

Council,  
August 27, 1970

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.

A report was submitted from the City Solicitor setting out the composition of the Halifax Housing Authority as stipulated in the Halifax Housing Authority Act, Chapter 54 of the Laws of Nova Scotia, 1963 which reads as follows:

The Authority is to consist of not fewer than three nor more than seven members, appointed by City Council, the majority of whom shall not be members of City Council.

Council shall not appoint a member to the Authority without obtaining the prior approval of the Province and of Central Mortgage & Housing Corporation.

Aldermen Sullivan and MacKeen both spoke to the motion.

9:20 p.m. Deputy Mayor assumes Chair to permit His Worship the Mayor to address Council.

His Worship the Mayor spoke at length in opposition to the motion, setting out his reasons.

9:27 p.m. His Worship the Mayor resumes Chair.

After considerable discussion, it was MOVED by Alderman Ivany, seconded by Alderman Meagher that the matter be deferred to the next regular meeting of City Council.

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

For:	Aldermen Abbott, Connolly, Hogan, Ivany and Meagher	5
Against:	Aldermen MacKeen, LeBlanc and Sullivan	3

#### MISCELLANEOUS BUSINESS

##### Accounts Over \$5,000.00

No Accounts Over \$5,000.00 were submitted for approval.

Amendments - Administrative Order No. 8 - Second Reading

MOVED by Alderman Abbott, seconded by Alderman Hogan that the following amendments to Administrative Order No. 8 be read and passed a Second 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:

1. 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".
2. 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".
3. 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)
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7 Sussex Avenue	Royal Canadian Legion, Spryfield Branch (for 1970 only)
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Motion passed.

Subdivision of Lands Off Clayton Park - Briarwood Crescent and Briar Place

A report was submitted from Staff relating to an application for final approval of Lots 353-362 inclusive on Briarwood Crescent, Lots 371-376 inclusive on Briarwood Crescent and Lots 377-386 inclusive Briar Place.

Staff recommend approval of the application.

MOVED by Alderman Hogan, seconded by Alderman Meagher that Lots 353-362 inclusive on Briarwood Crescent, Lots 371-376 inclusive on Briarwood Crescent and Lots 377-386 inclusive Briar Place, as shown on Plan No. P200/4032 of Case No. 2069, be given final approval by City Council subject to:

1. "As constructed engineering design drawings" for the streets and sewer and water services being submitted to the City;
2. A maintenance bond for street and service installations equal to 10 per cent of the cost of

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these services being provided to the City;

3. A storm sewer outlet being installed from Storm Sewer Manhole No. 19 to the Bayview Road side ditch.

Motion passed.

#### QUESTIONS

##### Question Alderman Hogan Re: Name Plates for Aldermen's Desks

Alderman Hogan referred to the fact that the Council will now have a page at each meeting who will not necessarily be the same person, to deliver messages to the Aldermen from persons in the gallery or members of Staff and asked if it would be possible for Aldermen to have name plates affixed to the top of each desk to make identification easier.

His Worship the Mayor asked the City Manager to check this suggestion out.

##### Question Alderman MacKeen Re: Flooding Conditions on Falkland Street

Alderman MacKeen asked Staff to check into complaints he has received about blocked storm drains and flooding conditions on Falkland Street.

##### Question Alderman Ivany Re: Transportation Study

Alderman Ivany asked when the Transportation Study will be received.

His Worship the Mayor explained the situation to date and said that the Metropolitan Area Planning Committee has asked for the study to date to be put in printed form for distribution to the three municipal councils involved and for an oral presentation to be made to each.

##### Question Alderman Sullivan Re: Smoke and Soot Nuisance

Alderman Sullivan asked if any action has been taken with respect to smoke and soot nuisance in certain areas of the City.

The Supervisor of Inspection Services advised that a report will be submitted to the next meeting of the Committee of the Whole Council from the Atlantic Industrial Research Institute on its findings during the first six months of pollution research in the City. He said that smoke and soot nuisance in most cases emanates from government establishments or those of other agencies over which the City has no control.

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NOTICE OF MOTION

Notice of Motion - Alderman Abbott - Introduction of  
Ordinance No. 145 Respecting the Payment and Collection  
of Taxes

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Alderman Abbott gave notice that, at the next regular meeting of City Council to be held on September 17, 1970 he will introduce Ordinance No. 145 Respecting the Payment and Collection of Taxes, the purpose of which is to allow earlier billing of taxes to reduce the amount of temporary borrowings necessary to carry on the operations of the City.

ADDED ITEMS

Parkmoor Low Cost Housing Proposal

The following report was submitted from Staff relating to the above matter:

A proposal has been received by the Nova Scotia Housing Commission and C.M.H.C. for the construction of 234 low cost housing units at an area to be known as the Parkmoor Subdivision near the southern City limits on the west side of the Herring Cove Road.

The proposal, as it now stands, will occupy 28 acres with a density of 8.4 housing units per acre and 49 persons per acre. The estimated average cost per housing unit is \$17,900.00 including lot and landscaping.

Capital costs of the proposal including roads, arterial services and landscaping would be provided wholly by the Federal and Provincial Governments through C.M.H.C. and the N. S. Housing Commission.

It is the intention of the Housing Commission that approximately 100 of the units should be of the subsidized rental type for low income families. The remaining 134 would be rented at economic rents.

The City would be involved in the provision of the normal municipal services to this subdivision; and, as a partner, the City of Halifax would bear a 12½% share of the subsidy necessary for the low rental units. The estimated annual cost to the City is \$15,000.00. It is expected that the Housing Authority would manage the whole project because it would be government owned.

Architectural sketches of the proposal are available and have been reviewed by interested elements of staff. There are minor amendments necessary in the layout, particularly in the location of collector roads. The Nova Scotia Housing Commission favours the proposal and an indication is required from the City on the suitability of the location and our willingness to accept the proposal.

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The relatively high density and row housing design results in undersized lots for each individual housing unit; and it appears necessary that the provisions of the zoning by-law would have to be waived under Section 538A of the City Charter dealing with development over 5 acres in extent under which Council may vary the Zoning By-law controls.

It is recommended that Council approve in principle this proposal as a land use or concept (subject to review and improvement of the design layout) involving construction of 234 housing units in the Parkmoor Subdivision on Herring Cove Road by First City Developments Limited and Lundrigan's Limited; concur in sharing the cost of subsidizing rentals of 100 of these units for low income families.

M.P. MOVED by Alderman Abbott, seconded by Alderman Ivany that the Staff Report be approved.

Mrs. Violet Shaw addressed Council on behalf of the developer and answered several questions put to her by members of Council.

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

#### Appointment - Housing Authority of Halifax

His Worship the Mayor advised that approval has been received from the Provincial and Federal Governments to the nomination of Mr. R. B. Grant to the Housing Authority of Halifax to complete the unexpired portion of the term of Mr. S. J. Langmaid who left City Staff earlier this year. He advised that the term is to run to December 31, 1970.

MOVED by Alderman Meagher, seconded by Alderman Abbott that Mr. R. B. Grant be appointed to the Housing Authority to complete the unexpired portion of the term of Mr. S. J. Langmaid to December 31, 1970. Motion passed with Aldermen MacKeen and Sullivan voting against.

#### City Paving Programme

Alderman LeBlanc referred to a newspaper article which he had read with some concern relating to the fact that Standard Paving have had to discontinue paving in the City as it was unable to provide the Company with sufficient work and had found it necessary to release some 80 employees. He asked for an explanation of the facts.

The Director of Works and Engineering explained to Council the situation with respect to the City's paving programme and curb and gutter works and advised that curb and gutter work is still continuing, the Company having not completed the work given them by the City.

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Motion of Reconsideration - Alderman MacKeen - Appointment  
of Mr. R. B. Grant to Housing Authority

At this time, Alderman MacKeen gave notice that at the next regular meeting of City Council to be held on September 17, 1970, he would move reconsideration of the matter of the appointment of Mr. R. B. Grant to the Housing Authority to complete the unexpired portion of the term of Mr. S. J. Langmaid.

10:10 p.m. Council adjourned.

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ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

Section 25 to read as follows:

- (1) For a semi-detached dwelling the minimum lot frontage shall be 30 feet, the minimum lot area shall be 3,000 square feet and the maximum lot coverage shall be not greater than 35 per cent.
- (2) On the side of a semi-detached dwelling having a common wall with another semi-detached dwelling, the requirements which relate to the minimum distances which a building must be located from a side line of a lot and other buildings shall not be applicable.
- (3) Additions or alterations to an existing semi-detached dwelling which would extend beyond the original boundaries of the dwelling must conform to the accessory side yard and other pertinent requirements of the zone in which the dwelling is located.
- (4) With the exception as given in paragraph (1) above, every semi-detached dwelling shall be at least 12 feet from any other semi-detached dwelling or other building and at least 8 feet from the rear and side lines of the lot on which it is situated and at least 20 feet from any street boundary in front of such dwelling.
- (5) Where a semi-detached dwelling is situated on a corner lot, such dwelling and accessory buildings or uses shall be at least 20 feet from each street fronting such lot.

*G. H. Brundage*

SPECIAL COUNCIL  
MINUTES

Special Council  
September 8, 1970

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

1. Delete from Section 3, the part "Requirements", as follows:  
"and pair of semi-detached dwellings"  
A meeting of the City Council was held on the above date.

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

Present: His Worship the Mayor, Chairman; and Aldermen Hogan, Ivany, Meagher, Allen, and Sullivan.

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

PUBLIC HEARING - AMENDMENT TO ZONING BY-LAW - ANNEXED AREA - SECTION 25 (J) AND PART V, R-2 ZONE (PENINSULA PORTION)

A Public Hearing was held at this time regarding the following proposed amendments to the Zoning By-law, Annexed Area, and Section 25 (j) Part V, R-2 Zone (Peninsula Portion):

Section 25 to read as follows:

- (1) For a semi-detached dwelling the minimum lot frontage shall be 30 feet, the minimum lot area shall be 3,000 square feet, and the maximum lot coverage shall be not greater than 35 per cent.
- (2) On the side of a semi-detached dwelling having a common wall with another semi-detached dwelling, the requirements which relate to the minimum distances which a building must be located from a side line of a lot and other buildings shall not be applicable.
- (3) Additions or alterations to an existing semi-detached dwelling which would extend beyond the original boundaries of the dwelling must conform to the customary side yard and other pertinent requirements of the zone in which the dwelling is located.
- (4) With the exception as given in paragraph (2) above, every semi-detached dwelling shall be at least 12 feet from any other semi-detached dwelling or other building and at least 8 feet from the rear and side lines of the lot on which it is situated and at least 20 feet from any street boundary in front of such dwelling.
- (5) Where a semi-detached dwelling is situated on a corner lot, such dwelling and accessory buildings or uses shall be at least 20 feet from each street abutting such lot.

Part V- R-2 Zone - Zoning By-law (Peninsula portion) to be amended as follows:



1. Delete from Section 3, the phrase dealing with "Minimum Requirements", as follows:

"and pair of semi-detached dwellings".

2. Add a new Section 9 to read, as follows:

9.(a) For a semi-detached dwelling, there shall be at least 30 feet of lot frontage and 3,000 square feet of lot area. With the exception of the portion of a semi-detached dwelling forming a common wall with another semi-detached dwelling, every semi-detached dwelling shall be provided with a side yard of at least 5 feet.

(b) Front yards for a semi-detached dwelling - the requirements of Part IV above shall apply.

(c) Lot coverage for a semi-detached dwelling - maximum lot coverage shall be 35 per cent.

(d) Maximum height for a semi-detached dwelling - maximum height shall be 35 feet.

The purpose of the proposed amendments being to allow for the sale of semi-detached dwellings and their accompanying lots.

Mr. John Laybolt spoke in favour of the amendments, stating that for financial reasons it would make it possible for persons with less than \$15,000 per year incomes to buy homes, since a mortgage on the complete unit would probably run as high as \$27,000, whereas for one semi-detached dwelling it would be around \$16,000.

There was no one present wishing to speak in opposition to the proposed amendments.

MOVED by Alderman Allen, seconded by Alderman Meagher, that the proposed amendments, as advertised, be approved. Motion passed.

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

The City Solicitor referred to the July 8 staff report in which was outlined the proposed amendments to the Zoning By-laws for semi-detached dwellings, specifically the part reading as follows:

"Delete from Section 3, the phrase dealing with "Minimum Requirements", as follows:

'and pair of semi-detached dwellings.'

and requested the deletion be amended so that the word "dwellings" would remain.

Council agreed that the Formal Resolution should comply with the City Solicitor's request.

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

PUBLIC HEARING - REZONING #2015-21 KLINE STREET AND 6429 QUINPOOL ROAD FROM R-2 RESIDENTIAL TO C-2 GENERAL BUSINESS

A Public Hearing was held at this time into the matter of the rezoning of land at Nos. 2015-2021 Kline Street and 6429 Quinpool Road from R-2 Residential Zone to C-2 General Business, as shown on Plan No. TT-11-18366,

There was no one present wishing to speak for or against the rezoning.

The City Clerk was requested to read the following copy of a letter which had been written by the applicant for the rezoning to the property owner whose lot bordered on the proposed parking lot:

"Canadian Imperial Bank of Commerce  
September 2, 1970

"Mr. A.C. Daniel, 2025 Kline Street Halifax, N.S.

"Dear Mr. Daniel: As discussed on September 1, it is agreed that should the Canadian Imperial Bank of Commerce construct a new building and parking lot which will border on your property at 2025 Kline Street, the Bank will construct at its expense, a concrete wall four feet high, the full length of the boundary between the two properties. The concrete wall will have a chain link fence also a minimum of grade level.

"It is further agreed that the bank will enclose the rear of its parking lot, which will border on the Abbott properties, with a chain link fence, and will plant a hedge along this fence.

"The parking lot shall be secured at night in a manner that will prevent automobiles from entering it, and sufficiently lighted during the hours of darkness as to permit ready police examination.

"Yours very truly,  
(Sgd) R.G. Harvey, Premises Officer"

MOVED by Alderman Meagher, seconded by Alderman Sullivan, that the rezoning be approved, subject to the conditions set forth in the letter dated September 2, 1970 from R.G. Harvey, Premises Officer, Canadian Imperial Bank of Commerce, to Mr. A.C. Daniel of 2025 Kline Street, Halifax. Motion passed.

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

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

PUBLIC HEARING - REZONING #6125 PEPPERELL STREET FROM R-2  
RESIDENTIAL ZONE TO C-2 GENERAL BUSINESS

A Public Hearing was held at this time into the rezoning of land at No. 6125 Pepperell Street from R-2 Residential Zone to C-2 General Business, as shown on the official City Plan No. TT-11-18365.

There was no one present wishing to speak against the rezoning.

The City Clerk read the following letter which opposed the rezoning:

"6160 Pepperell Street  
September 3, 1970

"Mr. R.H. Stoddard, City Clerk

"Dear Mr. Stoddard: I am a property owner on Pepperell Street and I protest the consideration of rezoning land at Civic No. 6125 Pepperell St. to be rezoned from R-2 Residential Zone to C-2 General Business. I am protesting this rezoning as I do not wish to have an exit/entrance to Pepperell Street from the existing Canadian Tire Corporation parking lot on Quinpoel Road. I would be interested to know why letters have been sent out to property owners on Pepperell Street in which they may protest this exit/entrance to Pepperell Street, since preparations for this driveway and entrance through garage doors seem to be in progress already.

"Yours truly (Sgd) Angelo C. Toso"

The Director of Planning outlined for the benefit of the Council what was involved in the proposal.

Mr. J. Bourinot, representing the applicant, Canadian Tire Corporation, was asked what his firm intended to do in order to make its premises more attractive for the surrounding residential area. Mr. Bourinot replied that he was sure his Company would be willing to go along with the planting of shrubs, etc. to enhance the appearance of its property.

The Traffic Authority was asked to comment on whether or not the proposed driveway would create additional traffic on Pepperell Street, and if it would create existing parking facilities on that street.

After further discussion, it was MOVED by Alderman Ivany, seconded by Alderman Meagher, that a decision in the matter be deferred until the next regular meeting of Council, at which time the applicant will submit in writing

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his plans for enhancing his property if the proposed exit/entrance from Pepperell Street is approved, to keep it in line with the surrounding residential area. Motion passed, with Alderman Allen against.

7:45 P.M. - Meeting adjourned until 8:00 P.M.

8:00 P.M. - Council reconvened, the following members being present: His Worship the Mayor, Chairman, and Aldermen MacKeen, Hogan, Ivany, Meagher, Allen, and Sullivan.

PUBLIC HEARING - AMENDMENT TO PART VI - R-3 ZONE - ZONING BY-LAW  
POPULATION DENSITY - #6365-71 COBURG ROAD

A Public Hearing was held at this time into the matter of a proposed amendment to Part VI of the Zoning By-law to raise the density ceiling of 125 persons per acre at 6365 and 6371 Coburg Road to 270 persons per acre for a proposed fourteen storey apartment building.

The Director of Planning reviewed the facts of the matter for the benefit of the Council members, following which the City Manager read a new staff report dated September 8, 1970, containing additional information which it felt would be of value to Council in its consideration of the matter.

Mr. G.R. Matheson spoke next on behalf of residents of the area who were opposed to the proposed amendment which would permit the construction of a 14-storey apartment building. He suggested that the sewer problems outlined in the September 8th staff report were sufficient grounds for refusing the application, in addition to which he said it would be wrong to tamper with density controls without doing a comprehensive study of the whole matter.

A Mr. Delaurie of Chestnut Street spoke next in opposition to the amendment, stating it would create additional traffic and cause more hazards for the children in the area.

Mr. John Dickey also spoke against the proposed amendment, stating it amounted to spot rezoning which would be unfair and unjustified.

8:25 P.M. - Mr. George Piercey, who was representing the applicant, requested a five minutes recess in order that he might discuss a point with his client.

8:30 P.M. - Meeting reconvened, the same members being present.

Mr. Piercey's comments are quoted verbatim:

"I have just received some new instructions from my client, Mr. Herman Newman, owner of the property which is the subject of this application, and the applicant in this matter. It would appear that this matter has generated very considerable interest (and that is an under-statement), but it has certainly generated a greater degree of opposition among the immediate citizens of the area than the applicant had reason in the early days of his planning, to contemplate. We have been advised since coming to this meeting that the City Clerk has in his hands a petition signed by over 400 persons who are citizens within the immediate area, who are opposing this application, and in view of that situation, I am instructed to ask Your Worship and City Council to permit the withdrawal of this application, and my client will reserve the right to submit a new plan in due course to the Planning Department of the City which I trust will conform to the present density regulations for that area. Other things could obviously be done with this particular property and if they don't quite conform then we will, of course, be back to the City Planning Committee to recommend to Council that another Public Hearing be held, but at this stage my client would like you to consider the matter withdrawn."

Council agreed to the withdrawal of the item.

Alderman Ivany asked the City Solicitor to inform him of the implications of the applicant's action in withdrawing the item, and how soon it could come back to the City Planning Committee.

The City Solicitor replied that since the item was withdrawn before a motion was put on the floor, it would be within the applicant's rights to bring the matter back at any time. However, he continued, the representative of the applicant had indicated his client would be bringing back a new proposal which would meet the zoning by-law, or if it did not, he indicated he would seek approval of modifications. A new proposal, he concluded, would be a new application, and he could bring it before the Committee at any time.

It was at this point that His Worship the Mayor requested the City Clerk to record Mr. Piercey's remarks verbatim, for the future guidance of the City Planning Committee if and when the applicant puts forward a new proposal.

PUBLIC HEARING - REZONING #1525 LARCH STREET FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE

A Public Hearing was held at this time into the matter of the rezoning of land at No. 1525 Larch Street from R-2 Residential Zone to R-3 Residential Zone as shown on the official City Plan No. TT-11-18378.

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The purpose of the rezoning is to provide parking for a multiple type building.

Mr. G.R. Matheson spoke on behalf of citizens in the area who were opposed to the rezoning, giving as some of the reasons:

- 1 - sewage problems
- 2 - parking problems
- 3 - disturbance of amenities and the quality of life in the neighbourhood
- 4 - some legal aspects to be considered, such as what kind of building exactly did the developer have in mind, apartment house, boarding house, student resident, and did it come within the R-3 use with regard to density controls.

Mr. Matheson also outlined his interpretation of what constituted a "habitable room" under the by-law.

The following persons also spoke in opposition to the rezoning, covering the same ground as Mr. Matheson: Dr. Logan, Ralph Kane, Mrs. Fraser, John Hibbitts, Ronald Simon, and Robert Merchant.

The applicant, Mr. R. Medjuck, then spoke in favour of the rezoning. He said that in area, the proposed building was comparable with a 21-apartment building, and quoted from a July 2 staff report which recommended approval of the project on the grounds that it conformed with the requirements of the By-law. As far as parking requirements, he stated that under the applicable by-law requirements, a building like the one proposed would not have to provide any parking facilities. He disagreed with Mr. Matheson's interpretation of what constituted a habitable room.

MOVED by Alderman Meagher, seconded by Alderman Ivany, that Mr. Matheson be permitted to address the Council a second time. Motion passed with Aldermen MacKeen and Allen against.

Mr. Matheson took exception to Mr. Medjuck's interpretation of what constituted a habitable room. He also said there was still unanswered the question of who would actually own the building when completed. Mr. Medjuck was stating it would be used as a student resident, he said, but whoever actually took it over might have different ideas.

Alderman Allen asked the City Solicitor if he would accept the proposed building as a rooming house as defined under the By-law, and Mr. Murphy replied "No, I would not describe it as a rooming house".

In answer to a question from Alderman Allen, the Director of Planning confirmed that if the piece of land under question does not receive approval for rezoning, the applicant would have to make further changes in his present plans, insofar as the height of the building would have to be reduced.

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After further discussion, it was MOVED by Alderman MacKeen, seconded by Alderman Allen, that the matter be deferred until the City Solicitor and other appropriate staff members can give Council clarification on the following points which are in dispute:

1. What constitutes a habitable room under the terms of the By-law.
2. What category in the By-law does the proposed building come under - rooming house, etc.
3. Whether the density requirements would be exceeded if the proposed building were constructed. (Coburg Rd. lot).
4. Whether it would be desirable to have a parking lot in the proposed location, so close to a residential area.

The question of how long the matter should be deferred was brought up and the City Manager said it would take at least two weeks for staff to answer, although if it were briefs from the parties involved that were required, which material would have to be reviewed, it would probably require four weeks.

It was agreed that it was clarification from staff that was required on the points in dispute.

The motion was put and passed on His Worship the Mayor's vote in favour, three Aldermen voting for the same and three against it, as follows:

For	-	Aldermen MacKeen, Hogan, and Allen .....	3
Against	-	Aldermen Ivany, Meagher, and Sullivan .....	3

10:00 P.M. - Meeting adjourned.

HEADLINES

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Public Hearing - Amendment to Part VI - R-3 Zone - Zoning By-law population density - #6365-71 Coburg Road .....	554
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ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R.H. STODDARD  
CITY CLERK

*Fine Chief*

CITY COUNCIL  
MINUTES

Council,  
September 17, 1970

DEFERRED ITEMS

Motion - Alderman Sullivan re. Appointment of Authority  
Council Chamber,  
City Hall,  
Halifax, N.S.  
September 17, 1970  
8:00 P.M.

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

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

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

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

MINUTES

Minutes of Council meetings of August 27 and September 8 were approved on motion of Alderman Abbott, seconded by Alderman MacKeen.

TRIBUTE - S/SGT E. MOIGNARD

Alderman Sullivan said he had attended a parade Sunday morning of the Canadian Corps of Commissionaires at which S/Sgt. E. Moignard was presented with a special award of achievement.

His Worship the Mayor also referred to the excellent and agreeable manner in which S/Sgt. Moignard carried out his duties at City Hall, which was all the more remarkable in view of his age of 83 years.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

In view of the number of persons present for Item 17 (d) St. Patrick's School Complex and Additional Borrowing, Council agreed to move the item up on the agenda as 8 (b).

At the request of Alderman Ivany Council agreed to add the following item:

- 20 (a) - Funding for Sidwalk Repairs

MOVED by Alderman Connolly, seconded by Alderman Meagher, that the agenda, as amended, be approved. Motion passed.



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DEFERRED ITEMS

Motion - Alderman Sullivan Re: Appointment to Halifax Housing Authority

At the August 27th meeting of City Council the following motion was moved and seconded:

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;  
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 1,000 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.

at which time it was deferred until the next regular meeting of the Council.

Alderman Ivany said he supported the suggestion that a member of the Tenant's Associations be placed on the Board, he felt it should be accomplished by the addition of a member to the Board, and MOVED in Amendment, seconded by Alderman Meagher, that the City seek legislation to increase the maximum number of members on the Board of the Halifax Housing Authority from seven to eight.

The motion to amend was put and passed with Aldermen Sullivan and Hogan against.

After further discussion, the motion as amended was put and passed.

8:30 P.M. - Alderman Connolly left meeting.

Rezoning - #6125 Pepperell Street from R-2 Residential Zone to C-2 Zone, General Business

A Public Hearing was held regarding the above noted Rezoning on September 8, 1970, at which time a decision in the matter was deferred pending a written statement from the applicant, Canadian Tire Corporation, setting forth a commitment with respect to landscaping and planting of shrubs on the lot in question.

A letter dated September 16th was forwarded by Canadian Tire Corporation to the City Clerk, to which was attached a plan indicating the Company's plans in this regard.

MOVED by Alderman Ivany, seconded by Alderman McGuire, that approval be granted to the rezoning of land at No. 6125 Pepperell Street from R-2 Residential Zone to C-2 General Business, as shown on the official City Plan No. TT-11-18365. Motion passed.

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

MOVED by Alderman Ivany, seconded by Alderman McGuire that the formal resolution, as submitted, be approved.

Rezoning - #1525 Larch Street from R-2 Residential Zone to R-3 Residential Zone

Further deferred, awaiting staff report.

MOTIONS OF RECONSIDERATION

Motion - Reconsideration - Alderman MacKeen Re: Appointment Mr. R.B. Grant to Halifax Housing Authority

At the August 27, 1970 meeting of City Council, the following motion was passed:

"THAT Mr. R.B. Grant be appointed to the Housing Authority to complete the unexpired portion of the term of Mr. S.J. Langmaid to December 31, 1970."

following which Alderman MacKeen gave a Notice of Reconsideration.

Alderman MacKeen's motion of Reconsideration was seconded by Alderman Sullivan, but was lost, two voting for the same, and seven against it, as follows:

For	- Aldermen MacKeen and Sullivan....	2
Against	- Aldermen Abbott, Hogan, Ivany, LeBlanc, McGuire, Meagher, and Allen .....	7

PUBLIC HEARINGS AND HEARINGS

Public Hearing - Rezoning - #2701 Dutch Village Road from R-2 Residential Zone to C-2 General Business Zone

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

After hearing from the Director of Planning and the City Manager, His Worship the Mayor asked if there was anyone present who wished to speak against the rezoning, but there was no response.

The Acting City Clerk advised that he had received a petition containing five names against the rezoning, and another one from an individual who also opposed it.

Mrs. Marjorie Major, Dr. E.F. Dexter, and Dr. J. Vorstermann, all residents of the area involved, spoke in favour of the rezoning, since they felt the proposed use was most acceptable if one considered the alternative uses to which the land could be put.

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Mr. R. Medjuck, the applicant for the rezoning, spoke next, outlining the prestige type of building which Maritime Life Insurance Company intended to construct on the land.

Alderman Meagher referred to the brook on the property which the City had spent considerable money on cleaning up, and which would be closed if the rezoning were approved, and asked what compensation the City could expect.

Mr. Richardson, President of Maritime Life Assurance Company, said he did not know the background of the matter to which Alderman Meagher was referring, but that his Company would be willing to discuss the matter. Mr. Richardson also confirmed that his Company had already consented to allow parking facilities on the lot to be used by one Church for its congregation on Sundays.

The Public Hearing being completed, the Chairman advised that the matter was now before Council for its decision.

MOVED by Alderman McGuire, seconded by Alderman Abbott, that approval be granted to the rezoning of land at No. 2701 Dutch Village Road from R-2 Residential to C-2 General Business, as shown on Plan No. TT-11-1840. Motion passed unanimously.

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

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

#### St. Patrick's School Complex and Additional Borrowing

The following correspondence concerning the St. Patrick's School Complex was tabled by His Worship the Mayor:

1. Letter dated September 11, 1970 from the Secretary-Treasurer of the Board of School Commissioners to City Council.
2. Letter dated September 11, 1970 from His Worship the Mayor to the Honourable G.I. Smith, Premier of Nova Scotia.
3. Letter dated September 12, 1970 Mr. Richard A. Donahoe Attorney General of the Province, to His Worship the Mayor.

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A staff report dated September 17th, 1970 was submitted in the matter.

MOVED by Alderman McGuire, seconded by Alderman Ivany, that the City approach the Liaison Committee keeping in mind the high priority which all have placed on the completion of the School, requesting that the DREE formula in respect of this School be extended from the estimated figure to the amount of the lowest tender and that should this request be denied negotiations with the Liaison Committee proceed with all haste to find an alternative approach acceptable to the City and this Liaison Committee.

MOVED in Amendment by Alderman MacKeen, seconded by Alderman Sullivan, that the other levels of Government be informed of the urgency of the matter and the negotiations suggested in the motion be carried out immediately and completed within thirty days. Motion passed.

The motion, as amended, was put and passed.

#### REPORT - CITY PLANNING COMMITTEE

Council agreed to discuss Items 15 (l) and 15 (m) at this point, to accommodate the large number of persons present to hear these matters:

#### Development Guide and Zoning - By-law - Kearney Lake:

MOVED by Alderman Hogan, seconded by Alderman Allen that, as recommended by the City Planning Committee,

1. The Development Guide for the Prince's Lodge Study area (attached to staff report dated August 28, 1970 as Appendix "A") be adopted.
2. The City Council amend the Zoning By-law of the City of Halifax by adopting the zoning scheme as shown in Appendix "B" (attached to staff report dated August 28, 1970).

Motion passed.

#### Industrial Uses - Kearney Lake Area:

1. MOVED by Alderman Allen, seconded by Alderman Meagher that, as recommended by the City Planning Committee, removal of equipment and gravel from Martell's Site M2, be ordered, subject to the City Solicitor's ruling of the Company's status under the zoning and building by-laws.  
Motion passed.

2. MOVED by Alderman Ivany, seconded by Alderman Meagher that, as recommended by the City Planning Committee, Martel Construction be ordered to restore to the satisfaction of the Commissioner of Works, sites M1 and M2, subject to the City Solicitor's ruling of the Company's status under the zoning and building by-laws (i.e. non-conforming use).  
Motion passed.

3. MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the City Planning Committee, Martel be ordered to remove the house trailer from Site M1 it being an offence against the by-law, subject to the City Solicitor's decision regarding non-conforming use. Motion passed.

4. MOVED by Alderman Allen, seconded by Alderman LeBlanc that, as recommended by the City Planning Committee, Council endorse the action of City staff in enforcing the zoning and building by-laws to control by permit the installation of the second asphalt plant and rock quarrying, crushing, and screening operation on Standard Paving Property.

Alderman Hogan referred to a letter written by Warden Settle of the County of Halifax to the City of Halifax in which Warden Settle confirmed that the commitments recorded in the minutes of a meeting held on August 7, 1967 as having been made by Standard Paving Limited were correct, and also submitted a photostat of a newspaper account written at the time which verified the same. He said the residents were only asking that Standard Paving Limited live up to those commitments, since it was on that basis that the residents had agreed to the operation.

The motion was put and passed with Alderman Hogan against.

Alderman Hogan then gave Notice of Reconsideration.

5. MOVED by Alderman Ivany, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, Council consider existing land uses in this area and a possible revision of the development plan and associated zoning by-law to reduce the probability of residential and industrial activities being located adjacent to each other. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 9, 1970, with respect to the following matters:

Bill Poster's License - Maurice Slaunwhite

MOVED by Alderman Allen, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, a Bill Poster's License for a fee of \$50.00 be granted to Maurice Slaunwhite, in accordance with provisions of Section 2 of Ordinance Number 19. Motion passed.

Report of Tax Concessions and Grants Committee

1. Canadian Red Cross Society

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the request of the Red Cross Society for a tax exemption be rejected, but that a grant be given equivalent to the taxes and interest on the 1969 levy, and one-half of the taxes and interest on the 1970 levy.

MOVED in Amendment by Alderman Allen, seconded by Alderman LeBlanc that a grant be given equivalent to the full amount of the taxes and interest on the 1970 levy.

Upon the advice of the City Manager, it was agreed that if the Amendment is passed, the following words be added to the motion:

"subject to the City having the legal authority to make the grant under the City Charter provisions."

The Amendment was then put and passed, with Alderman Abbott voting against.

The Motion, as amended, was then put and passed.

2. Royal Canadian Legion, Vimy Branch #27

The report of the Finance and Executive Committee read as follows:

"It is recommended that the request of the Royal Canadian Legion, Vimy Branch #27 for a grant in the amount of \$2,964.69 plus interest to cover the 1969 and 1970 taxes assessed against the Royal Canadian Legion, Vimy Branch #27, be rejected."

MOVED by Alderman Meagher, seconded by Alderman Sullivan that Mr. Holland, a representative of the Royal Canadian Legion, Vimy Branch #27, be heard.

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

For: Aldermen MacKeen, Ivany, LeBlanc, Meagher  
and Sullivan 5

Against: Aldermen Abbott, Hogan, McGuire and Allen 4

After hearing from Mr. Holland, it was MOVED by Alderman Sullivan, seconded by Alderman MacKeen that the request of the Royal Canadian Legion, Vimy Branch #27 for a grant to cover the full amount of the 1969 taxes, plus interest for the real property excluding fire protection charges, assessed against the Royal Canadian Legion, Vimy Branch #27, be approved, subject to the City having the legal authority to make the grant under the City Charter provisions.

After a short discussion, the motion was put and passed with Aldermen Abbott and Hogan voting against.

### 3. Dalhousie Legal Aid

MOVED by Alderman Abbott, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, a grant of \$10,000 to cover the remainder of 1970, be given as an interim measure and on a demonstration basis, to the Dalhousie Legal Aid Service, conditional upon the following terms:

1. That the Dalhousie Legal Aid Service commit itself to a long-range scheme of comprehensive neighbourhood services to include such other services as social work, psychiatric and medical.
2. That eligibility for the legal aid service be based on the poverty line as defined by the Fifth Annual Report of the Economic Council of Canada.
3. That the Dalhousie Legal Aid Service be agreeable to establishing a Citizens Council with representation from the area to be served and from the City to serve in an advisory capacity to the Board of Directors of the Legal Aid Service, the structure of which is to be worked out on the basis of further deliberation.
4. That the senior levels of Government agree to share in the proposed grant in accordance with the provisions for welfare services grants under the Canada Assistance Plan.

Motion passed.

### 4. St. Joseph's Day Care Centre

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, a tax grant for the year 1969 in the amount of \$2,837.74 (interest included) be given to the St. Joseph Day Care Centre under authority of Section 316C of the City Charter. Motion passed.

5. Halifax Freight and Steamship Checkers

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, the request of the Halifax Freight and Steamship Checkers for a tax grant in the amount of \$333.88, plus interest, covering their premises at Pier 21, be rejected. Motion passed.

6. Halifax County Anti-Tuberculosis League

MOVED by Alderman Meagher, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the request of the Halifax County Anti-Tuberculosis League for a tax grant in the amount of \$130.10 for the year 1970 on its premises at 5853 Spring Garden Road, be rejected. Motion passed.

7. Downtown Halifax Business Association - \$500.00 for Christmas Decorations

MOVED by Alderman LeBlanc, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, the City contribute \$500.00 as its share for the decoration of the Downtown Business District during the Christmas Season, which work will be carried out by the Downtown Business District Association, the contribution being on a one-time basis, under the authority of Section 316C of the City Charter. Motion passed with Alderman Meagher voting against.

8. E. D. I. Club

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, the request of the E. D. I. Club for a tax grant in the amount of \$749.75 for the years 1969 and 1970 on its premises at 2737 Robie Street, be rejected. Motion passed with Alderman Meagher voting against.

9. I.O.O.F. and Joint Stock Association Ltd.

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee:

1. The I.O.O.F. and Joint Stock Association Limited, be exempt from taxation on the main part of their Hall on Cunard Street for the years 1970 and 1971, and that the necessary legislation be secured.
2. The City seek legislation which would make it possible to collect taxes on the I.O.O.F. and similar fraternal organizations at the earliest possible date.

Motion passed.



10. Transfer to Social Planning Department of United Appeal Grant in the amount of \$24,000

MOVED by Alderman Meagher, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, the \$24,000.00 grant given to the United Appeal be transferred instead to the budget of the Social Planning Department to establish welfare services, including the St. Joseph Day Care Centre and the Victorian Order of Nurses, in order that such money spent by the City may come under a cost-sharing arrangement with the other two levels of Government. Motion passed.

Approval - \$1,500,000 - Debenture Issue - Halifax Transit Corporation

Since no report was available, Council agreed to defer this matter.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on September 9, 1970 with respect to the following matters:

Telephone Booths & Encroachment - Windsor & Parker Streets

MOVED by Alderman Hogan, seconded by Alderman Allen that, as recommended by the Committee on Works, the Maritime Telegraph and Telephone Company be granted an encroachment license for the installation of a telephone booth at the intersection of Windsor Street and Parker Street as indicated on a sketch attached to the August 17, 1970 staff report, in accordance with Ordinance No. 112. Motion passed.

Closure of Sullivan Street

MOVED by Alderman Meagher, seconded by Alderman Ivany that, as recommended by the Committee on Works, in accordance with Section 350 of the City Charter, City Council set a date for a Public Hearing to effect the closure of Sullivan Street from Agricola Street to Isleville Street, as shown on City of Halifax Plan No. TT-11-18408. Motion passed.

The Acting City Clerk advised that the public hearing will be held on October 15, 1970.

Laying Down of Street Line - Young Street between Agricola and Isleville Streets - Official Plan - Section 12-H

MOVED by Alderman Ivany, seconded by Alderman Abbott that, as recommended by the Committee on Works, City Council set a date for a Public Hearing to lay down official street lines on Young Street, Agricola Street and Isleville Street, as shown on Section 12-H of the Official City Plan. Motion passed.