

SPECIAL CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
November 12, 1971  
3:05 P.M.

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

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

Present: His Worship the Mayor, Chairman; and Aldermen Moir, Stanbury, Bell, Meagher, Stapells, Sullivan, Hogan, Wentzell, and MacKeen.

Also Present: City Manager, City Engineer, Director of Finance, City Clerk, and other staff members.

The City Clerk advised that the meeting was called especially to consider the 1972 to 1977 Capital Budget.

CALL FOR TENDERS - NEW FAIRVIEW JUNIOR HIGH SCHOOL

His Worship the Mayor advised that a letter had been received from the School Board asking for approval of the plans for construction of the new Fairview Junior High School. His Worship said it was a matter of approving the call for tenders for the new school which would help the Board in getting the tender call out without any delay, and that Council could look at the plans at a later date.

Alderman Hogan said that the School Board is fearful that if the call goes beyond this year, there will be an automatic increase of seven per cent. He said the Board wants to get the tender call out as soon as possible to avoid any increase over and above the Architect's estimate.

Deputy Mayor Moir suggested that it was unusual to pass such a matter without anything for Council to study and said he would require confirmation from the City Manager and His Worship that funds have been included in the Capital Budget, that it has been previously approved by the previous council, and that Council is within their rights to approve it at this time.

Alderman Sullivan said that interest rates are continuously dropping and asked if it would be possible to get a lower rate if the matter was held up for a short time.

In reply to Alderman Sullivan's question, the City Manager replied that the borrowing for this school, if financed under DREE, would take affect in the Federal Government's fiscal year in which the work is completed and that there was no way of knowing what the borrowing rates will be at that time.

More discussion ensued with respect to the financing arrangements, and the City Manager pointed out that in the other four DREE financed schools, the Provincial Government agreed under a complex formula to contribute what in effect, turned out to be 19% of the Capital Cost of each school with the condition that the City built the schools. The City Manager suggested that an application should be made to the Province for the same assistance on the new Fairview School before calling for tenders. He pointed out that this may amount to something in the order of \$350,000.

His Worship said that in light of this information, that perhaps the City is not ready to proceed with the matter at the moment. His Worship said that the City stands to lose some funds which may be obtained with a hard bargain.

Deputy Mayor Moir concurred with His Worship and suggested that some Mayoralty bargaining should take place at the Provincial Government level before dealing with the matter.

It was then agreed that no action would be taken on the matter at the present time.

It was then MOVED by Alderman Moir, seconded by Alderman Stanbury, that City Council adjourn to meet as the Committee of the Whole Council. Motion passed

3:25 p.m. - City Council adjourned to meet as Committee of the Whole Council.

#### CAPITAL BUDGET - 1972 - 1977

The Proposed Capital Expenditures for 1972 to 1977 were submitted as well as a report outlining the details of the Proposed Capital Expenditures.

At the request of the Aldermen, the City Manager explained what a Capital Budget is saying that it should be the 4th step in the line of developing objectives, goals, and policies. The City Manager said that it is the estimated price tag put on a number of Capital projects in the City but does not include major maintenance projects, and that any funding or borrowing of money for the purpose of these capital projects, should be carried out over a period of years that does not exceed the useful life of the project.

The City Manager said that staff have summarized Council's decisions of previous years related very strongly to the DREE program and have made allocations for a certain amount each year for minor, but still very important needs of the community such as street paving, sidewalk repairs, etc. The City Manager went on to say that each year approval must be received from the Department of Municipal Affairs for the City's borrowing needs and that until a funding resolution has been approved for a particular project, funds cannot be spent for either design or construction. He also pointed that it is necessary to do some advance planning for what is needed in years ahead so that the City will be ready to do the work as DREE and other funds are made available.



The City Manager said that as a result of Discussions with the Department of Municipal Affairs, it was felt that an amount of \$7,000,000 was the limit to which the City could be pushed for additional funding. He pointed out that for the first three years the anticipated expenditures are a little below \$7,000,000 and that they taper off in 1975/76.

Considerable questioning of staff followed by the Aldermen with respect to the impact on the tax rate, and other matters regarding the budget. It was also pointed out that the budget discussions were moved ahead this year so that when Ministerial approval is received, the City will be able to begin work in the spring.

It was noted on page #25 of the proposed expenditures, the item entitled "Pockwock (Land & Construction)" should be the responsibility of the Public Service Commission and not the Bridge Commission. He said that these were items which the city was looking for total Provincial or Federal participation.

The City Manager pointed out that other items on page #25 such as the 'interim bridge connector' may not be the responsibility of the Bridge Commission and that they are looking at them as the responsibility of the Department of Highways.

The City Manager referred to the New Police Building and advised that after talking with Provincial officials that it may be a candidate for Special Development Loan Fund money if any is to be made available to municipalities in Nova Scotia this year. He said that one to two hundred thousand may be saved on on-site labor costs and will have the advantage of financing it at Federal rates.

The City Manager also pointed out that this was in the book as a shared item, but said that he had received no satisfaction from government officials and suggested that the City take it on as their full responsibility less what may be saved by the Special Development Loan fund.

Discussion also ensued with respect to the Local Improvement Charges and the City Manager requested that the City Clerk distribute to the new members of Council the summary of the Charges which were previously passed by Council.

His Worship requested information as to who paid for the entrance of the Bicentennial Highway to which the City Engineer replied that it was cost shared between the City and the Province. His Worship then asked if this could come under the cost sharing program for further sharing even though it was a little late. The City Engineer replied that he did not know whether the Province and Department of Highways would still look at it as an open contract, but that the matter would be looked into.

The City Manager pointed out that the supplementary report which was submitted at today's meeting contained lists of minor projects that were not specified in the main book of proposed expenditures.

The members generally agreed that before reviewing the proposed capital expenditures, that time should be given to individually study the new report in conjunction with the main book in order to obtain a better picture of what is proposed.

His Worship the Mayor advised that further meetings will be called by the Chair and that all members should study the proposed expenditures and that Council will then go through them item by item. His Worship pointed out that there is a very heavy schedule lined up for the coming week or so, but that all members will be notified of the meetings.

4:49 p.m. - Committee of the whole adjourned to meet as City Council.

4:50 p.m. - Meeting adjourned.

HEADLINES

CALL FOR TENDERS - NEW FAIRVIEW JUNIOR HIGH SCHOOL	.....	659
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MAYOR WALTER R. FITZGERALD  
CHAIRMAN

R. H. STODDARD  
CITY CLERK



COMMITTEE OF THE WHOLE  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N.S.  
November 16, 1971  
2:30 P.M.

A meeting of the Committee of the Whole was held on the above date.

Present: His Worship the Mayor, Chairman; and Aldermen Bell, Connolly, MacKeen, Meagher, Moir, Stanbury, and Stapells.

Also present: City Manager, Acting City Solicitor, and City Clerk.

The meeting was called for the purpose of discussing:

PROPOSED SUBDIVISION REGULATIONS AND BY-LAW

A staff report dated October 8, 1971 was submitted to which was attached a copy of the draft Subdivision Regulations and By-law, dated September, 1971. Appendix "A" of the staff report also outlined the highlights and the major items of the new By-law. Appendix "B" outlined highlights of comments and criticism received from interested parties and related replies by the Committee drafting the regulations and by-law.

The City Manager said the document under consideration represented some two years of staff work, and the purpose of such regulations was to provide guidelines so that a developer would know exactly what he must do in the way of designing a proposed development, and the extent of servicing that must be provided in connection with a development, so that the City would not be faced with expenses at a later date. He said the City was having difficulty enough maintaining existing services, without inheriting a lot more expense because of half or undeveloped lands. He said the regulations provided that the developer would have to submit the necessary deposit to insure that the City would not be stuck with certain expenses because of a new development. Such a procedure, he said, was already under way covered by agreements like the Cowie Hill and Clayton Park developments, and the proposed regulations and by-law would regularize this process. He then outlined the history of the five or six drafts of the regulations leading up to the present submission.

2:45 P.M. - Alderman Stapells arrived.

Mrs. Glube outlined the problems involved in tying the regulations in with the The Planning Act, which involved meetings with members of the Minister of Municipal Affairs Department. She said that after discussing it with members of that Department, they gave the City a tentative

draft containing general regulations which included things which it was felt were not suitable for the City of Halifax. Staff had therefore asked the Department if it would be satisfactory for them to prepare these regulations, and at the same time put in the portions dealing with the By-law, since the Act states that Council by means of a By-law may prescribe additional requirements concerning constructions of streets, provisions for sewer and water, and lands for recreation purposes or cash in lieu thereof.

Mrs. Glube said the Minister would have to approve the regulations twice, since it was felt that before presenting them to the Council for formal resolution his approval should be sought, because if he did not agree with the regulations as prepared, changes would have to be made.

Mr. Fox of the Engineering and Works Department read the Appendix "A" and answered questions put by the Aldermen.

Several Aldermen expressed fears that the regulations would be so onerous they would discourage much needed development in the City. Alderman Moir spoke of the need to provide homes for people with modest incomes and said that every time a regulation added a dollar to the developer's cost it usually ended up a \$10.00 additional cost to the person buying the home. He felt, for instance, there were still areas in the City where septic tanks would be sufficient for some time to come.

The City Manager said the City had to be sure that developments followed a logical pattern, bringing sewer and water services into the developments, without putting the burden on the tax payers of the City; that a developer was making full allowance for major traffic arteries, schools, recreation, etc. However, he agreed there had to be a certain amount of flexibility in applying the regulations, but that no changes should be made without there being a good reason for them.

Alderman Connolly suggested that the new By-law regulations should possibly require underground wiring in all new developments. Mr. Fox said that to make this a requirement for all developments would be prohibitive for low cost developments. The City Manager added that in an area like Nova Scotia, it could add as much as \$1500 to the cost of a lot.

During the discussion on circumstances where private sewage facilities would be allowed, Alderman Connolly felt this was contrary to the point made that the new regulations would require a developer to provide sewer facilities at the time of development of a piece of land.

Mr. Fox said there were various circumstances that might allow; in some areas the City might be a very long period of time in providing sewer and water facilities. He said the document under discussion dealt with general conditions.



At this point in the meeting, the Director of Engineering and Works circulated some pictures of a TV inspection of a recently installed sewer, which he said already indicated problems of cracking, etc.

Alderman Moir referred to Section 66(j) concerning "forfeiture of Bonds" and cautioned staff to make sure they had their own wording in this matter and to find out if there was a market for this particular type of thing before making it mandatory on developers. He said most forms of forfeiture bonds were not readily available to anyone.

Alderman Stapells questioned what was required under Section 38 dealing with information to be included in a survey plan. Mr. Fox said it did not mean a developer had to stake out actual lines but that staff did want to know when pipes, curb and gutter, etc. were installed that it was done to the City's specifications and there would be no problem in locating a certain point at any time in the future.

4:40 P.M. - Alderman Stanbury left meeting.

After further questioning by the Alderman it was MOVED by Alderman Meagher, seconded by Alderman Moir, that Council approve in principle the "Subdivision Regulations and By-law" dated September, 1971 and forward same to the Minister of Municipal Affairs for his tentative approval, following which the regulations will be resubmitted to Council before being sent to the Minister for his formal approval. Motion passed.

4:55 P.M. - Meeting adjourned.

HEADLINE

Proposed Subdivision Regulations and By-law ..... 1

WALTER R. FITZGERALD  
CHAIRMAN AND MAYOR

/ja

CITY COUNCIL  
SPECIAL MEETING  
PUBLIC HEARINGS  
M I N U T E S

Council Chamber,  
City Hall,  
Halifax, N. S.  
November 17, 1971,  
8:00 p.m.

A Special 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, Aldermen Bell, Hogan, MacKeen, Meagher, Stanbury, Stapells and Wentzell.

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

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

1. Public Hearing: Rezoning Land West Side Bedford Highway from C-1, Local Business Zone to M, Motel Zone
2. Public Hearing: Zoning to C-2, General Business - Lands Formerly Sullivan Street and Presently Owned by Olands Breweries (1971) Limited.
3. Public Hearing: Rezoning from C-1, Local Business to C-2, General Business - #5680-90 Duffus Street
4. Public Hearing: Rezoning from I - Industrial to R-4, Residential - Lot A-1 Vimy Avenue

At this time, Alderman Meagher asked Council if it would agree to permit him to give a Notice of Motion at the conclusion of the Public Hearings relating to amendments to Ordinances No. 109, the Lord's Day Ordinance and No. 121, the Early Closing Ordinance.

Council agreed to the request of Alderman Meagher.

Public Hearing - Rezoning Land West Side Bedford Highway from C-1, Local Business Zone to M, Motel Zone

A Public Hearing was held, at this time, in connection with the above matter.

The City Clerk advised that the matter had been duly advertised and that no letters of objection have been received.

Council heard briefly from Staff the reasons for the rezoning request which is necessary to permit the Wandlyn Motel to construct an extension to its present facilities.

No person present indicated a wish to speak for or against the rezoning.



Special Council,  
November 17, 1971

The matter now being before Council, it was MOVED by Alderman Hogan, seconded by Alderman Stapells that a decision on the rezoning be deferred until the next regular meeting of City Council to be held on November 25, 1971. Motion passed.

Public Hearing - Zoning to C-2, General Business - Lands Formerly Sullivan Street and Presently Owned by Olands Breweries (1971) Limited

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

The City Clerk advised that the matter had been duly advertised and that no letters of objection have been received.

Council heard briefly from Staff who explained, with the aid of a sketch map that the portion of land formerly Sullivan Street is presently unzoned and is now the property of Olands Breweries.

No person present indicated a wish to speak for or against the zoning, but Mr. George Robertson, solicitor for the applicants, said that he would be only too happy to answer any questions from members of Council.

It was then MOVED by Alderman MacKeen, seconded by Alderman Wentzell that a decision on the zoning be deferred until the next regular meeting of City Council to be held on November 25, 1971. Motion passed.

Public Hearing - Rezoning from C-1, Local Business to C-2, General Business - #5680-90 Duffus Street

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

The City Clerk advised that the matter has been duly advertised and that no letters of objection have been received.

Council heard briefly from Staff who explained that the rezoning is required to permit the applicant to demolish the existing Petrofina Service Station and construct a modern facility on an enlarged area, the Company having purchased the adjoining property.

No person indicated a wish to speak in favour of the rezoning, but Mr. James Cowan, solicitor for the Company, said that he would be happy to answer any questions.

Mr. J. M. Ferguson of 3347 Agricola Street addressed Council in opposition to the rezoning stating that the enlarged service station would create greater traffic problems in an already congested area. He also mentioned that a proposal is in hand to widen Duffus Street between Agricola and Islevelle Street and he contended that if this occurs, the lot would be too narrow for a service station. He said that he has offered his property at a fair market value to the Company but has not been contacted in this regard.

No other person indicated a wish to speak against the rezoning.

8:30 p.m. Alderman Connolly arrives.

Several questions were asked of Mr. James Cowan relating to the size of the land, whether the Company was aware of the proposed widening of Duffus Street and any negotiations for Mr. Ferguson's property.

Mr. Cowan said that the property measures 10,225 square feet, that the Company was aware of the proposed widening of Duffus Street although the details were not known and that the Company was not interested in purchasing Mr. Ferguson's property at the price he considers a fair market value.

It was felt that more information should be available to Council relating to the proposed widening of Duffus Street between Agricola and Isleville Streets and its effect on the service station and traffic congestion.

After further discussion, it was MOVED by Alderman Stapells, seconded by Alderman Wentzell that a decision on the rezoning be deferred until the next regular meeting of City Council to be held on November 25, 1971, at which time Staff would have information on some of the points raised at this meeting. Motion passed.

Public Hearing - Rezoning from I - Industrial to R-4  
Residential - Lot A-1 Vimy Avenue

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

The City Clerk advised that the matter has been duly advertised and that no letters of objection have been received.

Council heard a brief explanation of the application from Staff who stated that it is Staff's understanding that the applicant proposes to construct a 3-unit building on the lot, although the property measuring in excess of 30,000 square feet, if rezoned to R-4 Residential, could accommodate a much larger apartment building.

No person present indicated a wish to speak for or against the rezoning, but it was ascertained that the applicant, Mr. Brian E. Norman was present and would answer questions.

Several questions were raised by members of Council who were concerned that a much larger apartment building could be constructed on the Lot if it is rezoned.

In reply to a question, Mr. Norman said that his original intention was to construct a three unit building on the Lot, but with the increase in the cost of construction, he now proposes to begin immediately on the construction of a 12 unit apartment building on a part of the Lot, apply to have the land subdivided and construct the three unit building on the other part.

Alderman Hogan contended that there would have been some opposition if the residents of the area had known that a twelve unit building was proposed.



Mr. Norman answered several other questions from members of Council relating to his plans for the development of the Lot. He pointed out that some interest has been shown in constructing a 6 storey Professional Building on the land which would not require any rezoning.

Questions were raised as to whether or not it will be necessary to re-advertise the matter since the original advertisement stated that the purpose was to construct a three unit building and now the plans have changed.

The Solicitor felt that she should take the question under advisement and report to City Council later.

It was pointed out that if the rezoning was resolved in the negative, the application could not be put before City Council again until a year has elapsed.

In reply to a question, the City Clerk advised that the residents that were informed of the Public Hearing could be notified of the change in proposal, but that it was unlikely replies would be received in time for the next regular Council meeting.

After further discussion it was MOVED by Alderman Stapells, seconded by Alderman Stanbury that the Public Hearing be deferred until December 8, 1971 within which time the Solicitor will consider and advise of any necessary re-advertising in connection with the public hearing. Motion passed.

Notice of Motion - Alderman Meagher - Amendments to Ordinances No. 109 and 121

Alderman Meagher gave notice that at the next regular meeting of City Council, to be held on November 25, 1971, he will introduce amendments to Ordinance No. 109, the Lord's Day Ordinance and to Ordinance No. 121, the Early Closing Ordinance, which will increase the amount of ~~assessment~~ for small corner grocery stores to permit them to continue to operate as in the past under the provisions of both Ordinances.

9:15 p.m. Council adjourned.

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Public Hearing - Zoning to C-2 General Business - Lands Formerly Sullivan Street and Presently Owned by Olands Breweries (1971) Limited	664
Public Hearing - Rezoning from C-1 Local Business to C-2 General Business - 5680-90 Duffus Street	664
Public Hearing - Rezoning from I-Industrial to R-4 Residential - Lot A-1 Vimy Avenue	665
Notice of Motion - Alderman Meagher - Amendments to Ordinances No. 109 and 121	666

WALTER R. FITZGERALD  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

CITY COUNCIL MEETING  
MINUTES

*Recd*

Council Chamber,  
City Hall,  
Halifax, N.S.  
November 25, 1971  
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 Bell, Connolly, Hogan, MacKeen, Moir, Meagher, Stanbury, Stapells, Sullivan, and Wentzell.

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

MINUTES

Minutes of meetings held on November 10, 12, and 17, 1971 were approved on motion of Alderman Bell, seconded by Alderman Stapells.

PRESENTATION - SPRING GARDEN ROAD MERCHANT'S ASSOCIATION

Mr. S. Offman, Chairman of the Spring Garden Road Merchant's Association, presented His Worship the Mayor with a cheque in the amount of \$30,000.00, representing receipts to the City of Halifax from the Spring Garden Road Parking Lot, covering a ten-month period.

Mr. Offman referred to the proposed new Federal Building under consideration for the area, and said his Association felt this would be a great asset. However, he added, such a building would require increased parking facilities and he recommended that at least half of the present parking space be retained and perhaps a garage be built on it.

His Worship the Mayor accepted the cheque on behalf of the City and expressed his appreciation to Mr. Offman.

APPROVAL OF ORDER OF BUSINESS, ADDITION & DELETIONS

Council agreed to Alderman Meagher's request to bring up Item 14 (b) "Proposed Subdivision Regulations & By-Law" and discuss it as Item 4 (a).

Council agreed to the Acting City Clerk's request to add:

- 20 (a) Appointment - City Manager to Board of Directors, Halifax International Containers Limited (HALICON)



Council,  
November 25, 1971

Council agreed to Alderman Hogan's request  
to add:

11 (c) - Building on Bedford Highway

Council agreed to Alderman Moir's request  
to add:

20 (b) - Conference on Tax Revisions.

MOVED by Alderman Meagher, seconded by  
Alderman Hogan that the agenda, as amended, be approved.

PROPOSED SUBDIVISION REGULATIONS & BY-LAW

MOVED by Alderman MacKeen, seconded by  
Alderman Connolly that, as recommended by the Committee of  
the Whole, Council approve in principle the "Subdivision  
Regulations and By-law" dated September, 1971 and forward same  
to the Minister of Municipal Affairs for his tentative approval,  
following which the regulations will be resubmitted to Council  
before being sent to the Minister for his formal approval.

MOVED by Alderman Meagher, seconded  
by Alderman Stapells that Mr. Robbie Shaw be allowed to  
address the Council on this matter.

Mr. Shaw had submitted a letter dated  
November 25th, 1971 on behalf of the Urban Development  
Institute concerning this matter, and it was in connection  
with this letter that he wished to address Council.

There was some debate amongst Council  
members as to whether this was the time to hear further  
discussion, since at this point Council was only giving  
"tentative approval", which resulted in a motion that the  
question be put, the motion being passed.

The motion to hear Mr. Shaw was put and  
passed, Aldermen MacKeen and Hogan against.

Mr. Shaw said that he did not agree that  
because staff and U.D.I. had already had extensive dialogue on  
this matter, U.D.I. did not have the right to express its  
viewpoint to City Council. He said that the reason for bringing  
the matter up now was that even though the motion on the floor  
called for "tentative approval" of Council, it was his experience  
that in such a case unless the Minister makes changes to the  
regulations and by-law, there would be none.

Mr. Shaw asked that Council consider the  
November 25th memorandum from U.D.I. carefully for a week, and  
that staff be asked to give their replies to the points raised  
so that Council could consider the pros and cons carefully,  
and have full knowledge before giving formal approval.

MOVED by Alderman MacKeen, seconded by Alderman Meagher, that the matter be deferred until the next meeting of the Committee of the Whole. Motion passed, Alderman Moir against.

DEFERRED ITEMS

REZONING LAND WEST SIDE BEDFORD HIGHWAY FROM C-1, LOCAL BUSINESS ZONE TO M. MOTEL ZONE

A Public Hearing was held into the subject rezoning on November 17th, 1971, at which time Council deferred its decision in the matter.

MOVED by Alderman Hogan, seconded by Alderman Stanbury that the application for rezoning of land on the western side of the Bedford Highway in the district of Fairview in the City of Halifax, from C-1 Zone (Local Business Zone) to M Zone (Motel Zone), as shown on Plan No. TT-15-19348, be approved. Motion passed.

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

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

Aldermen Connolly, Moir, and Sullivan, who were not present at the Public Hearing on November 17th, 1971 abstained from voting on this rezoning.

ZONING LANDS FORMERLY SULLIVAN STREET AND PRESENTLY OWNED BY OLANDS BREWERIES (1971) LTD. TO C-2 GENERAL BUSINESS

A Public Hearing was held on November 17, 1971 into the subject matter, at which time a decision was deferred by Council.

MOVED by Alderman Wentzell, seconded by Alderman Bell that the zoning of lands formerly Sullivan Street between Isleville Street and Agricola Street and presently owned by Olands Breweries (1971) Ltd. to C-2 General Business Zone, as shown on Plan No. TT-14-19224, be approved. Motion passed.

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

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

Aldermen Connolly, Moir, and Sullivan abstained from the vote on this matter since they were not in attendance at the November 17, 1971 Public Hearing.



REZONING CIVIC NUMBER 5680-90 DUFFUS STREET FROM C-1, LOCAL BUSINESS ZONE TO C-2 GENERAL BUSINESS

A Public Hearing was held on November 17, 1971 into the subject matter, at which time Council deferred its decision in the matter.

Alderman Meagher voiced objection to the rezoning, stating that there were many fine homes in the area which would be adversely affected by the rezoning, and MOVED, seconded by Alderman Stanbury that the Rezoning of Civic Number 5680-90 Duffus Street from C-1, Local Business Zone to C-2 General Business, be denied.

The motion was put and passed on the Chairman's vote in favour of the resolution, four Aldermen voting for the same, and four against it, as follows:

- For - Aldermen Bell, MacKeen, Meagher, and Stanbury ..... 4
- Against - Aldermen Connolly, Hogan, Stapells, and Wentzell ..... 4

Aldermen Moir and Sullivan abstained from the vote on this matter since they were not in attendance at the Public Hearing.

EXPROPRIATION RESOLUTIONS - LANDS, KLINE HEIGHTS AREA -

- (i) 24 WITHROD DRIVE - PART TAKING
- (ii) 44 WITHROD DRIVE
- (iii) 61 WITHROD DRIVE, PART TAKING

Formal Resolutions were submitted giving effect to the subject expropriations.

MOVED by Alderman Bell, seconded by Alderman Meagher that the resolutions covering the following expropriations, as submitted, be approved:

<u>Property to be Expropriated</u>	<u>Assessed Owner</u>	<u>Compensation</u>
24 Withrod Drive (Part Taking)	Frederick E. Greene	\$210.75
44 Withrod Drive	Carolyn A. Dunn	\$8,500.00
61 Withrod Drive (Part Taking)	Donald J. Smith	\$715.25

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 17, 1971, with respect to the following matters:

Application for Use of City Crest - Capitol Tobacco & Gifts

The Finance and Executive Committee sent the application of Capitol Tobacco & Gifts to Council without any recommendation, and asked that the applicant submit to the Council samples of the type of pottery he wished to use the Crest on.

Mr. Yablon, Vice-President of Capitol Tobacco & Gifts addressed the Council and displayed for their inspection pieces of pottery which he said were similar to what he would be using the City's crest on.

MOVED by Alderman MacKeen, seconded by Alderman Meagher that the request of Capitol Tobacco & Gifts to use the City Crest on specified pieces of pottery, be granted.

After a short discussion on the matter the motion was put and lost on the Chairman's vote against the motion, five Alderman voting for the same five against as follows:

- For - Aldermen Bell, MacKeen, Meagher, Stapells, and Sullivan ..... 5
- Against - Aldermen Connolly, Hogan, Moir, Stanbury, and Wentzell ..... 5

Possible Expropriation Settlement - 20 Margaret Road (Part Taking)

MOVED by Alderman Hogan, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, the expropriation of Parcel 13C, shown on Plan No. TT-13-18890, 20 Margaret Road, be settled for \$1,816.00 as settlement in full for all claims arising out of the expropriation, funds to be made available from Account No. 54-33. Motion passed.

Possible Acquisition - 2500 Barrington Street

MOVED by Alderman Bell, seconded by Alderman MacKeen, that as recommended by the Finance and Executive Committee, the property of the Estate of William H. West, known as No. 2500 Barrington Street be purchased for \$9,000.00 in settlement in full for all claims with vacant possession on date of transfer. Motion passed.

Possible Acquisition - 2345 Barrington Street

MOVED by Alderman Stapells, seconded by Alderman Stanbury that, as recommended by the Finance and Executive Committee:



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1. the property of Family Realty Limited, known as 2345 Barrington Street, be purchased for the sum of \$1,300.00 and that Family Realty Limited pay the tax arrears and interest to date of transfer of title; and
2. that the City of Halifax be responsible for the demolition of the building

funds for this acquisition being made available from the Sale of Land Account. Motion passed.

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

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

Call for Tenders for Fairview Jr. High School and Additional Borrowing - \$800,000.00

MOVED by Alderman Bell, seconded by Alderman Connolly that as, recommended by the Finance and Executive Committee, subject to Council first receiving a satisfactory commitment for cost-sharing from the Provincial Government, Council approve:

- (a) The calling of tenders for Fairview Junior High School subject to the approval of the Liaison Committee, and
- (b) An additional borrowing resolution, as submitted, in the amount of \$800,000 for this project.

Motion passed.

DREE Projects (2.1) Halifax Peninsula Water Supply, and (3.1) Halifax/Dartmouth Regional Water Supply

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, Council approve of the Public Service Commission as the agency to be primarily responsible for undertaking and coordinating the works under DREE projects (2.1) Halifax Peninsula Water Supply, and (3.1) Halifax/Dartmouth Regional Water Supply. Motion passed.

Additional Borrowing Resolution - \$950,000.00 - New Police Station

MOVED by Alderman Moir, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, an additional borrowing resolution in the amount of \$950,000 be approved in order to permit construction of the new Police Station to proceed. Motion passed, Aldermen Connolly, Stapells, and Sullivan against.

Applications for Loans under Federal-Provincial Employment Loans Program (1) New Police Station (2) Phase 3, Kline Heights Project

(1) MOVED by Alderman Moir, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, Council approve of the submission of a loan application under the 1971 Federal/Provincial Employment Loans Program for the Police Station in the amount of \$2,200,000, on the basis that if the application is accepted and work proceeds in the manner anticipated, the Federal Government will forgive \$150,000 on the Police Station.

Motion passed with Aldermen Connolly, Stapells, and Sullivan against.

(2) MOVED by Alderman Moir, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, Council approve of the submission of a loan application under the 1971 Federal/Provincial Employment Loans Program for Phase III of Kline Heights in the amount of \$857,000, on the basis that if the application is accepted and work proceeds as anticipated, the Federal Government will forgive \$134,250 for Kline Heights.

Motion passed unanimously.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on November 17, 1971 with respect to the following matters:

Appointment of Consultants - Freshwater Brook Sewer

MOVED by Alderman Moir, seconded by Alderman MacKeen that, as recommended by the Committee on Works, a joint venture of the engineering firms of Foundation of Canada Engineering Corporation Limited and J. Philip Vaughan and Associated Limited be appointed as the City of Halifax engineering consultants on Project 2.4 Freshwater Brook Sewer, which appointment is subject to approval of the DREE Liaison Committee. Motion passed.

Drainage Problem - Robert Allen Drive

MOVED by Alderman Bell, seconded by Alderman Meagher that, as recommended by the Committee on Works, no further action be taken at this time on the petition received from H.G. Butler and other interested residents and property owners concerning the drainage problem on Robert Allen Drive as this is the type of improvement which should only be undertaken at the request and at the cost of abutting property owners. Motion passed.

Property on Bedford Highway

This item did not come from the Committee on Works but was added to the agenda at the request of Alderman Hogan.



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Alderman Hogan said that the property in question was situated at 232 Bedford Highway and outlined the sequence of events which resulted in the electricity being cut off from the house, which housed two families for a total of three adults and 11 children. He said that the Nova Scotia Light and Power Company had advised that they had disconnected the power on receipt of instructions from our Building Inspection Department. Furthermore, he said, no warning of this action had been given to the residents of the building, nor any reason for it. The Light and Power Company refused to reconnect the power line since they said the building constituted a safety hazard. Alderman Hogan said that the family in the upstairs flat had been looked after, but that the widow with five children in the lower flat, who was not on welfare, had received no assistance. He said he had contacted the owner of the building, but to date had received no satisfaction from him.

Alderman Hogan said that on the Tuesday night, with still nothing being done for the widow and her children in the lower flat, he had contacted two young men in the area, Mr. Glenn Brunt and Mr. Greg Jeans, who had a small shop, and asked them if they could connect a power line to the furnace so that some heat could be provided. They advised him such an action was illegal, but Alderman Hogan said he told them to go ahead and that he would defray anyone to remove the line.

Alderman Hogan said that hazard existed because of the building not being up to Ordinance 135 standards and said he understood the landlord had been told to correct the situation over a year ago. He added that in such a case he also understood the City could correct the situation itself and bill the landlord for the expense, although he also understood this could involve a legal problem.

The Building Inspector confirmed that the facts as given by Alderman Hogan were correct as far as the Building Inspection records were concerned, but for the record stated that the electrical wiring had been disconnected under Ordinance No. 130 the Electrical Ordinance rather than Ordinance No. 135.

Considerable discussion followed on this matter, following which it was MOVED by Alderman MacKeen, seconded by Alderman Sullivan, that the appropriate City Department find accommodation immediately for the families affected by the discontinuance of electrical power at 232 Bedford Highway. Motion passed.

The City Manager asked if he was to interpret this motion as meaning that the City was to find accommodation for a family at City expense, such family not being eligible for welfare payments. The Acting City Solicitor said that if Council makes such a resolution then funds will be found to carry it out.

MOVED by Alderman MacKeen, seconded by Alderman Meagher that the repairs be made as quickly as possible by the City if that is necessary and the necessary legal steps be taken to collect the expense of the repairs from the landlord. Motion passed.

It was agreed that the foregoing resolution would provide a test case which could provide the procedure for handling future cases in such a way that the tenants would not be hurt.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS  
AND COMMISSIONS

Amendment to Ordinance No. 151, respecting "Automatic Machines"  
SECOND READING

MOVED by Alderman Meagher, seconded by Alderman Bell that, as recommended by the Committee of the Whole, the Amendment to Ordinance No. 151, respecting "Automatic Machines", as submitted, be read and passed a Second Time. Motion passed.

Extension to a Non-conforming Building - 1623 Princeton Street

MOVED by Alderman Hogan, seconded by Alderman MacKeen that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building to permit the construction of a 12 ft. x 10 ft. addition at Civic No. 1623 Princeton Street, as shown on Plan No. P200/4749 of Case No. 2524, be approved. Motion passed.

Re-zoning from R-2 Residential to R-4 Residential - Lot C, Princeton Avenue

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for re-zoning of Lot C, Princeton Avenue from R-2 Residential to R-4 Residential, as shown on Plan No. P200/4749 of Case No. 2524, be refused. Motion passed.

Acceptance - Open Spaces in Clayton Park

MOVED by Alderman Hogan, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, concerning the acceptance of certain parcels of land in the developed areas of Clayton Park proposed by Public Open Space by the developer under Part III, Section 1 of the Subdivision Regulations, and indicated in the sketch attached to the Staff Report dated November 17, 1971, the following be approved:



REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 17, 1971 with respect to the following matters:

Modification of Lot Frontage - Lots No. 121, 158, 169 and 193 Leiblin Park Subdivision

MOVED by Alderman Wentzell, seconded by Alderman Hogan that, as recommended by the City Planning Committee, the application for modification of the lot frontage requirement for Lots No. 121, 158, 169 and 193 Leiblin Park Subdivision, as shown on Plan No. P200/4798 of Case No. 2528, be approved. Motion passed.

Resubdivision of Lots 19A and 19A-1, 19B and 19B-1 to Create Lots 19C and 19D, Princeton Avenue - Lands of Norman Davy

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the City Planning Committee, the application for resubdivision of Lots 19A and 19A-1, 19B and 19B-1, to create Lots 19C and 19D respectively, as shown on Plan No. P200/4794 of Case No. 2522, be approved. Motion passed.

Extension to a Non-conforming Building - 1625 Preston Street

MOVED by Alderman Hogan, seconded by Alderman MacKeen that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building to permit the construction of a 12 ft. x 20 ft. addition at Civic No. 1625 Preston Street, as shown on Plan No. P200/4789 of Case No. 2524, be approved. Motion passed.

Rezoning from R-2 Residential to R-4 Residential - Lot C, Princeton Avenue

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for rezoning of Lot C, Princeton Avenue from R-2 Residential to R-4 Residential, as shown on Plan No. P200/4748 of Case No. 2498, be refused. Motion passed.

Acceptance - Open Spaces in Clayton Park

MOVED by Alderman Hogan, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, concerning the acceptance of certain parcels of land in the developed areas of Clayton Park proposed for Public Open Space by the developer under Part III, Section 7, of the Subdivision Regulations, and indicated on the sketch attached to the Staff Report dated November 17, 1971, the following be approved:

Parcel P (0.01 acres)  
Be accepted.

Parcel P-1 (0.7 acres)

Walkway be accepted subject to its being constructed to City standards.

Parcel P-2 (4.48 acres)

This lot be accepted but not classified as walkway or open space.

Parcel P-3 (0.00 acres)

Land be accepted but not classified as walkway or open space.

Parcel P-4 (0.09 acres)

Walkway be accepted subject to it being constructed to City standards.

Parcel P-5 (0.15 acres)

Walkway be accepted subject to it being constructed to City standards.

Parcel P-6 (1.90 acres)

This parcel of land be accepted as a walkway subject to it being constructed to City standards.

Parcel D (0.15 acres)

This area be accepted as a walkway subject to it being constructed to City standards.

Parcel N (0.05 acres)

This piece of land be accepted as part of the walkway over Parcel P-6.

Parcel R-1 (0.87 acres)

Be accepted.

Parcel R-2 (0.45 acres)

Be accepted.

Parcel R-3 (2.41 acres)

Be accepted.

Parcel H (0.06 acres)

Be accepted.

Walkway Birkdale Crescent (0.055 acres)

This walkway be accepted subject to it being constructed to City standards.

Walkway Simcoe Place (0.066 acres)

This walkway be accepted subject to it being constructed to City standards.

Walkway Northcliff Lane (0.078 acres)

This walkway be accepted subject to it being constructed to City standards.

Walkway Northcliff Lane (0.094 acres)

This walkway be accepted subject to it being constructed to City standards.



Lot Bounded by Dunbrack Street, Lacewood  
Drive, Hazelholme Drive and the proposed YMCA  
Site (10.6 acres)  
Be accepted by the City as open space.

Motion passed.

University Parking Committee

MOVED by Alderman Hogan, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the make-up of the Committee to study the matter of parking in the University area be as follows:

1. City Council - two representatives
2. University Administration - two representatives.  
One each from Dalhousie University and St. Mary's University
3. University students - two representatives. One each from Dalhousie University and St. Mary's University
4. Citizens - two representatives
5. City Staff - two representatives

and that one of the City Council representatives serves as Chairman;

That the terms of reference for the Committee be to deal with the matter of University parking identifying any problems and making recommendations to rectify any problems, as well as identify any other problems relating to University-Citizenry coexistence and make recommendations to rectify any such problems; and further that the Committee return any recommendations no later than one year from appointment; and

That City Council forward requests to the following concerning their willingness to participate on such a Committee and to appoint a representative:

1. President - Dalhousie University
2. President - St. Mary's University
3. Student President - Dalhousie University
4. Student President - St. Mary's University
5. President - Halifax Homeowners Association - two representatives.

And Further, that the Mayor appoint a Chairman and one other representative from Halifax City Council, and that the City Manager appoint two representatives from City Staff.  
Motion passed.

MOTIONS

Motion - Alderman Hogan Re: Amendment to Ordinance #131 -  
First Reading

MOVED by Alderman Hogan, seconded by Alderman Sullivan that the following amendment to Ordinance No. 131

respecting Buildings and the Adoption of the National Building Code, be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 131, respecting Buildings and the Adoption of the National Building Code, as approved by the Minister of Municipal Affairs on the 3rd day of February, A.D., 1969, and amended and approved by the Minister of Municipal Affairs on the 17th day of December, A.D., 1969 and on the 16th day of January, A.D., 1970, and on the 13th day of May, A.D., 1971, respectively, is further amended as follows:

1. Subsection (3) of Section 1.5.6 of said Ordinance Number 131 is repealed and the following substituted therefor:

(3) An Occupancy Permit may authorize the occupancy of a building or a part thereof and shall be issued upon completion of a building or part thereof on the condition that the completed building or part thereof complies with all the terms of this Ordinance and with other City Ordinances.

Motion passed.

Motion - Alderman Sullivan Re: Amendment to Ordinance #134  
First Reading

MOVED by Alderman Sullivan, seconded by Alderman Stapells that the following amendment to Ordinance Number 134, Respecting the Halifax-Dartmouth Port Commission, be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 134, Respecting the Halifax-Dartmouth Port Commission, as approved by the Minister of Municipal Affairs on the 21st day of October, A.D., 1969, is hereby amended as follows:

1. Subsection (2) of Section 4 of said Ordinance Number 134, is amended by striking out the word "ten" in the first line thereof and substituting therefor the word "sixteen".

2. Subsection (3) of Section 6 of said Ordinance Number 134 is amended by striking out the word "Four" in the first line thereof and substituting therefor the word "Six".

Motion passed.

Motion - Alderman Hogan Re: Repeal of Ordinance #136, Respecting "Special Sewer Taxes" - First Reading

MOVED by Alderman Hogan, seconded by Alderman Bell that the Repeal of Ordinance Number 136, Respecting Special Sewer Taxes, be read and passed a First Time. Motion passed.



MISCELLANEOUS BUSINESS

Amendment - Administrative Order #5, "Mayoralty Stipend"  
Second Reading

MOVED by Alderman Moir, seconded by Alderman Connolly that the following amendment to Administrative Order No. 5, Respecting the Remuneration to be paid to the Mayor, Deputy Mayor and Aldermen be read and passed a Second Time:

BE IT ENACTED by the Mayor and City Council of the City of Halifax, that Administrative Order Number 5, Respecting the Remuneration to be paid to the Mayor, Deputy Mayor and Aldermen, as approved by the City Council on August 13, 1964, and subsequently amended and approved, is further amended as follows:

1 Section 2 of said Administrative Order Number 5, is repealed and the following substituted therefor:

2 The remuneration to be paid to the Mayor of the City of Halifax, commencing the 1st day of November, A.D., 1971, shall be at the rate of Twenty Thousand Dollars (\$20,000.00) per annum.

Motion passed.

Appointments - Halifax-Dartmouth Bridge Commission

A letter was submitted from the Halifax-Dartmouth Bridge Commission relating to appointments that had been approved by Council, but which were not in accordance with the Bridge Commission Act.

MOVED by Alderman Meagher, seconded by Alderman MacKeen that His Worship the Mayor and Alderman Hogan be appointed to the Bridge Commission to replace Former Mayor Allan O'Brien and former Alderman Donald G. LeBlanc, with terms expiring on December 31, 1971. Motion passed.

Report - Directors of Point Pleasant Park Commission Re:  
Proposed Sewage Treatment Plant Off Point Pleasant Park

A report was submitted from the Directors of Point Pleasant Park advising City Council that they do not want to be faced with a decision by Council of the proposed sewage treatment plant off the tip of Point Pleasant Park in the area of the Hens and Chickens Shoals, without them being well informed and consenting to the use of the Park in connection with any project that might take place in the Park whether it be above ground or underground and requesting that the Directors be consulted before any final decision is made.

Some discussion ensued with respect to the possible locations of a sewage treatment plant and the City Manager outlined the recommendations contained in the MacLaren Report and stated that no decision is required to be made on the location at this time. He said that more information is