

Record

A G R E E M E N T

BETWEEN:

THE CITY OF HALIFAX

- and -

THE HALIFAX POLICE ASSOCIATION

NOW this Agreement witnesseth that for and in consideration of the mutual undertakings and other good and valuable consideration the parties hereto mutually covenant and agree as follows:

1. THAT the City of Halifax hereby recognizes the Halifax Police Association as the sole Bargaining Agent for all of the Constables and Corporals in the Police Department in the employ of the City of Halifax, for the purpose only of negotiating a new Collective Agreement as requested by letter under date of August 15, 1969, from D. Merlin Nunn.

2. THAT the City of Halifax agrees that the Halifax Police Association shall have all the rights, privileges and duties as provided for in the Trade Union Act, R.S.N.S., 1967, Chapter 311, as amended.

3. THAT the City of Halifax and the Halifax Police Association hereby mutually agree that all procedures laid down in the Trade Union Act of Nova Scotia, as amended, are available to each of the parties herein in the conduct of the relationship between the parties except as varied or altered by the Collective Agreement entered into between the parties.

DATED at Halifax, in the County of Halifax, and Province of Nova Scotia, this day of , A. D., 1969.

THE CITY OF HALIFAX)
_____)
Mayor)
_____)
City Clerk)

THE HALIFAX POLICE ASSOCIATION)
_____)
President)
_____)
Secretary)

Witness

Witness

SPECIAL COUNCIL
MINUTES

Special
Council, November 19, 1969

Council Chamber,
City Hall,
Halifax, N.S.
November 19, 1969
3:30 P.M.

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

Present: His Worship the Mayor, Chairman and Aldermen Abbott, Ivany, MacKeen, Meagher, Sullivan, Connolly, Allen, LeBlanc, McGuire, and Hogan.

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

The City Clerk advised that the meeting was being held for the purpose of a Public Hearing with regard to demolition of a dilapidated building at 1873 Hollis Street.

DILAPIDATED BUILDING - 1873 HOLLIS STREET (HALIFAX GLASS WORKS)

A report was submitted by the Building Inspector concerning a dilapidated building at 1873 Hollis Street, and read in part as follows:

"General Condition-Additional Comment

Entire structure extensively damaged by fire March 6, 1968 and has been further damaged by exposure to frost and moisture as a result of non-repair after the fire.

"Conclusions and Recommendations

This building, by reason of its ruinous condition is seriously detrimental to the amenities of the neighbourhood and is in such a state of non-repair as to be no longer suitable for business purposes. It is recommended that this building be demolished or removed and the site cleared."

The Building Inspector came forward and His Worship the Mayor asked if anyone wished to question him with regard to the condition of the building.

Alderman Ivany asked if it would improve the situation by removing the building under discussion, when one

considered the effect that would have on the two buildings to which it was joined on each side.

Mr. Jefferson said the problem was that the entire upper storey was structurally unsound, and he feared that by the time it went through another winter period, parts would begin to dislodge and hit someone passing below, or even that a large part of the building would collapse. In reply to a further question from Alderman Ivany, Mr. Jefferson said there was no doubt in his mind that the building was structurally unsound, but added that his opinion was, of course, open to dispute. He said the safety and appearance features were cause for the removal of the building, in accordance with the wording contained in the City Charter.

Alderman Abbott asked if the owner of the building would be required to fill in the empty excavation if the building were ordered demolished.

The Building Inspector replied it would be necessary for the owner to either fill the lot in, or have it barricaded, to the satisfaction of the Building Inspector.

Alderman LeBlanc said that probably the empty lot could be utilized for parking, so that the owner would be compensated to that extent.

The Chairman then asked if there was anyone present who wished to speak on the subject, and a Mr. Peter Spencer came forward. Mr. Spencer said he was the legal representative for Centennial Properties Ltd., who had just acquired ownership of the property the previous day. He said

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his client had engaged Consultants to study the building, and had received a preliminary report, copies of which he distributed to the Council. The report read as follows:

"GEORGE BRANDYS & Associates
1859 Granville St.

"Mr. Harold Medjuck,
Centennial Properties Ltd.
One Sackville Place,
Halifax.

"Re: Inspection Fire Damaged 3 Storey Bldg.
(Formerly Halifax Glass Co.) 1873 Hollis Street

"The above building was inspected with respect to the proposed restoration and the intention to reuse existing bearing masonry walls and stone facing.

"Most of the wood floor and roof framing was severely damaged by fire and has to be replaced by completely new framing. Interior bearing walls at approximately 18'0" centres consist of 9" solid brick in the upper two storeys and approximately 12" brick in the first storey. These walls do not appear to be weakened by the fire, but mortar joints will require some repointing and replacing of wood inserts and lintels will be necessary. The loading from the new floors and roof on these walls will produce stresses, which are well within the allowable limits. Similarly, the back brick walls appear to be generally sound. End walls consist of stone masonry and appear to be adequate to carry the intended loading.

"Front of building consists of stone facing backed by solid brick supported on steel framing at the first floor level. This front wall appears to be sound except for south section of the third storey containing three windows, where exterior erosion and spalling of the stone took place. This damaged section will require either replacement by new wall or careful restoration, consisting of new masonry backup, bonded and anchored to the stone facing, and replacing of damaged wood lintels.

"In conclusion, the building appears to have sound masonry bearing walls capable of carrying new floors and roof and only minor repair work will be necessary to bring these walls to their full capacity, with the exception of the damaged stone facing in the upper south section, as mentioned beforehand. Removal of damaged interior wood framing must be carried out with care with respect to lateral support of the existing masonry walls and stone facing. Engineering supervision should be maintained during demolition and restoration work to ensure that all possible defects are rectified as required for the safety of the building."

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Mr. Spencer said his client had not yet decided to what use it wished to put the building, but there was the possibility of using it for a warehouse if the repair costs were not prohibitive.

His Worship the Mayor asked Mr. Spencer if his client had considered the problems of truck access to the building because of one way street systems in effect in the region.

Alderman Meagher asked if it would be possible to adjourn the Hearing to allow time for the owner to arrive at a decision on the restoration and use of the building.

His Worship the Mayor suggested that Council complete the Hearing of which notice was given, and it was then up to the members as to what action they wished to take, which included the possibility of deferring a decision until a fixed date.

Mr. Spencer said that the building had some historical significance, which might be some reason for delaying a decision on its demolition until it was decided whether or not restoration was practical.

Alderman McGuire said he felt a deferralment in the matter was only acceptable if the owner could assure Council that further deterioration would not occur during the coming winter, so that the Building Inspector could be satisfied with regard to the safety factor.

The City Engineer commented next with regard to the street lines at the site under question. He said the street lines were ordinary lines in back and front of the building

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and there were no new street lines. He said the line that had been approved and slightly changed was on the eastern side of Water Street, not on the western side.

There was some discussion on the barricade in front of the building, and Mr. Spencer said it had been removed since the building was boarded up.

Alderman Ivany suggested allowing the owner 30 to 60 days to submit a proposal for renewal of the building. The Building Inspector said in this event, he would recommend closing off the sidewalk completely in front of the building, due to the present condition of the third floor.

His Worship the Mayor asked Mr. Spencer when his client had received the Consultants report on the building and was told around September 5th, 1969; whereupon he stated that it would appear the owner had had sufficient time to make a decision as to the restoration and possible use of the building.

In reply to a question from Alderman Allen, the Building Inspector advised that notices to all concerned, including the present owners of the building, had been sent by registered mail on November 7th.

His Worship the Mayor asked if there was anyone else who wished to speak concerning the demolition of the building, but no one came forward.

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that the building at No. 1873 Hollis Street, Halifax, be demolished within thirty days from the date the order is issued.

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MOVED by Alderman Ivany, seconded by Alderman Meagher, that the matter be deferred for two weeks to allow the owners of the building to submit a report to the next Committee of the Whole meeting concerning a proposal for rehabilitation of the building, and also their plans for maintaining the safety element.

Alderman LeBlanc questioned the City's plans regarding widening of the street at the location under discussion, and whether this should be taken into consideration in deciding the issue.

His Worship the Mayor said that as long as the City had not laid down official street lines, it could not take action which might appear to be discriminating against one individual on the block.

Alderman LeBlanc said his point was that if the City had any plans about widening the street, this would have some bearing on any decision the owner would take regarding restoration of the building.

The City Solicitor said this point could be considered upon an application from the owner to renew the building, at which time a building permit might be withheld.

His Worship the Mayor suggested that with the many other problems facing the City which required financing, it appeared most likely it would be some time before any widening of the street under discussion took place.

The motion to defer was then put and passed, seven voting for the same and three against it as follows:

ORDER OF BUSINESS

CITY COUNCIL

Special Council,
November 19, 1969

<u>Lord's Prayer</u>	For	-	Aldermen MacKeen, Connolly, Hogan, Ivany, McGuire, Meagher and Sullivan	7
<u>Roll Call</u>				
<u>Minutes: November 12</u>				
<u>Approval of Order of Day</u>				
<u>Deferred Items:</u>	Against	-	Aldermen Abbott, LeBlanc, and Allen	3
(a) Sidewalks - Wards 7, 8 & 9				

Motions of Reconsideration: 3:45 P.M. - Meeting adjourned.

Motions of Rescission: NONE

Public Hearings & Hearings:

HEADLINE

(a) Dilapidated Building - 1873 Hollis Street (Halifax Glass Works) 1017

Petitions & Delegations:

- (a) Mr. Murray Warrington
 - (b) Petition Re: Condition of Beach
- ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

- (a) University - Roy A. Power - Ladies of the Sacred Heart
- (b) Transit and Traffic - Legal Changes
- (c) Design and Engineering Services Fee - Cogswell Street Interchange Phase II - Proctor Street to Gerrish Street
- (d) Tax Deposit Certificates
- (e) City Staff Co-operation with Halifax Transit Corporation
- (f) Property Acquisition - 4625 Cogswell Street - Parkway Construction Ltd.
- (g) Call for Proposals - 500 Housing Units on Privately Owned Lands
- (h) Letters to Ministers - Request for Housing - Need for Housing Units for Families
- (i) Tender Call - City-owned land on Lynch and Vestry Streets
- (j) Cost of Living Assistance - Pensioners

Report - Committee on Works:

- (a) License Agreement - City-owned Property - Miss Margaret Manning, James Street
- (b) Encroachment - A. K. Bell Building - 1874 Hollis Street
- (c) Incinerators - Apartment Buildings

Report - Safety Committee: NONE

Report - Public Health & Welfare Committee: NONE

ORDER OF BUSINESS

CITY COUNCIL

NOVEMBER 26, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: November 12 and 13, 1969
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
 - (a) Sidewalks - Wards 7, 8, 9 and 10 - Approval of Capital Works Program
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings:
 - (a) Public Hearing Re: Laying Down the Official Street Lines of both sides of Dunbrack Street, from the northwestern street line of Rosedale Avenue to the southeastern boundary line of the Clayton Park Subdivision
9. Petitions & Delegations:
 - (a) Mr. Murray Warrington
 - (b) Petition Re: Condition of North Barrington Street between Kempt Road and Nova Scotia Co-operative Abattoir Plant
10. Report - Finance & Executive Committee:
 - (a) Dalhousie University - Roy M. Power - Ladies of the Sacred Heart - Confirmatory Deed - Release of Restrictions
 - (b) Transit and Traffic - Legal Changes
 - (c) Design and Engineering Services Fee - Cogswell Street Interchange Phase II - Proctor Street to Gerrish Street
 - (d) Tax Deposit Certificates
 - (e) City Staff Co-operation with Halifax Transit Corporation - Resolution
 - (f) Property Acquisition - #5428 Cogswell Street - Parkway Construction Ltd.
 - (g) Call for Proposals - 500 Housing Units on Privately Owned Lands
 - (h) Letters to Ministers Responsible for Housing - Need for Housing Units for Families
 - (i) Tender Call - City-owned Land at Lynch and Vestry Streets
 - (j) Cost of Living Assistance - Pensioners
11. Report - Committee on Works:
 - (a) License Agreement - City-owned Property - Miss Margaret Meehan, James Street
 - (b) Encroachment - A. M. Bell Building - #1874 Hollis Street
 - (c) Incinerators - Apartment Buildings
12. Report - Safety Committee: NONE
13. Report - Public Health & Welfare Committee: NONE

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

- (a) Tax Exemptions and Grants
- (b) Taxes on Universities
- (c) Grants in Lieu of Taxes - Properties of British and Foreign Governments
- (d) Municipal Income Tax

Report - Town Planning Board:

- (a) Modification of Front Yard, Lot Frontage and Lot Area Requirements - #3218 Ralston Avenue
- (b) Extension to a Non-conforming Building and Modification of Front Yard, Side Yard, Lot Frontage and Lot Area Requirements - Civic No. 3626 St. Paul Street
- (c) Rezoning R-4 Residential Zone to C-1 Local Business - Civic No. 16 Titus Street (WITHDRAWN)
- (d) Rezoning from R-2 Residential Zone to C-2 General Business Zone - Isleville Street
- (e) Extension to Non-conforming Building, Modification of Side Yard Requirement - Civic No. 2145 Windsor Street
- (f) Modification of Front Yard, Lot Frontage and Lot Area Requirement - Civic No. 2569 Joseph Street
- (g) Extension to Non-conforming Building, Modification of Lot Frontage and Lot Area Requirement - Civic No. 6426-28 Seaforth Street
- (h) Extension to a Non-conforming Building and Modification of Side Yard Requirement - Civic No. 74 Coronation Avenue
- (i) Modification of Side Yard Requirement - Lot 311 Dipper Crescent
- (j) Alteration to a Subdivision - Thornhill Subdivision, Ardwell Ave., Spryfield
- (k) Alteration to a Subdivision - Portion of Northcliffe Lane, Clayton Park Subdivision

Motions:

- (a) Alderman Allen Re: Amendment to Ordinance #104, Respecting the Composition and Meetings of Council
- (b) Alderman MacKeen Re: Legislation to Reduce Noise in City of Halifax

Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Appointment - Deputy Mayor
- (c) Appointments
- (d) Expropriation - Carvery Property - Africville
- (e) Appointment of Architects - New Bloomfield School

QUESTIONS

Notice of Motion:

- (a) Alderman McGuire Re: Amending Section 2 of Ordinance #128, Respecting "Exemption from Real Property Tax on Property Used for Certain Purposes"

Added Items

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CITY COUNCIL
CITY OF HALIFAX

Record

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
November 26, 1969
8:00 P.M.

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

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

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

Statement by Alderman Hogan Re: Newspaper quotation regarding Salaries for Halifax Police

Alderman Hogan referred to a article in the Halifax daily newspapers, which quoted him as saying that "City police will earn more than \$8,000 next year", and said he wished to be recorded as denying having made such a statement.

Minutes

Minutes of the meetings held on November 12 and 13 were approved on motion of Alderman LeBlanc, seconded by Alderman McGuire.

Approval of Order of Business, Additions & Deletions

The City Clerk requested the addition of:

20 (a) - Lacewood Drive Sewer Agreement.

and that Item 17(d) "Expropriation, Carvery Property, Africville" be moved up on the agenda to follow Item 9 (b), to insure its being handled this evening, in the event the meeting is adjourned to the following day.

Alderman Allen requested the addition of:

20 (b) - Spryfield Land Assembly.

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

DEFERRED ITEM

Sidewalks - Wards 7, 8, 9 and 10 - Approval of Capital Works Program

No staff report was submitted on this matter, and it was further deferred.

PUBLIC HEARINGS & HEARINGS

Public Hearing Re: Laying Down the Official Street Lines of both sides of Dunbrack Street, from the Northwestern street line of Rosedale Avenue to the Southeastern boundary line of the Clayton Park Subdivision

A Public Hearing was held at this time into the matter of laying down the Official Street Lines of both sides of Dunbrack Street, from the northwestern street line of Rosedale Avenue to the southeastern boundary line of the Clayton Park Subdivision, as shown on Sections 55"A" and 56"A" of the official City Plan.

Before the Public Hearing commenced, Alderman Connolly rose to ask for clarification of how matters stood with regard to the location of the arterial road as set down in the following motion which was passed at the May 14, 1969 meeting of City Council:

"MOVED by Alderman Connolly, seconded by Alderman LeBlanc, that the line shown in red on Drawing No. TT-10-17577, be approved as the location for the arterial road."

On October 15, 1969, he stated, a motion was passed by the Council approving Plan No. TT-10-17701, which set the street lines in a different location than indicated on Plan TT-10-17577.

Alderman Connolly said he questioned at the time the October 15th motion was passed, whether or not it was necessary first that the May 14 motion be rescinded, and His Worship the Mayor had replied

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"the City Solicitor had ruled that it is just an implementation of a decision in principle and did not require any rescission". Alderman Connolly said he interpreted Section 47 of Ordinance No. 2 as meaning that once a motion was passed, an additional one covering the same matter could not be put and passed until the preceding motion had been rescinded.

The City Solicitor advised that Alderman Connolly was quoting from the old Ordinance, which had been superseded by Ordinance No. 103, and the section to which the Alderman was referring, was Section 40 of Ordinance No. 103, which read as follows:

"When a motion has been moved and seconded it cannot be withdrawn, except by the leave of the Council."

He said he did not interpret this as stated by Alderman Connolly, but to mean that once a motion was moved and seconded, it became the property of Council, and could not be withdrawn by the mover and seconder, without the consent of the Council.

His Worship the Mayor referred to the ruling given by the City Solicitor at Committee of the Whole on October 1, 1969, and said he knew of nothing that would challenge that ruling further. That ruling read as follows:

"The City Solicitor stated that as a result of the May 14th motion of Council, staff had corresponded with the Province, and the Province had indicated that an interchange at the location entailed by the May 14th motion, would be unacceptable to the Province. Council later instructed staff to consult further with the Department of Highways, and to bring back an alternative solution to Council for its consideration. He said that for him to rule that Council could not proceed on the subject, because of the subject matter, would be to anticipate the results of Council's deliberations. He therefore concluded that there appeared to be no reason why the Committee could not deal with the question of the Dunbrack arterial road at this time."

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In addition to Plan "B" (TT-10-17577) which set forth the street lines on which the Public Hearing was being held, the City Engineer displayed several other maps which had incorporated other proposals for the location of the arterial route.

His Worship the Mayor asked if there was anyone present who wished to speak against the laying down of the street lines of Dunbrack Street as advertised, and Mr. M. Josey, representing the Fairview Home Owners Association, came forward.

Mr. Josey first referred to a letter from the Province, in which they advised that although they would not agree to locating the interchange as far west as the Nova Scotia Light and Power Company line, their staff was still open for discussion on this subject. Mr. Josey then presented a brief which upheld the previous stand taken by his organization, that the use of Dunbrack Street as an arterial route was unacceptable, because of the safety hazard involved for the pupils of the elementary school situated on Dunbrack Street, which, he said, would sit back only thirty feet from the road, and secondly, because of the devaluation to home-owners of their properties.

A Mr. D. Payne of 119 Sunnbrae Avenue came forward next. He said there was not only the present elementary school to consider, but also a Junior High School which it was rumoured would be constructed alongside the elementary school.

Alderman McGuire interrupted Mr. Payne at this point that at a recent meeting of the School Board, the plan now called for a Junior High School to be constructed some time in the future in a more central location of Fairview, to the east of Dunbrack Street. Alderman McGuire said the Board had

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considered a proposal put forward by Senior Planner J. Coe that eventually Dunbrack Street would constitute a school boundary line, whereby students living on the east side would attend schools located to the east of Dunbrack Street, and those living on the west side of the street attend schools located to the west of Dunbrack Street, to eliminate the need for students to cross the street to get to their schools. In reply to a question put by Mr. Payne, Alderman McGuire confirmed the School Board's intention to retain the land beside the elementary school as a possible future site for a new school.

Mr. Payne restated the argument previously put forward by the Home-Owners Association, that 30 feet was not sufficient distance for a school to be located from a busy artery.

The next person to speak in opposition to the laying down of the street lines for Dunbrack Street as proposed, was a Mr. Christian, who identified himself as a homeowner in the area concerned. Mr. Christian said his concern was to get the arterial route away from the school, and he did not see why Plan (D) was not acceptable, which placed the road behind the school, and if an interchange was not acceptable so close to the Light and Power Company's line, he felt it could swing down to a point which would be acceptable.

No one else came forward to speak against the proposed street lines, so His Worship the Mayor asked if there was anyone present who wished to speak in favour of the proposal.

Mr. George Piercey came forward to speak for Piercey Investors Ltd., one of the developers in the area

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He said he also had received a request from Mr. George McAuley, an official of Central Builders, Ltd., who were deeply involved in the development of this area from Willett Street west to and including Dunbrack Street, to speak on his behalf.

Mr. Piercey said it was now three years since the owners of the land west of Dunbrack Street, had entered into an agreement with the Municipality of Halifax for the building of Rosedale Avenue and Coronation Avenue from Dunbrack Street to the Light and Power line, whereby the costs for roads and services would be shared equally by the Municipality and Piercey Investors. He said such work was done at a cost of \$72,000, which were shared equally by the Municipality and Piercey. He stated that before work had progressed to any extent, the Municipality had purchased the land on Dunbrack Street for a school, and there was never any question in the minds of land owners or the Municipality but that Dunbrack Street would become a main through street, certainly from the Bicentennial over to and beyond Main Avenue. Therefore, he said, the services had been installed and the costs had been paid by the Municipality, and it was just a matter of working out the terms of repayment now that the City stood in their place. Approval, he said, was being sought immediately for a row of lots along the south side of Rosedale Avenue. The Municipality had approved six lots and deferred approval of an additional six pending negotiations with the regional authority as to which, if any, of these roads might be curtailed along Dunbrack Street. Negotiations, he said, had not progressed very far when annexation came up, and the Municipality decided it would not negotiate any further with regard to the remaining six lots,

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since it would become a matter for the City to decide after annexation. Houses, he said, had been built and sold by Mr. McAuley on the six approved lots, but he had been waiting ever since for approval of the other six.

Two years ago, he continued, Mr. McAuley had asked for a rezoning from R-1 to R-2 for a complete block from Coronation to Main, and it had been deferred in the first instance by the Municipality pending the results of a sewer survey, at which time they said the whole matter of sewer service in this area was under review and that they would not grant any further rezoning applications until the results of the survey were known. One year ago, he said, the Municipality had informed Mr. McAuley that in view of annexation the matter would be left for the City of Halifax to determine, whereupon Mr. McAuley had made application to the City for the rezoning, but no further action had been taken on the matter.

Mr. Piercey felt that three years was a long time to wait for finalization of an agreement which had been entered into in good faith by the developer, after having contracted for the expense of sharing road and service costs as mentioned. Also, he added, two years was a long time for a developer to await a decision in a rezoning application, because building was his bread and butter and land was becoming scarce in the area under consideration.

On behalf of the two developers mentioned, Mr. Piercey said there was no objection to Plan "B", and actually, they could not object to Plan "A" provided it resulted in the road as indicated. However, he referred to one suggestion that to avoid the objections of the Province with regard to the

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location of an interchange at the Light and Power Company line, the road curve down, which would result in cutting out some of the land on which approval was currently being sought. This, he said, he objected to strenuously, because it meant that a lot of work and expense would have gone into the land for nothing, as it would ruin a block of land which was to be developed in an orderly fashion in conformity with previous development. It was not fair, he added, to those who had put three years of planning into the area and incurred substantial expense.

Mr. Piercey said it was not his intention to get into a debate with Mr. Josey on the matter, and he accepted that Mr. Josey presented his views in good faith. However, he did not think it was kind of Mr. Josey to say in one breath he spoke on behalf of residents who had an interest in the area, and in the next breath say in so many words that the staff report was catering to the whims of developers, and to clump the developers together as "speculators". "Speculators" he said, had become an abused word and not one people took to kindly. All the developers named, he said, had been deeply involved in the development of the area, and he felt it fair to say if it were not for their efforts there probably would not be an arena in Fairview today. He said they had provided a good playground, and although he agreed it might be larger, on the other hand fifteen years ago there was no playground in the whole of Armdale and Fairview.

Mr. Piercey concluded by saying that he felt the matter should be decided this evening, and he again referred to the fact that development in one case had been held up for three years. Also the application for rezoning which

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he mentioned was considered to be urgent. Everyone, he said, knew of the great need for housing in the area, and if all the land available was to be reserved for R-1 use, there would be a limitation on how many persons could live in the area. R-2 zoning, he said, would permit duplexes and would do much to ease the housing shortage. He said it must be remembered that although the school is there, it was planned that way, and that there was going to be far more development on the other side of the power line, so that there will be more schools and more housing, and somewhere there had to be an arterial road, and he could not see any valid argument, in view of the overall plan for the area, why Dunbrack Street should not be that road.

Mr. Robert Shaw came forward next on behalf of Clayton Park Developments Limited, to speak in favour of the proposed street lines. He said he wished to comment on three points which had been raised by Mr. Josey and others in opposing the street lines:

- 1 - Comparison of present case with Connaught Avenue.
The two cases, he said, were simply not comparable, because the problem on Connaught Avenue dealt with the noise level and safety hazard due to the fact that the street had become a main route for truck traffic entering the downtown area.
- 2 - Quinpool Road & Robie Streets
Again, he said, there was no comparison, because at this intersection there were five arterial roads converging.
- 3 - Suggestion that road follow the Light and Power line to a certain point and then swing down to location for interchange
Two reasons, he said, why this was not practical:
 - (i) Would result in extremely poor engineering design.
 - (ii) It would ruin a great deal of property presently awaiting approval for development.

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He felt that the Mr. Shaw said an all-important point was that in the area bounded by the Bedford Basin and Bicentennial and Kearney Lake, there now resided roughly 17,500 people, and the experts all agreed that this would increase to 60,000 people within twenty years. At the present, he said, all these residents entering the old part of the City, must funnel through Bedford Highway and Dutch Village Road, which were already grossly overloaded. He felt it was obvious there must be another major connection in the Fairview area, which was the fastest growing area in the City. This, he said, was such a simple and important point that it was difficult to understand why it had not been understood before now.

Mr. Shaw said that the Provincial Government's announcement regarding Spryfield had inadvertently had the effect of making the Arm Bridge seem more of a reality, and that in turn made Dunbrack Street more important, because if there was a connection of the Fairview-Rockingham arterial road at the Bicentennial, then the City would have the potential to develop an ideal crosstown arterial road system to serve the entire area.

Finally, Mr. Shaw said he felt that much of the controversy had been emotional and could have been avoided if the issues involved had been properly explained and understood at the outset. He said that many of the Fairview residents who had initially objected to the use of Dunbrack Street as an arterial route, had come to realize that such routes are an absolute necessity to properly service any neighbourhood or community

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He felt that these residents had come to realize that where arterial roads have proper medians, cross-walks, and lights, they do not constitute a real safety hazard to children nor do they devalue adjacent land; to the contrary, if arterial roads are not provided then traffic patterns for automobiles and transit are overloaded and the demand for homes in that area is lessened.

The City Engineer was asked to comment on the statement that the school would be set back only thirty feet from the road. Mr. Dodge said it was 50 feet from the curb and 30 feet from the street line.

Alderman LeBlanc asked Mr. Shaw if he felt fifty feet was sufficient to overcome any safety problem, and Mr. Shaw replied that the ideal situation would be not to have any schools situated on arterial routes, but that this was physically impossible to achieve. The highest density in any community, he said, centered around the arterial routes, so that you automatically were faced with the situation of schools being located on main streets. Furthermore, he added, this would certainly not be the first school in the City to be located fifty feet or less from a main street. Mr. Shaw repeated his previous statement that, with the proper measures taken, he did not think an arterial route constituted any safety hazard to children having to cross it.

In reply to a question put by Alderman MacKeen, Mr. Shaw stated it was his estimate that if the Plan were adopted which put the road along the power line and then curved down for the interchange, it would result in the loss of hundreds of units of housing.

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Alderman McGuire said that he thought it only fair to say that he had received numerous telephone calls and letters from people in the Fairview area who did not share the views put forward by the Home Owners Association. He quoted from four or five of the letters, whose writers urged Council to settle the matter so that they could get on with the building of their homes. He said it was apparent that the main objection to the use of Dunbrack Street as an arterial route dealt with the safety hazard, yet Council had been given assurance from staff and other professionals, that, in fact, this street would be far safer than many existing local streets in Fairview, on which streets statistics showed most pedestrian automobile accidents occurred, because of children running from between parked cars. The Alderman said it was his view that rather than spending money on locating the road elsewhere than presently proposed, it would be far wiser to utilize such money for the acquiring of additional recreational facilities. He then referred to the critical housing situation, and said that since in his view the safety argument against the use of Dunbrack Street was not valid, the matter should be settled this evening so that developers in the area could get on with their work.

Alderman Hogan said everyone had to agree about the need for an arterial route to link up with the proposed Arm Bridge, and he was prepared to base his decision in the matter on the advice of experts, who he felt were as concerned about safety as was Mr. Josey and his group. One such group of experts had stated that the arterial route "could not go further west than Dunbrack Street". Also, he added, there was the

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decision of the Provincial Department that a connection to the Bicentennial could not be placed at the power line, and the alternative to this, he said, appeared to be the elimination of badly needed land for housing. He referred to a statement made by Inspector Flynn at a meeting he attended with the Home Owners Association in Fairview that "most children are hurt on their own streets, not near schools where they are afforded more protection. He said that looking to the future, once the whole area had been built up, the school under discussion at the moment on Dunbrack Street, would only serve a portion of the area west of Dunbrack Street. Alderman Hogan said he was not trying to fight the Home Owners Association, because being a father of seven children himself, he was as equally concerned about the safety of children as that group, and he was satisfied no hazard existed on the road as proposed.

Alderman Sullivan questioned the City Engineer about the schematic plan which showed the arterial route eventually cutting through the Ashburn Golf Club. Mr. Dodge replied that there were a number of different routes the road could follow at that point, none of which could be determined at this point, although he conceded "it could pass through Golf Club property.

Alderman Allen asked for clarification that the possibility involved the road passing through Golf Club "property" and not through developed Golf Club property, and Mr. Dodge confirmed this to be the case. Alderman Allen then asked the City Manager if the proposed streets lines were approved this evening, how long it would be before actual work commenced. The City Manager replied that it was unlikely any money would be included in the 1970 budget. After a short

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discussion it was generally agreed that actual work on the arterial route was still some time off in the future.

Alderman Allen said he agreed with Mr. Shaw's remarks that a lot of the problem stemmed from a misunderstanding of the facts involved, and he felt from conversation he had had, that many people who originally opposed the idea had changed their minds once they had been presented with the facts. On the safety question, he felt that many of the main routes presently existing in the annexed areas constituted a far greater danger to children than the proposed Dunbrack Street ever would, inasmuch as children had to walk along these roads for distances of one or more miles, without the benefit of any sidewalks, curbs, or gutter. Satisfied as he was concerning the safety of a properly designed arterial route along Dunbrack Street, he felt the matter should be settled so that the developers in the area could proceed with their work, which was a vital matter in view of the housing crisis.

MOVED by Alderman Allen, seconded by Alderman McGuire, that approval be given to the laying down of Official Street Lines of both sides of Dunbrack Street, from the northwestern street line of Rosedale Avenue to the southeastern boundary line of the Clayton Park Subdivision, as shown on Sections 55 "A" and 56 "A" of the official City plan (TT-10-17701).

Alderman Sullivan again expressed concern about the great expense to the City at a future time in acquiring Golf Club property, if this were required for the extension of

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an arterial route, and he felt this should be seriously considered before accepting Plan "B".

The Supervisor of Real Estate was asked - "Which lands are worth more for expropriation for road purposes - the residential lands as indicated this evening, or undeveloped land of Ashburn Golf Club?", and he replied - "In the context of your question, obviously the undeveloped Golf Club land should be cheaper."

Alderman Connolly asked, assuming Plan TT-10-17701 were approved this evening, which meant there were two different plans approved by Council on the record, namely, TT-10-17577, approved May 14, and the present one, how the situation was to be interpreted.

His Worship the Mayor said it was his understanding, subject to any ruling by the City Solicitor, that the May 14th action of Council was only an approval in principle of a layout which was not prepared by the City Staff, and that before any official action could be taken, an appropriate plan had to be prepared and a Public Hearing held, which was being done for the first time tonight. If approval is given following the Public Hearing, he said, it is only then that the actual street lines are laid down.

After a short discussion regarding the effects of approval tonight on development of the area, Mr. Dodge said in all cases it did not necessarily mean the developers could start in the next day, because there was still the location of the Interchange to be settled. But, he added, until the matter of this section of the arterial route was settled, the next steps leading to freeing of the land in the area, could not be taken.

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The matter of rezoning for the one parcel of land, for instance, he said, could then be considered, and the land available for construction in the Spring of 1970.

Alderman LeBlanc referred to the letter from the Highways Department, in which Mr. Josey had quoted a sentence to the effect that the Department was still open to negotiations on the matter of the location of the Interchange, and Mr. Dodge was asked if staff had consulted with the Department since that letter had been written. Mr. Dodge replied that staff had negotiated further, but that the Department had not changed its position about the interchange not being located near the power line, at least as far as the overhead part of the interchange itself was concerned.

Alderman LeBlanc asked if the gentlemen who had voiced objections this evening, were aware of (i) the Province's stand in the matter of the location of the interchange, and (ii) the consideration the School Board was giving to the site for the new Junior High School, so that eventually Dunbrack Street would serve as a school boundary line.

All three gentlemen came forward and indicated these facts still did not change their objections to the use of Dunbrack Street as an arterial road.

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

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

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

MOVED by Alderman LeBlanc, seconded by Alderman McGuire, that the formal Resolution, as submitted, be approved. Motion passed with Aldermen Connolly, Meagher, and Sullivan against.

MOVED by Alderman Meagher, seconded by Alderman Hogan, that in view of the foregoing decision by Council, staff should now approach the Department of Highways about the design of the Interchange, so that the City can proceed with the laying down of street lines from Rosedale Avenue to the Bicentennial. Motion passed.

Alderman McGuire then asked that in an effort to give the maximum protection to children crossing the road as it relates to the elementary school, staff give consideration to three items:

1. As soon as possible after any additional surveying required is finished, staff study the suggestion of Mr. George Power about planting trees in front of the school to cut down on the noise factor.
2. A double sidewalk be installed on Dunbrack Street from Rosedale Avenue to the next intersection, instead of the normal width, and
3. The possibility of pedestrian barricades along that same section.

Council agreed that staff should give consideration to the above points.

PETITIONS & DELEGATIONS

Mr. Murray Warrington:

The following petition was submitted by

Mr. Murray G. Warrington:

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"Your Worship, Aldermen, Ladies and Gentlemen:

"The first question I would like to ask the City Manager, through the Chairman, is this your report or the report of the Property Supervisor and his Department?

(The report Mr. Warrington referred to was dated November 19th and outlined the conditions and circumstances connected with Mr. M. Warrington's rental and the other case which Mr. Warrington had brought up at the Council meeting of November 12, 1969)

"I might say before you answer this question, it is loaded, someone is going to be held responsible for this report."

The City Manager replied that the report in question had been written by a member of staff, but that he had signed it because he was in complete agreement with the contents.

Mr. Warrington continued:

"This report is irrelevant to the issue that is before Council and is only something to try and confuse the actual facts. It is not only irrelevant to the issue, and tends to confuse, but parts of it are lies. It says in this report, the tenants in question who moved from Maitland Street to Brunswick Street, were tenants of the City. This is a lie, how could they be tenants of the City, when the City did not acquire this property 2325 Maitland Street until October 30, 1969. It was the property of the Beamish Estate, and was looked after by Canada Permanent Trust, although the City tried to get the tenants from 2325 Maitland Street to pay their rent to the City before they even owned it; the south half, 2323 Maitland Street, was acquired the 31st of October, 1969.

"The house in question situated north of Civic 2325 was a double house, the north half being acquired three or four years ago, the south half 2327 was acquired May 11, 1967. The City did not demolish these houses when acquired, although they were a fire hazard. But again I say, this has nothing to do with the case at hand, other than to confuse the real issue. I was in the house on Brunswick Street - it needed to be painted, yes, but to say it was in poor condition is another lie. If the property department of the City of Halifax thinks it was in such a bad condition, why did they not send City painters or contractors in to make it habitable? This also casts a doubt on the property Supervisor's capabilities of handling his job: Knowing the acute housing shortage all vacant housing owned by the City