siding Agreement at 2283 Barrington Street
- (c) Salary Survey - Non-Union Employees
- (d) Supplementary Appropriation - Council Chamber Renovations - 316"C"
- (e) Supplementary Appropriation - Halifax Regional Library - 316"C"
- (f) Payment of Accounts to Halifax Mental Hospital

11. Report - Committee on Works:

- (a) Exit to Lexington Avenue - MacCulloch & Company Limited

12. Report - Safety Committee:

- (a) Resolution - City of Windsor Re: Control of Fire Arms
- (b) Willow Tree Intersection - 4 Point

13. Report - Public Health & Welfare Committee: NONE

14. Report - Committee of the Whole Council, Boards & Commissions:

- (a) Amendments to Ordinance No. 114 - Respecting the Board of
Management of the Halifax Civic Hospital - SECOND READING
- (b) Ordinance No. 140 Respecting the Reservation of Land in
Subdivisions for Public Parks and Playgrounds - SECOND READING
- (c) Amendment to Ordinance No. 131 Respecting Buildings and the
Adoption of the National Building Code - SECOND READING

Report - Town Planning Board:

- (a) Extension to a Non-conforming Building, Extension to a Non-conforming Use, Modification of Front and Side Yard Requirements -
733 Herring Cove Road, Spryfield
- (b) Extension to a Non-conforming Building and Modification of the Side Yard Requirements - 6 Douglas Drive, Armdale
- (c) Modification of Front Yard Requirement - Lot G-10 Parkmoor Avenue -
Spryfield
- (d) Subdivision Alteration of Lands, of Keddy's Nursing Home,
Alton Drive, Armdale
- (e) Extension to a Non-conforming Building and Modification of the Side Requirement - 2865 Agricola Street
- (f) Consultants Report No. 2 - City Prison Lands Development -
Area Conceptual Plan

Motions: NONE

Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Appointments - Halifax-Dartmouth Port Commission and
Board of Management - Halifax Civic Hospital
- (c) Staff Report - Sewers - Clayton Park
- (d) Agreement - City of Halifax and Halifax Police Association Re:
Bargaining

QUESTIONS

Notice of Motion

Added Items

C O U N C I L
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
November 12, 1969
8:00 P.M.

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

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

Present were: His Worship the Mayor, Chairman; and Aldermen Abbott, MacKeen, Hogan, Connolly, LeBlanc, McGuire, and Allen.

Also present: City Manager, Acting City Solicitor, City Clerk, and other staff members.

8:05 P.M. - Alderman Meagher arrived.

TRIBUTE - FORMER ALDERMAN GERALD "NUGGET" DOYLE

Alderman Connolly called attention to the passing of former Alderman Gerald "Nugget" Doyle. He said that during his term as Alderman, Mr. Doyle had been noted for his tireless efforts on behalf of the working people of the City. Alderman Connolly requested that Council stand in a minute of silence in memory of Mr. Doyle, and that a letter of sympathy be sent on behalf of the Council to the late Mr. Doyle's widow.

MINUTES

Council minutes of October 29th and November 5th were approved on motion of Alderman Abbott, seconded by Alderman LeBlanc.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The City Clerk requested the following item be added to the agenda:

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"(1) If the repairs needed to comply with the Ordinance are not completed within the period specified in the notice, the City may cause the repairs to be done at the expense of the person in default.

"The City may recover the expenses for work done pursuant to subsection (1), with costs, by action in any court of competent jurisdiction.

"(2) When a tenant has notified the Inspector of a suspected violation of this Ordinance, his landlord shall not harass the tenant.

"(3) Where an owner has made repairs or alterations to a building as a result of written notice from the Inspector, that owner shall not be permitted to:

- (a) increase rentals on the building
- (b) commence proceedings for eviction or any other legal action for a period of three months following completion of the repairs or alteration, nor
- (c) harass the tenant."

The Acting City Solicitor stated that if the above quoted sections were not contained in the Ordinance, it would be redrafted to include the same.

MOVED by Alderman MacKeen, seconded by

Alderman Allen, that Ordinance No. 135 respecting "Minimum Standards" be read and passed a Second Time. Motion passed.

MOVED by Alderman McGuire, seconded by

Alderman Abbott, that the legislation required to provide the needed authority to include in Ordinance No. 135 the Sections referred to in the report dated October 29, 1969, be secured at the next session of the Nova Scotia Legislature.

Motion passed.

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amendments approved by the Committee of the Whole, was submitted for Second Reading.

MOVED by Alderman Abbott, seconded by Alderman Connolly, that the amended Ordinance No. 135 "Respecting Minimum Standards for Existing Buildings and Housing Accommodation" as submitted, be read and passed a Second Time.

Alderman MacKeen said that the amended Ordinance as submitted did not contain a section enabling the City to recover expenses for work ordered to bring a property up to standard.

The Acting City Solicitor referred to a report dated October 29th on this matter, which stated that legislation would be required to provide the needed authority for inclusion of such a provision in the Ordinance, for which reason it had not been included in the amendment.

Alderman MacKeen stated that there were other proposed amendments for which legislation was required, which had been included in the amended Ordinance as submitted, so he was questioning why this one item had been excluded.

The Acting City Solicitor said that he had not prepared the amended Ordinance, so was unable to answer Alderman MacKeen's question.

After further discussion, it was agreed that the Acting City Solicitor would peruse the Ordinance to determine whether the detail as contained in the Acting City Manager's report dated October 29th, 1969 was included in the Ordinance.

The pertinent sections follow:

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20 (a) - Confirmatory Deed - 2672 King Street, Halifax

His Worship the Mayor requested the addition of:

17 (b) Appointments: Appointment to the Board of the Halifax
Mental Hospital

He felt this matter should be attended to immediately, since the term of the Chairman of the Board had expired during the time when a building program was underway.

His Worship the Mayor also referred to the item on the agenda under 17(b) regarding an Appointment to the Halifax-Dartmouth Port Commission, and said that if Council members so desired, he would be prepared to discuss the appointment in private prior to their voting on a recommendation.

Alderman Allen requested addition of:

20 (b) - Meeting with Members of the Legislative Assembly.

MOVED by Alderman Abbott, seconded by Alderman Hogan, that the agenda, as amended, be approved. Motion passed.

DEFERRED ITEMS

AMENDMENTS - ZONING BY-LAW, PARTS 1, 2, AND 6

Following a Public Hearing into this matter on September 24th, Council approved a resolution that the matter be deferred for action for a period of five weeks.

His Worship the Mayor advised that there had been a new brief submitted on the subject, and that staff had received further representations, with the result that staff would prefer the matter be referred back to the Town Planning Board for further consideration. Council agreed to this suggestion.

AMENDMENTS - ORDINANCE NO. 135 "MINIMUM STANDARDS" SECOND READING

Ordinance Number 135 "Respecting Minimum Standards for Existing Buildings and Housing Accommodations" incorporating

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PUBLIC HEARINGS AND HEARINGS

Rezoning - Land, East Side Seymour Street and West Side of Henry Street between University Avenue and South Street - From R-3 Zone to Park and Institutional Zone

A Public Hearing was held at this time with respect to the land on Henry Street and Seymour Street to be rezoned from R-3 to Park and Institutional, as indicated on Plan No. TT-10-17748.

His Worship the Mayor asked if there was anyone present who wished to speak against the rezoning.

Mrs. A.M. Fraser came forward and spoke in support of a written brief she had prepared, copies of which had been circulated in advance to members of Council. The following are some of the main objections expressed by Mrs. Fraser:

1. The loss to the City in much needed tax revenue by the use of residential land for institutional use, and the increased tax burden this meant for the citizens.
2. The massive destruction of good homes and apartment dwellings in order to provide land for institutional use, at a time when the housing shortage was critical.
3. The validity of the University's claim that "Dalhousie is a big industry". Mrs. Fraser questioned just how much of the salaries paid by the University circulated back into the City of Halifax.
4. The air pollution the heating plant would create.
5. The devaluation of the nearby R1 and R2 zoning, caused in part by the uncertainty with regard to the University's continual expansion in the area.
6. The unsuitability of a University expanding in a residential area already thickly populated, when it owned land across the North West Arm, where there would be neither a loss of tax revenue nor homes.

Mrs. Fraser's submission read in part as follows:

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"The advantages to Dalhousie by not taking properties of those who wish to sell 'at this time' are obvious. By not spending these funds, their money accumulates interest; the repeated spot re-zoning not only freezes land values, it reduces them for there will be only one future purchaser; the whole burden to prove land values on their future acquisition will be thrown on the remaining property owners in the vast area from Dalhousie, down Coburg Road to Spring Garden Road to Summer Street and back up South Street to the University again."

Mr. Byron Hatfield, Barrister, appeared on behalf of Mr. Fred H. Langille, of 6031 Oakland Road, Halifax.

His submission read as follows:

"Mr. Langille is the owner of three properties in the area under discussion. First of all, he owns a commercial property, located at the corner of Henry and South Streets, which is immediately adjacent to the property recommended for rezoning by the staff. This building is occupied by a Balcom Chittick Drug store, a laundromat and a beauty salon. The Balcom Chittick drug store has been at that location for 33 years, the laundromat for 10 years and the Beauty salon for 8 years. These businesses occupy well kept premises and provide a good and convenient service for the neighbouring residents. Mr. Langille also owns two rental properties on the corner of South and Davis Streets, about 300 feet from the location. His residence is located at 6031 Oakland Road, where he has lived for the past 33 years. Each of you realize that this is a commercial property paying commercial taxes and the businesses themselves pay the commercial rate. Therefore these properties pay the highest taxes in this area."

Mr. Hatfield said Mr. Langille was opposing the rezoning on several grounds:

1. The expansion was being done without adequate provision for parking. The parking problem in the area, he said, was created by the University, and therefore should be solved by the University.
2. The location of the heating plant, on the fringe of one of the finest residential areas in the City. Mr. Langille felt the plant should be placed near the centre of the Dalhousie complex of buildings.
3. Such a plant will require considerable heavy traffic to and from to supply the fuel required for the operation.

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facility. Such Mr. Arthur Williston of 6060 South Street spoke next in opposition to the rezoning. He first directed a question to the City Engineering staff, in connection with a tunnel being placed under Seymour Street, and wanted to know if this was preparatory to the building of the power plant at the proposed location.

activities. His Worship the Mayor said he did not feel this was relevant to the Public Hearing which concerned the rezoning of a particular area.

had taken every Mr. Williston said he felt it relevant in so far as it suggested that although the question of rezoning might be before a Public Hearing for consideration before Council made a decision in the matter, it would appear Dalhousie were proceeding as if the matter were already decided.

makes every effort Mr. Williston's objections were similar to others which had been put forward, concerning loss of taxes to the City through the University taking over so much residential area, and the elimination of the houses themselves, at a time when there was such a serious housing shortage.

assist in appraisal A Mrs. Loxdale of 6631 South Street spoke next in opposition, stating that people in the area were concerned about where Dalhousie's expansion would end, and if they were to be put out of their homes, did anyone care where they would go.

risk of getting Dean Andrew MacKay of Dalhousie University spoke next in support of the application for rezoning. He said all of the land under discussion had been purchased by Dalhousie through private transactions, and the University now wished to use the land as a site for a combined thermal and office

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facility. Such a heating plant, he said, was required for buildings now under construction and ones intended in the future. He referred to one suggestion that the building be placed in the middle of the University complex, and said this would not constitute good planning, as it was hoped to reserve the center portion of the University complex for academic and student activities. He said it was felt the heating plant should be located in an area where it would not create a flow of traffic through the academic facilities. He stated that the University had taken every measure to insure that the plant would not create noise and pollution. Such a plant, he added, would replace some four or five smaller and less efficient operations scattered throughout the campus and on University Avenue.

Dean MacKay said that the University makes every effort to be as good a neighbour as possible, and was ready to assist anyone along the south end of the property who felt he might be adversely affected, by purchase of his property at a fair value, based on the prices the University had been paying in this area. He suggested that the City staff could assist in appraising the properties.

Dean MacKay was questioned on the prices that the University had been paying in securing properties in the area, but His Worship the Mayor suggested that Council ran the risk of getting into areas that were irrelevant to the Public Hearing on rezoning, if it pursued such a course. The rezoning question, he added, was to be decided on planning grounds, not financial considerations concerning the University and a private party.

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Alderman McGuire said the zoning by-law should protect property owners, and a situation was developing in the present case where a property owner did not have access to an open market in selling his property, since under the circumstances created by Dalhousie's actions, the University was the only interested party in such properties. He suggested that an independent appraiser might be required in establishing a fair price, rather than just using the City Assessor's Department.

His Worship the Mayor again said this line of questioning was irrelevant, and that the City's zoning bylaws were not for the purpose of protecting owners in selling their property, but were designed to enhance planning for the future, supposedly in conformity with a Master Plan.

At this point, His Worship the Mayor referred to the regulations that if 20% of the total persons affected by a rezoning protested, it would require a two-thirds vote of Council to approve a rezoning, and he asked the City Clerk if the 20% opposition to the rezoning had been established. The City Clerk replied that it had not. The City Clerk was then questioned as to how many people were involved with the rezoning and if they had been notified of the Public Hearing. He replied that seventy notices had been prepared and sent out.

Alderman LeBlanc stated that whilst many of the points raised might be termed irrelevant to the rezoning application, they were bound to play a part in whether an Alderman voted for or against such an application.

Dean MacKay was questioned on the appearance of the proposed building, and His Worship the Mayor asked him

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if any consideration had been given to displaying the plans showing the exterior of the proposed building, before the plans were finalized. Dean MacKay said he felt the University would be agreeable to do this, although he could not of course guarantee that it would be possible to comply with all requests put forward involving changes in the plans.

Concerning the question which Mr. Williston had put forward with respect to the tunnel built under Seymour Street, Dean MacKay said it was intended to use it as part of the heating plant to be built if the rezoning is approved; however, he added, if this rezoning did not go through the plant could be built on property which the University owned in the vicinity, which was already properly zoned, and the tunnel would be left for some future use. This alternate site, however, he said, would not constitute good planning, because of the major flow of pedestrian traffic which would exist around the heating plant at that location.

There was some discussion at this point on completing the Hearing this evening, and deferring a decision in the matter until a later date to give Council members more time to consider the issues. Of the persons heard this evening in opposition, it was determined that Mr. Hatfield's client and Mrs. Loxdale had properties in the area affected as laid down in the regulations, but that Mrs. Fraser's and Mr. Williston's properties were outside that area, although it was stated they also had a right to voice any objection to the rezoning, as did any citizen of the City.

A Mr. Frank Medjuck then came forward and said he lived on South Street on property bordering the area

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under consideration for rezoning. He said from a personal viewpoint he opposed the rezoning as he did not like to see the character of the neighbourhood in which he was born being altered so drastically. However, he added, his personal inconvenience had to be weighed in the light of what the change meant on a larger scale, and it was probably a case of imposing on a few to please many. He referred to the alternate site Dean MacKay had mentioned for the plant, and stated the pollution threat would still be there, and agreed that such a location constituted bad planning because of the effects it would have on University Avenue. Therefore, he concluded, despite his personal feelings in the matters, he felt inclined to endorse the rezoning for the sake of the general good and on the grounds of proper planning.

There were no further representations either for or against the rezoning, so His Worship the Mayor declared the issue now before the Council.

MOVED by Alderman Abbott, seconded by Alderman Meagher, that a decision in the matter of rezoning be deferred until the next regular meeting of the City Council.

Alderman McGuire requested to hear from staff in the matter before the motion to defer was put. Senior Planner Coe said that staff had given considerable thought to this difficult question and had concluded that aside from some reservations on the availability of parking, the rezoning would be for the general good of the City. He said there was bound to be some persons adversely effected, so that this was a typical situation.

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Alderman McGuire said it was not just a question of Dalhousie's future expansion, but that similar situations were arising wherever land was being assembled for apartments and other buildings, and he asked if it would ever be possible to prepare a comprehensive plan so that a person could move into an area and be completely assured that it would remain residential for a specified period of time.

His Worship the Mayor stated that if this were done, the City would be placed in a strait-jacket as far as development was concerned. Any Master Plan, he said, was always subject to change.

Alderman Ivany said he did not feel the issue could be considered as an isolated case, since it really affected the future of the whole south end of the City. He felt the University had failed to maintain a good line of communication with the citizens of the area, with the result that uncertainty was one of the major problems. He felt that the reference to a further stage of development which would involve work shops along South Street, was taking too much for granted. He also questioned that there would be anything gained by a deferment, as he did not think Council would be in a better position to make a decision after viewing plans.

Senior Planner Warner came forward and stated that the present request for rezoning would fit into the long range planning of the area, which envisaged the creation of a University zone.

Alderman Ivany questioned Senior Planner Coe about his reservations with regard to parking, and Mr. Coe replied that the construction of the heating plant itself did not present a parking problem, but that it was something which pertained to the University as a whole. However, he added, the University had been made aware of the City's concern with this problem, and it was hoped they would soon have a parking policy for the campus put into effect.

The motion to defer was then put and lost.

MOVED by Alderman LeBlanc, seconded by Alderman McGuire, that approval be given to the application to rezone land on the east side of Seymour Street and the west side of Henry Street between University Avenue and South Street, from R-3 to Park and Institutional, as indicated on Plan No. TT-10-17748.

The motion was put and passed, six voting for the same, and three against it, as follows:

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

A formal Resolution was submitted giving effect to the foregoing motion of Council.

MOVED by Alderman Allen, seconded by Alderman LeBlanc that the formal Resolution, as submitted, be approved.
Motion passed.

PETITIONS & DELEGATIONS

Mr. Murray Warrington - Account for Painting

The following letter was received in the office of the City Clerk, from Mr. Murray Warrington of 2369 Maitland Street, Halifax:

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"Dear Sir:

"I would like permission to address Council at its regular meeting on November 12, 1969 on the topic of compensation for tenants in City-owned housing. I submitted a bill for labour for painting the inside of No. 2369 Maitland Street, Halifax, last year, and it was turned down at a special meeting of Council on February 17th of this year. Since then information has come to my knowledge that the Council may like to reconsider the decision taken at that time, and approve my bill for payment. I have resubmitted my bill to the Finance Commissioner for payment, but I presume it will have to come before Council.

"(Sgd) Yours truly
Murray Warrington"

Mr. Warrington said that his request for payment had been turned down on the grounds it would create a precedent, but a case had since arisen where a family moving into a City-owned home had been given the paint to decorate the home from top to bottom, and although they moved into the house in October, rent will not commence until December.

His Worship the Mayor felt this was a matter on which Council would want the City Manager to report before taking any decision.

MOVED by Alderman McGuire, seconded by Alderman Hogan, that staff prepare a report comparing the circumstances involved in the case of the family referred to by Mr. Warrington, who moved from Maitland to Brunswick Street and received compensation through free rent for painting the house, with the circumstances in Mr. Warrington's case.

Motion passed.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 5, 1969 with respect to the following matters:

Conveyance of Land to Mr. William Coughran - 3168 Needham Street - Fort Needham

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, pursuant to Section 401(2) of the Halifax City Charter, 1963, as amended, staff recommends to City Council that the area shown as Lot "A", on Plan No. TT-10-17695 dated September 16, 1969, and being rectangular in shape, 70.71 x 10.46 x 71.47 in area, be declared to be no longer required for the purposes of Fort Needham Park, and that the area shown as Lot "A", be conveyed to William G. Coughran of No. 3168 Needham Street, and that the Mayor and the City Clerk be authorized to execute such deed. Motion passed.

C.N.R. Siding Agreement at 2283 Barrington Street

MOVED by Alderman Connolly, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the Canadian National Railways be requested to grant a Siding Agreement, covering 350 feet of trackage to service No. 2283 Barrington Street, at an annual rental of \$85.38, of which amount \$58.68 is for trackage and \$26.70 for a maintenance charge, and that the Mayor and the City Clerk be authorized to execute the same on behalf of the City. Motion passed.

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Salary Survey - Non-Union Employees

MOVED by Alderman LeBlanc, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, the firm of P. S. Ross and Partners be appointed to conduct a salary survey relating to non-union employees, at an estimated cost of \$2,750.00, which amount is covered in the Budget. Motion passed with Alderman Meagher voting against.

Supplementary Appropriation - Council Chamber Renovations - 316C

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, a further \$1,775.00 be approved under Section 316C of the City Charter, to cover the purchase of drapes to improve sound conditioning in the Council Chamber, and three tables and a three-seater sofa for use in the Aldermen's Lounge. Motion passed with Alderman Meagher voting against.

Supplementary Appropriation - Halifax Regional Library - 316C

MOVED by Alderman Meagher, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, an additional \$6,100.00 be granted the Halifax City Regional Library, under Section 316C of the City Charter, to cover salary increases in the amount of \$3,500.00 not allowed for in the original budget, and \$2,600.00 for promotions authorized by the Board due to added work and responsibilities of annexation. Motion passed with Alderman Abbott voting against.

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Payment of Accounts to Halifax Mental Hospital

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, the City of Halifax pay the following to the Halifax Mental Hospital:

1. The excess of employer's contributions to the City of Halifax Superannuation Plan over and above that allowed by Provincial Standards for employees at the Halifax Mental Hospital \$8,300.00
2. Payments made to the City of Halifax for clerical and legal charges and revenue from the sale of swill at the Halifax Mental Hospital 5,677.57

and that:

1. The Hospital Insurance Commission be advised by the Halifax Mental Hospital that the City of Halifax is withholding payment of an account amounting to \$21,853.00, pending finalization of an application by the Union of Nova Scotia Municipalities to the Executive Council of the Province of Nova Scotia that current legislation as passed at the last session of the Legislature be made retroactive to January 1, 1966; and
2. The Halifax Mental Hospital be requested to collect an accounting amounting to \$8,530.50 direct from the Municipality of Chester, N. S., as such account is not a liability of the City of Halifax.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on November 5, 1969 with respect to the following matter:

Exit to Lexington Avenue - MacCulloch & Company Limited

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that, as recommended by the Committee on Works, the

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application of MacCulloch & Company Limited for an exit on to Lexington Avenue from their property at the corner of Dutch Village Road and Lexington Avenue, be approved, subject to the following provisions being complied with:

- (1) The driveway would be available as an exit only from the MacCulloch property for passenger cars only, and would be marked by signs on the MacCulloch property facing inward stating it to be an "Exit Only for Passenger Cars Only".
- (2) Lexington Avenue would be signed so that passenger cars coming out of the entrance would be required to drive left or westwardly on Lexington Avenue.
- (3) The outside of the driveway (on the opposite side of the signs referred to in paragraph 1) would be clearly marked "No Entrance".
- (4) If necessary, the subdivision would be signed to prohibit truck traffic except for local delivery.
- (5) The exit road be fifteen feet in width, and be sited as far as possible, up to fifty feet, west of the present location of the utility pole located on the southern side of Lexington Avenue, and if possible be constructed so as to turn traffic left.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on November 5, 1969 with respect to the following matters:

Resolution - City of Windsor Re: Control of Fire Arms

MOVED by Alderman Connolly, seconded by Alderman Meagher that, as recommended by the Safety Committee, the City of Halifax endorse the following resolution from the City of Windsor relating to the Control of Fire Arms:

WHEREAS there are countless examples of the illegal use of firearms;

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AND WHEREAS these incidents are increasing at an alarming rate throughout the country;

AND WHEREAS there are no effective regulations in force today to control or prevent these illegal uses;

THEREFORE BE IT RESOLVED that the Federal and Provincial Governments be requested to consider this problem with a view to establishing a positive control of the manufacturing, distribution and possession of firearms and ammunition and to specifically consider the distribution of ammunition to government agencies or licenced hunting societies;

AND FURTHER, that this resolution be circulated to other cities in Canada, the Canadian Federation of Mayors and Municipalities, The Ontario Municipal Association, The Association of Ontario Mayors and Reeves for their endorsement and to the local members of Parliament and of the Ontario Legislative Assembly for their support, with the proviso

that the administration of the control measures be the responsibility of either the Federal or Provincial Government.

Motion passed.

Willow Tree Intersection - 4 Point

MOVED by Alderman Abbott, seconded by Alderman

Allen that, as recommended by the Safety Committee:

1. the traffic improvements known as Plan "B" as it relates to Cogswell Street, Bell Road, Rainnie Drive and Trollope Street, be approved in principle;
2. the actual work be carried out as soon as funds can be provided in the amount of \$291,000.00;
3. the funds be not necessarily expended in the next two or three years;
4. consideration be given to using Rainnie Drive as a temporary traffic arrangement;
5. a public hearing be held to lay down the official street lines of the streets involved;
6. the following recommendations as they relate to the Willow Tree Intersection, as listed in the report dated June 6, 1969, be approved at a cost of \$28,600.
 - (a) the construction of a double sidewalk on Robie Street opposite Queen Elizabeth High School;

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- (b) the installation of "Walk, Don't Walk" lights at the Willow Tree Intersection;
- (c) the installation of a pedestrian barrier in the median of Robie Street from Shirley Street to the "Willow Tree". (closing the median opening at Pepperell Street);
- (d) the widening of the crosswalk on the south side of the "Willow Tree" to 12 feet;
- (e) the prohibition of left turns from Bell Road and Cogswell Street;
- (f) the trial prohibition of all left turns, at the "Willow Tree" (3 months) to improve traffic flow and increase safety.

In reply to a question, the City Manager advised that before implementation plans are available for display to City Council, staff will need to study further the possible use of Rainnie Drive as a temporary traffic arrangement as against installing an extra lane on Cogswell Street. He further advised that no money has been provided in the Capital Budget for the work and it may be that the money will not be included in next year's Capital Budget in the light of certain other necessary items which must be included. He said that one of the benefits of this proposal is that with a small initial outlay the traffic arrangements can be tried for a short period of time and if not found to be satisfactory can revert back with little loss.

Alderman Meagher spoke against the motion and felt that the proposal would not work satisfactorily.

Alderman Hogan was concerned about the need for "Walk, Don't Walk" lights, and he felt that persons should know that they should cross on a green light only.

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The City Manager said that the amount of \$28,600.00 also includes installation of sidewalks and the pedestrian barrier along the median of Robie Street. He said that he favoured at least a trial of the proposal and felt that it would work quite satisfactorily.

Alderman Ivany said that he had seen some considerable improvement in the flow of traffic in the downtown area with the one-way street system and was quite impressed with the work of the traffic department and he felt that if this proposal works as well he would be quite happy.

The motion was then put and passed with Alderman Meagher voting against.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendments to Ordinance No. 114 - Respecting the Board of Management of the Halifax Civic Hospital - Second Reading

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee of the Whole Council, the following Amendments to Ordinance #114, Respecting the Board of Management of the Halifax Civic Hospital be read and passed a Second Time:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 114, Respecting the Board of Management of The Halifax Civic Hospital, approved by the Minister of Municipal Affairs on the 25th day of February, A.D., 1966, be amended as follows:

1. Subsection (1) of Section 8 of said Ordinance Number 114 is hereby amended by striking out the words "At the first meeting in November in each year" in the first line thereof and substituting therefor the words "At the annual meeting of the Board".

2. Clause (c) of subsection (2) of Section 11 of said Ordinance Number 114 is hereby amended by deleting the words "with the approval of the Council," in the first line thereof.

Motion passed.