

Mr. R.A. Kanigsberg spoke in opposition next, on behalf of the Estate of Rachel Shofer which owns 1450-1454 Tower Road, 1456-1460 Tower Road and 5736 College Street, and Dr. I. Lubetsky and Mr. Saul Offman who own 5727 College Street. Mr. Kanigsberg a legal term which translated from the Latin read "you must not use your land so that it harms the land of others". He said contrary to a remark made by Mr. Medjuck, the fact was that his clients' land would decrease in value if the proposed hotel were built. In that case, he said, was Council prepared to treat his clients in the same manner as the owners of the land under discussion tonight, and rezone their properties to C-2. If not, he said, it would seem one party was being given preferential treatment. He said that even though a C-2 zoning might increase the value of his clients' property, none of them were in favour of it, as they felt it would **destroy** the beautiful well maintained homes presently in existence. Of the two evils, he said, his clients preferred to see an apartment house erected rather than an hotel, which they felt would only invite an extension of the commercial zoning through that area.

Miss Margaret Burns Martin spoke against the rezoning, having already submitted a written brief on the subject. Miss Martin said that the Public Garden served two important functions (1) recreational and (2) horticultural and botanical, and she had gathered information from various sources which indicated to her that highrise buildings along Spring Garden Road could only detract from both these functions, due to winds they would create and the increased shade over the Gardens.

Mr. Lou Collins spoke in opposition to the rezoning because of the effect it would have on the Public Gardens, which he felt were unique in North America. Furthermore, he said, the Public Gardens were included in a list of buildings, parks, etc. which Council had approved be designated as historic landmarks of the highest priority. He said renewal in the area was inevitable but a plan had not yet been prepared to indicate along what lines development would be in the best interests of the City, and more particularly for the protection of the Park. He referred to the stand taken by the Landmarks Commission at the first Public Hearing on this particular rezoning, and said nothing had happened to change those views.

Mr. George Cooper addressed the Council in opposing the rezoning, on behalf of the Lord Nelson Hotel owners. Mr. Cooper said that some of the arguments presented against the rezoning while valid, including the economic interests of two of the parties, were not really the issue before the Council. That issue he felt was whether it was in the best interests of the City to extend the C-2 Commercial zone beyond its present boundary of South Park. He said any further commercialization in the proposed area would be bad for the revitalization of the downtown core, but a hotel more so than some other use, since an hotel acted like a magnet in drawing business around it. He referred to the exhaustive study of the matter made by the Planning Appeal Board and the unanimous decision that the proposed project would be

detrimental to the City of Halifax.

Miss Constance MacFarlane of 110 Wellington Street spoke next, stating she was a biologist with the Department of the Environment for Canada. She opposed the rezoning since she felt that the construction of high rises around the gardens would prevent the growth of flowers because of draft and shade. She said there had been a lack of study and training regarding the effect of high rise buildings on a surrounding area, but there was much evidence available as to how detrimental they could be to plant life, as well as the fact that people would not be able to sit in comfort in the park because of the draft currents created by such buildings.

Mr. Anthony Jackson, Professor, of 14 Edward Street, was the final speaker opposing the rezoning because it would encourage commercial development along Spring Garden Road. He stated there was an urgent need for urban design guidelines covering property use.

His Worship the Mayor asked if there were any further persons wishing to speak against the proposed rezoning, and there being no reply, he declared the Public Hearing to be over and the matter before the Council.

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

12:15 A.M. October 19 - Meeting adjourned.

HEADLINES

Public Hearing Re:Rezoning of Lots 1-33, Inclusive, Ocean View Drive to be Rezoned from General Building to R-1 Residential	465
Public Hearing Re: Rezoning of Civic Nos. 5740-46 Spring Garden Road and 1462-88 Tower Road, to be rezoned from R-3 Zone to C-2 General Business	466

WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

PUBLIC MEETING

Minutes

Fairview Heights School,
28 Dunbrack Street,
Halifax, N.S.
October 24, 1972
8:00 P.M.

A Public Meeting was held on the above date for the purpose of explaining to the approximately 1500 property owners in Fairview and Armdale who recently received bills for Area Rate Charges for Sewers, the reason for the billing, and give them an opportunity to ask questions.

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

Also present: City Solicitor, Director of Finance, Comptroller, City Clerk and other staff members.

Mr. Hyndman outlined the background behind the billing, stating that the decision to install the sewers was arrived at after a vote was taken at meetings on the subject which were attended by the property owners concerned, at which time it was decided payment would be made by means of area rates.

Before Mr. Hyndman could complete his explanation, however, he was asked if the City was aware of such an arrangement at the time annexation took place. Mr. Hyndman replied that the City had made a mistake in interpreting the general ruling of the Board of Public Utilities covering the annexation, which ruling he said was a complex and lengthy one. The ruling, he said, had said there would be no area rates with respect to general tax areas such as garbage collection, recreation, police and fire protection, etc. but that the area rate would stand with respect to capital repayment for sewers.

One man who lived on the Bay Road said he had paid for lateral sewer in 1961 and questioned why he should be billed again commencing 1968. Mr. Hyndman said that the City had issued its billings on data supplied by the County but if there were any errors in this data and a person who received a billing had already paid lateral sewer costs, the necessary correction would be made.

Several persons who had purchased homes since 1968 stated that they had paid a lawyer to check the properties for proper clearance and had been advised no liens existed. The City Solicitor replied this was correct insofar as the sewer charges were concerned since no billings existed. The residents felt since this condition existed because of a mistake on City staff's part, they should not be held responsible at this point.

Mr. Charles Campbell stated that many buildings had many erected since annexation and were using the

sewers in question, so he felt such property owners should also be billed for their cost.

Mr. Charles Irving of 26 Ford street spoke, stating he had already been in touch with City staff concerning the rate he was being billed at. Mr. Kent, the Comptroller, stated that there were two different engineering systems and rates and the matter of which rate should be applied against Mr. Irving's property was being investigated. Mr. Kent said City staff were working on County assessment lists and it appeared that the assessment list contained different information than Mr. Irving's bill, which he had not yet examined.

One man felt that the residents who received these sewer bills were being discriminated against, but the City Solicitor pointed out that they were not the only persons in the City paying for their sewers; the people in Spryfield, for instance, he said, were paying for their lateral sewers on a front footage basis.

A Mr. J. Etter then quoted some figures he said he had received from the County concerning the total amount of interest due on the bonds covering the sewer construction, and questioned some of the figures being used by City staff in this regard. Since there appeared to be some differences in the figures he had obtained from those the County supplied City staff, he agreed to pass his information on to staff so that they could check it out.

Another resident of the Bay Road who had received a billing said that persons living on streets running off the Bay Road, Crescent Ave. for instance, had not received a bill and since they used the same lateral he did not see why this should be. Staff displayed a map showing several areas, one off the Bay Road where Crescent Ave. was, where they said the Province had paid the full lateral cost because of pollution problems. However, a resident of Crescent Avenue disputed this, stating he had a bill which assessed him for a share of the sewer costs.

Mr. Campbell said that the whole matter should be sent back for investigation and a hearing.

A Mr. Jones spoke next, disputing the statement that the residents had voted in favour of all the sewer work. He asked if at the time of annexation there was anything in the City Charter to permit the City to assess any residents area rates, and the City Solicitor replied "no, there was not".

After further questioning, it was MOVED by Mr. M. Josey, seconded by Mr. Angus MacDonald, that members of Council review the situation in depth with City staff and come back to another meeting with all the necessary information as quickly as possible.

Mr. Campbell moved an amendment that the City hire independent Accountants to go to the County and obtain

Public Meeting,
October 24, 1972

City Hall

correct figures, but there was no Secunder to his amendment.

The question then arose of what would happen to the interest payments if the matter was not settled before the first payment was due. His Worship the Mayor said that the City Solicitor and the Director of Finance would recommend to the City Manager that this interest rate be withheld until such time as Council has had an opportunity to review the matter and come up with a recommendation.

The motion was then put and passed.

9:30 P.M. - Meeting adjourned.

Minutes of Council meetings held on October 12, and October 18, 1972, were approved on motion of Alderman Campbell, seconded by Alderman Stappery.

WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

Council agreed with the request of the City Clerk to add the following items to the agenda:

- 20(a) Expropriations - East Side of Harrington Street.
- 20(b) Cost Sharing - Regional Pollution Control System - Halifax-Dartmouth Metropolitan Area.
- 20(c) Local Initiatives Program (1972-73).
- 20(d) Waiver of Easement - Shell Canada Limited - Brunswick St.

Council agreed with the request of Alderman Stappery to add:

- 20(e) Flooding on Wallace Lake Road.

Council agreed with the request of Alderman Wentzell to add:

- 20(f) Surface Water Problem - Princeton Avenue.

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

PASSING - MR. PATRICK J. BROWN

Alderman Stappery referred to the passing of the above named who served as a member of the Visitors and Convention Bureau and who contributed greatly to the travel industry in Halifax and to the Community as a whole.

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
October 26, 1972
8:10 P. M.

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

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

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

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

MINUTES

Minutes of Council meetings held on October 12, and October 18, 1972, were approved on Motion of Alderman Connolly, seconded by Alderman Stanbury.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

Council agreed with the request of the City Clerk to add the following items to the agenda:

- 20(a) Expropriations - East Side of Barrington Street.
- 20(b) Cost Sharing - Regional Pollution Control System - Halifax-Dartmouth Metropolitan Area.
- 20(c) Local Initiatives Program (1972-73).
- 20(d) Waiver of Easement - Shell Canada Limited - Brunswick St.

Council agreed with the Request of Alderman Stapells to add:

- 20(e) Flooding on Williams Lake Road.

Council agreed with the request of Alderman Wentzell to add:

- 20(f) Surface Water Problem - Princeton Avenue.

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

PASSING - MR. PATRICK J. KEOGH

Alderman Stapells referred to the passing of the above named who served as a member of the Visitors and Convention Bureau and who contributed greatly to the travel industry in Halifax and to the Community as a whole.

It was MOVED by Alderman Stapells, seconded by Alderman Hogan that a letter be forwarded to Mrs. Keogh and members of the family expressing sympathy on behalf of City Council in this connection. Motion passed.

DEFERRED ITEMS

Rezoning of Lots 1-33 inclusive, Ocean View Drive, from
General Building to R-1 Residential

At the Public Hearing held on October 18, 1972, the above noted rezoning was referred to this meeting without recommendation.

MOVED by Alderman Wentzell, seconded by Alderman Bell that the application to rezone from General Building to R-1 Residential, Lots Nos. 1-33, Civic Nos. 1-33 inclusive, Ocean View Drive, as shown on Plan No. P200/4333 of Case No. 2339, be approved by City Council. Motion passed.

A Formal Resolution was submitted giving effect to the foregoing Motion of Council.

MOVED by Alderman Wentzell, seconded by Alderman Bell that the Formal Resolution, as submitted, be approved.

Motion passed.

Rezoning of Civic Nos. 5740-46 Spring Garden Road and 1462-88
Tower Road, From R-3 Zone (Multiple Dwelling - 3rd Density
Residential) to C-2 (General Business)

At the Public Hearing held on October 18, 1972, the above noted rezoning was referred to this meeting without recommendation.

MOVED by Alderman Connolly, seconded by Alderman Bell that the above noted rezoning be referred to the next regular meeting of the Committee of the Whole Council to be held on November 8, 1972. Motion passed.

PUBLIC HEARINGS & HEARINGS

A letter was submitted from Mr. Peter M. Pronych appealing the refusal decision by the Development Officer for a minor variance on a private residence at 879 Bridges Street.

A staff report dated October 23, 1972, was submitted setting out the reasons why the Development Officer refused the Minor Variance and recommended that City Council confirm his decision.

Alderman Hogan referred to the deficiency of 3.37% in coverage and in reply to his question as to whether it was necessary for this to come before Council, the City Manager replied it is an appeal from a decision made by the Development Officer in accordance with the existing regulations of the City and did in fact, have to come before Council.

The City Solicitor said it was his understanding that this is the first property in Halifax coming before Council for a modification of the lot coverage saying that under the zoning by-law of the old Town Planning Act, the lot coverage could not be modified and that all applications were turned down as Council did not have the power to grant such modifications. He said that since the passing of the Planning Act, the Building Inspector now has the power to make such modifications and said this is the first one to come before Council.

Alderman Connolly referred to the proposed addition saying it will be on the rear of the house and will not be in conflict with the appearance of the other houses on the Street. He also noted the addition is so designed so as to retain the green area saying the extension will be supported on stilts.

It was then MOVED by Alderman Connolly, seconded by Alderman Hogan that the appeal against the refusal of the Development Officer to permit a modification of the lot coverage requirement at 879 Bridges Street, be approved.

Deputy Mayor Moir suggested that of all the modifications which Council can approve that this is the most difficult one and felt that if permission is given to go beyond the 35% lot coverage which is the maximum permitted under the By-law, it would be setting a dangerous precedent.

Mr. Peter M. Pronych the appellant, then appeared before Council and outlined the reasons for the modification and briefly explained the way in which the proposed addition would be constructed.

After further discussion, the Motion was then put and passed with Deputy Mayor Moir voting against.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 18, 1972, with respect to the following:

JOSEPH HOWE FESTIVAL

MOVED by Alderman Connolly, seconded by Alderman Wentzell that City Council agree in principle with the letter dated October 2, 1972 from the Chairman of the Joseph Howe Festival, and work to help make the event a success.

Alderman Hogan said Council should be aware that some expenditure may be expected from the City on this matter at a later date.

Alderman Wentzell also referred to the letter from the Chairman of the Joseph Howe Festival which recommended that Natal Day be cancelled and noted that last year, City Council indicated that the Natal Day celebrations should be continued and said he would like to see some figures coming before Council in the near future with respect to Natal Day for the coming year.

The City Manager said he did not see anything wrong with agreeing in principle with such a program and suggested that by taking such action, Council is not leaving itself open to an unlimited amount in the budget. He said he would welcome any thoughts which the parties involved may have on the matter so that staff could give some consideration for building an amount into the budget allocation.

The Mover then, with the approval of the seconder, agreed that the Motion be amended as follows:

"That City Council agree in principle with the letter dated October 2, 1972 from the Chairman of the Joseph Howe Festival, and work to help make the event a success, subject to budgetary authorization by Council as to cost sharing." — Amendment passed.

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

City-Owned Fill - C. V. C. Site

MOVED by Alderman Connolly, seconded by Alderman Bell that upon receipt of approval from the National Harbours Board and the necessary appropriation of funds by Council, the pile of City-owned fill be moved from its present location on the C.V.D. property to Lot "A" as shown on plan attached to staff report dated October 10, 1972. Motion passed.

Street Pattern - Convoy Place - Phase I

MOVED by Alderman Sullivan, seconded by Alderman Hogan that City Council approve, in principle, the acceptance of the interior street system for Phase I of Convoy Place, as shown on the Plan attached to the Staff report of October 5, 1972, subject to the developer meeting the requirements of the City for road construction (e.g. re-designing to permit continuous snow plowing).

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on October 18, 1972 with respect to the following matters:-

Zoning and Rezoning from R-4 Residential to R-2 Residential -
Saskatoon Drive and Surrounding Area - Date for Hearing

An additional report was submitted from Staff on this item suggesting that a fourth parcel of land be included in the rezoning.

MOVED by Alderman Connolly, seconded by Alderman Hogan that, as recommended by the City Planning Committee, a date for a Public Hearing be set to consider the following:-

1. Area "A" - Rezoning of lands to R-2 Residential bounded by Kearney Lake to the east, the present boundary line of lands now unzoned to the north, the official boundary line of the City of Halifax to the west and a boundary line of an area unzoned to the south, all of which is presently zoned R-4.
2. Area "B" - Zoning of land to R-2 Residential bounded by Kearney Lake to the east, the official boundary line of the City of Halifax to the north and west and the boundary line of the existing R-4 Residential zone to the south, all of which is presently unzoned.
3. Area "C" - Zoning of land to R-2 Residential bounded by the existing R-4 zone to the east, the boundary line of the existing R-4 zone to the north and west and bounded on the south by the official boundary line of the City of Halifax, all of which is presently unzoned.
4. Area "D" - Rezoning of land from G - General Building Zone to R-2 Residential, as shown on Plan No. P200/5422 of Case No. 2759.

Motion passed.

In reply to a question, the City Clerk advised that it is expected that the Public Hearing will be held on November 22, 1972.

Extension of Inglewood Drive - Street Acceptance

MOVED by Alderman Bell, seconded by Alderman Moir that, as recommended by the City Planning Committee, City Council accept that portion of Inglewood Drive which has recently been constructed in a northerly direction from the existing cul-de-sac. Motion passed.

Resubdivision - Lands of J. B. MacDonald & Sons Ltd., -
Corner of Main Avenue and Homeward Avenue

MOVED by Alderman Bell, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application for resubdivision to create Lot C-1, Lands of J. B. MacDonald and Sons Limited - Corner of Main Avenue and Homeward Avenue, as shown on Plan No. P200/4211 of Case No. 2477, be approved. Motion passed.

Extension to a Non-conforming Building - Civic No. 5659
Merkel Street

MOVED by Alderman Stanbury, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building to permit the construction of a 4' x 19' one-storey addition and a 14' x 19' second-storey addition at the rear of Civic No. 5659 Merkel Street, as shown on Plans No. P200/5386-89 of Case No. 2746, be approved. Motion passed.

Application for Resubdivision - Lands of the Halifax-
Dartmouth Bridge Commission - Lady Hammond Road

MOVED by Alderman Bell, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for resubdivision to create Block B as a separate lot, Lands of the Halifax-Dartmouth Bridge Commission, Lady Hammond Road, as shown on Plan No. P200/5384 of Case No. 2744, be approved. Motion passed.

Subdivision - Lands of Maritime Steel and Foundries Ltd.
Commission Street

MOVED by Alderman Stapells, seconded by Alderman MacKeen that, as recommended by the City Planning Committee, the application for final approval of Lots F1 and F2, Lands of Maritime Steel and Foundries Ltd., Commission Street, as shown on Plan No. P200/5395 of Case No. 2752, be approved. Motion passed.

Extension to a Non-conforming Building - Civic No. 2915
Connaught Avenue

MOVED by Alderman Stanbury, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application to permit the construction of a 10' x 11' one-storey addition at the rear, along with the completion of the second storey at Civic No. 2915 Connaught Avenue, as shown on Plan No. P200/5399 of Case No. 2758, be approved. Motion passed.

Rezoning of Lands in the Area Bounded by Seaview Avenue,
McMullin Road, Herring Cove Road, Cherry Lane and the
Rear of the Properties Situated Along Joyce Avenue
from R-4 Residential to R-2 Residential

MOVED by Alderman Wentzell, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, a date for a public hearing be set to consider the rezoning of lands in the area bounded by Seaview Avenue, McMullin Road, Herring Cove Road, Cherry Lane and to the rear of the properties situated along Joyce Avenue, as follows:

Area "A" - comprising land west of and including the approved lots on the east side of Aurora Avenue, between Seaview Avenue, McMullin Road, Herring Cove Road, Cherry Lane - rezoning from existing R-4 Residential to R-2 Residential.

Area "B" - comprising of the remaining lands on the east side of the approved lots on Aurora Avenue, bounded by Seaview Avenue and running to existing boundaries of R-1 and R-2 Residential zones to the south and east - rezoning from existing R-4 Residential to R-2 Residential.

Motion passed.

In reply to a question, the City Clerk advised that it is expected that the public hearing will be held on November 22, 1972.

Amendment to the Zoning By-law - Peninsula Area - 2751-53
Gladstone Street

MOVED by Alderman Stapells, seconded by Alderman Connolly that, as recommended by the City Planning Committee, no change be made in the Zoning By-law - Peninsula Area, at this time.

Alderman Meagher said that he felt quite strongly about this application and he was of the opinion that the man should be permitted to extend his building.

Alderman Stapells said that it was with reluctance that he moved the motion but he could not agree that it would benefit the City to make an Amendment to the Zoning By-law which would permit similar expansions to non-conforming uses in other areas.

Alderman Stanbury agreed that it would not be good for non-conforming uses to be permitted to expand in residential areas but she pointed out that this area is mainly commercial and industrial and thought it was ridiculous not to grant this application.

His Worship the Mayor said that the sympathy of Council is with this applicant but he agreed that an amendment should not be permitted to the Zoning By-law which

would give all other mixed non-conforming uses to expand in the City and thereby causing some deterioration in other areas.

After considerable discussion, the motion was put and passed with Aldermen MacKeen, Meagher, Stanbury and Sullivan voting against.

Decision of Development Officer - Civic No. 3264 Union Street

Alderman Sullivan spoke at some length on this matter and cited several Cases which, in his opinion, required major modifications and which were recommended for approval by Staff. He contended that this modification should be approved so that the applicant can construct a garage on the front of his property. It was then MOVED by Alderman Sullivan, seconded by Alderman Meagher that the Decision of the Development Officer be reversed and that the application for modification of the front yard requirement of 13.5 feet to permit the construction of a garage in the front of the property at 3264 Union Street be approved.

Considerable discussion ensued on this matter.

In reply to a question, Staff advised that they had been unable to contact the owner, as recommended in the City Planning Committee, but had ascertained that the water pipe located in the north side yard of the property could be lowered or insulated to provide for a driveway to be installed.

After further discussion, it was MOVED by Alderman Stapells, seconded by Alderman Connolly that the matter be referred back to the City Planning Committee to permit Staff more time to contact the owner and discuss the application.

The motion to refer was put and lost, four voting for the same and six against it as follows:

For:	Aldermen Bell, Connolly, Moir and Stapells	4
Against:	Aldermen Hogan, MacKeen, Meagher, Stanbury, Sullivan and Wentzell	6

Alderman Sullivan contended that this item has been discussed sufficiently for a decision to be made.

Alderman Stapells expressed his concern about the safety aspect of the situation.

Alderman Moir said that this, in his opinion, is not such a serious issue as the lot coverage item approved by Council earlier this evening and said he would go along with the motion.

After more discussion, the motion was put and passed, six voting for the same and four against it as follows:

For: Aldermen Bell, MacKeen, Meagher, Moir,
Stanbury and Sullivan 6

Against: Aldermen Connolly, Hogan, Stapells and
Wentzell 4

MISCELLANEOUS BUSINESS

Kensington Court Condominium

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

MOVED by Alderman Meagher, seconded by Alderman Hogan that Mr. C. L. Dodge be authorized to sign the Statutory Declaration required by the Registrar of Condominiums, Province of Nova Scotia, in respect of Kensington Court. Motion passed.

Appointment - Deputy Mayor

His Worship the Mayor advised that it is now time to appoint a Deputy Mayor and that all other appointments will be submitted to the next Council meeting.

MOVED by Alderman Connolly, seconded by Alderman Wentzell that Alderman MacKeen be appointed Deputy Mayor effective November 1st, 1972.

In reply to a question, Alderman MacKeen said he would be happy to accept the appointment.

The motion was then put and passed unanimously

At this time, His Worship the Mayor congratulated Alderman MacKeen on his appointment and said that he looked forward to working with him closely during the coming year. He also thanked Alderman Moir for his assistance during the past year and for all his hard work and he asked him to accept sincere appreciation from himself and all members of Council.

Alderman Moir said that it had indeed been a great pleasure to serve as Deputy Mayor over the past year and he thanked His Worship the Mayor and Council for giving him this opportunity and for their co-operation.

1971 Financial Statement - Halifax-Dartmouth Port Commission

MOVED by Alderman Connolly, seconded by Alderman Hogan that the 1971 Financial Statement of the Halifax-Dartmouth Port Commission be tabled.

Alderman Connolly noted that the Port Commission was under budget by an amount of \$11,000.00.

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

QUESTIONS

Question Alderman Meagher Re: Sidewalk Repairs

Alderman Meagher asked if some repairs could be made to the sidewalk in front of McQuinn's Drug Store at 6455 Quinpool Road which is in a deplorable state. He said that a woman fell at this location just the other day.

The City Manager stated that Staff would take this under consideration but that at present the barrel is dry and the City is waiting for some replenishment from other sources and until this is forthcoming no repairs can be made.

Alderman Stapells spoke of the need for sidewalk repairs in front of the Candy Bowl which were requested some time ago and he thought that it was dreadful that businesses paying large amounts in taxes are unable to have the services, such as repairs to sidewalks, for which they are paying. He referred to persons who were hired to sweep the Rotary for two months during the summer and felt that the money paid to these people could have been better spent on sidewalk repairs. He referred also to a man sweeping the street at Connaught Avenue and Windsor Street and he asked for a statement of the wages paid to these sweepers.

Question Alderman Stanbury Re: Condition of Young Street

Alderman Stanbury asked if something can be done about the condition of Young Street as the pavement is in a dreadful state and she has received many calls and complaints. She urged Staff to look at this matter carefully.

Question Alderman Stanbury Re: Smoke Stacks in North End

Alderman Stanbury referred to a breakdown at the Incinerator this past week which heralded a great flood of complaints about smoke and fly ash on Basinview Drive and referred also to fly ash from the chimney in Windsor Park. She said that she contacted Windsor Park who informed her that the plant has been converted to oil but on this particular occasion it was unfortunate that the testing was done on a wet and windy day. She felt that it is about time that persons living in these areas are given some consideration and some relief from this nuisance.

His Worship the Mayor said that he had received a number of complaints but understood that the Armed Services are doing all they can to improve the situation.

Question Alderman Bell Re: Interest on Area Rates

Alderman Bell asked if Minutes would be dis-

tributed of the Public Meeting held in Fairview Heights School last week.

The City Clerk replied in the affirmative.

Alderman Bell asked if it is now necessary for Council to take some official action in relation to the matter of area rates and to cancel the interest charges until the whole matter has been considered further.

His Worship the Mayor suggested that the Alderman make such a motion at the end of the meeting.

Question Alderman Bell Re: Sidewalks on Dutch Village Road

Alderman Bell referred to the new installation of sidewalks on Dutch Village Road and he said that some of the lawns are being destroyed. He asked if it is the City's intention to build retaining walls along by the sidewalks to stop the banks of earth falling back on the sidewalk. He said that he understood some of the sidewalks are being installed on private property and the people are annoyed.

The City Manager said he would endeavour to get some answers to the points raised as quickly as possible.

Question Alderman MacKeen Re: Parking on Private Property

Alderman MacKeen asked for some clarification of the question of parking on private property since he has received a number of calls in recent days from persons who have been informed by the Police Department that they no longer ticket vehicles parked on private property.

The City Solicitor said that because of the wording of the provisions of the Motor Vehicle Act it has been difficult to successfully prosecute in these situations. He said that the matter has been discussed with the Police Department and a policy was adopted not to ticket cars on private property it being a matter for private prosecution between the owner of the property and the driver of the car. He expected that the matter would be resolved within a few days after further discussions.

Alderman Hogan questioned whether it was up to the owner of the property to police it.

The City Solicitor said that he expected the situation to change by the beginning of the week. He repeated that there are difficulties in prosecution because of the wording of certain sections of the Motor Vehicle Act. He said that an alternative was to tow the vehicles away and this was going to be done, but a different set of problems would result and after having given the matter further consideration it is expected that the Police Department will revert to ticketing vehicles but no final decisions have as yet been made.

Question Alderman MacKeen Re: Sidewalk in Front of
Scotia Square

Alderman MacKeen asked Staff to look into the heaving problems of the sidewalk in front of Scotia Square which is relatively new. He said that some parts of it are in very bad condition and he asked for a report from Staff setting out what can be done.

Question Alderman MacKeen Re: Report from Acres Atlantic -
Traffic Survey

Alderman MacKeen asked if the Acres Atlantic Traffic Survey Report has been received by Staff.

The City Manager said that Acres were retained by a Joint Planning Committee and that Mr. Dodge, being a member of the sub-Committee could answer the question more fully,

Mr. Dodge said that the report was presented to the Technical sub-Committee on September 1st and on September 8th or 9th an unanimous decision was made within that Committee to recommend a certain scheme contained in the report to the Joint Planning Committee and as yet no decision has been made by that body. It has been discussed and results are awaited from the Joint Planning Committee.

Question Alderman Moir Re: Harbour Drive - Public Hearing -
November 2

Alderman Moir said that it has been suggested to him that to enhance the discussions which will take place next Thursday night on Harbour Drive, members of Council do not sit on the platform but down with the interested citizens. He suggested that perhaps a semi-circular arrangement of the chairs might be a good idea. He said that it had also been suggested that all persons be permitted to comment on the subject and that they not be required to specifically state whether they are for or against the project.

Question Alderman Stapells Re: Land at Melville Cove -
Derelict Vessels

Alderman Stapells referred to a memorandum he has received from the City Solicitor with respect to the land at Melville Cove which might be obtained by the City for \$1.00, as he had suggested previously, and relating to the derelict vessels at Cunards Wharf which, it is hoped, can be sold and removed. He congratulated the City Solicitor's Department on the work done with respect to these items and he hoped that the City would not be required to assume ownership of the vessels to have them removed.

Question Alderman Sullivan Re: Relief from Incinerator
Fly-Ash

Alderman Sullivan referred to the question raised by Alderman Stanbury and agreed that something must be done to give some relief to the citizens living in the area from this fly ash nuisance.

The City Manager said he would take the question under advisement. He said that basically the City has done all it can with the Incinerator but the latest emission was caused because the water supply system was shut off for a while, due to blasting in the area, and the baffle plates were not cooled and they cracked. He said that they have to be custom made and the supply on hand had been used up, due to similar occurrences in recent days. He reported that the baffle plates are now in the City and it is expected that they will be installed over the week-end.

Question Alderman Sullivan Re: Railway Wall along Barrington
Street

Alderman Sullivan referred to questions he had raised on several occasions relating to the Railway wall along Barrington Street which requires inspection. He said that young boys have been tunnelling under the wall and he is afraid that some disaster will occur with the heavy traffic on this section of street. He asked when the Inspector will be in the City to look at this dangerous matter.

The City Manager reported that the Inspector will be in the City next Monday.

Question Alderman MacKeen Re: Hawker-Siddeley Buildings
on Barrington Street

Alderman MacKeen asked if a letter could be sent to the Hawker-Siddeley Company on Barrington Street asking them to paint and maintain their buildings on Barrington Street.

His Worship the Mayor said that he understands one building has been painted and a maintenance programme is underway.

Question Alderman Stanbury Re: Beautification of City Dump

Alderman Stanbury said that some while ago funds were allocated for a beautification programme at the City Dump and she asked what has been done as it does not seem as though there is any improvement.

The City Manager said that the money has been spent and he will submit a written answer to this question as soon as possible.

ADDED ITEMS

Interest on Area Rates

MOVED by Alderman Bell, seconded by Alderman Stapells that the levying of interest charges on area rates be deferred to a date to be determined by Council after a full discussion has been held in Council on the whole matter. Motion passed.

Expropriations - East Side of Barrington Street

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

The report indicated that City Council must now pass formal expropriation resolutions, which have been prepared, respecting the properties 2249 Barrington Street and 2295 Barrington Street.

Formal Expropriation Resolutions, Descriptions and Plans were submitted for approval.

MOVED by Alderman Stapells, seconded by Alderman Wentzell that the Formal Expropriation Resolutions, Descriptions and Plans, as submitted, be approved. Motion passed with Alderman Meagher voting against.

Cost Sharing Formula - Regional Pollution Control System for Halifax-Dartmouth Metropolitan Area

MOVED by Alderman Meagher, seconded by Alderman Moir that, as recommended by the Committee of the Whole Council, City Council approve, in principle, the formula for cost sharing for a Regional Pollution Control System, as set out in the report prepared for the Metropolitan Area Planning Committee, and that Staff be authorized to open negotiations with the City of Dartmouth in an effort to prepare an Agreement.

The motion was put and passed, eight voting for the same and two against it as follows:

For:	Aldermen Bell, Connolly, Hogan, MacKeen, Meagher, Moir, Stapells and Wentzell	8
Against:	Aldermen Stanbury and Sullivan	2

Local Initiatives Program (1972-73)

A report was submitted from Staff relating to the above matter to which was attached a priority listing of proposed applications.

After a short discussion, it was MOVED by Alderman Meagher, seconded by Alderman Moir that City Council endorse the priority listings for applications under the Local Initiatives Program (1972-73), attached to the Staff Report dated October 25, 1972, and instruct staff to submit

the appropriate applications.

The report pointed out that funds to cover the City's share of the costs of approved projects will be built into next year's budget estimates. Projects or programs involving a cost to the City will not be scheduled to start until after December 31, 1972.

Alderman Meagher suggested that some thought be given to a program involving the Central Common which is in rather a sad state at the present time.

Alderman Hogan asked that Council be kept informed of the projects as they proceed and be notified of those applications accepted.

The motion was then put and passed.

(Copy of the priority list attached to the Official Minutes of this meeting.)

Waiver of Easement - Shell Canada Limited - Brunswick Street

A report was submitted from Staff relating to the above matter dated October 26, 1972.

MOVED by Alderman Stapells, seconded by Alderman Bell that the City agree to release to Technaprint Services Limited the easement referred to in the staff report of September 28th for the sum of \$1.00, subject to the issuance by the Building Inspector of a permit to build on the land substantially in accordance with the revised preliminary plans submitted to the City on October 25, 1972. Motion passed.

(Copies of Staff Reports dated September 28 and October 26 are attached to the Official Minutes of this meeting).

Flooding - Williams Lake Road

Alderman Stapells said that not too long ago a problem was identified respecting flooding on the Williams Lake Road. He reported that basements were flooded in some of the homes up to a depth of eight feet. He said that a solution was proposed by the City and the residents agreed to cost share on a 50/50 basis amounting to approximately \$100.00 per home. He explained that the residents got together and raised the money as their share of the scheme, informed the City that the money was ready only to be told that the City is not now going to proceed. He said that something must be done and soon before similar flooding conditions occur this winter. He asked Staff to report on this matter.

The City Manager said a report would be prepared but he suspected that the answer would be the same as that given in the case of the sidewalk repairs.

Surface Water Problem - Princeton Avenue

Alderman Wentzell referred to a similar situation which has arisen in his Ward as that spoken of by Alderman Stapells only relating to surface water drainage on Princeton Avenue. He said that the residents of the area agreed to cost share with the City and paid their monies in to the Building Inspector only to find out at this time that the City is not going to correct the problem. He said that these people are extremely annoyed and deserve some consideration.

After a short discussion, Council agreed to refer this and the previous item to the next meeting of the Committee of the Whole Council when a Staff Report should be available.

The City Manager advised that he was not sure whether all the information could be gathered in time for the next Committee meeting but he would report as soon as possible.

10:25 p.m. Council adjourned to meet privately for a short while.

10:55 p.m. Council reconvened, the same members being present.

Notice of Motion - Rescission of Council Resolution dated October 12, 1972 - Tenders for Winter Coats - Police Department

Alderman Moir gave notice that, at the next regular meeting of Council to be held on November 16, 1972 he will move that the resolution of Council of October 12, 1972 relating to Tenders for Winter Coats - Police Department be rescinded.

The City Manager, at this time, asked for some instructions to Staff to stay proceedings so that the coats would not be purchased in accordance with Council's previous directive.

Alderman Moir said that he thought there should be no debate on this item.

MOVED by Alderman Connolly that Staff be instructed not to act on the October 12, 1972 Council resolution relating to this matter.

There was no seconder to this motion.

Alderman Moir said to just let Staff go ahead and purchase the coats --

His Worship the Mayor did not consider any instructions to be necessary.

11:00 p.m. Council adjourned.

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WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

City Council
October 26, 1972

TO: His Worship the Mayor
and Members of City Council

FROM: C. McC. Henderson, City Manager

DATE: October 25, 1972

SUBJECT: Local Initiatives Program (1972-73)

As the members of City Council are aware, the Federal Government recently announced its intention to reactivate the Local Initiatives Program for the period December 1, 1972, to May 31, 1973.

The attached schedule lists some of the projects proposed by City staff for inclusion in this year's program. These projects are listed in their approximate order of priority. It is felt that these projects should receive favourable consideration from the program evaluators.

It should be noted that the schedule is by no means exhaustive and that staff are currently analyzing other projects which will be presented to Council prior to the preparation of further applications.

It is recommended that City Council endorse the attached priority listing and instruct staff to submit the appropriate applications. Funds to cover the City's share of the costs of approved projects will be built into next year's budget estimates. Projects or programs involving a cost to the City will not be scheduled to start until after December 31, 1972.


C. McC. Henderson
City Manager

JCP/me
Attachments

LOCAL INITIATIVES PROGRAM 1972-1973

NO.	DESCRIPTION	MANWEEKS	NEW JOBS	TOTAL COST	MAXIMUM FEDERAL	COST TO CITY
1	Property survey	336	14	\$ 53,700	\$ 39,312	\$14,388
2	Disconnecting illegal storm connections	112	7	18,680	15,232	3,628
3	Cleaning ditches & culverts	864	36	118,624	101,088	17,536
4	Cleaning all catchpits	192	12	35,720	22,464	13,256
5	Fleming Park extension	308	11	55,900	36,036	19,864
6	Clearing school paths in Cläyton Park & Wedgewood Park	48	12	8,940	5,616	3,324
7	Steam clean & paint pig and sheep barn	15	5	1,978	1,755	223
8	Steam clean and paint horse barn	20	5	2,804	2,840	464
9	Steam clean & paint cow barn	25	5	3,330	2,925	405
10	Clearing debris from shores of Bedford Basin	48	12	8,930	5,616	3,314
11	Microfilming of plans	48	2	15,434	5,105	10,329
12	Training to improve recreational leadership	682	22	81,063	79,794	1,269
13	After school action	806	26	91,975	94,302	--
14	Establish recreation program Ward 1	217	7	25,389	25,389	--
15	Winter recreation (continuation of last year's program)	570	18	67,538	66,690	849

LOCAL INITIATIVES PROGRAM 1972-1973

NO.	DESCRIPTION	MANWEEKS	NEW JOBS	TOTAL COST	MAXIMUM FEDERAL	COST TO CITY
16	Community Centre for Handi-capped Children	341	11	\$ 41,082	\$ 39,907	\$ 1,175
17	Cleaning windows, interiors, and exteriors	130	5	12,250	14,040	--
18	Teachers Aid Program	700	25	71,200	82,900	
19	Upgrading & development of school yards	325	13	47,750	38,025	9,725
20	Painting & repairing of school Phys. Ed. equipment					
21	Construction of storage & equipment shed	45	5	8,558	5,315	3,243
22	Accumulation of property data	48	4	4,800	4,800	
23	Planting trees & shrubs within street right of ways	60	5	35,540	7,120	28,420
24	Cleaning beaches, cleaning underbrush, etc.	168	6	22,530	19,696	2,874
25	Point Pleasant Park - clearing bushes, etc.	120	6	16,360	14,040	2,320
26	Home Care for the Elderly	156	6	13,298	18,252	--
27	Home Aides and Outreach Workers	468	18	49,886	54,756	--

NOTE: The above costs are preliminary and may be subject to slight revision if and when approval for the various projects is received from the Federal Government.