

Council,
June 15, 1972

For - Aldermen Bell, Meagher, Sullivan,
and Wentzell 4

Against- Aldermen Connolly, Hogan, and
Stanbury 3

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

MOVED by Alderman Meagher, seconded by Alderman Wentzell that the formal resolution, as submitted, be approved. Motion passed, Aldermen MacKeen and Stapells abstaining.

REZONING OF LAND OWNED BY MR. ARNOLD LEVICK ON SPENCER AVENUE FROM R-2, RESIDENTIAL ZONE TO R-4, RESIDENTIAL ZONE

A Public Hearing was held on June 8th, 1972 into the subject matter.

MOVED by Alderman Wentzell, seconded by Alderman Stanbury that the application for the rezoning of lands owned by Mr. Arnold Levick - Spencer Avenue, from R-2 Residential to R-4 Residential, as shown on Plan Nos. P200/5014, P200/5040 and P200/5045 be refused. Motion passed with Alderman Sullivan against, and Aldermen MacKeen and Stapells abstaining, not having attended the Public Hearing.

ALTERING OFFICIAL STREET LINES - LOWER WATER STREET, WEST AND MAYNARD STREETS, AND SOUTH PARK STREET AND VICTORIA ROAD

A Public Hearing was held on June 8th, 1972 into the subject matter.

MOVED by Alderman Connolly, seconded by Alderman Bell that approval be given to the following:

1. To relocate the official street lines at the southwest corner of South Park Street and Victoria Road, as shown on Section 19-G of the Official City Plan;
2. To relocate the official street lines at the southwestern corner of West Street and Maynard Street, as shown on Section 12-I of the Official City Plan;
3. To relocate the official street lines at the northwestern corner of West Street and Maynard Street, as shown on Section 12-I of the Official City Plan;
4. To relocate the official street line on the eastern side of Upper Water Street between the northern boundary of the Court House site and the southern boundary of the Central Victualling Depot Property, as shown on Section 18-H of the Official City Plan.

Motion passed, with Aldermen MacKeen and Stapells abstaining, not having attended the Public Hearing.

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, with Aldermen MacKeen and Stapells abstaining.

REZONING OF LAND - HILDEN HEIGHTS PROJECT - FROM R-2, TWO-FAMILY ZONE TO R-4, GENERAL RESIDENTIAL ZONE

A Public Hearing was held into the subject rezoning on June 1, 1972.

Alderman Wentzell summarized the reasons for residents of the area objecting to the rezoning, and MOVED, seconded by Alderman Stanbury that the rezoning of the Hilden Heights Project as shown on Plan No. TT-16-19758, from R-2, Two-Family Zone, to R-4, General Residential Zone, be refused.

Alderman Wentzell felt that the problems outlined at the Public Hearing should be resolved before such a rezoning takes place.

Alderman Connolly felt that such problems were part of any metropolitan area, and if Halifax wished to grow it would have to learn to live with them. Furthermore, he said, any additional burden to already existing problems would necessitate a quicker solution to them. In addition to a loss of tax revenue, the loss of 180 to 190 first class living accommodation of a type badly needed in the City was involved.

After further discussion the motion was put and lost, three voting for the same and four against it as follows, Aldermen MacKeen and Sullivan abstaining, not having attended the Public Hearing:

- For - Aldermen Meagher, Stanbury, Wentzell... 3
- Against - Aldermen Bell, Connolly, Hogan, and Stapells 4

MOVED by Alderman Connolly, seconded by Alderman Hogan that the rezoning of the Hilden Heights Project from R-2, Two-Family Zone to R-4, General Residential Zone, as shown on Plan No. TT-16-19758, be approved. Motion passed, Aldermen Meagher, Stanbury, and Wentzell against, and Aldermen MacKeen and Sullivan abstaining, not having been present at the Public Hearing.

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

MOVED by Alderman Hogan, seconded by Aldermen Bell that the formal resolution, as submitted, be approved. Motion passed, Aldermen Meagher, Stanbury, and Wentzell against.

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PUBLIC HEARINGS & HEARINGS

Hearing of an Appeal against Development Officer's Decision re
Case No. 2679, Civic No. 3264 Union Street

A staff report dated June 14, 1972 was submitted which recommended that Council confirm the decision of the Development Officer in refusing a modification of the front yard requirement, in order that a garage could be built at the front of an existing single-family dwelling at 3264 Union Street.

Alderman Sullivan said that the applicant's problem was brought about by the placing of a "No Parking" sign in front of his home, and that what he wanted was to create a space in front of his property for his automobile. He felt that there were extenuating circumstances which merited the application being granted.

The City Manager pointed out that it was a request to build a garage which involved issuance of a building permit, and not a request just to make a paved parking area on his lawn.

Mr. Boyd Algee commented on the hazards in a garage being so close to the street line, since there would be limited vision of oncoming cars or pedestrians until the motorist had pulled right out of the garage.

Alderman Sullivan argued that the layout of the land on the street created special problems and that there were similar cases to the one under discussion, and to his knowledge they had never been the cause of accidents.

After a short discussion it was MOVED by Alderman Sullivan, seconded by Alderman Meagher, that the appeal against the Development Officer's decision regarding a modification of the front yard requirement at No. 3264 Union Street be granted and the applicant permitted to build a garage as requested. Motion lost, Aldermen Bell, Connolly, Hogan, MacKeen, Stanbury, Stapells, and Wentzell against.

MOVED by Alderman Sullivan, seconded by Alderman Connolly, that the owner of 3264 Union Street be permitted to make a parking space in front of his property in the area where he intended to build a garage. Motion passed.

PETITIONS AND DELEGATIONS

Petition - Residents - Glebe Street re Disagreement new Pavement Charges

A petition was submitted containing 37 signatures of residents of Glebe Street, disagreeing to the project approved by City Council concerning new asphalt paving installation for their street, since they felt it was both expensive and unnecessary.

Alderman Sullivan said that the costs for the residents in the form of local improvement charges ranged from \$500 to \$1400, and it was just too much money for most of them to come up with. He felt it was particularly unfair since the traffic on the street was not local but consisted of transit and traffic engendered by the Bridge.

Alderman Sullivan moved that the paving not be proceeded with but there was no seconder to his motion.

The City Manager asked for an opportunity to report back on the matter, since he felt Council should know the reasons it was put on the list and its priority.

MOVED by Alderman Hogan, seconded by Alderman Sullivan that the matter be referred to staff for a report, and that in the meantime no paving be done of the street. Motion passed.

Petition - Residents of Margate Drive; Re: Margate Drive extended through, leading to Cowie Hill Park

A petition containing 24 signatures was submitted requesting that Margate Drive be connected to Cowie Hill Road now under construction.

An Information reported dated June 15, 1972 submitted by staff stating that "this work forms a part of the agreement signed by Centennial Properties Limited, the developers of the Cowie Hill Project, and the City, and therefore, no further action is required by Council or staff".

Petition - Residents of Saskatoon Drive for the Rezoning of Saskatoon Avenue from R-4 Residential to R-2 Residential

A petition containing the signatures of thirty-three property owners of Saskatoon Drive, Kearney Lake, was submitted requesting the rezoning of Saskatoon Drive from R-4 Residential to R-2 Residential to conform with previous rezoning to R-2 of opposite Lakeshore properties on Kearney Lake Road.

MOVED by Alderman Hogan, seconded by Alderman Stapells that the petition be referred to staff for necessary action and a Public Hearing if required. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee with respect to the following matters from its meeting held on June 8, 1972:

Lease - Maitland Street Parking Lot

MOVED by Alderman Hogan, seconded by

Alderman Sullivan that, as recommended by the Finance and Executive Committee, the lease agreement for a further term of ten years, which has been provided by Central Mortgage and Housing Corporation for the land comprising the Maitland Street Parking lot, be approved, and that His Worship the Mayor and the City Clerk be authorized to execute same on behalf of the City of Halifax. Motion passed.

Possible Acquisition - 2263 Barrington Street, 2271-75 Barrington Street; 5185 Gray Street

MOVED by Alderman MacKeen, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the properties of Mr. Elkanah Rafuse, represented by Mr. J.P. Rafuse, Q.C., Suite 910, 5161 George Street, Halifax, known as Civic No. 2263 Barrington Street, Civic Nos. 2271-75 Barrington Street and Civic No. 5185 Gray Street, required to permit construction of Phase II of Harbour Drive and more particularly, the temporary diversion of a section of Barrington Street, be purchased by the City for \$72,300 as settlement in full for all claims; funds to be made available from the Sale of Land Account (Account No. 850-726). Motion passed, Aldermen Meagher, Stanbury, Sullivan and Connolly against.

Possible Acquisition - 2259 Barrington Street

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the property of Mr. and Mrs. Thompson, represented by Mr. S.D. Bryson, Suite 702, 1645 Granville Street, Halifax, known as Civic No. 2259 Barrington Street, required to permit the construction of Phase II of Harbour Drive and more particularly, the temporary diversion of a section of Barrington Street, be purchased by the City for \$10,500 as settlement in full for all claims; funds to be made available from Account No. 850-726. Motion passed, Aldermen Meagher, Stanbury, Sullivan and Connolly against.

Possible Acquisition - Lot 37B - Withrod Drive, Kline Heights

MOVED by Alderman Stapells, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, the City of Halifax purchase the land designated as Lot #37-B on Plan No. TT-14-18960 and containing 129 square feet, required for the purpose of the installation of utilities and the establishment of a 50' right-of-way on Withrod Drive, and that the owners of the property, Rockcliffe Heights Land Company, be paid the sum of \$52.25 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 - Lot 90(B) - Marriott Street, Kline Heights

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the land designated as Lot #90-B on Plan No. TT-14-19135 and containing 374 square feet, required for the purpose of the

installation of utilities and the establishment of a 40' right-of-way on Marriott Street, be purchased by the City of Halifax and that the owners, Rockcliffe Heights Land Company, be paid the sum of \$113.50 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 - 32 Idlwyld Road, Kline Heights (Part Taking)

MOVED by Alderman Stapells, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, the City of Halifax purchase the land designated as Lot #132-B on Plan No. TT-15-19464 and containing 145 square feet, required for the purpose of the installation of utilities and the establishment of a 30' right-of-way on Idlwyld Road, and that the owner of the property, Mr. Joseph L. Lanigan, be paid the sum of \$156.25 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 - Lot 185B Mountain Road, Kline Heights (Part Taking)

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the property designated as Lot #185-B on Plan No. TT-16-19575 and containing 158 square feet, required for the purpose of the installation of utilities and the establishment of a 40' right-of-way on Mountain Road, be purchased by the City of Halifax and that the owners, Rockcliffe Heights Land Company, be paid the sum of \$59.50 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 - 45 Mountain Road, Kline Heights (Part Taking)

MOVED by Alderman Stapells, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, the City of Halifax purchase the land designated as Lot #178-B on Plan No. TT-16-19567 and containing 136 square feet, required for the purpose of the installation of utilities and the establishment of a 40' right-of-way on Mountain Road, and that the owners of the property, Eric A. and Gisele M. Brown, be paid the sum of \$54.00 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 - 53 Mountain Road, Kline Heights (Part Taking)

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the land designated as Lot #182-B on Plan No. TT-16-19571 and containing 239 square feet, required for the purpose of the installation of utilities and the establishment of a 40' wide right-of-way on Mountain Road, be purchased by the City of

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Halifax and that the owner, Mr. Harold B. Gardiner, be paid the sum of \$104.75 as compensation in full for all claims arising from this acquisition; funds to be made available from Account No. 54-33. Motion passed.

Application - Auctioneer's Licence - Mr. L. Provencal

MOVED by Alderman Hogan, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, in accordance with Sections 3 and 5 of Ordinance No. 146, the application of Mr. Lucien P. Provencal for an Auctioneer's Licence for the year 1972 be approved and the fee of \$150.00 paid. Motion passed.

Release of Covenants - Lands of Children's Hospital

This matter came without recommendation from the Committee.

MOVED by Alderman Hogan, seconded by Alderman Connolly, that the request of the Izaak Walton Killam Hospital for Children that the City waive its rights in the land upon which the new Children's Hospital is constructed and grant a restricted form of Release which would permit the mortgagee, in the event of default of payment by the Hospital, to sell the land for any purpose, not be granted.

Mr. John MacFarlane, Solicitor for the Hospital, addressed the Council, explaining the need of this action by the City if the Hospital was to arrange the necessary financing. He suggested that there was little possibility that the hospital would default in its mortgage payment so that the matter of the land actually being used for other purposes would never arise.

MOVED by Alderman MacKeen, seconded by Alderman Hogan, that the matter be referred to the next meeting of the Committee of the Whole, and that the Solicitor for the Hospital be notified of the date and time of the meeting. Motion passed.

Tender - Fibre Glass Panels & Operating Louvers - Halifax Incinerator

MOVED by Alderman Bell, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the bid of G.M. Kidston Glass Company Ltd. in the amount of \$8,250.00, being the only bid received, be accepted for the supply and installation of Fibre Glass Panels and Operating Louvers at the Halifax Incinerator. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 8, 1972 with respect to the following matters:

Encroachment License - "The Herring Choker"

MOVED by Alderman Connolly, seconded by

Alderman Meagher that, as recommended by the Committee on Works, a proposal to use City land (street allowance) beneath the Cogswell Street elevated leg of the Cogswell Street Interchange for the construction of improvements to make it suitable for use as a licensed restaurant and lounge on a semi-permanent basis, be approved.

His Worship the Mayor said that the City Solicitor was requesting the matter be deferred in order that he might do some research in connection with a letter he had received on the subject.

MOVED by Alderman Hogan, seconded by Alderman MacKeen that the matter be referred to the next meeting of the Committee of the Whole. Motion passed.

Tender - Pavement Marking Unit (Centerlines)

MOVED by Alderman Hogan, seconded by Alderman Stapells that, as recommended by the Committee on Works, the City accept the tender submission of Kelly-Creswell Company for a Model WV-50 Mini-liner (centerline pavement marking unit) at a price of \$7,625.00 plus an additional \$300.00 for training an operator. Motion passed.

Petition - Clearview Subdivision - Playgrounds

This matter was sent to Council by the Committee without a recommendation in order that the staff recommendation could be discussed with the residents of the area prior to a decision being made.

Alderman Wentzell said he had talked with people in the area and they did not think that the staff recommendation of moving the site of the playground from "A" to "B" was any solution to the problem.

MOVED by Alderman Wentzell, seconded by Alderman Stanbury that the matter be referred back to the Committee on Works for a report from staff regarding the cost of changing the Clearview Playground Tot-lot from Area "A" to Area "B" as outlined in the staff report dated June 7, 1972. Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Development Historic Buildings - Streetscapes, etc.
Downtown Area

MOVED by Alderman Hogan, seconded by Alderman Connolly that, as recommended by the Committee of the Whole Council, the Legal Department, Development Department and the Planning Department along with the Landmarks Commission prepare a presentation to City Council which will indicate the problems related to and solutions available for the development of the Downtown area as it relates to the historic buildings, vista, and the ability of the city to control its destiny within the Downtown Area.

The City Manager said that although he was not at the meeting when this recommendation was put forward, he hoped that it was not the intention to preclude him from discussions with respect to the presentation.

The motion was then put and passed.

Motion passed REPORT - CITY PLANNING COMMITTEE

Final Modification of the Height Setback - Hotel at the Willow Tree
Resubdivision - Lot R - Lands of the Royal Inns at the Willow Tree Ltd.

It was agreed that the above items be discussed together.

A Staff Report was submitted dated June 14, 1972 and entitled "Staff Report - Hotel Proposal for the Royal Inns at the Willow Tree Ltd.

The report clarified some of the points raised at the recent meeting of the City Planning Committee and concluded with the following paragraph:

"We are prepared to recommend that the resubdivision application and modification of the height setback requirement should be approved at this time, as the changes made in the Hotel development are not significantly greater than had been previously approved."

Alderman Connolly noted that some work has begun on the Willow Tree site and he questioned whether the hotel developers are "jumping the gun" on this matter. He also asked whether the Central Business District has been extended to include this area at the Willow Tree.

At this time, Council agreed to hear from Mr. Ronald Pugsley, Solicitor for the applicant.

Mr. Pugsley addressed Council and explained the reasons why certain aspects of the plans have been changed. He did not agree that the changes could be referred to as drastic. He urged Council approval of the application so that the hotel project could proceed.

Alderman Connolly was concerned that the approval of Council was given to one set of plans and now changes have been made which, in his view, constitutes a new "ball game".

Alderman Stanbury was of the opinion that the application should be approved since the change relates only to the location of the swimming pool.

After some discussion with respect to the access and exit points of the parking area, it was MOVED by Alderman Meagher, seconded by Alderman Sullivan that:

1. the modification of the height setback requirement which will permit a minimal height increase to the Hotel at the Willow Tree, as shown in Case No. 2599, be approved;
2. a resubdivision of the entire lands owned by Royal Inns at the Willow Tree Ltd., as shown on Plan No. P200/5196, be approved.

Motion passed with Aldermen Connolly and Bell voting against.

Amendment to Peninsula By-law - C-4 Professional Zone -
Date for Hearing

MOVED by Alderman Sullivan, seconded by Alderman Meagher that a date be set for a public hearing into the amendment of Part X, C-4 Zone, Professional Zone of the Zoning By-law to permit a combination office and apartment building in this zone. Motion passed.

The Acting City Clerk advised that the Public Hearing is expected to be held on July 5, 1972.

Rezoning Lot "A", Windsor & Seaforth Streets - From R-3 Residential Zone to C-2 General Business Zone

The report of the Committee reads as follows:

"It is recommended that the rezoning of Lot "A" Windsor Street from R-3 Residential to C-2 General Business, as shown on Plans No. P200/5194 and P200/5195 of Case No. 2683, be refused."

At this time, it was MOVED by Alderman Connolly, seconded by Alderman Wentzell that the solicitor for the applicant be permitted to speak. Motion passed.

Mr. W. MacInnes, solicitor for Snow and Company, addressed Council and outlined the history of the Company. He urged favourable consideration of the rezoning of this vacant and at present unsightly piece of land.

MOVED by Alderman Hogan, seconded by Alderman Connolly that a date be set for a public hearing into the matter.

Alderman Meagher spoke at some length on the matter and pointed out that on a previous occasion when a rezoning was put forward for this land, there was such a reaction from residents from the surrounding area that the rezoning was refused. He contended that there would be a similar reaction to this application and he suggested that Council should concur with the recommendation of Staff.

Alderman Connolly felt that the previous application to rezone which was for the construction of a supermarket is a somewhat different type of business to that of a Funeral Home. He could not understand the residents objecting to this type of use, especially in view of the ugly appearance of the area at present.

The City Manager explained briefly the views of Staff that commercial uses should not be permitted to intrude into residential areas. He agreed that this type of use is very different to that proposed some time ago but he pointed out that it is still a great generator of traffic.

Alderman Connolly contended that the City of Halifax is one of the few cities in Canada which does not permit Funeral Homes in residential zones.

After further discussion, the motion was put and passed with Alderman Meagher voting against and Alderman Stapells abstaining.

Alderman Meagher asked that the people in the area be notified as soon as possible of the public hearing in case the July 1st holiday week-end should hold up the mail.

The Acting City Clerk advised that the Public Hearing is expected to be held on July 5, 1972.

Development Plan - Preservation of Landmarks - Downtown
Halifax

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

1. a development plan be prepared comprising the area Barrington Street from George Street to the Cogswell Street Interchange; from the Interchange to Lower Water Street; Lower Water Street (west side) to George Street; and thence to Barrington Street;
2. the issuance of Building or Development Permits be withheld for a period of six months except -
 - (A) permits for interior work involving minor alterations or restoration; and

- (B) exterior permits involving safety, preservation of the building and protecting it against the elements.

Alderman Meagher questioned whether the 6 months could be reduced to 3 months.

The City Manager said that the development plan will be prepared as quickly as possible and that every effort will be made to expedite the work, but he pointed out that discussions will be necessary with a great many people in the formulation of such a plan.

Alderman Meagher asked if an interim report could be submitted at the end of 3 months to advise Council how the work is proceeding.

The City Manager said this could be done.

Alderman Connolly said that there are a number of people present who wish to speak on this item and he suggested that they be heard.

Council agreed to hear those who wish to speak on the matter.

Mr. L. A. Kitz addressed Council on behalf of Halifax Developments Ltd. who own a large proportion of the Duke, Barrington, Buckingham and Granville Streets block. He told of discussions which have taken place with a major tenant for the block being the Bank of Nova Scotia and said that a six month moratorium could well kill these plans. He spoke of the amount of revenue that would accrue to the City if the building is constructed in taxes. He said that the Bank of Nova Scotia Building could be constructed at the south end of the block without any further acquisition by the Company. He requested Council to seriously consider the exclusion of this block from the freeze area to permit the proposed development to proceed.

Members of Council then asked several questions of Mr. Kitz with respect to the proposed building and he reiterated that any moratorium placed on development would effectively kill the development and that the Bank is not interested in locating in any other area other than that proposed.

Mr. Gordon Cooper addressed the Council on behalf of the Nova Scotia College of Art and Design and displayed a plan of the block referred to by Mr. Kitz showing the properties owned by the College of Art and those which are still privately owned. He spoke of the great amount of work done by his client in an attempt to relocate the Campus to the area of the Historic Buildings and felt that it is necessary to prepare a Development Plan for this section of the City, so that any future development blends with and preserves this most historic area. He contended that a Bank building such is proposed by Halifax Developments could not be constructed at the south end of the block

without further acquisition of property by the Company.

At this time, Mr. Kitz said that the fact is that Halifax Developments could indeed construct such a building on land that is presently owned by the Company building around properties which they do not own.

Mr. L. W. Collins, Chairman of the Landmarks Commission spoke on the matter and urged Council to approve the motion. He spoke of the necessity of preserving the whole section rather than the Water Street area alone which would destroy the whole concept of preservation.

Mr. Ralph Medjuck addressed Council with respect to the block Duke, Barrington, Granville and George Streets which he could not understand being included in the motion. He spoke of plans for development of that block and questioned whether it is necessary for him to cease planning for at least a six month period. He suggested that Council delete this particular block from the area covered by the motion so that he could proceed but failing that, that any developments which are underway and ready for presentation during the moratorium period could be submitted to Council and considered on their merits. Again he said that he could not understand how this particular block was included in the area. In reply to a question, Mr. Medjuck said that he did not think that the moratorium would actually kill the development but would defer it for some considerable time.

Mr. Petley-Jones, President of the Heritage Trust spoke in favour of the moratorium and urged Council approval. He said that the Heritage Trust is most concerned that this historic area should be properly preserved and rehabilitated and that the Trust would like to see Brunswick Street included in any development plan prepared.

Alderman Connolly was disturbed by the fact that representations might be made to preserve every building in the City which might be considered to have historical or architectural merit and this might effectively stop any development at all. He said that it must be realized that all such buildings cannot be preserved.

Alderman MacKeen said that one cannot help but agree with the remarks of Alderman Connolly, but he felt that this is a unique situation and he contended that a six month freeze should not make a great deal of difference to future development in the area. He felt that this opportunity must be taken to preserve the historical character of the area in question.

Alderman Sullivan was concerned about the City of Halifax losing tremendous amounts of tax revenue if these proposed buildings are not permitted to proceed. He listed the amounts paid in taxes by the Royal Bank Building and the Bank of Montreal building and suggested that a Bank of Nova Scotia building would pay a similar amount of taxes. He said that the people of this City cannot afford to pay more taxes and every effort must be made to reduce

taxes or to at least hold the line.

At this time, Alderman Connolly, pointed out, on the map displayed, an area of land which could be used for the construction of a building as proposed by Halifax Developments Ltd.

The motion was then put and passed, six voting for the same and three against it as follows:

For: Aldermen Bell, Connolly, Hogan, MacKeen,
Stapells and Wentzell 6

Against: Aldermen Meagher, Stanbury and Sullivan 3

MOTIONS

Development Permit - Hilden Heights

Alderman Connolly wondered, at this time, if a motion is in order with respect to the issuance of a Development Permit for the Hilden Heights project. He said that the developers are required to proceed immediately with footings to obtain the necessary funds from Central Mortgage and Housing Corporation.

The Director of Development advised that the rezoning approved by Council relates to the fundamental use of the land only and he was not at all sure that the plans for construction meet all the Zoning By-law requirements of an R-4 Zone.

The City Solicitor said that there is nothing to stop the developers from applying for excavation permits to permit them to proceed, at their own risk.

The City Manager said that the developer can apply for excavation and development permits just as long as the construction project complies with all the requirements of the R-4 Zone. He said that a Development Permit will be required only if the development does not conform with all the requirements of the R-4 Zone and it would have to be negotiated and brought back to Council for formal approval.

MISCELLANEOUS BUSINESS

Agreement - City of Halifax and Central Mortgage and Housing Corporation re Harbour Interceptor Sewer

A report was submitted from Staff relating to the above matter.

MOVED by Alderman Meagher, seconded by Alderman Bell that in view of the fact that all of the conditions set forth in the original Council decision have been met, an award of tender be made to Beaver Maritime Ltd in the amount of \$4,690,283, and that authority be granted for His Worship the Mayor and the City Clerk to execute the agreement dated December 13, 1971 between Central Mortgage

and Housing Corporation and the City relative to the financing of the Harbour Interceptor Sewer. Motion passed.

Appointments to Halifax-Dartmouth Port Commission

His Worship the Mayor nominated the following persons for appointment to the Halifax-Dartmouth Port Commission:

1. Mr. Kenneth R. Schnare
President, Halifax Local of the ILA
2. Mr. G. E. Simmons,
Manager, Saguenay Shipping Limited and
Chairman of the Halifax Authority set up by
the National Harbours Board
3. Mr. Charles R. Baxter, Jr.
President, Baxter Equipment Ltd.

MOVED by Alderman Sullivan, seconded by Alderman Connolly that the persons nominated by His Worship the Mayor be appointed to the Halifax-Dartmouth Port Commission to serve at the pleasure of Council. Motion passed.

Annual Report - Halifax-Dartmouth Bridge Commission - 1971

MOVED by Alderman Hogan, seconded by Alderman Connolly that the Annual Report of the Halifax-Dartmouth Bridge Commission for the year 1971, as submitted, be received and tabled. Motion passed.

July 1 Holiday

Reports were submitted from His Worship the Mayor and the City Manager relating to the above matter.

Some discussion took place with respect to the effect on the closing of shops if Monday, July 3 is declared a Civic Holiday.

The City Solicitor said that he would require to study further the Bills of Exchange Act but he felt that if July 3 was declared a Civic Holiday shops would be required to close July 1st and July 3rd.

Alderman Meagher asked the City Solicitor to check the matter further to see whether it would be possible to have the shops close only on July 3rd and he referred to a submission made on the matter by the Halifax Board of Trade.

After further discussion, it was MOVED by Alderman MacKeen, seconded by Alderman Stapells that Monday, July 3rd, 1972 be declared a holiday for civic employees. Motion passed.

It was agreed to place the matter on the Order of

Business for the next meeting of the Finance and Executive Committee when the possibility of declaring July 3rd a Civic Holiday will be considered, after hearing a report from the City Solicitor.

Amendment - Administrative Order #6 - "Grants" - First Reading

MOVED by Alderman Sullivan, seconded by Alderman Bell that the Amendments to Administrative Order No. 6, as submitted, be read and passed a First Time.

MOVED in Amendment by Alderman Connolly, seconded by Alderman Hogan that the grants to the Canadian Rehabilitation Centre for the Disabled in the amount of \$850.83 and to New Leaf Enterprises in the amount of \$1,019.92 be included in the amendment.

The Amendment was put and passed.

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

1972 Annual Report - City Assessor's Department

MOVED by Alderman Hogan, seconded by Alderman Bell that the 1972 Annual Report - City Assessor's Department, as submitted, be received and tabled. Motion passed.

Revocation of Capital Borrowing Authorizations

A report was submitted from Staff relating to the above matter.

MOVED by Alderman Hogan, seconded by Alderman Connolly that City Council request the Minister of Municipal Affairs to revoke the approval of capital borrowing authorizations, as per the list attached to the Staff Report of June 9, 1972, in the amount of \$709,467.82. Motion passed.

(Copy of June 9, 1972 Staff Report attached to the Official Minutes of this meeting)

ADDED ITEMS

Barrington Developments Limited - Encroachment Permit

The following report was submitted from Staff:

"City Council on March 30, 1972 authorized the issuance of an encroachment permit to Barrington Developments Ltd. in order to permit the construction of the buildings within Phase II of the housing project over a small portion of existing Barrington Street. Members of Council will recall that the encroachment will in fact be a temporary one in that the land in question will eventually be conveyed to the Company.

Actual survey of the site has indicated the need for a minor adjustment in the encroachment plan. No change in

the location of the buildings or of the boarding around the construction site is involved. A new plan, No. TT-16-19847, has been prepared which corrects the technical error, and it is recommended that the Building Inspector be authorized to adjust the encroachment permit in accordance with that plan.

Assignment of the company's rights under the encroachment permit to Central Mortgage and Housing Corporation will complete the requirements for the advance of mortgage funds."

MOVED by Alderman Connolly, seconded by Alderman Hogan that the Building Inspector be authorized to adjust the encroachment permit issued to Barrington Developments Limited in accordance with Plan No. TT-16-19847.
Motion passed.

1971 Annual Report - Halifax Transit Corporation

MOVED by Alderman Connolly, seconded by Alderman MacKeen that the Annual Report for 1971 of the Halifax Transit Corporation, as submitted, be received and tabled.
Motion passed.

12:10 a.m. Alderman Hogan retires.

QUESTIONS

Question Alderman Stanbury Re: Warning Signs on Pavement of Crosswalks Ahead

Alderman Stanbury said that it has been drawn to her attention that motorists are not observing the large X markings which have been placed on the streets to warn of Crosswalks ahead and she asked if some widespread publicity could be given to the matter. She also asked if the enforcement could be strengthened.

His Worship the Mayor asked that the Clerk forward the question to the Traffic Engineering Department.

Question Alderman Stanbury Re: Enforcement of Dog Ordinance

Alderman Stanbury referred to a number of complaints she has received of dogs running at large in the City and she asked if this aspect of the Ordinance could be brought to the attention of citizens.

The City Manager said that perhaps if the locations were known the Dog Catcher could be so advised. He said that an alternative is to send out a copy of the Ordinance, as has been done in the past, with the Tax Bills so that people are aware of the law.

Question His Worship the Mayor Re: Dust on Dunbrack Street

His Worship the Mayor referred to a number of

complaints he has received about the dust on Dunbrack Street and he asked if an immediate program of oiling or calcium spreading could be instituted. He said that water is not doing the job.

Alderman Bell also spoke of the problems saying that the situation is further aggravated because large construction vehicles are continually using the street. He also raised a point about flooding conditions which exist in the area at times of heavy rain.

Question Alderman Connolly Re: Traffic on MacLean Street

Alderman Connolly referred to a number of complaints he has received from residents of MacLean Street about the large number of heavy trucks, all hours of the night, which go into and come out of the C.N. Maintenance Depot on that street. He said that for some reason they blow their horns on each trip. He advised that Mr. Olmstead had been in touch with the C.N. about the problem and was informed that the Depot is not used at night. He said that this statement is not true. He asked if any restrictions can be placed on the hours of operation of this Depot.

The City Manager said he would look into the matter.

Alderman Stanbury said that it is the concern of other residents of the City also because these trucks travel through a network of residential streets in the City to get to the Depot resulting in disturbed rest for all.

NOTICE OF MOTION

Notice of Motion - Alderman Sullivan - Reconsideration
and Rescission of Motion of Council - May 29, 1972 -
Extension to Nursing Home at 3585 Acadia Street

Alderman Sullivan gave notice that, at the next regular meeting of City Council, he will move reconsideration and rescission of the Resolution of Council of May 29, 1972, relating to the extension to a Nursing Home at 3585 Acadia Street.

ADDED ITEM

Boats

Alderman Stapells referred first of all to a number of wrecked boats along the shore line of the North West Arm by the Armdale Yacht Club on Purcell's Cove Road which he considered should be removed. On making further enquiries he ascertained that this strip of land is owned by the Department of Lands and Forests and that it may be possible for the City to purchase it for \$1.00, thus giving some access to the water for citizens. He asked the City Manager to consider the purchase of this land and make further enquiries and to pursue the matter of the removal

of these wrecks.

Secondly, Alderman Stapells referred to the three boats tied up at the wharf next to Purdy Brothers which are a disgrace. He said that during the winter scavengers removed all the brass fittings including the caps of the fuel tanks. He said that the tanks are full of Bunker C Oil and with the removal of the tank caps much of the oil is lying in the hulls of the boats. The hulls are in a bad state of repair and if, for any reason, holes appeared, the whole Harbour would be covered with Bunker C Oil.

The City Solicitor said that action is underway with respect to these vessels and it had been difficult to locate the owner who, it is understood, is now living in California. He said that the City was aware that the Bunker C Oil was on board but not that it has escaped from the tanks and was lying in the hulls.

Alderman Stapells asked if the City's engineers could check the hulls of the boats to make sure that the oil cannot leak out into the Harbour.

The City Manager said that this would be done immediately and that every effort will be made to expedite the legal action.

12:30 a.m. Council adjourned.

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Council,
June 16, 1972

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Boats

Also included in this list is the amount of
\$ 304,000 for the South Armada S. WALTER R. FITZGERALD
revocation during the 1972 Capital MAYOR AND CHAIRMAN

It is recommended that City Council request
the Minister of Municipal Affairs to approve the amount
of cap. authorizations as per the attached
list in 1972, 457.87.
JOY P. LAMB
ACTING CITY CLERK

HPB/ab

Department displayed a map with the area involved outlined
which at the present consisted of three lots occupied by several
dwellings, shops, etc. The proposed was to construct a

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>APPROVED BY CITY COUNCIL</u>	<u>APPROVED BY MINISTER OF MUNICIPAL AFFAIRS</u>	<u>AMOUNT OF BORROWING RESOLUTIONS</u>	<u>AMOUNT OF BORROWING RESOLUTION TO BE REVOKED</u>
51-1	Accounting Machines	Mar. 16, 1961	Apr. 4, 1961	\$ 15,000.00	\$ 15,000.00
51-2	Multilith Equipment	Apr. 27, 1961	May 24, 1961	4,200.00	3,422.25
51-4	Payroll Accounting Machine	Apr. 12, 1962	May 9, 1962	7,500.00	7,380.87
51-5	Accounting Machines	July 2, 1962	Sept. 12, 1962	12,000.00	10,418.33
58-9	Point Pleasant Park (Beach)	Apr. 16, 1964	May 5, 1964	6,000.00	6,000.00
63-6	Grant Salvation Army (Grace Hospital)	Oct. 12, 1961	Oct. 23, 1961	35,000.00	35,000.00
63-7	Grant to Halifax Infirmary	Oct. 12, 1961	Oct. 23, 1961	125,000.00	125,000.00
63-8	Grant to Salvation Army	July 26, 1962	Aug. 10, 1962	75,000.00	75,000.00
63-15	Aerial Survey	Aug. 15, 1963	Aug. 22, 1963	6,000.00	2,525.00
52-8	New Fire Station North End	Jan. 30, 1964	Feb. 7, 1964	200,000.00	940.00
58-3	Development Point Pleasant Park	July 12, 1962	Aug. 10, 1962)	14,200.00	11,321.00
		Aug. 15, 1963	Aug. 22, 1963)		
58-17	Grant Hlfx. Sr. Citizens Housing Corp.	June 16, 1966	Aug. 15, 1966	25,000.00	25,000.00
54-30	South Armadale Sewer	June 25, 1970	Aug. 14, 1970	716,000.00	304,000.00
57-16	Construct Indoor Swimming Pool	Feb. 14, 1967	May 4, 1967	300,000.00	375.00
58-15	Guaranteed outstanding financial obligation Neptune Theatre	Feb. 17, 1966	Mar. 18, 1966	88,085.37	88,085.37
					<u>\$ 709,467.82</u>

HPB/db

Department displayed
which at the
dwellings.