

Hilden Heights Housing Project - Development Permit

The above matter was referred to Council without recommendation from the City Planning Committee in order to hear from a representative of the Public Service Commission and to permit the developer to comment on any additional staff reports which may be submitted pertaining to the project.

Two Staff Reports were submitted, one dated April 26, 1972 entitled "Water Supply" and the other dated April 27, 1972 entitled "Hilden Heights Project - Development Permit".

Council heard from Mr. J. D. Kline of the Public Service Commission who outlined the reasons of the Commission for not recommending agreement to the City to go ahead with the development. He pointed out that it is expected that the water consumption in Halifax will reach 16 Million gallons a day in 1972 which is coming very close to the 19 Million gallons a day available. He explained that although it is anticipated that the Project would use some 70,000 gallons per day, the Commission thought it prudent to not recommend approval of the Project.

Alderman Moir understood that Mr. Kline was in fact giving the Council a warning that any new developments must be given very careful consideration because the present water situation in the City is serious.

Reference was made to and copies distributed of a letter from the Director of Development to Mr. Kline the last sentence of which reads "Council decided that neither of these projects should be permitted to proceed". The letter related to Roy Street and Hilden Heights Projects. Members of Council were concerned by the fact that no decision had been made on the Hilden Heights Project at the time the letter was sent on January 31, 1972, the project under discussion at that time was Roy Street.

After considerable discussion, it was MOVED by Alderman Connolly, seconded by Alderman MacKeen that the Hilden Heights Housing Project be accepted, in principle, subject to a Public Hearing being held at the earliest possible time with respect to the rezoning required. Motion passed.

MOVED by Alderman Wentzell, seconded by Alderman Meagher that the Public Hearing be held in the J. L. Ilsley High School.

Some discussion took place with respect to the date of the Hearing and it was left to the City Clerk to arrange it as soon as possible.

The motion was then put and passed.

Barrington Street "Semi-Mall"

The report from the City Planning Committee reads as follows:

"It is recommended that the matter be sent to Council without a recommendation from the Committee, and by the time of the Council meeting, the Downtown Association supply Council members with a copy of their plans as to what is envisaged for the Mall; also that the Transit Corporation submit a report on alternate routing of buses and what the costs for the rerouting would be."

Alderman Connolly submitted and read the following:

The Project Planner for the Semi-Mall on Barrington Street in a recent letter published in one of Canada's finest newspapers suggests that I said or was reported to say "few, if any merchants on Barrington Street had decided to improve their own shops in the spirit of bringing back business to the area". I would like to go on record and state that I had limited my remarks to the area involved in the proposed Mall and had restricted my remarks to the past 10 years. In no way did I say, infer or wish to infer that the Downtown Merchants "are forever scheming to coerce the city to spend upon them the hard-earned tax dollars of all other citizens of the city".

This individual suggests that "over the past couple of years a number of downtown business premises have won Board of Trade plaques, awarded for outstanding improvement of their premises". I know of one shop in this area which has won an award, I shop there, but I question whether the award was for outstanding improvement of their premises. I would hope that I never become as parochial as to determine whether because one area pays more taxes than another they should receive more benefits than less fortunate areas.

It is suggested that parking is out-moded and I believe that to be so. However, the new shopping areas, Scotia Square, Halifax Shopping Centre and Bayers Road Shopping Centre realized this situation and at their own cost provide their own parking.

I would like to state that I am not opposed to a Mall concept nevertheless if it is to be a Mall, then I suggest it be a Mall without transit and vehicle traffic. If Council wishes a Mall then I would like to think that Council would only agree to one without traffic of any nature.

A Staff Report was submitted relating to the matter dated April 26, 1972 which outlined the estimated costs involved amounting to \$27,800.00.

The Acting City Manager advised that the costs associated with a Semi-Mall would be in the order of \$15,000.00.

Alderman Hogan expressed some annoyance at the way Staff seem to keep placing obstacles in the way of a Mall and could not understand why it would cost so much.

Alderman MacKeen pointed out that the costs would be hidden within the various Department budgets of the City and not noticeable at first glance.

After some discussion, it was MOVED by Alderman Moir, seconded by Alderman Stanbury that City Council approve, in principle, the Barrington Street Mall providing it does not cost the City anything and that if the Downtown Merchants wish to proceed with a semi-Mall with buses going through then they be given that right, but if any expenditures are required on the part of the City, then the matter return to Council for further consideration.

Alderman Moir spoke to his motion and said that he could see nothing wrong with the 1969 experimental Mall and that since there is usually a Policeman on duty at the corner of Sackville and Barrington Street at all times, there should be no costs involved.

Alderman MacKeen referred to the fact that the Acting City Manager has advised the cost of a semi-Mall would be in the vicinity of \$15,000.00 and he asked who is to pay for it. He cautioned Council about delegating the positions and duties of Policemen. He contended that the matter will be before Council again when the costs are established and Council will undoubtedly end up paying the bill.

After further discussion, it was MOVED by Alderman Meagher, seconded by Alderman Stanbury that Mr. Jack Dowell of the Downtown Business Association be heard. Motion lost.

Alderman Moir's motion was then put and passed with Alderman MacKeen voting against.

MOTIONS

Motion - Alderman Hogan Re: Introduction of Ordinance No. 155, Respecting the Establishment of a Pedestrian Mall on a Portion of Barrington Street - First Reading

MOVED by Alderman Hogan, seconded by Alderman Sullivan that Ordinance Number 155, respecting The Establishment of a Pedestrian Mall on a portion of Barrington Street, be read and passed a First Time.

The City Solicitor advised that an Ordinance is required to legalize a Mall on a portion of Barrington Street in the event that it is established.

The motion was then put and passed.

QUESTIONS

Question Alderman Hogan Re: Carson Street Housing

Alderman Hogan told of a visit he had paid to the Carson Street Housing Project and expressed his horror at the type of construction which has been allowed to proceed. He asked if there is anything that the City can do to stop this or to improve the appearance of the housing units.

The Acting City Manager advised that the construction meets the requirements of the National Building Code and has been approved under the fire regulations.

Question Alderman Moir Re: Information Circular - Canadian Federation of Mayors and Municipalities

Alderman Moir referred to his copy of an Information Circular from the Canadian Federation of Mayors and Municipalities relating to recommendations which will be considered at the forthcoming conference and asked that members of Council who will be attending follow with particular interest and give serious consideration to Recommendation No. 67 relating to property taxes and permitting municipalities direct access to other sources of revenue.

His Worship the Mayor said that the Alderman could be assured that it would be followed with great concern.

Question Alderman Stapells Re: City Beat

Alderman Stapells referred to his copy of the latest City Beat and asked if the new employee listed in the City Manager's Office is a replacement or a new position.

He was advised that the new employee has filled a vacant position.

Question Alderman Connolly Re: Job Classification and Advertisement

Alderman Connolly referred to a question he had asked at a previous meeting relating to a job classification and advertisement and he asked when he might receive an answer to his question.

His Worship the Mayor said that he would pursue the question further tomorrow.

Question Alderman MacKeen Re: Answers to Questions

Alderman MacKeen asked why the Alderman did not receive an answer to the question and he said that he would like to receive a copy of the answer too.

Mr. Olmstead, Administrative Assistant, said that a reply had been prepared as he had received a copy but Alderman Connolly's copy must have been lost in the mail.

It was agreed that the matter would be looked into immediately.

Question Alderman Sullivan Re: Old Car Bodies on City Property

Alderman Sullivan referred to some old car bodies that have been left on what he understands is City Property at the extreme north end of Robie Street. He asked that something be done about the situation as if the City expects other people to clean up their properties, the City must set an example.

NOTICES OF MOTION

No Notices of Motion were given at this time.

ADDED ITEMS

Tenders - Maintenance of Streets and Sidewalks - Contract #4 - 1972

A Tabulation of Tenders was submitted for the Maintenance of Streets and Sidewalks 1972.

MOVED by Alderman Stapells, seconded by Alderman Meagher that the lower tender of Standard Paving Maritime Limited be accepted in the amount of \$141,522.00 for the Maintenance of Streets and Sidewalks in the City of Halifax - Contract #4 - 1972. Motion passed.

Summer Youth Hostel

The following report was submitted from Staff:

"The Halifax Youth Communications Society in co-operation with the Youth Employment Service has received acceptance from the Board of School Commissioners for use of the gymnasium at the Tower Road Annex School as a Youth Hostel from June 30, 1972 to mid-August, 1972. They are seeking Federal Funds from the Secretary of State Department but the Federal Government requires the City's approval of the site as a Youth Hostel.

This location would appear to be suitable for this purpose. The gymnasium is large and has been approved for a capacity of 330 persons. The washroom facilities are adequate with five showers and toilets provided for each of the male and female groups.

It is anticipated that 150 persons will be accommodated per night with a maximum stay of three nights. A charge of \$0.50 per night will be charged to those who are capable of paying. The hostel will operate from 9 p.m. to 9 a.m. seven days per week with a minimum of three paid staff on duty at all times.

Members of the Youth Hostel Program also plan to offer an information and referral service, "Connection '72", for young people as an integrated part of the program. One of the main objectives of this service would be to provide guidance and counselling to these young people.

There are other groups also exploring the possibility of setting up supplementary hostels but these plans are not definite as yet.

We would recommend, therefore, that the Tower Road Annex School be approved for use as a youth hostel on the condition that the youth group receive the necessary funding."

MOVED by Alderman MacKeen, seconded by Alderman

Bell that the Staff Report be approved.

Alderman Meagher asked Staff to prepare a written report outlining the work and programme of the Halifax Youth Communications Society together with the names of those who will be responsible for the youth hostel project.

Alderman Moir said that he hoped the other groups who are exploring the possibility of setting up supplementary hostels manage to finalize their plans soon.

The motion was then put and passed.

Recommendation of the Board of School Commissioners

MOVED by Alderman Connolly, seconded by Alderman Stapells that City Council approve the recommendation from the Board of School Commissioners with respect to teachers' salaries.

In reply to a question, Alderman Connolly said he understood that members of Council had been informed of the Conciliation Report from Judge Green relating to the wage agreement over a two year period.

Alderman Hogan expressed some concern that the City should approve a 15% increase over two years which is contrary to the guidelines laid down by the Provincial Government and in the light of the remarks made by Hon. Peter Nicholson recently.

His Worship the Mayor felt that it was time the City made decisions according to its own policies and he felt fairly sure that the Province would accept its share of the responsibility.

Alderman Moir said that he shared Alderman Hogan's fears but agreed with His Worship the Mayor in that the City must make a stand particularly since the 15% increase is in accordance with the guidelines adopted by the Council earlier this year.

The motion was then put and passed.

10:57 p.m. Council adjourned.

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CITY COUNCIL

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WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

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

Council Chamber,
City Hall,
Halifax, N. S.
May 3, 1972
8:05 p.m.

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

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

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

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

The meeting was called in order to hold Public Hearings with respect to the following items:

1. To alter the eastern street line of Lower Water Street between Prince Street and Salter Street; to alter the western official street line of Lower Water Street from Salter Street to two hundred and fifty feet more or less northwardly; to alter the Western official Street line of Lower Water Street between Terminal Road and Morris Street.
2. Closing of Fawson Street from Hollis Street to Lower Water Street and the closure of Salter Street from Lower Water Street to Harbour.
3. Rezoning 2882 Gottingen Street from Park and Institutional Zone to C-2 General Business Zone.

After some discussion, it was agreed to combine the Public Hearings with respect to items 1 and 2 since they are to some degree related.

Public Hearings - to alter the eastern street line of Lower Water Street between Prince Street and Salter Street; to alter the western official street line of Lower Water Street from Salter Street to two hundred and fifty feet more or less northwardly; to alter the western official street line of Lower Water Street between Terminal Road and Morris Street.

Closing of Fawson Street from Hollis Street to Lower Water Street and the closure of Salter Street from Lower Water Street to Harbour.

Public Hearings were held at this time into the above matters.

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The City Clerk advised that the matters have been duly advertised and that one letter has been received from A. M. Smith and Company Limited objecting to the 70' Street Lines on Lower Water Street, one letter from M.I.L. Tug and Salvage Limited objecting to the closure of Salter Street and one letter from Mr. Fred J. Dickson on behalf of the Cornwallis Hotel Limited objecting to the closure of Fawson Street.

To alter the eastern street line of Lower Water Street
between Prince Street and Salter Street

At the request of Council, the City Engineer displayed a plan of Section 18G of the Official City Plan and explained why it is proposed to alter the street lines of Lower Water Street at this location to a 70' roadway width.

Upon invitation from the Chairman, Mr. Fletcher Smith, of A. M. Smith and Company Limited, addressed Council in opposition to the alteration of the street lines and in support of the letter submitted by his Company. (A copy of the letter referred to is filed with the Official Minutes of the meeting).

Mr. A. Ruffman addressed Council with a word of caution relating to the possible future development of the City. He felt that Council must be very careful about making decisions at this time which might negate the possibility of any future development of the waterfront. He also suggested that if the 70' street line is approved Council might find that whether it approves or not, Harbour Drive might indeed become a reality, effectively cutting off the waterfront area from the rest of the City. He spoke of his concern about the lack of public access to the water frontage. He agreed with Mr. Smith in that he could not see the necessity of altering the street lines to a 70' width when the City has not used the 60' lines laid down at present.

Mr. R. F. Harris, District Manager of Foundation Maritimes Limited addressed Council by saying that the Company's property is presently affected by the 60' street line laid down at present. He agreed with the other speakers that since the City has made no attempt to widen Lower Water Street to the 60' street line in the past number of years, he could see no reason why it is considered necessary to extend the street lines to a 70' width.

No other person wishing to speak on this particular matter, members of Council asked a few questions of the City Engineer for clarification.

Proposed Closure of Salter Street - Lower Water Street to
the Harbour

Mr. J. J. Kavanaugh, General Manager of M.I.L. Tug and Salvage Limited, addressed Council in opposition to the Closure of Salter Street and in support of a letter from Mr. A. G. Sullivan, President of the Company who had been

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May 3, 1972

unable by reason of his health to be present at this meeting.
(Copy of letter is filed with the Official Minutes of this meeting).

In reply to questions from members of Council, Mr. Kavanaugh said that although he could not speak for the President of the Company, he could see no real objection to the closure of Salter Street if the City was prepared to widen the present right-of-way and accept it as a part of the City street system, thus giving access from his Company's property to a City street.

Mr. A. Ruffman spoke of the need for public access to the water and he objected to the closure of this Street since it would eliminate one such access. He suggested that further investigation would be necessary into the possible closure since it was his understanding that there is some documentation indicating that this Street was to be held in Trust as access to a public wharf.

At this time, His Worship the Mayor advised that Mr. Ruffman is a member of a recently formed Water Access Committee composed of interested citizens and concerned with making available as much access as possible to the water and considering any future possibility of developing a public walkway along by the Harbour.

At the request of Council, the City Engineer displayed a plan of the area and explained the reasons for the proposed closure of this portion of Salter Street.

To alter the western official street line of Lower Water Street from Salter Street to two hundred and fifty feet more or less northwardly.

The City Engineer, with the aid of a plan displayed, explained the reasons for the proposed alteration of street lines in this area.

No person indicated a wish to speak on this matter.

To alter the western official street line of Lower Water Street between Terminal Road and Morris Street and Closing of Fawson Street from Hollis Street to Lower Water Street.

The City Engineer, at the request of Council, spoke of a proposed development on C.N.R. property lying to the south of Fawson Street of a parking garage and office building which would require the use of a considerable portion of Fawson Street to proceed. He indicated the area on a plan displayed.

Mr. E. A. LeBlanc, Secretary and General Counsel for the Nova Scotia Light and Power Co. Ltd. submitted a brief in opposition to the closure of Fawson Street and spoke to the following points:

1. It would eliminate a very valuable entrance and exit route to the Company's Thermal Generating Plant, especially important in times of fire or other emergency.
2. It would eliminate the Company's entrance to its oil storage tanks and other facilities.
3. It would prevent access to the Company's parking lot.
4. It would seriously jeopardize the Company's future expansion of its oil storage and other facilities.
5. It would reduce the value of Company property.

(Copy of the brief is filed with the Official Minutes of the meeting).

In reply to a question, Mr. LeBlanc said that the Plant generates approximately 50% of the electricity supplied in Nova Scotia.

Mr. Fred J. Dickson addressed Council on behalf of Cornwallis Hotel Ltd. in opposition to the closing of Fawson Street and elaborated on the points contained in a letter submitted. (Copy of the letter is filed with the Official Minutes of this meeting).

Mr. Dickson indicated the buildings at the rear of the Cornwallis Hotel to which the only access is from Fawson Street. He passed around photographs showing the property and the parking area with ingress and egress from Fawson Street.

During the general discussion which ensued, Mr. Dickson advised that upon consultation with his client he was advised that if Fawson Street is to be closed, his client would be interested in purchasing the portion of the street necessary to the satisfactory operation of the Hotel.

No other persons wishing to be heard against the matter, His Worship the Mayor called for persons to speak in favour.

Mr. Kirk MacCulloch spoke on behalf of the Company who wish to develop the property to the south of Fawson Street and he indicated that the development would not be able to proceed if a considerable portion of Fawson Street is not made available. He contended that in discussions he has had with Mr. Dickson and Mr. LeBlanc the compatibility of the new development with their respective operations has not been ruled out. He felt that some sort of solution to the difficulties might be achieved, although the upper portion of Fawson Street is more critical to the new development than the lower portion.

In reply to a question, Mr. MacCulloch advised that

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although plans have not been finalized, it is anticipated that the office building might reach 10 storeys in height. He stated that he was not convinced that a development to the height of 10 storeys infringes on anyone's rights.

No other persons indicating a wish to be heard, the matters were put before Council for a decision.

MOVED by Alderman Connolly, seconded by Alderman Sullivan that the proposals to alter the eastern street line of Lower Water Street between Prince Street and Salter Street; to alter the western official street line of Lower Water Street from Salter Street to two hundred and fifty feet more or less northwardly; and to alter the western official street line of Lower Water Street between Terminal Road and Morris Street be forwarded to City Council for a decision, without recommendation. Motion passed.

MOVED by Alderman Connolly, seconded by Alderman Bell that the matters of the closure of Fawson Street from Hollis Street to Lower Water Street and the closure of Salter Street from Lower Water Street to Harbour be forwarded to City Council for a decision, without recommendation. Motion passed.

Public Hearing Re: Rezoning 2882 Gottingen Street from Park and Institutional to C-2 General Business Zone

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 one letter of objection has been received from Mrs. Teresa Bishop, 5529 Macara Street.

No person indicated a wish to speak against the rezoning.

Mr. Ian McDermaid of the Children's Aid Society, present owners of the property, spoke in favour of the rezoning and outlined the position in which the Children's Aid Society found itself after purchasing the building for use as a joint Social Services Centre.

City Council heard from Staff with respect to the matter and Mr. D. Keefe explained that Staff has recommended refusal on the grounds that the rezoning would extend a commercial use into a predominantly residential neighbourhood. Staff felt that a more appropriate use of the land would be for apartment development.

Mr. Wilfred P. Moore, solicitor for the applicant, spoke to a brief submitted and distributed in favour of the rezoning. He outlined the purposes for which the rezoning is requested and also submitted a Petition signed by 75% of the property owners living in the notification area in agreement with the rezoning. He showed a sketch of the building proposed which he contended is much more pleasing than the present disused St. Joseph's Hall building.

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He pointed out that his client has personally called upon the Clergymen of two churches in the vicinity to explain the proposals and has received the verbal agreement of both. (A copy of the Brief submitted is filed with the Official Minutes of this meeting.)

After a short discussion and after ascertaining that no other persons wished to speak on the matter, it was MOVED by Alderman Moir, seconded by Alderman Sullivan that the matter of the rezoning of 2882 Gottingen Street from Park and Institutional Zone to C-2 General Business Zone be forwarded to City Council for a decision, without recommendation. Motion passed.

10:45 p.m. Council adjourned.

HEADLINES

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WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

A. M. SMITH & COMPANY, LIMITED

FOUNDED 1852

Telegraphic Address
"FISHMIT"

4(d)
ORIGINAL COPY

Smith Wharves
Halifax
CANADA

April 27, 1972

The Mayor and
Members of the Council
City of Halifax
Halifax, Nova Scotia

Gentlemen:

PROPOSED 70-FOOT STREET LINE - LOWER WATER STREET

We oppose the proposed extending of the official city street line from 60 feet to 70 feet on Lower Water Street from Salter Street to Prince Street because it is not necessary, and it is contrary to the City's best interest. About 10 years ago the City proposed this widening and gave as its reason a lead for a four lane Harbour Drive, two lanes in each direction.

At that time we opposed the extension from the 60 foot to the proposed 70 foot on two grounds: the first that traffic conditions could be cleared up by better enforcement of the "No Parking" regulations, thus allowing free movement of one lane going south and one lane going north. Considerable time has lapsed since then and traffic now moves freely along Lower Water Street because: (a) it is now a one-way street with two lanes moving north: (b) less truck traffic because the port traffic has shifted from package goods truck to piers to containerized cargo moving by rail: (c) industries formerly along Upper and Lower Water Street that used to generate traffic are now either non-existent or largely phased out through movement to Industrial Parks, etc. (d) there is less legal curbside parking.

Our second reason, at this time, for opposing the widening was there was no definite timetable for ultimately using the proposed width.

The present width of Lower Water Street at its narrowest point is only 20 feet plus sidewalks on either side. At the turn of the century, the City imposed a 60-foot official street line, this obstructed proposed commercial development that would have been to the City's advantage and yet, in the ensuing 60 years, the City never

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widened the street.

HARBOUR DRIVE At a public hearing in the City Council Chambers last year, the opinions expressed by the members of the Council, the staff, and the public appeared to unanimously oppose the extending of a wide artery of traffic separating the citizens and the downtown redevelopment from the Harbour. Examples of other cities that had made this mistake were cited. It was felt that the Harbour area should be integrated with the downtown redevelopment.

The Council at that time felt that the incoming Council should first determine the long-term policy of the City as to whether it should continue to allow future transportation to depend almost entirely on an ever increasing use of the automobile, or if more emphasis should be put on centralized development convenient for pedestrians; and rapid transportation to the main centres. This integration in the redevelopment area already is taking shape with the completion of the Court House, and with the pending plans to restore the historic area immediately to the north.

The consultants to the Metropolitan Planning Commission have recommended continuation of this integration of the east side of Lower Water Street by proposing hotels, apartment houses, marinas, etc., all of which would promote citizens and tourists access to the harbour.

The present proposal for chopping off another 10 feet might be just the critical amount that would discourage a developer from becoming interested in this central section of the waterfront. Can the City financially afford to restrict redevelopment in this area and thus lose potential large tax revenue?

It might be argued that the City is providing for the future traffic expansion by extending the official street line another 10 feet. The City already has more than enough space to allow for vast increase in traffic. The present 20 feet is already handling the north flow of traffic very conveniently. Should the City desire two-way traffic in this area, a third lane of 12 feet could be built and traffic lights could allow two lanes flowing in one direction for part of the day and the reverse during the rush hours in the other direction.

In the even more unlikely event that four lanes might be required, the present official street line of 60 feet is sufficient. A lane of traffic requires only 12 feet and if another 2 feet were allowed on the street for "comfort," it would only make a total of 50 feet. The narrow sidewalks

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in the area are now not congested so the total of the present 60 foot is most adequate for a 100% increase in traffic.

What is the prospect of the City adding one or two more lanes to Lower Water Street? Virtually nil. Historic commitments, the City finance, and the traffic needs are all against it.

The retention of the historic buildings on both sides of Water Street at the foot of Cogswell Street interchange would only permit two lanes. To develop a third lane or a fourth lane on the east side of Lower Water Street would not only involve the high cost of construction but would involve a prohibitive cost of expropriating the waterfront properties. It would not be a case of just taking the land at the City's assessed value per square foot. The taking of the extra footage will destroy the potential value of the entire property, as the land area east of Water Street on many places is very minimal, and the loss of 10 feet could be critical.

Financial pressures on the City are such that any substantial capital expenditures for unnecessary projects would not be likely in the foreseeable future. The City has not utilized the present 60-foot line in the past 70 years since its establishment. Is it likely to use an additional 10 feet in perhaps the next 70 years? Why then is it now proposed? I submit that it is only to "tidy up" a drawing. There is now a 70-foot street line on each end of Lower Water Street and it would make the plan look better if there was a uniform 70 feet throughout. But is the desirability of "tidying up" a drawing worth the potential loss of taxes, employment and redevelopment?

Respectfully submitted,

A. M. SMITH & CO., LTD.



FLETCHER S. SMITH

-mc

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M. I. L. TUG & SALVAGE LIMITED

P. O. BOX 337

HALIFAX, N. S.

TELEX: 014-422867

PHONE: (902) 423-7381

May 3, 1972.

His Worship Mayor Walter R. Fitzgerald
and Members of Council,
City of Halifax,
City Hall,
Halifax, N. S.

Your Worship:

PROPOSED CLOSURE OF SALTER STREET

The Company which I represent, M.I.L. Tug & Salvage Limited ("MILTUG"), wishes to object to the proposed closure of Salter Street.

MILTUG carries on a tug and salvage operation from premises located on the property outlined in green on the copy of the Plan attached to this letter. MILTUG purchased this property in 1968.

At present, MILTUG has access to its property through a right-of-way to the south of the building which it now leases from Construction Equipment Company Limited at 1549 Lower Water Street, (whose lands are outlined in blue on the attached Plan). However, MILTUG's sole City street access to its property is through the extension of Salter Street, outlined in red on the attached Plan.

I should also point out that when MILTUG purchased the property in 1968 from Construction Equipment Company Limited, City staff agreed with the subdivision of the Construction Equipment Company lands only because that portion of them which eventually were sold to MILTUG has access to Salter Street.

In 1969, we commissioned a local Architect to design a suitable office building to house our office staff. It was to be located on the South-East corner of the property (marked with a yellow X). Economics forced us to temporarily defer actual construction of this new building. However it is still our intention to some day put up these offices.

We would like to point out that our firm employs upwards of one hundred men with a Gross Payroll of \$960,000.00 in 1971. Our City of Halifax taxes for 1972, on this property, is \$18,576.00. These figures are put forth to further support our contention that as significant contributors to the economy of the City, we are more than justified in requesting that street access to our property remain intact.

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His Worship Mayor Walter R. Fitzgerald
and Members of Council,
City of Halifax,
May 3, 1972,
Page 2.

In our opinion, the closure of Salter Street will result in the restriction of our options with respect to the future development of our business.

I am enclosing a sufficient number of copies of this letter, and the attached Plan, for distribution to all members of Council and plan on having Mr. G. David N. Covert, of Stewart, MacKeen & Covert present at the meeting of Council scheduled for 8:00 P. M., 3 May, 1972 to respond to any questions which you or the members of Council might wish answered.

Yours very truly,
M.I.L. TUG & SALVAGE LIMITED

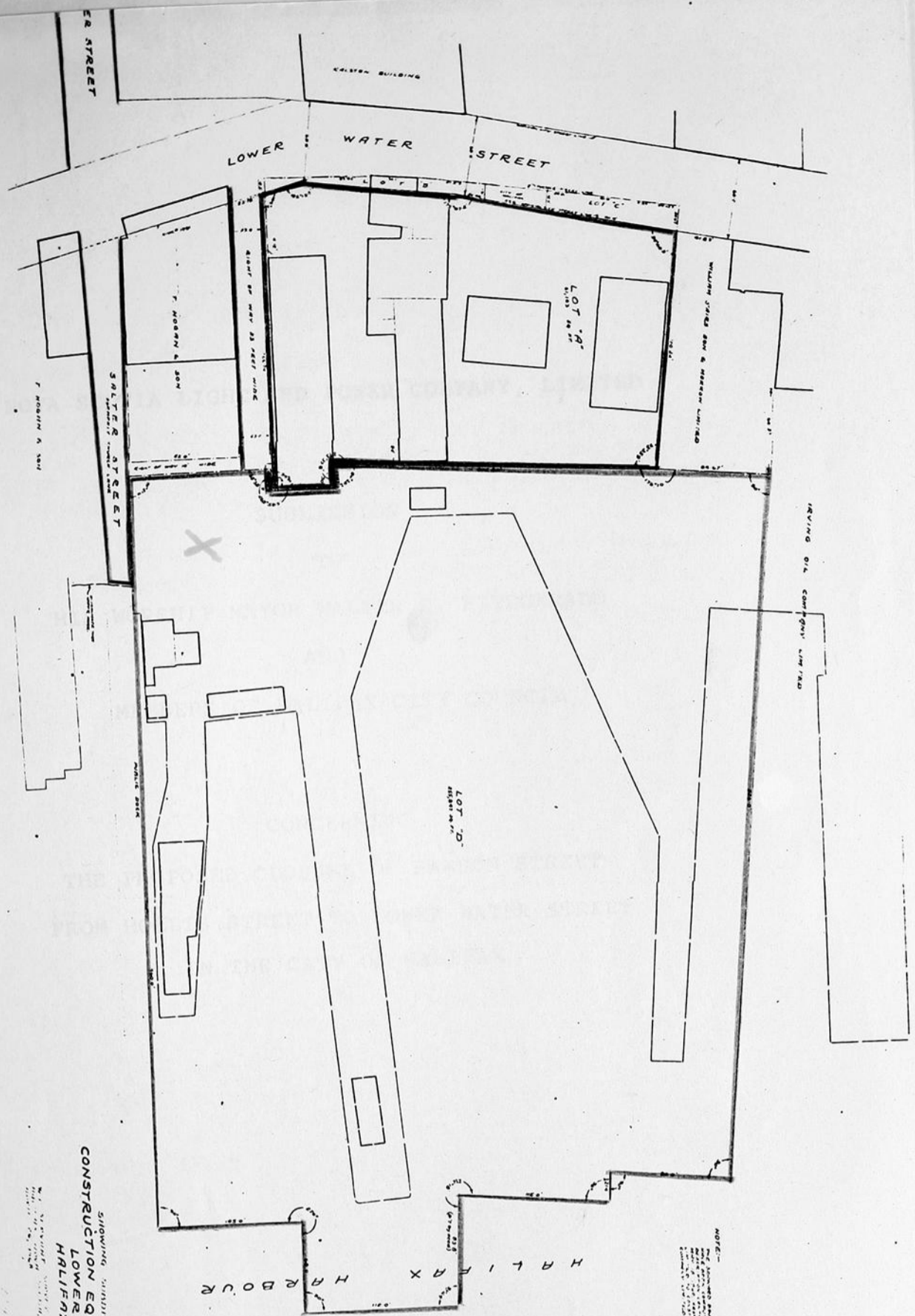


A. G. Sullivan
PRESIDENT

P. O. Box 337, Halifax, N. S.

AGS:cem
Encls.

cc: Minister of Municipal Affairs.



PLAN
 SHOWING SUBDIVISION OF PROPERTY OWNED BY
 CONSTRUCTION EQUIPMENT COMPANY LIMIT
 LOWER WATER STREET
 HALIFAX — NOVA SCOTIA

Approved:
 [Signature]
 Director, Halifax
 1917
 R. H. [Name]
 City Engineer

NOTE:
 THE [unclear]
 [unclear]
 [unclear]

NOVA SCOTIA LIGHT AND POWER COMPANY, LIMITED

The Company opposes the closure of Fawson Street
for the following reasons:

NOVA SCOTIA LIGHT AND POWER COMPANY, LIMITED

1. It would eliminate a very valuable entrance
and exit route to the Company's Thermal Generating
Plant, especially in the event of fire or
other emergency.

SUBMISSION

2. It would eliminate the Company's access to
its oil storage tanks.

TO

HIS WORSHIP MAYOR WALTER R. FITZGERALD

parking lot.

AND

3. It would reduce the amount of Company
future
facilities.

MEMBERS OF HALIFAX CITY COUNCIL

4. It would reduce the amount of Company
property.

CONCERNING

THE PROPOSED CLOSURE OF FAWSON STREET

FROM HOLLIS STREET TO LOWER WATER STREET

the foot of Fawson Street.

IN THE CITY OF HALIFAX

generating capacity of 120,000 kilowatts which is slightly
more than 30% of the Company's total capacity.

The Company also has a large lot of water
Street between Fawson and Hollis Streets. This area con-
tains three large oil storage tanks for a total capacity
of 60,000 barrels and a transformer storage pad.

NOVA SCOTIA LIGHT AND POWER COMPANY, LIMITED

The Company opposes the closure of Fawson Street for the following reasons:

1. It would eliminate a very valuable entrance and exit route to the Company's Thermal Generating Plant, especially important in times of fire or other emergency.
2. It would eliminate the Company's entrance to its oil storage tanks and other facilities.
3. It would prevent access to the Company's parking lot.
4. It would seriously jeopardize the Company's future expansion of its oil storage and other facilities.
5. It would reduce the value of Company property.

The Company's Thermal Generating Station, Located the foot of Fawson Street, consists of six units with a generating capacity of 169,700 kilowatts which is slightly more than 50% of the Company's total capability.

The Company also owns the land west of Water Street between Fawson and Morris Streets. This area contains three large oil storage tanks for a total capacity of 60,000 barrels and a transformer storage platform.

The whole area of the plant and oil storage is vital to the Company's present operations and future developments.

Further elaboration on the Company's objections to the closing of Fawson Street follows:-

1. Plant Security

The operation of the plant is essential and must be operating at all times. The importance of the plant comes into focus when you consider its importance during the last world war. Thomas H. Raddall in his book Halifax - Warden of the North, referred to "Nova Scotia Light and Power Company, whose plant and distribution system were the very nerves and sinews of the ports' defence". He went on to say - "even the Company's own tramcars were searched for explosives or incendiaries, and there were special precautions against fire."

Electricity is essential at all times but vitally so in times of emergency. Fawson Street provides free access both to and from the plant. This street should be maintained so that Company personnel, police and firemen can have this route available to them, should for any reason, Terminal Lane or Morris Street be cut off to traffic.

Water Street is a one way street for north bound traffic. Should the Morris and Water Streets intersection be blocked, traffic can be routed east on Fawson to Hollis Street. As it now exists, Fawson is a two way street, a definite asset in normal times and in particular in times of emergency. The Company takes every precaution to make certain that fires or explosions do not occur in the Plant, but nevertheless, the danger of an explosion in the high pressure boilers and equipment is always there. Evidence of this is the insurance

carried at the Plant because of this risk. The accessibility to the Plant for Company staff, firemen, police and ambulances, in our opinion, is sufficient by itself for the City to maintain Fawson Street.

2. Access to Oil Storage Tanks

The only entrance to the Company's oil storage tanks and transformer storage platform is through the gate on Fawson Street and there is no alternative entrance. Because of this and the contour of the land, no other entrance is feasible. This entrance is regularly used by the Company and it is the only entrance to the area should the tanks leak, spill oil or catch on fire.

3. Future Oil Storage Facilities

The Company may require additional oil storage facilities in the future and the logical place to erect such storage tanks would be close to Fawson Street on the south side of the property. These storage tanks require a free surrounding radius of 1/2 times diameter of the tanks. The newest tank is 64' in diameter, therefore, the required distance is 32'. This is the regulations according to the Standards of the National Fire Protection Association. Streets can be included to provide the necessary free area. In the case of new tanks, Fawson Street could be used to provide the necessary clearance.

4. Parking

The Company has a parking lot for approximately 40 vehicles abutting Fawson Street to the north. Fawson Street provides the only access to this parking lot. The lot is located between the Company's oil storage yard and the Cornwallis Hotel property.

This parking lot is the only place available for visitor parking and others who have business at the plant.

5. Future Harbour Drive

If the proposed Harbour Drive is constructed it is our understanding that the present Water Street will be widened. This could very well eliminate the present Company parking along Water Street, which presently provides parking for 40 vehicles. This parking is mostly for thermal plant operators who work on shift - the individual lots are provided with heater attachments because the operators must go in and out of the plant at all hours during the day and night. If this parking is eliminated because of Harbour Drive, then the logical next step would be to provide the same facilities on the Fawson Street parking lot.

Closing Fawson Street could cause traffic congestion on Lower Water Street because of the many vehicles including the necessary line trucks of the Company which would be congregating in the area. Fawson Street now relieves some of the congestion.

6. Future Circuits

At the present time the Company has a main 4 KV Primary Feeder along Fawson Street which serves the lower Barrington and South Street areas of the City. As conditions change and as greater loads are required to serve the City, it is probable that the Company will find it necessary to install even larger main feeders over or under Fawson Street. This is the logical

place for such a circuit or feeder because it is directly in front of the Plant - any other route may not be feasible and certainly would not be economical.

7. Value of Company Property

Closing of Fawson Street would without question reduce the value of the abutting Company property. It is obvious that property abutting a street has far more value than property with no such advantage. The property is essential to the Company's operations and, therefore, any consideration of its sale value is not pertinent, nevertheless, if Fawson Street were closed it would greatly reduce the market value of the property.

In view of the importance of Fawson Street to the Company, we urge that no action be taken with respect to its closure.

Respectfully submitted,

E. A. LeBlanc
E. A. LeBlanc, Q.C.,
Secretary and General Counsel.

May 3, 1972.

TO: City Manager, City Solicitor, City Engineer, Director of Works
and His Worship the Mayor

MEDJUCK & DICKSON

BARRISTERS AND SOLICITORS

PHONE 422-1444

P. O. BOX 1074, ONE SACKVILLE PLACE, HALIFAX, NOVA SCOTIA

RALPH M. MEDJUCK, LL.B.

FRED J. DICKSON, B.A., LL.B.

PETER F. SPENCER, B.A., LL.B.

April 26th, 1972

Mr. R. H. Stoddard,
City Clerk,
City of Halifax,
City Hall,
Halifax, Nova Scotia.

Dear Sir,

Re: Fawson Street Closure
Halifax City Charter,
Section 350

Our firm has been retained and instructed by the Cornwallis Hotel Limited, a body corporate with Head Office in the City of Halifax, to object to the closing of Fawson Street, being a public street leading from Hollis Street eastwardly to Water Street in the City of Halifax, and we respectfully request that this letter of objection to the closure be accepted and read at the Public Hearing to be held by the Halifax City Council on May 3rd, 1972 in this matter.

The Cornwallis Hotel Limited owns and operates a hotel located at 1247 Hollis Street and the southern boundary of the Cornwallis Hotel property abuts Fawson Street.

As the City is aware, an abutting land owner, in this case the Cornwallis Hotel Limited, has the common law right of using a public street, Fawson Street, to gain access to its property, and furthermore the Cornwallis Hotel Limited does in fact use Fawson Street as a means of ingress and egress to the rear of the Hotel building and other buildings located on the site.

City Manager

Mr. J. Freese
Minister of Municipal Affairs
Aldermen, City of Halifax