

Council,
August 13, 1970

PUBLIC HEARINGS AND HEARINGS

Public Hearing Re: Official Street Lines as follows: "to confirm the southeastern street line of Howe Avenue from the C.N.R. tracks northeastwardly to Dutch Village Road"; "to confirm the southeastern street line of Dutch Village Road from Howe Avenue north-eastwardly and northwardly to the Fairview Overpass": As shown on Section 8-E of the Official City Plan.

A Public Hearing was held at this time into the above noted matter.

His Worship the Mayor asked if there was anyone present who wished to speak either in favour of, or against, the confirmation of street lines as set forth, but there was no response. He then declared the matter before the Council.

Mr. D. Fox, Supervising Engineer, outlined by means of a map, the streets in question.

MOVED by Alderman Abbott, seconded by Alderman McGuire, that approval be given to:

- (a) the confirmation of the southeastern street line of Howe Avenue from the C.N.R. tracks northeastwardly to Dutch Village Road; and
- (b) the confirmation of the southeastern street line of Dutch Village Road from Howe Avenue northeastwardly and northwardly to the Fairview Overpass;

as shown on Section 8-E of the official city plan. Motion passed.

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

MOVED by Alderman Abbott, seconded by Alderman McGuire, that the formal resolution, as submitted, be approved. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the Report of the Finance and Executive Committee from its meeting of August 4, 1970, with respect to the following items:

Activities of Metropolitan Area Planning Committee and Proposed Budget for Metropolitan Area Planning

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

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Executive Committee, City Council endorse in principle the budget proposals as outlined in the staff report dated July 8, 1970 as follows:

| | |
|---------------------------------|------------------|
| Program Management Unit | \$101,000 |
| Water Supply and Waste Disposal | 175,000 |
| Regional Land Use | 20,000 |
| Education | 25,000 |
| Transportation and Transit | 40,000 |
| Central Services Unit | 107,000 |
| Health Services | 25,000 |
| | <u>\$493,000</u> |

Motion passed.

Dalhousie - Halifax Student Housing Society - Wellington Street
Apartment Building - Inclusion in Ordinance No. 128

MOVED by Alderman Sullivan, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, the application of the Halifax Student Housing Society to include the property located at 1106 Wellington Street in Ordinance No. 128, which would make the building tax exempt, be refused. Motion passed with Alderman LeBlanc against.

Appointment - Delegates Union of Nova Scotia Municipalities
Conference

The recommendation of the Finance and Executive Committee was:

"That the following be appointed voting delegates for the City of Halifax at the Union of Nova Scotia Municipalities Conference in Sydney, September 13 to 16 inclusive: Aldermen LeBlanc, Ivany, Meagher, McGuire and Abbott."

Alderman McGuire, however, requested that he attend the Conference as a non-voting delegate.

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that the following be appointed voting delegates for the City of Halifax at the Union of Nova Scotia Municipalities Conference in Sydney, September 13 to 16 inclusive: His Worship the Mayor, and Aldermen LeBlanc, Ivany, Meagher, Abbott, and McGuire; Alderman McGuire attending as a non-voting delegate. Motion passed.

COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of August 4th with regard to the following matters:

Overpass and Road Grades - Harbour Drive Between Court House
and Bank of Montreal Building

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the site for the support columns of the overpass be such as agreed upon between the City Engineer and Mr. C.A. Fowler and shown on sketch plans No. 9 and 10 displayed at the Committee meeting. Motion passed.

Telephone Booth Encroachments - Ordinance No. 112

MOVED by Alderman LeBlanc, seconded by Alderman Allen that, as recommended by the Committee on Works, encroachment licenses be approved for the installation of two telephone booths in the locations shown on sketches No. 1014 and 1015, at 1521 Spring Garden Road (LeMarchant Towers) and the corner of Rainnie Drive and Ahern Avenue respectively in accordance with Ordinance No. 112 and that the usual fees be charged. Motion passed.

Proposed Change Street Lines - Marine Drive

The recommendation of the Committee of Works was:

"That a date be set for a public hearing into the matter of the changes in street lines on Marine Drive."

The City Manager said that staff was recommending deferral of the matter as it was expected there would be a protest from one of the owners of land involved, although it was not known at the moment of what consequence the protest would be.

MOVED by Alderman LeBlanc, seconded by Alderman Allen, that the matter be deferred to the next meeting of the Committee on Works to permit an opportunity for discussion between staff and the property owner involved. Motion passed.

Transit Bus Shelters

MOVED by Alderman Allen, seconded by Alderman Sullivan that, as recommended by the Committee on Works, authority be granted for the City to enter into a contract with Guildfords Limited for the preparation of working drawings, specifications and models of transit bus shelters; the contract to be written in such a manner that Guildfords would be required to prepare plans and specifications which would be capable of being constructed by any other firm in the business and permitting Guildfords to tender on the buildings. Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting of August 4, 1970 with respect to the following matters:

Extension to a Non-Conforming Building - 1675 Oxford Street

MOVED by Alderman McGuire, seconded by Alderman Allen that, as recommended by the City Planning Committee, the application for an extension to a non-conforming use permitting the conversion of an existing 28-unit apartment building into a 39-unit apartment building, as shown in Case No. 2128 on Plans Nos. P200/3820-3821, at 1675 Oxford Street be refused. Motion passed.

Extension to a Non-conforming Building and Modification of the Right Side Yard Requirement - 33 Idlewylde Road

MOVED by Alderman Allen, seconded by Alderman LeBlanc that, as recommended by the City Planning Committee, the application for an extension to a non-conforming use, extension to a non-conforming building and the modification of the right side yard requirement at Civic No. 33 Idlewylde Road to permit the construction of a 12-foot by 21-foot addition to the right side of the building, as shown on Plans Nos. P200/3484-3485 of Case No. 2013, be approved. Motion passed.

Modification of the South Side Yard, Extension to a non-conforming building - 41 Circle Drive

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building and modification of the south side yard requirement at 41 Circle Drive to permit the construction of a 20' x 26' one-storey addition to the rear of the existing single family dwelling to provide for two additional bedrooms, as shown on Plans Nos. P200/3880 of Case No. 2148, be approved. Motion passed.

Modification of the West Side Yard Requirement - Lot No. 10 Woodcrest Avenue, Lands of George Kapsales

MOVED by Alderman Sullivan, seconded by Alderman LeBlanc that, as recommended by the City Planning Committee, the application for modification of the west side yard requirement at lot No. 10 Woodcrest Avenue, to permit a more desirable location for the construction of a duplex dwelling, as shown on Plan No. P200/3902 of Case No. 2154, be approved. Motion passed.

Alteration to a Subdivision - Lot Nos. 103-A-1 and 116A Purcell's Cove Road

MOVED by Alderman LeBlanc, seconded by Alderman McGuire that, as recommended by the City Planning Committee, the application for an alteration to a subdivision to combine a portion of Lot 103A with existing Lot 116, creating new Lots 103-A-1 and 116A on the Purcell's Cove Road, as shown on Plans No. P200/3907 of Case No. 2159, be approved and a Public Hearing waived. Motion passed.

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Modification of the Front Yard Requirement - Civic No. 91 Rose-
dale Avenue

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for modification of the front yard requirement at 91 Rosedale Avenue, to permit the construction of a 21' x 34' one storey addition to the south side and conversion of the single family dwelling to a duplex dwelling, as shown on Plans No. P200/3910-3912 of Case No. 2161, be approved. Motion passed.

Modification of the Side Yard, Lot Frontage and Lot Area Require-
ments - Civic No. 5872 Columbus Street.

MOVED by Alderman Sullivan, seconded by Alderman Allen that, as recommended by the City Planning Committee, the application for modification of the side yard, lot frontage and lot area requirements at 5872 Columbus Street, to permit the construction of a single family dwelling, as shown on Plan No. P200/3914 of Case No. 2163, be refused. Motion passed.

Modification of the Side Yard Requirement - Lot No. 259 Inverness
Avenue

MOVED by Alderman McGuire, seconded by Alderman LeBlanc that, as recommended by the City Planning Committee, the application for modification of the side yard requirement at Lot No. 259 Inverness Avenue, to permit the construction of a car-port to the single family dwelling which is now under construction, as shown in Case No. 2178, on Plan No. P200/3929, be approved. Motion passed.

Extension to a Non-Conforming Building and Modification of
the West Side Yard Requirement - No. 23 Lynnett Road

MOVED by Alderman Sullivan, seconded by Alderman Allen that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building and modification of the west side yard requirement at 23 Lynnett Road, to permit the construction of a 30' x 12' one-storey addition to the rear of the existing duplex dwelling for a storage space and laundry room, as shown on Plans No. P200/3939-3941 of Case No. 2182, be approved. Motion passed.

Rezoning from R-2 to C-2 - Proposed Maritime Life Assurance
Company Building - 2701 Dutch Village Road

MOVED by Alderman LeBlanc, seconded by Alderman Abbott that, as recommended by the City Planning Committee:

1. the application for rezoning of the property at 2701 Dutch Village Road from R-2 Residential to C-2 General Business to permit the construction of an office building for the Maritime Life Assurance Company, as shown on Plans No. P200/3047-48 of Case No. 2185, be approved, subject to a Public Hearing;

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2. a date for a public hearing be set;
3. the area outlined on the plan attached to the staff report be designated as the area within which persons will be notified of the public hearing.

Motion passed.

Final Approval for Lot B, Herring Cove Road - Parkmoor Subdivision, Spryfield

MOVED by Alderman McGuire, seconded by Alderman Allen that, as recommended by the City Planning Committee, Lot B, Herring Cove Road, Parkmoor Subdivision, Spryfield, with a 20-foot sewer easement, as shown on Plan No. P200/3038 of Case No. 2132, be granted final approval. Motion passed.

Upper Randall Park Subdivision - Tentative Approval - Lots 201 to 208, inclusive, Lot 212X (for public use), Lot 213, Manderville Court, Lots 209 to 211 inclusive on Main Avenue and Lot Z2 (for Street widening):

MOVED by Alderman LeBlanc, seconded by Alderman McGuire that, as recommended by the City Planning Committee, tentative approval for Lots 201 to 208, inclusive, Lot 212X (for public use), Lot 213, Manderville Court, Lots 209 to 211 inclusive on Main Avenue and Lot Z2 (for street widening) in the Upper Randal Park Subdivision, as shown on Plan No. P200/3843 of case No. 2045, be granted. Motion passed.

Lands of St. Mary's University Bounded by Robie Street, Inglis Street, Tower Road and Gorsebrook Avenue Subdivision Approval

MOVED by Alderman Allen, seconded by Alderman Abbott that, as recommended by the City Planning Committee, the application for subdivision approval of lands owned by St. Mary's University bounded by Robie Street, Inglis Street, Tower Road and Gorsebrook, as shown in Case No. 2189 on Plan No. P200/3951, be approved. Motion passed.

MOTIONS

Motion - Alderman Abbott - Repeal of By-law Respecting Rentals - First Reading

MOVED by Alderman Abbott, seconded by Alderman Allen that the Repeal of By-law Respecting Rentals, made by the City Council, pursuant to the provisions of Chapter 8 of the Acts of Nova Scotia, 1959, be read and passed a First Time.

MOVED by Alderman McGuire, seconded by Alderman LeBlanc, that the matter be deferred for a period of three months to allow time to see how the new Provincial law regarding rentals works out.

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Motion - Alderman The Acting City Solicitor said that the Provincial law would repeal anything it conflicted with in the City's by-law.

LeBlanc, that the His Worship the Mayor suggested that the Legal staff put in writing any comments which it felt Council should take into account in the matter.

The motion to defer was put and passed.

Motion - Alderman Meagher - Amendment to Ordinance #136 Respecting "Special Sewer Taxes in the Areas Annexed to the City of Halifax January 1, 1969" - First Reading

accounts over \$50000 MOVED by Alderman LeBlanc, seconded by Alderman Abbott, that the following amendment to Ordinance Number 136, Respecting Special Sewer Taxes in the areas annexed to the City of Halifax January 1, 1969, be read and passed a First Time:

"To increase the amount of the special sewer tax from \$6.45 per lineal foot to \$10.00 per lineal foot of real property on the street in which the sewer is built or has been built, and where the sewer is built other than in a street, the owner of the property served by the sewer shall pay \$10.00 per lineal foot of street frontage of such property."

Motion passed.

Motion - Alderman Meagher - Amendment to the Planning Act -
Provision for an Appeal to City Council

Since Alderman Meagher was not present to Move the motion of which he gave Notice at the July 30th meeting of City Council, and had not instructed any of the Aldermen present to do so on his behalf, it was ruled that the motion be dropped from the agenda, and that Alderman Meagher give a new Notice of Motion if he wished to pursue the matter.

Motion - Alderman McGuire - Amendment to Ordinance #109 Respecting "The Lord's Day Ordinance" - First Reading

MOVED by Alderman McGuire, seconded by Alderman Allen, that the following amendment to Ordinance No. 109, "The Lord's Day Ordinance" be read and passed a First Time:

"Section 3(2) have the following added:
unless on the 31st day of December, A.D. 1968 such store was permitted to carry on business on the Lord's Day by virtue of a permit issued by the Municipality of the County of Halifax."

Motion passed.

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Motion - Alderman Meagher - Introduction of Ordinance #143
Respecting "Trailer Parks & Mobile Home Parks" - First Reading

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that the Introduction of Ordinance No. 143 Respecting Trailer Parks and Mobile Home Parks be read and passed a First Time. Motion passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000

The City Clerk advised that there were no accounts over \$5,000 for Council's approval.

Amendments - Administrative Order #8 - First Reading

MOVED by Alderman McGuire, seconded by Alderman Abbott, that the following amendment to Administrative Order No. 8, be read and passed a First Time:

"BE IT ENACTED by the City Council of the City of Halifax that Administrative Order Number 8, Respecting Real Property of a Character or Nature other than Residential or Business, as passed by the City Council on December 12, 1968 and December 30, 1968, be and the same is hereby amended, as follows:

"On page 4 - said Schedule "A" is amended by striking out "1551 South Park Street - Nova Scotia Teachers' Union" and substituting therefor "106 Dutch Village Road - Nova Scotia Teachers' Union.

"On Page 4 - said Schedule "A" is further amended by striking out "935 Young Avenue - South End Lawn Tennis Club" and substituting therefor "949 Young Avenue - South End Lawn Tennis Club".

"On Page 4 - Said Schedule "A" is further amended by adding thereto the following:

50 Hillside Avenue - Royal Canadian Legion,
Fairview Branch 142 (for 1970 only)

7 Sussex Avenue - Royal Canadian Legion,
Spryfield Branch (for 1970 only)"

Motion passed.

Resolutions - Regional Committee Union of N.S. Municipalities

His Worship the Mayor referred to the thirteen Resolutions which were going forward from the Halifax Regional

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meeting of the Union of Nova Scotia Municipalities held on August 7, 1970, and said that the matter had been placed on the agenda to give an opportunity to present additional resolutions. He then suggested two matters which could be covered in resolutions:

MOVED by Alderman McGuire, seconded by Alderman Abbott, that it be RESOLVED that the Union of Nova Scotia Municipalities press the Province for increased financial resources for cities and towns in a way which will strengthen local government, either through a broader tax base or through a system of unconditional, rather than conditional, grants. Motion passed.

MOVED by Alderman LeBlanc, seconded by Alderman Allen, that it be RESOLVED that capital costs of schools be covered in grants in the same manner as operational costs of education. Motion passed.

Audited Financial Statement - City of Halifax - 1969

The City of Halifax audited Financial Statements for the year ended December 31, 1969, prepared by H.R. Doane and Company, was tabled by the Council.

QUESTIONS

Question - Alderman Sullivan Re: Noise caused by trucks:

Alderman Sullivan referred to a letter sent to His Worship the Mayor by a Mr. Fryer, regarding enforcement of the Anti-Noise Ordinance as it referred to noise caused by trucks.

His Worship the Mayor replied that he had answered the letter in question, advising Mr. Fryer that the new law governing noise by motor vehicles was a Provincial law, and that for reasons unknown, its proclamation had been deferred. He said that he felt the solution was to provide truck routes which would get such traffic off as many streets as possible, and that action in this regard could be taken as soon as the second approach to the new bridge was opened.

Question - Alderman McGuire Re: Harbour Drive

Alderman McGuire asked if the City Manager would prepare a report outlining the commitment which the City had concerning Harbour Drive, taking into consideration recent evaluations of the advantages and disadvantages involved, and the alternatives that might be open, particularly with regard to the section south of the Cogswell Street Interchange. The Alderman said that decisions regarding Harbour Drive had been made prior to his being elected to serve on Council, so that he would like to see a copy of the Consultant's report which recommended the construction of Harbour Drive.

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Question - Alderman LeBlanc Re; Exemption from Ordinance 135

Alderman LeBlanc asked what action Council could take to have a particular segment of the City exempted from the provisions of Ordinance 135. He said he had in mind Kline Heights being exempted until the urban renewal program had been completed in that area.

The Acting, City Solicitor replied it would require a Provincial Act, so that it would be necessary for the Alderman to serve Notice of Motion that the City seek the necessary legislation.

Alderman LeBlanc said he would discuss the matter further with staff, before giving a Notice of Motion.

Question - Alderman Allen Re: Street Paving Program

Alderman Allen asked when street paving would start this year.

The Director of Works replied that the contractor was working on the program, and that delays were not the fault of the City, but due to the fact that the developers did not have the streets up to grade.

NOTICE OF MOTION

Notice of Motion - Alderman Sullivan - Re: Appointment to the Halifax Housing Authority

Alderman Sullivan gave notice that he would introduce the following at the next meeting of City Council to be held on August 27, 1970:

"WHEREAS the Halifax Housing Authority has been created by Chapter 78 of the Acts of 1948;
AND WHEREAS it is stated that members of the Authority shall be appointed by Council;
AND WHEREAS the Tenants' Association of Halifax Public Housing number approximately 1000 family units;
AND WHEREAS there is no representative of the Tenants Association on the Halifax Housing Authority;
THEREFORE BE IT RESOLVED that this Council appoint to the Halifax Housing Authority a chosen member of the Tenants' Associations of Halifax at the first available opportunity."

His Worship the Mayor requested that the City Solicitor prepare a short report to Council outlining the authority for making appointments to the Halifax Housing Authority, as it was his understanding that such were made only with the agreement of all three levels of Government.

9:05 P.M. - Council adjourned to meet in private.

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9:10 P.M. - Council reconvened, the following members being present:

His Worship the Mayor, Chairman; and Aldermen Abbott, LeBlanc, McGuire, Meagher, Allen, and Sullivan.

ADDED ITEMS

Appointments to Commissions:

MOVED by Alderman McGuire, seconded by Alderman Abbott, that Mr. George Piercey be appointed to fill the vacancy on the Halifax Industrial Development Commission caused by the resignation of Mr. Jarvis, for a term ending April 30, 1971. Motion passed.

MOVED by Alderman Abbott, seconded by Alderman Sullivan, that Mrs. Ruth Goldbloom be appointed to the Board of School Commissioners to complete the balance of Dr. Greenblatt's term of office, commencing September 1, 1970 and terminating December 31, 1971. Motion passed.

Athletic Commission:

Alderman McGuire said that the legislation setting up the Athletic Commission, gave the City less control over it than it had over most other Commissions, but that certain factors made it very much the City's concern. He referred to the authority which the Mayor of Halifax possessed in matters concerning the Commission.

He continued that some doubt had been cast about the effectiveness of the Athletic Commission's operations, and he requested that the City Manager take into consideration certain questions concerning the Athletic Commission and that he have the Act which creates the Commission reviewed. Some of the questions were:

1. Did the Commission submit an annual report to Council outlining receipts and expenditures, etc.
2. What are the rules and regulations set out by the Commission, and have they been reviewed recently.
3. Have there been any surplus funds, and have these been turned over to the City Treasurer.

Alderman McGuire spoke of the Commission's role to protect the public interests and particularly those persons who participated in the boxing and wrestling matches, and asked what staff the Commission had to carry out this function. He suggested that a review of the staff take place and consideration be given to the appointment of an Inspector who would scrutinize the condition of boxers and particularly take note of what training program they had been through before they participated in any matches. He felt that one problem might be that laymen were appointed to the Commission, where technical and medical knowledge was required. He suggested that the New York State rules and regulations governing boxing and wrestling

be used as a basis for regulations governing local matches. He spoke of the possibility of Council recommending to the Province that a Provincial Commission be set up.

His Worship the Mayor said that the City Solicitor had recently sent him a set of draft regulations for approval, but that he was not prepared to approve all of them. He said the Commission had held a meeting on Saturday morning, July 25th, and had agreed to some changes in the draft regulations, and these had been sent back to the City Solicitor. In answer to some of the questions raised by Alderman McGuire, he said it was his understanding that the Commission had in the past paid to the City an amount representing surplus funds. With regard to submission of an annual report, he said that he did not recall any being available since he had been a member of City Council. However, he added, he had written the Secretary of the Commission and asked him to have such a report prepared covering last year's activities. He said that the Commission itself felt there should be a Provincial Commission to standardize rules and regulations throughout the whole Province. Also, he continued, under the law, the Halifax Athletic Commission did not have to come to Council for approval of its actions, and he suggested that legislation be sought which would make this Commission responsible to Council in the same manner as most other Commissions.

9:30 P.M. - Meeting adjourned until
4:00 P.M. Wednesday, August 19.

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

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

Present: Mayor, Deputy Mayor, Aldermen Sullivan, McGuire, LeBlanc, Allen, and Allen.

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

The City Clerk advised that the meeting was held to consider the following items:

1. Rezoning of Lot "A" Dunbrack Street;
2. Zoning of land on the northwestern side of Coronation Avenue to R-2 Residential;
3. Official Street Line: To alter and confirm the northwestern Official Street Line of Coronation Avenue between Dunbrack Street and the Road Reserve (H.M. The Queen) Nova Scotia Light and Power Company Limited Transmission Line as shown on Section 55-B of the Official City Plan;
4. Proposed Change in Street Line - Marine Drive

Rezoning of Lots 900-965 of Lot "A" Dunbrack Street from R-1 Residential Zone to R-2 Residential Zone

The City Planning Committee recommended as follows:

THAT the recommendations of the City Manager, set out in a Staff Report dated August 13, 1970, be approved subject to confirmation of written consent received from the owner and the developer.

The City Manager advised that the applicant's letter did not agree to the conditions without restrictions and he suggested that Staff study the letter and report back to Council at a later date.

MOVED by Alderman Allen seconded by Alderman LeBlanc that the matter be deferred until Staff have reviewed the letter received and have reported further. Motion passed.

File Chief
August 19, 1970

CITY COUNCIL
ADJOURNED MEETING
M I N U T E S

Council Chamber,
City Hall,
Halifax, N. S.,
August 19, 1970
4:03 p.m.

An Adjourned meeting of the City Council was held on the above date.

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

Present: Deputy Mayor, Chairman, Aldermen MacKeen, Connolly, Hogan, Ivany, LeBlanc, McGuire, Meagher and Allen.

Also Present: City Manager, City Solicitor, City Clerk and other Staff members.

The City Clerk advised that the meeting was held to consider the following items:

1. Rezoning of Lot "A" Dunbrack Street;
2. Zoning of land on the northwestern Side of Coronation Avenue to R-2 Residential;
3. Official Street Lines: "to alter and confirm the northwestern Official Street Line of Coronation Avenue between Dunbrack Street and the Road Reserve (H.M. The Queen) Nova Scotia Light and Power Company Limited Transmission Line as shown on Section 55-B of the Official City Plan."
4. Proposed Change in Street Line - Marine Drive

Rezoning of Lots 900-965 of Lot "A" Dunbrack Street from R-1 Residential Zone to R-2 Residential Zone

The City Planning Committee recommended as follows:

THAT the recommendations of the City Manager, as set out in a Staff Report dated August 19, 1970, be approved subject to confirmation in writing being received from the owner and the developer.

The City Manager advised that the expected letter did not agree to the conditions without reservations and he suggested that Staff study the letter and report back to Council at a later date.

MOVED by Alderman Allen, seconded by Alderman LeBlanc that the matter be deferred until Staff have reviewed the letter received and have reported further.
Motion passed.

Zoning of Land on the Northwestern Side of Coronation Avenue to R-2 Residential

MOVED by Alderman Allen, seconded by Alderman LeBlanc that the above matter be deferred until a further report is received from Staff on the previous item.
Motion passed.

Official Street Lines - Coronation Avenue

MOVED by Alderman Allen, seconded by Alderman LeBlanc that the above matter be deferred until a further report is received from Staff on the first item considered at this meeting. Motion passed.

Proposed Change in Street Lines - Marine Drive

MOVED by Alderman Meagher, seconded by Alderman LeBlanc, that a date be set for a public hearing into the above matter if necessary. Motion passed.

4:10 p.m. Council adjourned.

HEADLINES

| | |
|--|-----|
| Rezoning of Lots 900-965 of Lot "A" Dunbrack Street from R-1 Residential to R-2 Residential Zone | 531 |
| Zoning of the Northwestern Side of Coronation Avenue to R-2 Residential | 532 |
| Official Street Lines - Coronation Avenue | 532 |
| Proposed Change in Street Lines - Marine Drive | 532 |

M. D. SULLIVAN
DEPUTY MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

File Chief

CITY COUNCIL
M I N U T E S

Council,
August 27, 1970

Council Chamber,
City Hall,
Halifax, N.S.
August 27, 1970
8:00 P.M.

City Council a decision in this matter. Staff had reviewed a letter regarding the conditions which are part of any approval of a preliminary subdivision of lots 900 to 964, Dunbrack Street, as shown on the attached plan.

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

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

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

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

MINUTES

Minutes of the meetings held on August 13 and 19, 1970 were approved on motion of Alderman Abbott, seconded by Alderman MacKeen.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20 (a) - Parkmoor Low Cost Housing Proposal
- 20 (b) - Appointment to Housing Authority

At the request of Alderman LeBlanc, Council agreed to add the following item to the agenda:

- 20 (c) - City Paving Program

At the request of Alderman Connolly, Council agreed to add the following to the agenda:

- 13 (a) - Day Care Provisions

MOVED by Alderman MacKeen, seconded by Alderman Connolly, that the Order of Business, as amended, be approved. Motion passed.

DEFERRED ITEMS

Preliminary Subdivision of Lots 900 to 964, inclusive, Lot "A"
Dunbrack Street

At the August 19, 1970 meeting of

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City Council a decision in this matter was deferred until staff had reviewed a letter received from the developer concerning the conditions which staff were recommending be part of any approval of preliminary subdivision of Lots 900 to 964, Dunbrack Street, as shown on Plan No. P200/3609.

The City Manager advised that staff's recommendation remained the same as set out in the August 19, 1970 staff report, and that the developer had withdrawn his letter in which he indicated there were reservations to some of the conditions attached to the approval. He said the developer had submitted a further letter in which he agreed completely with the staff recommendation.

MOVED by Alderman Ivany, seconded by Alderman Abbott that approval be granted of the preliminary subdivision of Lots 900 to 964 inclusive, Lot "A" Dunbrack Street, as shown on Plan No. P200.3609, subject to the following:

- (a) a walkway of at least 12 feet to be provided by the developer in the vicinity of Lots 950 and 951 for access from the proposed street to lands to the west;
- (b) Lot 965, which is located on the north-east corner of Coronation Avenue and the Nova Scotia Light and Power right-of-way, to be excluded from approval at this time, it being understood that the south-west corner of the subdivision would be redesigned and arrangements made to provide a satisfactory (temporary) cul-de-sac for Coronation Avenue until such time as development proceeds to the west and the road is extended;
- (c) temporary access being given for Coronation Avenue at Dunbrack Street until such time as Dunbrack Street is developed as an arterial. The developer will not be held responsible for any expenses associated with the elimination of such temporary access;
- (d) the development being designed so that a 10-foot buffer area be located between Lots 900 and 917 to 925 and Dunbrack Street. This could be implemented by moving the complete development westward 10 feet;
- (e) the developer will make a cash contribution to the City in the amount of \$7,030.00 in lieu of any further grading of Dunbrack Street, and expenses for storm sewers thereon to the developer;
- (f) the owner shall deed to the City at no cost, the 34-foot strip on Dunbrack Street needed for widening to the new official street line;
- (g) the owner shall be responsible for bringing to grade 37-feet of Main Avenue (half the street width) the grade to be established by the City of Halifax;

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- (h) Coronation Avenue shall be reduced to a 50-foot street line, making 16-feet of land available to the developer, the City to deed this land to the owner at no cost, to help offset the 34-foot loss of land on Dunbrack Street;
- (i) the owner will make a cash contribution of \$2,500.00 in lieu of grading the northerly half of Coronation Avenue and the City will assume responsibility for bringing Coronation Avenue up to standard prior to paving (the \$2,500.00 representing approximately half of the estimated cost of so doing);
- (j) the owner shall make arrangements with the other owner to the north of Main Avenue for the installation of storm and sanitary sewers on that street;
- (k) the owner will share with the City on a fifty/fifty basis the cost of installing a storm sewer on Coronation Avenue;
- (l) the owner shall install storm and sanitary sewers on the proposed new streets within the subdivision and bring these streets up to a grade satisfactory to the City.

Motion Passed.

Rezoning of Lots 900-965 of Lot "A"- Dunbrack Street from R-1 Residential Zone to R-2 Residential Zone

MOVED by Alderman Ivany, seconded by Alderman Abbott that the rezoning from R-1 Residential to R-2 Residential of Lots 900 to 965 inclusive, Lot "A" Dunbrack Street, as shown in Case No. 2052 on Plan No. P200/3609, be approved. Motion passed.

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

MOVED by Alderman Ivany, seconded by Alderman Abbott, that the Formal Resolution, as submitted, be approved. Motion passed.

Zoning of the Northwestern Side of Coronation Avenue to R-2 Residential Zone

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that approval be given to the zoning of the northwestern side of Coronation Avenue to R-2 Residential as shown on Plan No. TT-10-18016. Motion passed.

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

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

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Official Street Lines: "to alter and confirm the northwestern official street line of Coronation Avenue between Dunbrack Street and the Road Reserve (H.M. The Queen) Nova Scotia Light and Power Company Limited Transmission Line as shown on Section 55-B of the Official City Plan".

MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that approval be granted to alter and confirm the northwestern official street line of Coronation Avenue between Dunbrack Street and the Road Reserve (H.M. The Queen) Nova Scotia Light and Power Company Limited Transmission Line, as shown on Section 55-B of the Official City Plan. Motion passed.

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

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

Repeal - By-law Respecting Rentals - First Reading

At its meeting held on August 13th, 1970, Council deferred for three months, the repeal of the Rental By-law at the request of the Dalhousie Student Legal Aid Service.

A report was submitted at this time by the City Manager in which it was stated that the City's Legal Department, for reasons outlined in the report, recommended that the By-law be immediately repealed.

After some discussion and questioning by the Aldermen, it was MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that the repeal of the City's By-law respecting Rentals, be read and passed a First Time. Motion Passed, with Alderman MacKeen against.

PETITIONS AND DELEGATIONS

Delegation - Taxi Association of Halifax

Mrs. A. Parsons appeared on behalf of the Taxi Association of Halifax concerning the issuing of two licenses of nine-passenger vehicles to operate as City taxis. Mrs. Parsons said that in issuing the licenses Inspector Wesley had stated that the middle seats which folded down, seated two persons, whereas Mrs. Parsons maintained, because the two seats folded flush with each other they were in effect the same length as the back seat and therefore seated three persons.

A report was submitted by the City Manager confirming Mrs. Parsons statement that the Police Department were of the opinion that the automobiles in question seated "8" and not "9" persons and therefore were in accordance with Ordinance No. 116.

Inspector Bedgood stated that the Police Department had experimented by seating three police officers on the middle seats, with the result that the shoulders of one interfered with the closing of the door, and there was overlapping of the seats themselves. Inspector Bedgood was questioned about what action the Police Department would take under the Ordinance if it could be proven more than eight persons were seated in such a car, and he quoted the paragraph of the Ordinance which was to the effect that no license would be granted to a car having a seating capacity for more than eight persons including the driver, but made no specific reference to how many persons were actually carried.

After further discussion, it was MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that the matter be referred to the City Solicitor for his report as to whether or not the provisions of Ordinance No. 116 had been adhered to in the issuing of the licenses under discussion. Motion passed.

REPORT OF THE FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of August 19, 1970, with respect to the following items:

Possible Acquisition - 26-28 Withrod Drive, Kline Heights - Mrs.
Robert Mayo Property

MOVED by Alderman MacKeen, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the property of Mrs. Robert Mayo, known as #26 and #28 Withrod Drive of Kline Heights, be acquired for \$17,000.00 in settlement in full for all claims.

The City Manager stated that no action had been taken yet by Council to make funds available for such an acquisition and hoped to have this matter before the next meeting of the Finance and Executive Committee.

Alderman LeBlanc suggested, in order to avoid any delay in acquiring the property, that the owner be given a letter confirming the City's intention to purchase the property.

The motion was put and passed.

Revision of Agreements - Uniacke Square Redevelopment Area

MOVED by Alderman Sullivan, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee:

1. Negotiations be commenced with Central Mortgage and Housing Corporation to revise the agreements between the City and the Corporation, concerning the acquisition, clearance and redevelopment of the area known as the Uniacke Square Redevelopment Area, to provide for a revised estimate of the cost of \$4,980,000.
2. WHEREAS the City of Halifax and Central Mortgage and Housing Corporation entered into an agreement on May 7, 1964 covering

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the acquisition and clearance of an area known as the Uniacke Square Redevelopment Area;

AND WHEREAS the said agreement required that the said area be redeveloped by May, 1974;

AND WHEREAS the said agreement provided an estimate of cost and acquisition and clearance of \$3,625,000;

AND WHEREAS by supplementary agreement dated October 27, 1969, the boundaries of the Uniacke Square Redevelopment Area were realigned and the cost of acquisition and clearance were revised to \$4,107,300;

AND WHEREAS much of the area has now been acquired and cleared;

AND WHEREAS the costs already incurred, when added to the projected costs of acquiring the remainder of the properties, exceed the estimates contained within the supplementary agreement of October 27, 1969;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Halifax request Central Mortgage and Housing Corporation to revise the agreements between the Corporation and the City of Halifax to provide for an estimated cost of the total project of \$4,980,000.

Motion passed.

Alderman Ivany requested that the City Manager advise Council later with regard to Provincial sharing in this project.

Edmonds Grounds

MOVED by Alderman Hogan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, staff explore further potential uses by the City of all or part of the Edmonds Grounds, prepare preliminary plans for same, and institute preliminary negotiations with the trustees. Motion passed.

Alderman LeBlanc referred to an advertisement appearing in the local newspaper calling for tenders or proposals on this property, the advertisement being placed by a Trust Company. He suggested that it would be proper for the City to advise the Company in question of its intentions, to avoid unnecessary delays at a later date.

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DAY CARE CENTER

Alderman Connolly referred to the information he had relayed to the City Manager concerning the St. Joseph Day Care Center. He said he was concerned about women who were not on welfare and wanted to work to support their children, but would be unable to do so if deprived of the day care service at a reasonable cost. Such women, he said, if unable to work would only have to resort to welfare at the expense of the City.

A report was submitted by the Social Planner under date of August 26, 1970 in which was outlined a policy the Social Planning Department were attempting to outline, that would establish firm guide lines for providing day care services by any organization.

MOVED by Alderman Connolly, seconded by Alderman Abbott, that:

1. The Social Planning Department be authorized to subsidize the cost of day-care services within the following sliding scale rate and range:

| <u>Chargeable Income</u> | <u>Daily Rate</u> |
|--|--|
| (Chargeable Income is defined as that income remaining after deduction of income tax, Canada Pension Plan, and \$500 for each child) | |
| \$2,000 | .25 |
| \$2,500 | .50 |
| \$3,000 | 1.00 |
| \$4,000 | 1.25 |
| \$4,500 | 1.50 |
| \$5,000 | 2.00 |
| \$5,500 | 2.50 |
| \$6,000 | 3.00 |
| \$7,000 | 3.50 |
| \$7,500 | 4.00 |
| \$8,000 | 5.00 |
| \$8,500 and over | Pay actual cost as determined by Center. |

2. The City to subsidize the cost of day-care by making up the difference of the rate charged the parent and the actual approved per diem costs, up to an amount not to exceed \$3500 per month. It is understood this amount will be shared by the Federal Government, and a request will be made to the Provincial Government to share 25% of the cost.
3. \$13,000 of the normal grant given to the United Appeal will be used to cover the cost of the subsidy, the United Appeal having agreed to this arrangement.

Motion passed.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Ordinance No. 126 - "Train Whistles" - Second Reading

MOVED by Alderman Connolly, seconded by Alderman Ivany that, as recommended by the Committee of the Whole, Ordinance No. 126 respecting "Train Whistles" be read and passed a Second Time. Motion passed.

Amendment to Ordinance No. 136 - Respecting "Special Sewer Taxes in the Area Annexed to the City of Halifax January 1, 1969" - Second Reading

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Committee of the Whole, the following amendments to Ordinance No. 136, Respecting Special Sewer Taxes in the Areas Annexed to the City of Halifax January 1, 1969, as approved by the Minister of Municipal Affairs on the 18th day of September, 1969, be read and passed a Second Time:

1. Subsection (2) of Section 4 of said Ordinance Number 136 is amended by striking out the words "Six Dollars and forty-five cents" in the second and third lines thereof and substituting therefor the words "ten dollars".
2. Subsection (2) of Section 5 of said Ordinance Number 136, is amended by striking out the words "Six Dollars and Forty-Five cents" in the second and third lines thereof and substituting therefor the words "Ten Dollars".

Motion passed with Aldermen Hogan and LeBlanc against.

Amendment to Ordinance No. 109 Respecting "The Lord's Day Ordinance - Second Reading

MOVED by Alderman Hogan, seconded by Alderman LeBlanc that, as recommended by the Committee of the Whole, the following amendment to Ordinance Number 109, the Lord's Day Ordinance, as approved by the Minister of Municipal Affairs on the 30th day of July 1964 and amended and approved on the 17th day of June, 1966, the 8th day of November, 1968 and the 7th day of January, 1969, be read and passed a Second Time:

1. Subsection (2) of Section 3 of said Ordinance Number 109 is amended by adding thereto immediately following the word "made" in the last line thereof the words "unless on the thirty-first day of December, 1968, such store was permitted to carry on business on the Lord's Day by virtue of a permit issued by the Municipality of the County of Halifax.

Motion passed with Aldermen Abbott and Connolly against.

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Ordinance No. 143 - Respecting "Trailer Parks & Mobile Home
Parks" - Second Reading

Planning Committee
1970 with
MOVED by Alderman Meagher, seconded by
Alderman Abbott, that as recommended by the Committee of the
Whole, the Introduction of Ordinance No. 143 Respecting
"Mobile Home Parks", be read and passed a Second Time.
Motion passed.

MOVED by Alderman Abbott, seconded by Alderman
Sullivan that, as recommended by the City Planning Committee,
Lot "A", Lands of John Brownell, Mension Road, as shown
on Plan No. P260/3943 of Case No. 2102, be granted final
approval. Motion passed.

Retaining from P-1 Local business to C-2 General business
Civic No. 1337 Kings Street

The City Clerk advised that he has received a
letter from the applicant withdrawing his application.

Council agreed to permit the applicant to with-
draw the application.

Extension to a Non-conforming Building - Lot C, Battery
Drive

MOVED by Alderman LeBlanc, seconded by Alderman
Ivany that, as recommended by the City Planning Committee,
the application for an extension to a non-conforming
building at Lot C, Battery Drive, to permit the con-
struction of a 25' x 23' two-storey addition to the front
of an existing single family dwelling and electrical re-
pair shop, as shown in Case No. 2176 on Plan No. P200/3437,
be approved. Motion passed.

Modification of the Lot Frontage and Lot Area Requirements
Civic No. 4 Ida Street

MOVED by Alderman LeBlanc, seconded by Alderman
Hogan that, as recommended by the City Planning Committee,
the application for modification of the lot frontage and
lot area requirements at Civic No. 4 Ida Street, to permit
the construction of a new single family dwelling, as shown
on Plan No. P200/3962 of Case No. 2198, be approved.
Motion passed.

MOTIONS

Motion - Alderman Sullivan Re: Appointment to Halifax
Housing Authority

MOVED by Alderman Sullivan, seconded by Alderman
MacKean that the following resolution be approved:

- 541 -

"WHEREAS the Halifax Housing Authority has been
created by Chapter 79 of the Acts of 1948;

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on August 19, 1970 with respect to the following matters:

Application for Final Approval of Lot "M", Lands of John Brownell, Mansion Road

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, Lot "M", Lands of John Brownell, Mansion Road, as shown on Plan No. P200/3943 of Case No. 2102, be granted final approval. Motion passed.

Rezoning from C-1 Local Business to C-2 General Business - Civic No. 3559 Robie Street

The City Clerk advised that he has received a letter from the applicant withdrawing his application.

Council agreed to permit the applicant to withdraw the application.

Extension to a Non-conforming Building - Lot C, Battery Drive

MOVED by Alderman LeBlanc, seconded by Alderman Ivany that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building at Lot C, Battery Drive, to permit the construction of a 25' x 23' two-storey addition to the front of an existing single family dwelling and electrical repair shop, as shown in Case No. 2176 on Plan No. P200/3927, be approved. Motion passed.

Modification of the Lot Frontage and Lot Area Requirements - Civic No. 4 Ida Street

MOVED by Alderman LeBlanc, seconded by Alderman Hogan that, as recommended by the City Planning Committee, the application for modification of the lot frontage and lot area requirements at Civic No. 4 Ida Street, to permit the construction of a new single family dwelling, as shown on Plan No. P200/3962 of Case No. 2198, be approved. Motion passed.

MOTIONS

Motion - Alderman Sullivan Re: Appointment to Halifax Housing Authority

MOVED by Alderman Sullivan, seconded by Alderman MacKeen that the following resolution be approved:

"WHEREAS the Halifax Housing Authority has been created by Chapter 78 of the Acts of 1948;