

Question - Alderman Meagher Re: Use of Sweepers in Wards 4 and 5

Alderman Meagher referred to a previous request that sweepers be used in Wards 4 and 5 in the Agricola Windsor, John Street area before the parking ban is lifted.

Mr. Sheflin said that the late snowfalls being experienced were making this impossible.

Question - Alderman Meagher Re: Change in Legislation which would permit Hotel on the Park

Alderman Meagher asked what had been the outcome of the legislation requested which would allow the Hotel on the Park to be built.

The City Solicitor said he would check this out and let the Alderman know.

Question - Alderman Hogan Re: Snow removal during last storm

Alderman Hogan said he felt the City's good snow removal and salting record this winter had been spoiled by its work during the storm which occurred the previous weekend, and asked Mr. Sheflin to report on the matter.

Mr. Sheflin said that the problem arose because his Department depended on the weather forecast, which until 7:30 A.M. Saturday morning was calling for a few sunny periods with a chance of some snow. Therefore, he said, by the time the trucks were finally called out they were experiencing trouble because of the problems already existing with automobiles. However, he said, from that point on he felt the job had been carried out efficiently.

Question - Alderman Connolly Re: Rehabilitation Program on City Streets

Alderman Connolly said he had received the staff report re rehabilitation of City streets and noted the City expected to get started on the work by June 1. The Alderman asked that Pine Hill Drive be brought to the top of the list since it was in particularly bad condition.

Mr. Sheflin said some base repair work would be required which should be started before June 1st.

Question - Alderman Connolly Re: Garbage Re-routing

The Alderman referred to an information report which proposed cutting one unit off the garbage routing at a saving of \$36,000. However, Alderman Connolly continued, it was his understanding that the men were paid an 8-hour day even though they might get back to the field as early as 1 or 2 o'clock and he hoped that a close check would be made of this to determine if it might be possible to reduce it by more than one unit.

Mr. Sheflin replied that a time study had been carried out for each route, but it could happen that if a man wanted to work particularly fast he could return a little early; but he agreed that if it were possible for him to finish too early it meant the timing of the route was out.

Question - Alderman Bell Re: Liability for broken windows and other damages from golf balls

Alderman Bell said there were a row of homes bordering on a golf club in the City, where the residents were under constant danger of bombardment by flying golf balls resulting in broken windows and marks on the outside walls. He asked if to obtain damages would involve them in a civil action, or whether there was an ordinance to cover the situation.

The City Solicitor was directed to look into the matter.

Question - Alderman MacKeen Re: Barrington Street Diversion

Alderman MacKeen said there was a lot of concern amongst various people as to which houses were going to be taken and what was going to happen to the persons losing their homes. He asked that the various departments concerned keep in close contact with the occupants of such houses because they were hearing conflicting stories.

His Worship the Mayor asked that the Real Estate Department take note of the Alderman's remarks.

Question - Alderman Stapells Re: Street sweeping personnel

Alderman Stapells asked how many men the City employed in sweeping the streets. He referred to one corner which he had passed at 9:15 one day where a man was engaged in sweeping the street, and on passing again at 1:45 the same day, the same man was still sweeping the same spot.

Mr. Sheflin said more men were engaged in the spring for this work, as they were needed to get into corners where the equipment was not effective, but generally speaking there were no more than five such men employed. He asked that the Alderman give him details of the street involved in the incident mentioned and said he would check it out.

Question - Alderman Stapells Re: Sweepers on Morningside Drive

Alderman Stapells said that two sweepers pushed the debris on Morningside Drive to the curb but never returned to remove it, with the result it snowed and the snowplough pushed it all up again when it ploughed.

NOTICE OF MOTION

Notice of Motion - Alderman Hogan re Introduction of Ordinance No. 155, respecting "The Establishment of a Pedestrian Mall on a Portion of Barrington Street".

Alderman Hogan gave notice that at the next regular meeting of the City Council of the City of Halifax to be held on Thursday, the 27th day of April, A.D. 1972, he proposed to introduce Ordinance No. 155, respecting "The Establishment of a Pedestrian Mall on a Portion of Barrington Street"; the purpose of the Ordinance being to permit the temporary closing of a portion of Barrington Street between Sackville Street and St. Paul's Hill, commencing in June through to September, 1972, for a pedestrian Mall.

ADDED ITEMS

Formal Resolution - Expropriation of 9 Idlwyld Road

A staff report dated April 10, 1972 was submitted stating that provisions of Section 4 of the Expropriation Procedures Act had now been complied with and requesting that a formal resolution be passed for the expropriation.

A formal resolution was submitted regarding the expropriation of the property known as 9 Idlwyld Road and shown as Lots #145-A, 145-B and 145-C on Plan No. TT-15-19469, which land is owned by Joseph Toth, Ferenc Bacsa, Rosko Nicolic, and Desanka Oravec.

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

Ordinance No. 153 - Sewer Development Charge

A staff report dated April 13, 1972 was submitted recommending an amendment to Section 376B of the City Charter which would make the charge provided for in Ordinance No. 153, as passed by Council on October 14, 1971, applicable to all new construction.

The City Solicitor said that at the moment the Ordinance only covered commercial, and residential properties over four units. He stated the amendment would make the charge applicable to "all properties", which was the intention of the Committee which made the recommendation for the charge.

MOVED by Alderman Connolly, seconded by Deputy Mayor Moir that Section 376B of the City Charter be amended so that the charge provided for in the Ordinance will apply to all

new construction; the proposed new Section 376B to read as follows:

"376B (1) Notwithstanding any other provisions of this Act, the Council may, by ordinance, impose a special charge on any or all buildings or class or classes of buildings to be erected or enlarged after the effective date of the Ordinance, and may impose different charges on the various classes of buildings to pay for all or any part of the cost of providing sanitary or storm sewer capacity which may be required.

" (2) The proceeds of the charge or charges authorized by the Ordinance shall be paid into an account to be called the Sewer Rehabilitation and Trunk Sewer Account and shall be used for sewer rehabilitation and the City's share of the cost of trunk sewer construction purposes.

" (3) A charge or charges levied under the authority of this Section shall constitute a lien against the land upon which the building is erected or enlarged and may be collected in the same manner and with the same remedies as provided in this Act for the collection of local improvement charges."

In reply to a question from Alderman Stapells, the City Solicitor confirmed that the City had the authority to implement the charges imposed by Ordinance No. 153 before it went to the Legislature.

Considerable discussion followed on the matter of imposing additional charges in the case of a man building his own single family dwelling, Alderman Stapells contending that on top of the extra costs imposed by the new subdivision regulations, it could prove too much.

The City Manager pointed out that someone had to pay for the cost which the burden of new development placed on existing sewers, and it was either this method or asking old home owners to pay the costs every time new housing was built.

Deputy Mayor ;Moir felt the motion should be passed now in time to get it to the next sitting of the Legislature, and then Council could debate where it should be applied, since it was not mandatory but merely gave the City the power to impose the charge if it so desired.

Alderman Stapells said a further problem which had come to his attention concerned cases where there had been a delay by the City in issuing a building permit, so that the person involved had come under the April 1st implementation date.

The City Solicitor said that each case would have to be considered on its individual merits and it was possible in some instances where the permit was not issued until after April 1, such a person would not be covered by the new regulation.

His Worship the Mayor said that the City Solicitor should look at these cases and inform Council

of the position which he feels the City should take.

The City Manager said that this matter had been public knowledge for two years, plus the fact that Ordinance 153 was introduced last year and was supposed to have gone into effect January 1, 1972 but was later put off until April 1, so that everyone concerned has had plenty of notice of the impending charge.

The motion was put and passed with Alderman Stapells against.

10:00 P.M. - Meeting adjourned.

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WALTER R. FITZGERALD  
MAYOR AND CHAIRMAN

R. H. STODDARD,  
CITY CLERK

CITY COUNCIL  
MINUTES

Rec.

Council Chamber  
City Hall  
Halifax, N. S.  
April 14, 1972  
5:15 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 City Clerk, joined in reciting the Lord's Prayer.

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

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

The meeting was called especially to deal with Wage Negotiations Re: Fire Department.

WAGE NEGOTIATIONS - FIRE DEPARTMENT

MOVED by Alderman Connolly, seconded by Alderman Hogan that the Industrial Inquiry report by Mr. Lorne O. Clark, be rejected.

Motion passed unanimously.

5:18 p. m. - Meeting adjourned.

HEADLINES

WAGE NEGOTIATIONS - FIRE DEPARTMENT ..... 158

MAYOR WALTER R. FITZGERALD  
CHAIRMAN

R. H. STODDARD  
CITY CLERK

SPECIAL CITY COUNCIL  
MINUTES

*Record*

Council Chamber,  
City Hall,  
Halifax, N.S.  
April 19, 1972  
5:15 P.M.

A Special City Council meeting 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 Bell, Connolly, Hogan, MacKeen, Meagher, Moir, Stanbury, Stapells, Sullivan, and Wentzell.

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

The City Clerk advised that the special Council meeting had been called to hold Public Hearings into:

1. Official Street Lines: (a) confirm the southwestern official street line of Devonshire Ave. as shown on Section 4E of the Official City Plan; (b) confirm the southeastern official street line of Dartmouth Avenue as shown on Section 4E of the Official City Plan; and (c) confirm the northeastern official street line of Devonshire Avenue as shown on Section 4E of the Official City Plan.
2. Street Closure: Right-hand By-pass Intersection - Dartmouth and Devonshire Avenues.

Council members agreed to add the following item to the agenda:

DREE Project 2.6 - Central Elementary Junior High School Complex Addition (Phase II).

**PUBLIC HEARING - OFFICIAL STREET LINES AS FOLLOWS:**

- (a) To confirm the southwestern official street line of Devonshire Ave. as shown on Section 4E of Official City Plan;
- (b) To confirm the southeastern official street line of Dartmouth Avenue as shown on Section 4E of the Official City Plan;
- (c) To confirm the northeastern official street line of Devonshire Ave. as shown on Section 4E of official City Plan;

A Public Hearing was held at this time into subject matter.

Following an explanation by the City Engineer, His Worship the Mayor asked if there was anyone present who wished to speak for or against the laying down of the official street lines as advertised.



Special Council,  
April 19.

Alderman Sullivan said he had been asked to speak on behalf of a group of residents in the area, in which he himself lived. He said that there had been so many streets closed in the area that it was imposing a hardship on the residents, and he felt their interests were being sacrificed to the needs of accommodating the Bridge traffic. He said that the residents of the area therefore opposed the official street lines as advertised.

There being no one present wishing to speak in favour of the Street Lines, His Worship declared the matter to be before the Council for discussion.

MOVED by Alderman Connolly, seconded by Alderman Hogan that the matter be deferred to the next regular meeting of Council for decision. Motion passed with Aldermen Sullivan and Stanbury against.

PUBLIC HEARING RE: STREET CLOSURE - RIGHT-HAND BY-PASS INTERSECTION  
DARTMOUTH AND DEVONSHIRE AVENUES

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

The City Engineer displayed a map showing the street involved and outlined the reasons for the closure.

Alderman Stapells referred to a suggestion made at a previous meeting that a small piece of land in front of No. 3368 Devonshire, residence of Mr. J. MacDonald, be deeded to Mr. MacDonald for the sum of \$1.00.

The City Engineer said there were small pieces of land in front of both 3364 and 3368 Devonshire which with the street closure would form part of the front lawn of those homes; however, he said he had been advised by the City Solicitor's Department that under the terms of the City Charter City property could not be disposed of in this manner but would have to be sold at market value. However, he said, whether these home owners bought the property or not, they would still have the use of it.

His Worship the Mayor asked if there was anyone present who wished to speak for or against the street closure.

Alderman Sullivan said he wished to protest the closure on behalf of citizens living in the area. Amongst other things, he said, the closure would eliminate a sidewalk which is very much used. Also, he said, traffic would have to continue on Dartmouth to Devonshire and make a right turn rather than use the curve on to Devonshire now existing. He also noted that the Police Boy's Club had said the land was of no interest to them.

There being no one wishing to speak in favour of the closure, the matter was declared to be before the Council for discussion.

MOVED by Alderman Stapells, seconded by Alderman Sullivan that the matter be deferred to the next regular meeting of Council for decision. Motion passed.

DREE PROJECT 2.6 - CENTRAL ELEMENTARY JUNIOR HIGH SCHOOL COMPLEX ADDITION (PHASE II)

A staff report dated April 18, 1972 was submitted concerning the subject matter.

MOVED by Alderman MacKeen, seconded by Alderman Bell, that Council accept the low tender of \$514,000.00 from the firm of H.W. Corkum Construction Co. Ltd. and that subject to approval of the Liaison Committee for cost sharing of the full amount of the low tender, the contract be awarded to commence construction of the Phase II addition.

Alderman MacKeen said that until Phase II was completed, the maximum use could not be obtained from Phase I, and that the School Board were therefore anxious to have Phase II ready for this September.

The motion was put and passed unanimously.

5:40 P.M. - Meeting adjourned.

HEADLINES

Public Hearing - Official Street Lines as Follows:

- (a) To confirm the southwestern official street line of Devonshire Ave. as shown on Section 4E of Official City Plan;
- (b) To confirm the southeastern official street line of Darmouth Avenue as shown on Section 4E of the Official City Plan;
- (c) To confirm the northeastern official street line of Devonshire Ave. as shown on Sec. 4E of Official City Plan ..... 158

Public Hearing Re: Street Closure - Right-hand By-Pass Intersection Dartmouth and Devonshire Avenues ..... 159

Dree Project 2.6 -Central Elementary Junior High School, Complex Addition (Phase II) ..... 160

WALTER R. FITZGERALD  
MAYOR AND CHAIRMAN

R.H. STODDARD  
CITY CLERK

CITY COUNCIL MEETING  
MINUTES

Council Chamber,  
Halifax, N.S.  
April 27, 1972  
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 City Clerk, joined in reciting the Lord's Prayer.

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

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

MINUTES

Minutes of Council meetings held on April 13, 14, and 19, 1972 were approved on motion of Alderman Stapells, seconded by Alderman Wentzell.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS, AND DELETIONS

The Council agreed to the City Clerk's request to add the following items to the agenda:

- 11 (h) - Street Encroachment - Windsor Street - Government of Canada (National Defence)
- 20 (a) - Tenders - Maintenance of Streets and Sidewalks Contract #4 - 1972.
- 20 (b) - Summer Youth Hostel

The City Clerk also advised that the item 10 (d) shown on the agenda as "25 Withrod Drive" should read "25 Idlwyld Road".

Council agreed to Alderman Connolly's request to add:

- 20 (c) - Recommendation of the School Board.

and Alderman MacKeen's request to add:

- 9 (b) - Letter from Halifax Senior Citizens' Tenants Society Re: Transit Strike

DEFERRED ITEMS

OFFICIAL STREET LINES:

- (1) to confirm the Southwestern official street line of Devonshire Avenue as shown on Section 4E of the Official City Plan

Council,  
April 27, 1972

- (2) to confirm the Southeastern official street line of Dartmouth Avenue as shown on Section 4E of the Official City Plan;
  - (3) to confirm the Northeastern official street line of Devonshire Avenue as shown on Section 4E of the Official City Plan
- 

On April 19, 1972 a Public Hearing was held into the above noted matter, at which time a decision was deferred until this meeting of Council.

Alderman Sullivan repeated the reasons he had set forth during the Public Hearing for opposing the confirmation of the street lines at this time, and suggested that the matter be deferred until such time as the Ward Five Council's Rink is completed.

The City Engineer said the confirming of the street lines was merely a formality, upon which staff would prepare a description of the lands to be deeded to the Ward Five Resources Council. Commenting on the parking facilities for the rink, he said the bulk of the parking would be provided by the land formed by the closed section of Dartmouth Avenue, which ~~had been~~ taken into account in approving the location of the rink.

MOVED by Deputy Mayor Moir, seconded by Alderman Stapells that approval be given:

- (a) to confirm the southwestern official street line of Devonshire Avenue as shown on Section 4E of the Official City Plan;
- (b) to confirm the southeastern official street line of Dartmouth Avenue as shown on Section 4E of the Official City Plan;
- (c) to confirm the northeastern official street line of Devonshire Avenue as shown on Section 4E of the Official City Plan.

Motion passed with Alderman Sullivan against.

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

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

**STREET CLOSURE:**

Right hand By-pass at the intersection of Dartmouth Avenue and Devonshire Avenue

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This matter was also the subject at a  
decision to refuse the

Public Hearing held on April 19, 1972 at which time a decision in the matter had been deferred until this meeting of Council.

MOVED by Alderman Connolly, seconded by Alderman Stapells that approval be given to the closure of the right hand by-pass at the intersection of Dartmouth Avenue and Devonshire Avenue as shown on Plan No. TT-16-19649.

Alderman Sullivan said he did not think it would benefit anyone by closing this by-pass, which was used extensively by school children. The City Engineer, however, argued that the closing of the by-pass could be considered as providing added protection for the children since it was customary to have them cross at the intersections rather than the middle of a block.

Mr. Sheflin said that if it were the wish of Council the sidewalk could be left open for the school children but the road closed for automobile traffic.

After further discussion it was MOVED by Alderman Sullivan, seconded by Alderman Meagher, that a decision in the matter be deferred until after the Ward Five Resources Council Rink is completed. Motion passed with Aldermen Connolly and Hogan against.

AMENDMENT TO ORDINANCE NUMBER 113 "NOISE" - PERMIT TO CLEAR SNOW AT NIGHT

This item was deleted from the agenda.

PUBLIC HEARINGS AND HEARINGS

HEARING - RE APPEAL AGAINST DECISION OF DEVELOPMENT OFFICER - 6145 NORTH STREET

A letter dated April 20, 1972 was submitted from Mr. Stewart Brothers appealing the decision of the Development Officer refusing a request for a minor variance at 6141-6145 North Street.

Mr. Rankin of Development Control stated there were deficiencies in Area, Frontage, West Side Yard, and Coverage which were not considered "minor" by staff. He said the development as it now stands was a non-conforming use.

After a short discussion it was MOVED by Alderman Stapells, seconded by Alderman Hogan, that the matter be deferred to the next meeting of the Town Planning Committee, or the next Council meeting if the applicant is unable to attend the Planning Committee, at which time the Development Officer will be present to answer questions regarding his decision to refuse the application. Motion passed.

Council,  
April 27, 1972

PETITIONS AND DELEGATIONS

PETITION - RESIDENTS OF WILLIAMS LAKE RE FLOODING OF BASEMENTS

The following petition was submitted under date of March 26th containing signatures of residents directly involved:

"We the residents on the right of Williams Lake Road, from Purcells Cove Road, have been subject to a very serious water problem since the overflow to Williams Lake was cut off. After each rain, the excess water tends to go to the right on Williams Lake from Purcells Cove, this in turn, floods basements sometimes three to four feet of water. Flooding in some cases was such that residents were forced to evacuate. Although the problem has always existed since the cut-off on the problem has been five times great. This has caused severe property damage with the loss of material stored in the basements and in some cases, the main living area. During the winter months this has caused the loss of heat, thus resulting in unlivable conditions during the winter months. I trust that action will be taken by you to have this situation corrected immediately."

It was agreed that the petition would be discussed at the next meeting of the Committee of the Whole.

LETTER FROM HALIFAX SENIOR CITIZENS' TENANTS SOCIETY RE:TRANSIT STRIKE

The City Clerk read a letter from the President of the Northwood Senior Citizens' Tenant Society dated April 27, 1972 in which the Society wished to go on record as supporting the City's firm stand in regard to the demands from the Transit Union, and asked that members of that Union recognize the limitations of the taxpayers of Halifax and the needs of people of advanced age and others who are solely dependent on the public transportation system to get about.

His Worship the Mayor said that Council realized that the senior citizens were the first to suffer in a transit strike, and said the City was pleased to receive the petition at this particular time.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on April 20, 1972 with respect to the following matters:

Annual Payment of \$500.00 - Downtown Halifax Business Association

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

Committee, the annual payment to the Downtown Halifax Business Association in the amount of \$500.00 cease as of January 1, 1972, for the reasons set forth in the staff report dated March 28, 1972. Motion passed.

Sewer Easement - 53 Withrod Drive

MOVED by Alderman Stapells, seconded by Alderman Stanbury that, as recommended by the Finance and Executive Committee, the City of Halifax enter into an easement agreement on the terms and conditions set forth in the staff report dated April 6, 1972 for the property designated as Lot #80D on Plan No. TT-15-19477 and that the owner of the property be paid the sum of \$991.00 as compensation for loss of her well and consideration for conveyance of the easement agreement, funds to be made available from Account No. 54-33. Motion passed.

Possible Acquisition - 23 Withrod Drive, Kline Heights (Part Taking)

MOVED by Alderman Stapells, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the City of Halifax purchase the land designated as Lot #72B on Plan No. TT-14-18956 and Lot #72-A-2 on Plan No. TT-15-19481 containing 1,268 square feet, and that the owners of the designated property be paid the sum of \$387.00 as compensation in full for all claims arising from this acquisition, funds to be made available from Account No. 54-33. Motion passed.

Possible Acquisition - 25 Idlwyld Road, Kline Heights, (Part Taking)

MOVED by Alderman Hogan, seconded by Alderman Stapells that, as recommended by the Finance and Executive Committee, the land designated as Lot #138B on Plan No. TT-15-19455 containing 1,332 square feet, be purchased by the City of Halifax and that the owners of the property be paid the sum of \$708.00 as compensation in full for all claims arising from this acquisition, funds to be made available from Account No. 54-33. Motion passed.

Possible Acquisition - Lots 6C-1 and 6C-2, Plan No. TT-15-19466 Idlwyld Road, Kline Heights

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the land designated as Lots 6C-1 and 6C-2 on Plan No. TT-15-19466 and containing approximately 8,250 square feet be purchased by the City of Halifax and that the owners of the property, Cameron Contracting Limited, be paid the sum of \$1,000 as compensation in full for all claims arising from this acquisition, funds to be made available from Account No. 54.33. Motion passed.

Cancellation of Sewer Betterment Assessment - Lot #4 Emscote Drive

The Committee's report stated that a motion to rescind the subject sewer betterment assessment was lost.

MOVED by Deputy Mayor Moir, seconded by Alderman Hogan, that the sewer assessment levied against Lot #4 of the Emscote Subdivision be rescinded as provided for in the 1963 Halifax City Charter.

The Deputy Mayor said his motion was in line with the staff recommendation that the charge be cancelled, and on staff assurance that no precedent was being set.

The City Solicitor felt the only test as to whether or not it was a valid charge was if Lot #4 could hook into the sewer in front, and the Engineers had advised him that it could not be done.

Alderman Connolly argued it was not physically impossible because in other such situations pumps had been used. He asked the City Solicitor if, assuming that Lots 5 and 6 were on the Arm Sewer and had paid the betterment charge for the sewer in front, could they reclaim money paid for betterment charge because of the front sewer.

Alderman Meagher asked the City Solicitor if a betterment charge unpaid became a lien against the property.

The City Solicitor replied he would have to consider these questions and would submit a report if Council so desired.

MOVED by Alderman Connolly, seconded by Alderman Hogan, that the matter be deferred until a report is submitted by the City Solicitor. Motion passed.

Submission Requesting Formation of Provincial Athletic Commission

MOVED by Alderman Connolly, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Council approve in principle the formation of a Nova Scotia Athletic Commission, but at the same time it go on record as declaring that it would like the Halifax Athletic Commission to be retained within the framework of a Provincial Commission. Motion passed.

Establishment of a Metro Tourist Bureau - Resolution - City of Dartmouth

MOVED by Alderman Hogan, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, the City of Halifax fully endorse the concept of a Metro Area Tourist Bureau and indicate to the Minister of Tourism for the Province of Nova Scotia that the



City wishes to participate in a feasibility study of this bureau, on the understanding that no City funding or expenditures are required at this time. Motion passed.

Withdrawal - Sale of Land Account - Barrington Street

MOVED by Alderman Hogan, seconded by Alderman MacKeen that the City seek authorization to withdraw funds in the amount of \$200,000.00 from the Sale of Land Account, this amount to be applied to the cost of approved acquisitions and clearance of lands required to allow for construction of the Barrington Street diversion as approved by City Council on February 17, 1972, as recommended by the Finance and Executive Committee. Motion passed, Aldermen Meagher and Sullivan against.

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

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

Release of Easement and Right of Way Over Lands of Peerless Vulcanizing Limited, Kempt Road

MOVED by Alderman Bell, seconded by Alderman Stapells that, as recommended by the Finance and Executive Committee, the City of Halifax for and in consideration of the sum of One Dollar convey to Peerless Vulcanizing Limited any right or title the City of Halifax may have to an easement and right of way over the lands now owned by Peerless Vulcanizing Limited and indicated on Plan No. 00-9-14216 in the City Engineer's Office as belonging to Hollis Myers. Motion passed.

Recreation - Baseball Backstops

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, Council award a contract to Gillis Company Ltd. for the supply and erection of twelve backstops at a lump sum price of \$10,020. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on April 19 and 20th, with respect to the following matters:

Property - 3544 Windsor Street

This item was moved to the end of the agenda in order that the City Solicitor might speak to the Council in private before discussing it in public.

Official Street Lines - Official Plan - Section 12-1 (DATE FOR HEARING)

MOVED by Alderman Stanbury, seconded by Alderman Hogan that, as recommended by the Committee on Works, in accordance with Section 357 of the City Charter, City Council set a date for a Public Hearing to alter and confirm the official street lines at West Street and Maynard Street as shown on Section 12-1 of the Official City Plan. Motion passed.

The City Clerk advised that the Public Hearing would be held at 8 P.M. on June 8, 1972.

Official Street Lines - Official Plan - Section 18-H (DATE FOR HEARING)

MOVED by Alderman Bell, seconded by Alderman Meagher that, as recommended by the Committee on Works, in accordance with Section 357 of the City Charter, Council set a date for a Public Hearing to alter and confirm the eastern Official Street Line of Water Street, in the area of the Historic Buildings, as shown on Section 18-H of the Official City Plan. Motion passed.

The City Clerk advised that the Public Hearing would be held at 8 P.M. on June 8, 1972.

Official Street Lines - Official Plan - Section 19-G (DATE FOR HEARING)

MOVED by Alderman Meagher, seconded by Alderman Moir that, as recommended by the Committee on Works, in accordance with Section 357 of the City Charter, Council set a date for a Public Hearing to alter and confirm the official street lines at South Park Street and Victoria Road as shown on Section 19-G of the Official City Plan. Motion passed.

The City Clerk advised that the Public Hearing would be held at 8 P.M. on June 8, 1972.

Additional Wharf Facilities - North-West Arm

The Committee on Works had considered a staff report concerning a request from Mr. Alfred Baker for the City to construct a 40-foot addition to the float wharf in the Arm on Quinpool Road. The report stated that the City Manager could not approve such an expenditure, there being no funds included in the budget.

No decision was made at that meeting, but additional information from staff was requested concerning the cost involved.

The City Engineer outlined what would be required, and stated the approximate cost was calculated to be \$11,000.

MOVED by Alderman Hogan, seconded by Alderman Connolly that the operator of the pier in question be given Council's approval to carry out the requested work to expand the present float wharf, but that such work shall be carried out at the operator's expense. Motion passed Alderman Meagher against.

Fly-Ash - Smoke Stack on Connolly Street - Department of National Defence.

MOVED by Alderman Stanbury, seconded by Alderman Sullivan that, as recommended by the Committee on Works His Worship the Mayor write letters to the Minister of National Defence and the Minister of Environment about the pollution caused by the Department of National Defence smoke stack on Connolly Street, as discussed by the Committee on Works. Motion passed.

The Committee on Works had also instructed the City Solicitor to take the matter under advisement and advise Council of any action it might take to eliminate the source of pollution.

His Worship the Mayor advised that the letters had already been written and that there would be a follow-up on this matter.

A discussion followed regarding a member of City staff being assigned to inspect incinerators and smoke stacks throughout the City. Mr. Sheflin said that the budget as submitted to Council had included a position of stationary engineer to perform such a duty, but that Council had decided that the position should not be filled until the matter of the present legislation on incinerators had been settled.

Mr. Sheflin went on to say that the problem was not just notifying someone of a smoke problem, but being able to advise them as to how it might be remedied, and he did not believe there was anyone presently on staff qualified to do this.

Alderman Connolly took exception to a policy whereby a staff member would instruct a private individual or body as to a method to overcome a pollution problem, since he felt the City would then be wide open for damages if the advice did not prove successful. He felt it was sufficient that the City merely notify a person of the problem and demand that they rectify the situation.

Alderman Stapells suggested that the stationary man in charge of the City incinerator might find time for this one case to make an inspection of the smoke stack.

It was agreed that Mr. Sheflin would look into this suggestion and if it can be done determine if the Department of National Defence would be agreeable.

Automobile Service and Repair Station

MOVED by Deputy Mayor Moir, seconded by Alderman Wentzell that:

1. Council approve the plan for a proposed Automobile Transmission Service Station to be located at 189 Herring Cove Road as described in a plan prepared by Boyd and Garland Construction Services Ltd. dated March 27, 1972; and
2. Council in accordance with Section 440 of the City Charter approve the construction and operation of a service station at 189 Herring Cove Road.

Motion passed.

The Deputy Mayor also suggested that staff request the applicant to provide parking facilities to the side of the building rather than the front.

Alderman Wentzell advised that the applicant's plans provide for parking at the rear, and that in any event the work would be carried out inside and there should be few cars parked on the outside.

His Worship the Mayor advised that the Committee on Works had also instructed staff to re-examine the existing C-1 zoning in the area, and also to investigate the advisability of an amendment to the Mainland By-law which would eliminate the necessity that all plans be approved by the City Planning Committee for commercial and industrial uses.

Street Encroachment - Windsor Street - Government of Canada (National Defence)

MOVED by Alderman Stapells, seconded by Alderman Wentzell that, as recommended by the Committee on Works, the Council approve installation of a heating tunnel between the two Department of National Defence properties on Windsor Street immediately north of Bayers Road comprising an encroachment under the street 8.33 feet wide and 60 feet long as shown on Plan Nos. H-H14-990/101,201 and 403 as reproduced on Sketch No. 1054. Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on April 19, 1972 with respect to the following matters:

Application for Preliminary Approval, Subdivision Lands of Mr. Rex Burgess, Herring Cove Road

The report of the Committee reads as follows:

"It is recommended that City Council approve in principle Lots 9-36, excluding Lots 14-25, and Lots 111-113 inclusive, as shown on Plan No. P200/4971 of Case No. 2216, and that Council receive a report from Staff and Mr Burgess prior to the meeting, outlining the discrepancies which are existing at that time."

A further Staff Report was submitted dated April 26, 1972, as requested.

MOVED by Alderman Wentzell, seconded by Alderman Hogan that City Council approve in principle Lots 9-36, excluding Lots 14-25, and Lots 111-113 inclusive, as shown on Plan No. P200/4971 of Case No. 2216.

Alderman Wentzell spoke to his motion and stressed the need for housing in the City especially of the quality that Mr. Burgess has been known to build. He contended that it is impossible to completely halt development in the Spryfield Area of the City.

The motion was then put and passed.

Subdivision of Lands of the Halifax-Dartmouth Bridge Commission - Bridge Approach Road from Robie Street

MOVED by Alderman Connolly, seconded by Alderman Bell that:

1. Lots A-1, B-1, C-1 as shown on Plan No. P200/5002; Lots E as shown on Plan No. P200/4844; Lot D as shown on Plan No. P200/4848; and Lot J as shown on Plan No. P200/4947; if they are not purchased by the owners of the properties they abut, be deeded at no cost to the City of Halifax;
2. Resubdivision of the properties involved to create: Lots A and B as shown on Plan No. P200/4949; Lot L as shown on Plan No. P200/4850, subject to it having its access off Columbus Street and Lot M as shown on Plan No. P200/4947, subject to the front steps and entrance way of Civic No. 3289 Prescott (Formerly) Street being removed and a new entrance being provided on the south side of the house, and that a Public Hearing in the matter be waived;

3. Approval for Lots F and G to be combined into one Lot, Lot Z as shown on Plan No. P200/5054 be approved, subject to the applicant making application to zone Lot G, and that a date be set for a Public Hearing when such application has been made;

4. Approval of the following lots for acceptance by the City of Halifax as lands required for street widening to accommodate the Bridge Approach Road: Lot H as shown on Plan No. P200/4844, Lot L-1 as shown on Plan No. P200/4850 and Lots M-1, O, S, R. T and Q as shown on Plans No. P200/4947, P200/4846, P200/4826, P200/4940, P200/4939 and P200/4933 respectively;

5. The City of Halifax purchase the property known as Civic No. 3297 Prescott Street as was formerly agreed by City Council at its meeting of December 29, 1969.

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

Reference was made to the further negotiations that were to take place relating to Lot N before this meeting.

A Staff Report was submitted dated April 27, 1972 relating to this matter.

After hearing from Mr. George Kaye, Manager of the A. MacKay Bridge with respect to the negotiations it was MOVED by Alderman Moir, seconded by Alderman Connolly that the resubdivision to create Lot N, as shown on Plan No. P200/4846 of Case No. 2555 be approved, subject to:

- (a) the proposal of any future development for Lot N being approved by City Council at the time of application;
- (b) Lot N gain its frontage and access from Columbus Street;

and that a public hearing be waived.

The motion was put and passed with Aldermen Stapells and Sullivan voting against.

Rezoning - Beechwood Park Subdivision - Blocks "A" and "B" from General Building Zone to R-4 Zone - Date for Hearing

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

1. The two lots owned by the Sisters of Charity, one being approximately 9 acres and the other being approximately 7 acres, which are contained within the area to be rezoned, remain as "G" General Building Zone, and that these may again be considered at some future date; and

2. a date be set for a Public Hearing to consider the rezoning of Block "A" and Block "B" from "G" General Building Zone to R-4 Residential Zone, as requested by Mr. J. D. MacIsaac, representing Beechwood Development Ltd.

Motion passed.

The City Clerk advised that he expected the Public Hearing will be held on June 8, 1972.

Application for Final Approval of Lots 86A and 86B -  
Withrod Drive

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the City Planning Committee, the application for final approval for Lots 86A and 86B, as shown on Plan No. P200/4801 of Case No. 2533, be approved. Motion passed.

Resubdivision of Lots 1 and 2 - W. F. McShane Subdivision -  
William's Lake Road

MOVED by Alderman Connolly, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the resubdivision of Lots 1 and 2 to create Lots A, B and C, as shown on Plan No. P200/4968 of Case No. 2538, be approved and a Public Hearing waived. Motion passed.

Resubdivision of Lands of Esther Boudreau into Lots 1 and  
2 - Carson Street

MOVED by Alderman Wentzell, seconded by Alderman Bell that, as recommended by the City Planning Committee, the application for resubdivision of lands owned by Esther Boudreau, Carson Street forming new Lots 1 and 2, as shown on Plan No. P200/4995 of Case No. 2612, be approved and a Public Hearing waived. Motion passed.

Subdivision of Lands of Beatrice Cross - Lot B-1, Green  
Acres Road

MOVED by Alderman Wentzell, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the subdivision of lands owned by Beatrice Cross to form Lot B-1, Green Acres Road, as shown on Plan No. P200/4998 of Case No. 2616, be approved. Motion passed.

Resubdivision of Lands owned by Mills Brothers Limited -  
Spring Garden Road and Birmingham Street

MOVED by Alderman Hogan, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application for resubdivision of properties known as Civic No. 5486 Spring Garden Road and Civic Nos. 1479-81 Birmingham Street to create Lot M, as shown on Plan No. P200/4997 of Case No. 2615, be approved and a Public Hearing waived. Motion passed.