

3. A petition and several letters of objection to the proposed rezoning of Beechwood Park, Blocks A and B, were previously submitted as a result of an advertised Public Hearing scheduled for June 8, 1972, which was cancelled.

Mr. Babb, Director of Planning then, with the aid of maps, outlined the zoning and rezoning which is proposed and answered various questions on the subject raised by the Council members.

His Worship the Mayor advised that due to the nature of the matter, he would call for persons wishing to speak on the zoning or rezoning and not necessarily those for or against.

Mr. G.C. Piercey appeared on the matter advising that the majority of residents of Beechwood Park sent in a petition earlier this year as a result of a proposed Public Hearing for the purpose of rezoning certain portions of land in the Beechwood Park area from General Building to R-4, which the residents were opposed to. Mr. Piercey advised that with respect to the present proposal, he has been instructed by the residents and property owners in the Beechwood Park subdivision, to state that they are in favour of the proposal in so far as it refers to the zoning of Beechwood park to R-1. He said he has been instructed to neither oppose or speak in favour of the remainder of the proposal.

Mr. C. A. Churchill of 10 Birkdale Crescent said he had no objection to the proposed zoning but objected to the lack of proper zoning of the adjacent properties. He said it is not conducive to the zoning which is proposed for the area of Birkdale Crescent and felt the residents should be given protection in this regard.

Mr. Ian D. Robinson, Director of the Ward Ten Community Association spoke in reference to the petition which the association submitted on behalf of the residents of the area. He said that one section of the petition expressed objection to the section of land fronting on Parmbelle Lane and Scarlet Road being zoned to R-4, and suggested, although he has not been instructed to change the petition, that since the developer now proposes to build town houses on this strip of land, it may not be necessary to zone the area fronting on the afore-said streets to R-1 as the petition requests. Mr. Robinson also asked if it would be possible for the developer to comment on what is proposed for this area. Mr. Robinson then went on to explain further comments contained in the petition.

Mr. James MacGowan a resident of Clayton Park referred to a strip of wooded area which runs parallel with the houses on Glenforest Drive saying that children of the area congregate in the woods and light fires etc., which is a casue of concern to the residents. Mr. MacGowan said he wished to bring the matter to the attention of Council.

His Worship said staff are aware of the problem and work is being done in this area in hopes of resolving the problem.

Mr. Robbie Shaw representing Clayton Developments Limited addressed the meeting and responded to various questions raised by previous speakers and Council members. Mr. Shaw referred specifically to the undeveloped land to the North of Hazelhome Drive and to the West of Bayview Road shown as R-1 on the map, and said unfortunately there has been a communciation gap on this land which is zoned medium density and has been shown as multiple density on the Clayton Park plan since it began eleven years ago.

Mr. Shaw advised that the Planning Department is now suggesting that this area be not zoned at this time as it is the Engineering Department's proposal to change the configuration of Lacewood Drive. He said it is hoped this area will be left until consideration is given to the development plan for the entire park which should be ready in approximately two weeks.

Discussion then ensued with respect to the advertisement which was published for tonight's meeting, and the City Solicitor recommended if Council does not wish to rezone the way in which the matter was advertised, that the area in question be excluded, and at a subsequent time it be re-advertised in the manner in which Coucil wishes the area to be zoned.

It was suggested this could be done when the matter comes before Council and it was advised by His Worship that the original plan as presented, is the topic of the present public hearing.

Mr. Tom Hansom of 26 Briar Place said it was his original intention to object to the section of proposed R-4 land fronting on Parmbelle Lane, but said it now appears there may be a much larger section zoned to R-4 and expressed objection to this. Mr. Hanson felt the whole area should be zoned R-1 with the exception of existing construction.

Mr. Worthington of 14 Parmbelle Lane spoke in regard to the proposed R-4 lands which abut his street and asked that this area not be zoned to R-4 but should be R-1. He felt there was insufficient space there for single family houses and questioned how it would be possible to construct town houses.

Mr. Gregory of Briarwood Crescent spoke in favour with the plan as presented but said there would be much concern if the area to the North of Hazelholme Drive, as previously mentioned, should be zoned R-4.

Mr. D. Lawrence of 9 Parmbelle Lane appealed to Council to zone the area abutting on Parmbelle Lane to R-1 rather than R-4 as proposed.

A short questioning followed on the matter of building permits issued, and it was advised by the City Manager that if a permit has been issued within the frame work of the law and the zoning as proposed on which a hearing is now taking place, such permits would be valid.

Deputy Mayor Moir said Council should have information on the number of permits which have been granted, what is contained in the Clayton Park 1972 Master Plan in the R-4 area, what is intended to be built with respect to height, and what the 1972 plan calls for with respect to the Green areas, before the item comes before Council.

Mr. Bayne a resident of Scarlet Road said he concurred with the last speaker. He requested that Council leave the proposed R-4 lands bordering on Parmbelle Lane as General, to be followed by re-advertising and zoning the area to R-1. Mr. Bayne also expressed concern about the limited school area in relation to population as well as the limited recreational areas.

Mr. Jack Flemming of 6 Briar Place spoke opposing the proposed R-4 zoning which borders on Lacewood Drive (left side of the presented map) and also questioned what procedure would be followed if Council were to omit certain proposed zonings at the time a decision is made.

His Worship advised that if certain sections were deleted, another Public Hearing would be held to deal with these and said it would be clearly defined as to the boundaries. His Worship also suggested that no further permits would be issued until a decision was made.

The City Solicitor said once Council takes an action with respect to rezoning of land, it can freeze building permits and said he would be inclined to the view that since Council has attempted to deal with the rezoning, it has the right to with hold permits.

Mr. Flemming again requested that the proposed R-4 lands bordering on Lacewood, as previously mentioned, be zoned to R-1. He also said that by zoning this land to R-4 it would result in further overcrowding of the schools.

Mr. Robbie Shaw again spoke on the subject matter with respect to points made by the various speakers.

Carolyn McKeowan of 7 Scarlet Road referred to the overcrowding of schools in the area and expressed opposition to zoning of land bordering on Parmbelle Lane to R-4 as proposed.

Chris Ulan of 36 Scarlet Road also referred to the overcrowding of schools saying that some children are still in portable classrooms. She also referred to the traffic situation particularly during rush hours and suggested that a moratorium be placed on the proposed R-4 zonings until it is known whether the area can cope with the problems which will result.

Mr. Thompson living in an R-2 area requested that the area to the north of Hazelholme Drive and to the west of the Bayview Road be zoned R-1 as shown on the map as presented. Mr. Thompson said he agreed with points raised by previous speakers and felt that if this area was not zoned R-1, it would greatly increase densities in the school area. Mr. Thompson also urged the City to consider zoning lands to the west of the plan being considered to avoid the problems such as those presently being discussed.

There being no further persons wishing to speak,
His Worship declared the matter before Council.

MOVED by Alderman Meagher, seconded by Alderman
Sullivan that the matter be referred to the next regular meeting
of City Council without recommendation.

Motion passed.

10:25 p. m. - Meeting adjourned.

HEADLINES

Public Hearing Re: To alter and confirm the northern official street line of Bayers Road between Dutch Village Road and Howe Avenue	444
Public Hearing Re: To alter and confirm the southern official street line of Bayers Road between Dutch Village Road and Howe Avenue	445
Public Hearing Re: To alter and confirm the southern official street line of Bayers Road between Howe Avenue and Ashburn Avenue	445
Public Hearing Re: The Zoning or Rezoning to R-1, R-2, R-4, P and C-1 lands in the Clayton Park Beechwood Park Sub-division as shown on Plan titled "Clayton Park and Beechwood Park Subdivision"	445

MAYOR WALTER R. FITZGERALD
CHAIRMAN

R. H. STODDARD
CITY CLERK

CITY COUNCIL
MINUTES

Council,
October 12, 1972

Council Chamber,
City Hall,
Halifax, N.S.
October 12, 1972
8:00 P.M.

A regular meeting of 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, Sullivan, and Wentzell.

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

MINUTES

Minutes of the Council meetings held on September 28th and October 4th, 1972 were approved on motion of Alderman Bell, seconded by Alderman Wentzell.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS, & DELETIONS

Council approved the City Clerk's request to add:

10 (d) - Possible Expropriation Settlement - 2085, 2089, 2095, 719-23 Barrington Street, 212-14, 216-18, 2100, 228-30, 232-34 Upper Water Street.

20 (a) - Purchase of Equipment - Department of Engineering and Works

20 (b) - Winter Coats - Police Department

20 (c) - Second Condominium Willet Street - Clayton Park

MOVED by Alderman MacKeen, seconded by Deputy Mayor Moir, that the agenda, as amended, be approved. Motion passed.

DEFERRED ITEMS

ZONING OR REZONING TO R-1, R-2, R-4, P, AND C-1 - LANDS IN CLAYTON PARK, BEECHWOOD PARK SUBDIVISION

A Public Hearing was held into the subject matter on October 4th, 1972, following which Council deferred its decision to this meeting.

MOVED by Alderman Hogan, seconded by Alderman Bell, that Council approve the zoning or re-zoning to R-1, R-2, R-4, P, and C-1 of lands in the Clayton Park and Beechwood Park Subdivisions, as shown on Plan No. 00-11-19867 dated August 8, 1972.

Alderman Hogan cited traffic conditions, overcrowding of present schools, lack of recreation facilities as reasons for not favouring higher density zoning in the area.

Deputy Mayor Moir said he would have difficulty in voting on the motion as it stood, since he was only in full agreement at this time with part of the zoning or re-zoning proposals, and suggested that the motion be broken down into three separate parts which could be voted on individually. He said he would like to see the Scarlett Road area developed by means of a development permit, and at the moment was not sure whether he wanted the Lacewood area zoned R-1 or R-4 and felt it should go back to Committee of the Whole for further discussion.

Alderman Connolly felt it was unfair at this point not to go along with the R-4 zoning since it was part of the developer's original plan, and persons buying homes in the area had access to that Plan. He also felt that the opening of Fairview Junior High would alleviate many of the problems presently prevailing with overcrowded class rooms.

After further discussion the Acting City Solicitor ruled that a division of the motion could result in changing its intent as originally put.

The motion as put was then put and lost, two voting for the same and five against it, as follows:

- For - Aldermen Hogan and Sullivan 2
- Against - Aldermen Bell, Connolly, Meagher, Moir, and Wentzell 5

Aldermen Stanbury and MacKeen abstained from the voting, not having attended the Public Hearing on October 4th.

It was then MOVED by Deputy Mayor Moir, seconded by Alderman Wentzell, approval be given to the Zoning or Re-zoning to R-1, R-2, R-4, C-1, and P of lands in the Clayton Park and Beechwood Park Subdivisions, as advertised, and as shown on Plan No. 00-11-19867, dated August 8th, 1972 with the following exceptions, which are to be sent back to the Committee of the Whole for further discussion:

- (1) All that certain lot piece or parcel of land:
Bounded on the northwest by the southeast boundary of Block "A" of the Beechwood Park Subdivision;
Bounded generally on the northeast by the southwest street line of Parmbelle Lane and the southwest boundary of Lot No. 109-A of the Clayton Park Subdivision;
Bounded on the southeast by the rear boundaries of a portion of Lot 112, and by lots 111 and 110, all said lots fronting on Gateway Road.
Bounded on the south by the north street line of Lacewood Drive.

and -

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- (2) all that certain lot piece or parcel of land:
Bounded on the northwest by the southeast boundary
of land now or formerly owned by Mount St. Vincent
Academy;
Bounded on the northeast by the southwest boundary
of land now or formerly owned by the Sisters of Charity;
Bounded on the southeast by the northwest boundary
of Lots 364, 365, 366, 367A and 367B of the Beechwood
Park Subdivision, all said lots front on Briarwood Crescent:
Bounded on the north by the southern street line of Lacewood
Drive;
Bounded on the east by the western street line of Clayton
Park Drive;
Bounded generally on the south and southwest by
the north and northeast street line of Hazelholme Drive;
Bounded generally on the southwest and south by the
northeast and north boundary of land now or formerly
zoned Park and Institutional.

and that the necessary By-law be submitted to the Department
of Municipal Affairs. Motion passed.

Aldermen Stanbury and MacKeen abstained from
voting, not having attended the Public Hearing on October 4th.

TO ALTER AND CONFIRM THE SOUTHERN OFFICIAL STREET LINE OF BAYERS
ROAD BETWEEN HOWE AVENUE AND ASHBURY AVENUE

A Public Hearing was held into the subject
matter on October 4th, 1972 following which Council deferred
its decision to this meeting.

MOVED by Alderman MacKeen, seconded by
Alderman Connolly that approval be given to alter and confirm
the southern official street line of Bayers Road between Howe
Avenue and Ashbury Avenue as shown on the official City Plan
Section 9-L. Motion passed with Aldermen MacKeen and Stanbury
abstaining, not having attended the Public Hearing.

A formal resolution was submitted giving effect
to the three foregoing actions of Councils approving alterations
and confirmation of official street lines as indicated on
Section 9-L of the Official City Plan.

MOVED by Alderman Bell, seconded by
Alderman Connolly that the formal resolution, as submitted, be
approved. Motion passed with Aldermen MacKeen and Stanbury
abstaining.

PETITIONS AND DELIBERATIONS

Property Owners - Upper Section Woodcrest Avenue - Sewer and Water
Facilities

A petition containing fourteen signatures was

TO ALTER AND CONFIRM THE NORTHERN OFFICIAL STREET LINE OF
BAYERS ROAD BETWEEN DUTCH VILLAGE ROAD AND HOWE AVENUE

A Public Hearing was held into the subject matter on October 4th, 1972, following which Council deferred its decision to this meeting.

MOVED by Alderman Wentzell, seconded by Alderman Hogan, that approval be given to alter and confirm the northern official street line of Bayers Road between Dutch Village Road and Howe Avenue, as shown on Official City Plan, Section 9-L. Motion passed with Aldermen MacKeen and Stanbury abstaining, not having attended the Public Hearing.

TO ALTER AND CONFIRM THE SOUTHERN OFFICIAL STREET LINE OF BAYERS
ROAD BETWEEN DUTCH VILLAGE ROAD AND HOWE AVENUE

A Public Hearing was held into the subject matter on October 4th, 1972, following which Council deferred its decision to this meeting.

MOVED by Alderman Bell, seconded by Alderman Connolly, that approval be given to alter and confirm the southern official street line of Bayers Road between Dutch Village Road and Howe Avenue as shown on Official City Plan, Section 9-L. Motion passed with Aldermen MacKeen and Stanbury abstaining, not having attended the Public Hearing.

TO ALTER AND CONFIRM THE SOUTHERN OFFICIAL STREET LINE OF BAYERS
ROAD BETWEEN HOWE AVENUE AND ASHBURN AVENUE

A Public Hearing was held into the subject matter on October 4th, 1972 following which Council deferred its decision to this meeting.

MOVED by Alderman Meagher, seconded by Alderman Connolly that approval be given to alter and confirm the southern official street line of Bayers Road between Howe Avenue and Ashburn Avenue as shown on the official City Plan Section 9-L. Motion passed with Aldermen MacKeen and Stanbury abstaining, not having attended the Public Hearing.

A formal resolution was submitted giving effect to the three foregoing motions of Councils approving alterations and confirmation of official street lines as indicated on Section 9-L of the Official City Plan.

MOVED by Alderman Bell, seconded by Alderman Connolly that the formal resolution, as submitted, be approved. Motion passed with Aldermen MacKeen and Stanbury abstaining.

PETITIONS AND DELEGATIONS

Property Owners - Upper Section Woodcrest Avenue - Sewer and Water
Facilities

A petition containing fourteen signatures was

submitted reading as follows:

"We, the undersigned property owners on the upper section of Woodcrest Avenue, Spryfield, City of Halifax, Nova Scotia, petition the City of Halifax to extend existing sewer and water facilities to the end of the street."

Alderman Wentzell said that the City engineering staff were aware of the problem, which arose because of the pumping station involved breaking down. He said at one point during the summer, residents were without water for a full 24 hours.

MOVED by Alderman Wentzell, seconded by Alderman Bell, that the petition and covering letter be referred to staff to investigate the cost of supplying water and sewer to the area involved, following which a report will be submitted to the Committee of the Whole. Motion passed.

Petition Re: Dog Ordinance

The following petition, signed by approximately 135 signatures, was submitted:

"We the undersigned Citizens of the City of Halifax, petition His Worship the Mayor Walter Fitzgerald requesting that the present outdated Dog Ordinance be revised in accordance with the one now in effect in Boucherville, P.Q. copies of which are in the possession of the City Manager and Alderman Dennis Connolly. This petition is being presented to put stricter restrictions on dogs which create the worst form of litter, dirtying up our Parks and Playgrounds and streets; also lawns, causing filth being brought into homes and private offices. It is our sincere hope that City Council will give this petition serious consideration so that we may have a cleaner City in which to live."

Alderman Connolly suggested sending the petition to staff for a report, but the City Manager felt that the matter should be discussed in Committee first, so that staff would have a clear idea of what all the Aldermen's feelings were on the subject, otherwise staff could spend a lot of work hours to no purpose.

MOVED by Alderman Connolly, seconded by Alderman Bell, that the petition be referred to the next meeting of the Committee of the Whole for discussion. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 4th with respect to the following matters:

Possible Acquisition - 2337-39 Barrington Street

MOVED by Alderman Wentzell, seconded by Deputy Mayor Moir that, as recommended by the Finance and Executive Committee, the property of the Estate of George Cik, known as

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Civic No. 2337-39 Barrington Street, be purchased for \$57,000 as settlement in full for all claims; funds to be made available from Account No. 850-726. Motion passed with Alderman Connolly against.

Resolution - City of Dartmouth - Sewer System for Ships in Harbour

MOVED by Alderman Bell, seconded by Deputy Mayor Moir that, as recommended by the Finance and Executive Committee, the City of Halifax join with the City of Dartmouth in a request to the National Harbours Board to build a sewer system in the Harbour making it mandatory for ships to connect to the system upon berthing in the Harbour, and in the meantime prohibit the discharge of any waste from ships into the Harbour and provide for the necessary enforcements of such prohibition, and that the City of Dartmouth be advised of this action by Council. Motion passed.

Increased Food Allowance for 1972 and Priorities - Social Planning Department

MOVED by Alderman Bell, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, the following changes in food allowance for the remainder of 1972 be approved:

	<u>Present Monthly Scale</u>			<u>Revised Monthly Scale</u>
Adult	\$24.00	be increased to	-	\$26.00
Age 12-18	28.00	be increased to	-	\$31.00
7-11	20.00	be increased to	-	\$23.00
0- 6	14.00	be increased to	-	\$16.00
Pregnancy	30.00	remain at	-	\$30.00

subject to full cost sharing by the Senior levels of Government. Motion passed.

It was requested that staff report back to the next meeting of the Committee of the Whole on the response of the other levels of Government.

MOVED by Alderman Bell, seconded by Alderman Sullivan that the following be approved in principle but be referred back to the next meeting of the Committee of the Whole for a more detailed discussion:

1. Priorities of the Social Planning Department as contained in staff report dated September 29, 1972 under the headings: (a) Work Incentive Allowance (b) Social Assistance Program (c) Neighbourhood Services (d) Research of New Careers (e) Day Care.
2. Concept as contained under heading "One Parent Families" in September 29, 1972 staff report, with the condition that the School Board look at this matter very carefully in cooperation with the Social Planning Department.

Motion passed.

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Possible Expropriation Settlement - 2085, 2089, 2095, 719-23
Barrington Street, 212-14, 216-18, 2100, 228-30, 232-34 Upper
Water Street

MOVED by Deputy Mayor Moir, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, the property of William Collings and Sons, known as Civic Nos. 2085, 2089, 2095, 719-23 Barrington Street; 212-14, 216-18, 2100, 228-30, 232-34 Upper Water Street be purchased for \$104,153 plus interest of 6% on \$98,153 to respective dates of payments, as settlement in full for all claims arising out of the expropriation. Motion passed with Alderman Meagher against.

CITY PLANNING COMMITTEE REPORT

Council considered the report of the City Planning Committee from its meeting held on October 4th, 1972 with respect to the following matters:

Final Approval of Lots A and B - Subdivision - Lands of Thomas Withers, Forrest Hill Drive

MOVED by Alderman Hogan, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application for Final Approval of Lots A and B - Subdivision, Lands of Thomas Withers, Forrest Hill Drive, as shown on Plan No. P200/5380 of Case No. 2726, be approved by City Council. Motion passed.

Modification of Lot Area and Lot Frontage Requirements - No. 3011 Oxford Street

MOVED by Alderman Stanbury, seconded by Alderman MacKeen that, as recommended by the City Planning Committee, the application for modification of lot area and lot frontage requirements to permit the applicant to raise the roof 4.5 feet at the rear of Civic No. 3011 Oxford Street, as shown on Plan No. P200/583, be approved. Motion passed.

Resubdivision - Lands of the Halifax-Dartmouth Bridge Commission off Prescott Street, adjacent to the A. Murray MacKay Bridge Approach Road

MOVED by Alderman Meagher, seconded by Alderman Bell that, as recommended by the City Planning Committee, the application for resubdivision to create Block "A" as a separate lot, as shown on Plan No. 200/5368 of Case No. 2737 be granted approval by City Council. Motion passed.

Extension to a non-conforming Building - 6013 Belmont Road

MOVED by Alderman Connolly, seconded by Alderman Wentzell that, as recommended by the City Planning Committee, the application to permit an addition to the rear porch extending it from 4' x 8' to 4' x 16' at 6013 Belmont Road, as shown on Plan No. P200/5379, be approved. Motion passed.

Extension of Time for a Non-Conforming Use - No. 2094 Bauer Street Property of Mahar's Transfer Express Limited

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the city grant Mahar's Transfer Express Limited, an extended three-year term, severable at any time by the City on six months' notice, for their non-conforming premises at Civic No. 2094 Bauer Street, as shown in Case No. 2751. Motion passed.

Sign - 486 Herring Cove Road (R-3 Zone)

MOVED by Alderman Wentzell, seconded by Alderman Bell that, as recommended by the City Planning Committee, a sign 23½ ft. long and 3 ft. high, proposed for the building face over the ground floor windows at 486 Herring Cove Road, between Sylvia Avenue and Drysdale Road, be approved. Motion passed.

Resubdivision - No. 24 St. Margaret's Bay Road and Civic Nos. 2 and 5-7 Balcome's Drive

MOVED by Alderman Connolly, seconded by Alderman Wentzell that, as recommended by the City Planning Committee, the application for a resubdivision of the lots located at Civic No. 24 St. Margaret's Bay Road and Civic Nos. 2 and 5-7 Balcome's Drive into one lot, as shown on Plan No. P200/5058 of Case No. 2637, be approved by City Council. Motion passed with Deputy Mayor Moir against.

MISCELLANEOUS BUSINESS

APPOINTMENTS

Board of Management - Abbie J. Lane Memorial Hospital

MOVED by Deputy Mayor Moir, seconded by Alderman Hogan that Mr. Max Forman be appointed to complete the unexpired term created by the resignation of Mrs. John Graham from the Board of Management of the Abbie J. Lane Memorial Hospital. Motion passed.

Landmarks Commission:

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that Mr. Robert Street be appointed to serve on the Landmarks Commission for a 3-year term expiring April 30, 1975. Motion passed.

LOT CONSOLIDATION - CITY OF HALIFAX - CENTENNIAL PROPERTIES LIMITED (SENIOR CITIZENS HOUSING PROJECT)

A staff report dated October 12th, 1972 was submitted concerning the subject matter.

MOVED by Alderman Sullivan, seconded by Alderman MacKeen that the application for resubdivision to create Block "A" as a separate lot, as shown on Plan No. P200/5429 of Case No. 2768, be approved by City Council, subject to conveyance to Centennial Properties Limited of Lot "F" in accordance with the terms of the City Council resolution of October 14, 1971. Motion passed.

NOTICE OF MOTION

There were no Notice of Motions presented at this meeting.

QUESTIONS

Question - Aldermen Bell Re: Signing of Application Form in Connection with Ordinance 141

Alderman Bell asked if it would be possible to make provision that Aldermen, as Justices of the Peace, sign the application form in connection with Ordinance No. 141, Tax Exemption for Widows.

His Worship the Mayor said that the City Solicitor would look into the question, and report on it. The City Manager said there were several other questions relating to this matter, as yet unanswered, which required some time to resolve.

Question - Alderman Connolly - Reaction of Police to phone Calls from Residents reporting prowlers around their homes

Alderman Connolly said he had recently received a number of phone calls from people who had contacted the Police Department to report prowlers around their homes only to be told that the Police would send someone to investigate if they were available, stating that the bulk of their men were concentrated in the business district. He asked for a report on the matter as he felt the citizens were entitled to the kind of protection they were seeking.

Question - Alderman Connolly Re: Ticketing of automobiles by Police on private parking lots

Alderman Connolly said that the fact that police were not ticketing automobiles on private parking lots, brought up the point of why they were not doing so, since they ticketed cars on City-owned lots.

The Acting City Solicitor said this matter was under discussion at the present time.

Question - Alderman Hogan re: Caretakers building on Camp Hill Cemetery

Alderman Hogan said he had heard several comments from out of town visitors to Camp Hill Cemetery about the deplorable condition of the Caretaker's "shack", and asked if it was not possible for the City to erect something presentable.

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The City Manager advised that \$6,400 was removed from last years budget which staff had requested for this purpose but said he would give the matter attention.

Question - Alderman Meagher Re: City Sweepers around Volvo Plant and Work at O'Connell Field

Alderman Meagher asked for written reports re:

1. Whether the City provided mechanical sweepers around the Volvo Plant; and
2. About three weeks ago on a Friday night and Saturday, earth had been spread on the land at O'Connell Field; Alderman Meagher wanted to know who was doing this work, City staff, or if the work had been contracted out.

Question: Deputy Mayor Moir Re: Taxes for E.D.I. Club

Deputy Mayor Moir referred to a letter that had been received by Council members regarding taxes on the E.D.I. Club on Robie Street. He said he realized it was a complicated matter, but felt that staff should report immediately on it.

His Worship the Mayor advised that the matter had been referred to the next meeting of the Tax Concessions and Grants Committee, and that in the meantime he had acknowledged receipt of the letter.

Question- Alderman Stanbury Re: Fairview/Armdale Area Rates

Alderman Stanbury said there seemed to be considerable confusion amongst some residents in the Fairview Armdale sections concerning the sewer area rates that had recently been assessed against their properties. She said that although these areas were not in her Ward, the matter was being referred to her through the Home Owners Association. She felt a meeting should be held at which those persons interested in the matter could obtain all the answers to their questions. She said she realized that information was being given over the telephone from the Collector's office, but felt some people probably required a meeting where the whole matter could be more fully discussed, inasmuch as it appeared to be a somewhat complicated matter. For instance, she said, some persons had reported that on certain streets there were those who had received such bills and others who had not.

His Worship the Mayor said that Alderman Bell had been in touch with him about setting a date for such a meeting and the date of October 23 had been tentatively mentioned; however if that date was not suitable, it would probably not be until the first week in November.

Question - Alderman Stanbury Re: Transportation of Visitors to
Beaverbank

Alderman Stanbury said she had spoken with members of the women's organizations, ZONTA, about how contented the patients at Beaverbank were, but how there was a problem for their friends and relatives to get out there to visit them. She said if the organization could get a reasonable count on the number of visitors to Beaverbank, it might arrange transportation for them.

His Worship the Mayor said he felt sure the Nursing Home would be able to supply this information.

Question - Alderman Sullivan Re: Report on staff recommendations
for Lot Modifications

Alderman Sullivan asked if staff had prepared a report yet on the question he had brought up recently regarding their recommending approval in some cases where the deficiencies were more than in a case where they had recommended refusal.

The City Manager said this would be on next week's Committee of the Whole.

Question - Alderman Wentzell Re: Unsightly Premises at 213
Herring Cove Road

Alderman Wentzell referred to a property at 213 Herring Cove Road which he had asked the Building Inspector to look at, which he had done on June 16 and declared to be unsightly. The Alderman said to date nothing had been done about removing the building. He said this was indicative of quite a few such properties he had spoken to the Building Inspector about and he questioned why there was such a delay in any action being taken after the Building Inspector issued a report declaring a property to be unsightly.

The matter was directed to the City Manager for reply.

Question - Alderman MacKeen Re: Advertisement for Tree Trimmer

Alderman MacKeen referred to a recent advertisement for a Tree Trimmer and asked if the position had been filled yet, and if so, what would the person be doing during the winter months.

The City Manager said he would supply him with an answer.

ADDED ITEMS

PURCHASE OF EQUIPMENT, DEPARTMENT OF ENGINEERING & WORKS

A staff report dated October 6, 1972 was submitted concerning the subject matter.

There was discussion regarding the delay in purchasing equipment after Council has granted approval in the budget. Alderman Connolly said that after approval is granted the purchasing process should start immediately, and in the present case he did not see why the equipment had not been available for the past summer.

The City Manager said plans were now underway to eliminate unnecessary delays, but there was a lot of catching up to do and staff could not bring about changes over night.

Alderman Meagher questioned the wisdom of not accepting the tender of N.S. Tractors & Equipment Ltd. who were located in Halifax, since it might mean that spare parts were more readily available, so that in the long run it might be more economical to accept their tender even though it might be higher.

The City Manager said that this reasoning might apply if one were in total cost bidding, where one gets a guaranteed maximum maintenance cost per year, so that one could pin point the exact costs for the next five or ten years.

Mr. Sheflin said that the City, based on actual experience, had found that in addition to the tender costs being less, the recommended piece of equipment was also cheaper to maintain.

After further discussion, it was MOVED by Alderman Connolly, seconded by Alderman Moir, that authority be granted to purchase two Mechanical Four Wheel Sweepers from Wilson Equipment Limited, at a total price of \$33,473.00, this being the lowest tender submitted meeting specifications. Motion passed with Aldermen Meagher and Stanbury against.

WINTER COATS - POLICE DEPARTMENT

A staff report dated October 12, 1972 was submitted recommending acceptance of the tender of E. & R. Inc. for winter coats for the Police Department.

Although the staff recommendation was for acceptance of a tender in the amount of \$17,169.60, as against a low tender of \$10,542.00, the City Manager said the quality of the recommended coat was such that the Police Association had agreed to use it for two years, so that in fact it would be cheaper in the long run to purchase the more expensive coat at this time.

Alderman Connolly questioned the stipulation in the collective agreement that new coats had to be supplied each year, stating that he felt if the City was paying for the coats, the City should dictate which coats should be bought and how long they should be worn.

There was considerable discussion on this matter, with several Aldermen questioning the fairness of the tender, since the element of how long the coats would be used was a deciding factor in staff's recommendation, but this point was not part of the tender specifications.

Alderman MacKeen felt that if the local firm of Gordon B. Isnor Limited had been aware that they were to tender a coat to be worn two years, they would have submitted a different coat, at a price which might or might not have been better than the price quoted by the Montreal firm.

Alderman Sullivan also felt that the local bidders had been put in an unfair position by submitting a coat designed to be worn one year, and MOVED, seconded by Alderman Meagher, that the tender of Gordon B. Isnor Limited in the total amount of \$10,542 be accepted, provided the same quality coat could be provided as that in the tender recommended by staff.

After further discussion of the matter and questioning by Council of Mr. Quinn, Administrative Assistant, on how staff arrived at its recommendation, the motion was ruled out of order by the Chairman on the grounds that it defeated the purpose of the tender call process.

It was then MOVED by Alderman Sullivan, seconded by Alderman Meagher, that the low tender of Gordon B. Isnor Limited, Halifax, be accepted at the unit price of \$50.20, totalling approximately \$10,542.00, for the supply of approximately 210 winter coats for the Police Department. The motion was put and passed with Deputy Mayor Moir and Alderman Stanbury against.

SUTTON GARDENS, SECOND CONDOMINIUM - WILLETT STREET, CLAYTON PARK

A staff report dated October 12, 1972 was submitted concerning the subject matter.

MOVED by Alderman Meagher, seconded by Alderman Connolly that, subject to approval of the detailed engineering drawings:

1. Block J-2, Willett Street, as shown on Plan No. P200/5393 be granted final subdivision approval, subject to the conditions included in the Development Permit agreement attached to staff report dated October 12, 1972; and
2. His Worship the Mayor and the City Clerk be authorized to sign the Development Permit agreement on behalf of the City.

Motion passed.

10:45 P.M. - Meeting adjourned.

HEADLINES

Zoning or Rezoning to R-1, R-2, R-4, P, and C-1 - Lands in Clayton Park, Beechwood Park Subdivision	450
To Alter and Confirm the Northern Official Street line of Bayers Road between Dutch Village Road and Howe Avenue ..	453
To Alter and Confirm the Southern Official Street Line of Bayers Road between Dutch Village Road and Howe Avenue ..	453
To Alter and Confirm the Southern official street line of Bayers Road between Howe Avenue and Ashburn Avenue.....	453
Petition from Property Owners - Upper Section Woodcrest Avenue re Sewer and Water Facilities	453
Petition Re: Dog Ordinance	454
Possible Acquisition - 2337-39 Barrington Street	454
Resolution - City of Dartmouth - Sewer System for Ships in Harbour	455
Increased Food Allowance for 1972 and Priorities - Social Planning Department	455
Possible Expropriation Settlement: 2085, 2089, 2095, 719-23 Barrington Street, 212-14, 216-18, 2100, 228-30, 232-34 Upper Water Street	456
Final Approval of Lots A and B - Subdivision - Lands of Thomas Withers, Forrest Hill Drive	456
Modification of Lot Area and Lot Frontage Requirements - No. 3011 Oxford Street	456
Resubdivision - Lands of the Halifax-Dartmouth Bridge Commission off Prescott Street, adjacent to the A. Murray MacKay Bridge Approach Road	456
Extension to a non-conforming building - 6013 Belmont Rd..	456
Extension of Time for a Non-Conforming Use - No. 2094 Bauer Street Property of Marhar's Transfer Express Ltd...	457
Sign - 486 Herring Cove Road (R-3 Zone)	
Resubdivision - No. 24 St. Margaret's Bay Road and Civic Nos. 2 and 5-7 Balcome's Drive	457
Appointment - Board of Management - Abbie J. Lane Memorial Hospital	457
Appointment - Landmarks Commission	457
Lot Consolidation - City of Halifax - Centennial Properties Limited (Sr. Citizens Housing Project)	458
Question - Alderman Bell: Re: Signing of application form in connection with Ordinance 141	458
Question - Alderman Connolly - Reaction of Police to phone calls from Citizens reporting prowlers around their homes	458
Question - Alderman Connolly Re: Ticketing of Automobiles on Private Parking Lots	458
Question - Alderman Hogan Re: Caretakers building on Camp Hill Cemetery	458
Question - Alderman Meagher Re: City sweepers around Volvo Plant and Work at O'Connell Field	459
Question - Deputy Mayor Moir Re: Taxes for E.D.I. Club	459
Question - Alderman Stanbury Re: Fairview/Armdale Area Rates	459
Question - Alderman Stanbury Re: Transportation of Visitors to Beaverbank	460

Question - Alderman Sullivan Re: Report on staff
 Recommendations regarding Lot Modifications 460

Question - Alderman Wentzell Re: Unsightly Premises at
 213 Herring Cove Road 460

Question -Alderman MacKeen Re: Advertisement for Tree
 Trimmer 460

Purchase of Equipment, Dept. of Eng. & Works 461

Purchase of Winter coats - Police Department 462

Sutton Gardens, Second Condominium - Willett St. Clayton
 Park 462

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 Bill. Connolly, Stanbury, Stapelle, Sullivan,
WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R.H. STODDARD,
CITY CLERK

The City Clerk advised that the meeting
had been called to conduct public hearing re:

1. Rezoning of lots 1-33 inclusive, Ocean View Drive,
to be rezoned from General Building to R-1
Residential; and
2. Rezoning of Civic Nos. 5740-46 Spring Garden Road
and 1462-88 Tower Road, to be rezoned from R-3 Zone
(Multiple Dwelling + 3rd Density Residential) to
C-2 (General Business) Zone.

PUBLIC HEARING RE: REZONING OF LOTS 1-33 INCLUSIVE, OCEANVIEW
DRIVE TO BE REZONED FROM GENERAL BUILDING TO R-1 RESIDENTIAL

A Public Hearing was held concerning the
above noted application for rezoning.

A member of staff outlined what was proposed
in the rezoning application, following which His Worship the
Mayor asked if there was any persons present who wished to
speak against the proposed rezoning. There being no response,
he asked if there were persons wishing to speak in favour
of same, but again there was no response. There being no
persons wishing to speak either in favour of or against the
proposed rezoning, the Chairman declared the matter to be before
the Council.

MOVED by Alderman Connolly, seconded by
Alderman Wentzell, that the matter be referred to the next
regular meeting of City Council without a recommendation.
Motion passed.

SPECIAL CITY COUNCIL
MINUTES

Council,
October 18, 1972

Council Chamber,
City Hall,
Halifax, N.S.
October 18, 1972
8:00 P.M.

A Special meeting of 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, Sullivan, and Wentzell.

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

The City Clerk advised that the meeting had been called to conduct Public Hearings re:

1. Rezoning of Lots 1-33 inclusive, Ocean View Drive, to be rezoned from General Building to R-1 Residential; and
2. Rezoning of Civic Nos. 5740-46 Spring Garden Road and 1462-88 Tower Road, to be rezoned from R-3 Zone (Multiple Dwelling - 3rd Density Residential) to C-2 (General Business) Zone.

PUBLIC HEARING RE: REZONING OF LOTS 1-33 INCLUSIVE, OCEANVIEW DRIVE TO BE REZONED FROM GENERAL BUILDING TO R-1 RESIDENTIAL

A Public Hearing was held concerning the above noted application for rezoning.

A member of staff outlined what was proposed in the rezoning application, following which His Worship the Mayor asked if there was any persons present who wished to speak against the proposed rezoning. There being no response, he asked if there were persons wishing to speak in favour of same, but again there was no response. There being no persons wishing to speak either in favour of or against the proposed rezoning, the Chairman declared the matter to be before the Council.

MOVED by Alderman Connolly, seconded by Alderman Wentzell, that the matter be referred to the next regular meeting of City Council without a recommendation.
Motion passed.

PUBLIC HEARING RE: REZONING OF CIVIC NOS. 5740-46 SPRING GARDEN ROAD AND 1462-88 TOWER ROAD, TO BE REZONED FROM R-3 ZONE (MULTIPLE DWELLING - 3RD DENSITY RESIDENTIAL) TO C-2 (GENERAL BUSINESS) ZONE.

A Public Hearing was held at this time into an application for the subject rezoning.

Mr. Babb outlined what was proposed in the application, stating that this property had already been the subject of a Public Hearing, following which Council had approved the rezoning, Council's decision subsequently being over-ruled after an appeal was submitted to the Provincial Planning Appeal Board. He said the present application was the same, except that the developer was now prepared to set the dwelling portion of the building back a further twenty feet from Spring Garden Road.

Following a brief discussion on whether Council should hear from persons speaking in favour, or against, first, the Chairman ruled that he would ask for those wishing to speak in favour of the proposed rezoning to be heard first.

Mr. Leo Dorey came forward stating he was speaking on behalf of the Halifax Home Owners Association. He said his Association had been in favour of the rezoning from the beginning as the tax revenue derived from the hotel would help to ease the tax burden of the home owners in the City. He said the Association further felt that such an hotel would not detract from the Public Gardens but would in fact add beauty to the general area. He said the Association had about 800 members who lived in all 10 wards of the City.

Mr. Dorey made several references to the previous Public Hearing and the subsequent action of the Provincial Planning Appeal Board. Deputy Mayor Moir questioned whether the previous Hearing should be a point of discussion tonight, and the Acting City Solicitor ruled that it should not, since the Public Hearing tonight was on a specific issue and that was all that should be discussed.

Mr. Murray Warrington was the next speaker in favour of the rezoning. Mr. Warrington said he had listened to all the past reasons given for refusing the rezoning, based on traffic congestion, the effect on the Public Gardens, and he did not think that any of the reasons submitted were valid.

Mr. Peter Andrewes spoke in favour of the rezoning, and said he was appearing as a private citizen and on behalf of Mills Brothers on Spring Garden Road. In response to a question from Deputy Mayor Moir, Mr. Andrewes stated he was not appearing on behalf of the Spring Garden Merchants Association. He felt an hotel on the proposed site would do much to stimulate business growth for the Spring Garden area, an area which he felt the City had been neglecting of late. He said if he felt the hotel would have a serious detrimental affect on parking in the Spring Garden area, he

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would be the first to raise objection, since the availability of parking meant the difference between life and death for most of the merchants.

Mr. Thomas Swanson of 1756 Robie Street was the next speaker in favour of the rezoning. He felt the site to be a desirable location for an hotel, and as far as traffic congestion was concerned, said it could not compare with the volume of traffic at the Willow Tree intersection where a hotel was being erected.

Mr. Gerald Blumenthal of 5411 Spring Garden Road said he favoured the site for an hotel, since it would (1) ease the tax burden on the property owner, and (2) help the business community through the tourist trade it would provide.

Mr. Ralph Medjuck spoke next on behalf of Centennial Properties Limited, the applicants for the rezoning. Mr. Medjuck outlined the details of the proposed hotel, stating it would contain 224 rooms and accommodate about 500 guests. In addition he said there would be a convention hall, dining room, boutiques, etc. associated with an hotel. In addition to the approximately \$250,000/\$300,000 tax revenue it would supply the City, he said, there would be work for approximately 220 persons during construction and employ a permanent staff of around 240 persons once it was completed, most of the latter being semi-skilled or unskilled persons who were the most seriously affected by the present unemployment picture. He said even the Planning Appeal Board had agreed the site was a good one for an hotel, so that this was not the issue; what was at issue, he said, was whether in the long run the proposed rezoning was in the best interests of the City. Mr. Medjuck said it was not a question of building an hotel at the proposed site, or some alternate site; if the proposed site was not approved, his company would not build an hotel. Mr. Medjuck referred to opinions expressed by persons over the past years that any hotel construction should take place in the so-called Central Business District, and referred to most of these persons as "transients" who were not really involved with the development of Halifax since they did not live and work in the City.

Mr. Medjuck then displayed a sketch of a 21-storey apartment building, which he said was in conformity with the present zoning and for which his company was awaiting a building permit in the event the rezoning was refused. However, he said, he had no hesitation in saying it was the hotel they wanted to build, but obviously something had to be done with such expensive property. With regard to the Central Business District, Mr. Medjuck said, at the time it was conceived, hotels were permitted in an R-3 Zone, so there was no reason to believe that the intention at that time was to restrict hotel development to that region.

Mr. Medjuck said that since Council approved the rezoning in 1971, there were factors introduced which argued further in favour of the rezoning, such as (1) the fresh water brook sewer has been resolved (2) rezoning of Manufacturer's Life property next to the property presently under discussion (3) approval had been given for an hotel at the Willow Tree intersection which was well outside the Central Business District.

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With regard to the development of the downtown core, Mr. Medjuck said this was going to take some time, and in the meantime development had to go on.

Following his presentation, Mr. Medjuck was questioned by the Council.

Mr. Rene Quigley spoke next for the Bakery and Confectionary Union, stating his Local represented some 900 members. He said his group had favoured the rezoning at the time of the first application and had not changed its position. As a person who travelled extensively on business himself, Mr. Quigley felt the proposed site to be an ideal one in the City as it would give travellers and tourists a view of one of the City's main attractions, the Public Gardens, which, if they were forced to stay outside the City they might never get around to seeing it. Mr. Quigley also cited the tax revenue and employment factors as being further reasons for approving the application.

Mr. Clive Shaefer spoke next as a Vice-President of the Home Owners Association, as well as a private citizen. In addition to what the previous speaker from the Home Owners Association had said in support of the rezoning, Mr. Shaefer said such a hotel would become part of the growing tourist industry, and industry which brought with it no pollution.

Mr. W.B. Strang also spoke for the Home Owners Association and as a private citizen. Mr. Strang said he was in construction and a member of an organization which a large membership who held conventions yearly all over the world. He said he had been asked recently why Halifax was not picked for a convention, and he had replied because Halifax did not have sufficient hotel space for such a large gathering. He said he favoured the rezoning as he felt the hotel would be of great benefit to the City.

At this point His Worship the Mayor asked if there was anyone else who wished to speak in favour of the rezoning and there were no further requests to do so.

9:50 P.M. - Council adjourned for a brief recess.

10:00 P.M. - Council reconvened, the same members being present.

His Worship the Mayor asked to hear from persons opposing the rezoning.

Mr. David Lachapelle, a student at the School of Architecture, said he was speaking as an individual and did not represent the School of Architecture. He said he was also a member of the Downtown Committee. Mr. Lachapelle read a paragraph from the latest staff report dated October 17th, and said he interpreted the report as indicating that staff were still recommending against the rezoning.

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Mr. Lachapelle said he was not opposed to the idea of an hotel across from the Public Gardens, but did not think approval should be given at this particular time, as there was no urban design plan for the area. What was required, he said, was a development control plan, such as some other cities in Canada had. This was required he said in order to preserve the **character** of the City. Mr. Lachapelle felt that the construction of an hotel on this site had to be considered in conjunction with the highrise already approved one block to the west, and how the two buildings would look separated only by one small dwelling. He felt development of this section of Spring Garden Road would detract from the attempts to revitalize the central business district, and he questioned whether the Spring Garden merchants were in as bad need of something being done for their area as were the merchants on Barrington Street. He further felt if the City required another hotel, somebody else, if not Mr. Medjuck, would build in another location of the City, so that it did not amount to a choice between an hotel on the Park site or no hotel at all.

Following his remarks, Mr. Lachapelle answered questions put by the Aldermen.

Mr. Allan Ruffman was the next speaker to oppose the rezoning. Mr. Ruffman took offence with Mr. Medjuck's remarks that much of the advice on the central business core concept, etc. had been offered by "transients" and listed those who were living full or part time in the City.

Mr. Ian McKee of 910 Bellevue Avenue spoke against granting the rezoning. Mr. McKee said he was also speaking on behalf of the Heritage Trust, of which he was an executive. He said City staff had originally recommended against granting the rezoning application, and as far as he was aware the problems on which they had based that recommendation had not been resolved. Furthermore, he said, it would constitute spot rezoning which was detrimental to good sound planning concepts, and would definitely weaken the strengthening of the downtown center. Mr. Medjuck, he said, had stated that the majority of guests would be arriving by plane, train, etc. so would not add to the parking problems in the area, but Mr. McKee felt that a great number of the suggested 220 permanent employees would drive to work and thus add to the parking problem. Also, in view of the steps being taken to bring about the Master Plan, he felt it a poor time to start what could be a precedent for this section of Spring Garden Road.

Mrs. Elizabeth Pacey spoke against the rezoning because she felt the proposed hotel was too high a building for the environment surrounding the Public Gardens, which she termed a prime area of the City. She felt that what was required was a form of height control on building bordering the Gardens, as such buildings could only detract from the enjoyment which so many citizens presently gained from the park.