

His Worship the Mayor agreed that some families do indeed request accommodation in Mulgrave Park and he agreed with the remarks of the Alderman.

Question Alderman Stapells Re: Condition of Streets -
Kline Heights

Alderman Stapells asked that the Director of Engineering and Works continue to keep after the contractor installing the sewer and water in Kline Heights about keeping the streets in the best shape possible. He said that they haven't been too bad over the past few weeks but with the recent heavy rains are beginning to worsen. He just wanted Staff to keep the contractor on his toes about this matter.

Question Alderman Stanbury Re: Signs on Recreation Areas

Alderman Stanbury asked which City Department was responsible for erecting the large signs on the recreation areas indicating the name of the location.

She was advised that the Engineering and Works Department was responsible.

Alderman Stanbury went on to say that she considered this rather a waste of money and that the ugly signs detract from the playing fields and make a wonderful target for vandals.

The Director of Engineering and Works reported that he had received a favourable comment on the signs from another member of Council, so now the count stands at one for and one against.

Question Alderman Meagher - Street Lines - Chebucto Road

Alderman Meagher asked when he can expect some action with respect to the laying down of Street Lines on Chebucto Road.

The City Manager said that a report will be submitted to next week's Committee of the Whole meeting.

Question Alderman Meagher Re: Tennis Courts, Central
Common

Alderman Meagher asked when the nets will be taken down from the courts on the Central Common. He felt that they should be removed before they are stolen or damaged and he noted that one has disappeared already. He also suggested that the gate be locked to avoid other damage.

Question Alderman Meagher Re: Sidewalk Repairs -
Quinpool Road

Alderman Meagher asked if the City has found any money to repair the sidewalk in front of McQuinn's Drug Store on Quinpool Road.

The Director of Engineering and Works advised that a complete recapping is scheduled for 1973 for the whole block in front of McQuinn's Drug Store. He further advised that the sidewalk in front of the Candy Bowl, about which other questions have been raised, has been patched with asphalt as a temporary measure. He suggested that the Candy Bowl, along with other abutting businesses could petition the City for a sidewalk renewal programme and share in the cost.

Question Alderman MacKeen Re: Welfare Food Allowances

Alderman MacKeen asked for a report on the latest situation with respect to the increase in the food allowance budget for persons on welfare and he asked if any further discussions have been held with the Provincial Government.

His Worship the Mayor said that he has received a letter from the Province and he is fairly certain that the food allowances will be increased. He suggested that the Alderman check with Mr. Crowell to be absolutely sure.

The City Manager said that this question should perhaps be answered in writing by the Social Planner.

Question Alderman MacKeen Re: Parking in School Yards

Alderman MacKeen asked that the members of Council who are on the School Board might raise the question of the dangerous practice which is being carried on where teachers are permitted to park in School Yards. He referred specifically to St. Patrick's School and Tower Road School. He said that other citizens are required to use other methods of transportation if adequate parking is not supplied and he considered this a serious matter.

His Worship the Mayor asked Members of Council on the School Board to raise this matter at the next meeting.

Question Alderman Hogan Re: Rezoning Deferred - Clayton Park Area

Alderman Hogan referred to a public hearing held some time ago when the rezoning of a portion of the Clayton Park area was deferred and he understood that the developers would not apply for permits to develop until the matter had been resolved. He asked if any developer has applied for a building permit for this land and if they applied would it be issued.

After some discussion, His Worship the Mayor suggested that the Alderman present the specifics of the question to the City Manager and City Solicitor and request a report in writing on the matter.

Question Alderman Bell Re: Spillage from Trucks
Travelling to Dunbrack Street

Alderman Bell reported that the trucks being used in construction work in the Dunbrack Street area are spilling their loads on many of the streets in Fairview causing dangerous and dreadful conditions. He said that the mud and other spillage, during heavy rains, is being washed down and blocking drains thus causing flooding. He said that he generally calls City Field who are not always able to clean up the mess immediately. He asked if anything can be done about this situation.

The City Solicitor suggested that the Alderman contact the Police Department since it is an offence under the Motor Vehicle Act and requires Police enforcement.

NOTICE OF MOTION

Notice of Motion - Alderman Bell - Amendment to Ordinance No. 121, The Retail Shop Closing Ordinance

Alderman Bell gave notice that, at the next regular meeting of City Council to be held on November 30, 1972, he will introduce an amendment to Ordinance Number 121, The Retail Shop Closing Ordinance. The amendment proposed is to include a civic half-holiday such as Dartmouth Natal Day when so proclaimed by the City Council in the list of holidays when certain shops shall be closed for business.

ADDED ITEMS

DREE Project No. 2(b) - Bus Shelters

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

After some discussion on the report, it was MOVED by Alderman Hogan, seconded by Alderman Sullivan that City Council approve the adjusted request for DREE funding in connection with the above-mentioned project, to the amount of \$132,046.20. Motion passed.

Alderman Meagher asked that Staff take the time to contact the persons living within three or four houses of the proposed bus shelter locations to advise them of the situation and to give them a chance to comment.

Mr. Calda informed Council that the actual abutting owners have been contacted and advised of the situation.

Sale of City-Owned Land - Maynard and Creighton Streets

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

MOVED by Alderman Hogan, seconded by Alderman Wentzell that City Council give final approval to the sale of approximately 22,000 square feet of City-owned land, in the vicinity of Maynard and Creighton Streets, as shown on Plan No. TT-17-20090, at \$3.50 per square foot to the developer (Centennial Properties Limited) or the Federal/Provincial Partnership. Motion passed.

Alderman Connolly asked if he could be advised of the amount the City paid for the land originally.

Underground Wiring Cogswell Street

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

After a short discussion, it was MOVED by Alderman Connolly, seconded by Alderman Meagher that:

1. the City be prepared to pay \$11,400 towards the cost of the underground electrical distribution system and that the balance be paid by Nova Scotia Light and Power Company and the Citadel Inn. Since Nova Scotia Light and Power is doing the work, it would be expected that they would be responsible for collecting the \$4,000 from the Citadel Inn owners. The cost to the City would be a charge against the Police Station;
2. the City be authorized to enter into cost sharing with Maritime Telegraph and Telephone in an amount estimated at \$6,950 and that the cost of this installation be a cost to the Police Station.

Motion passed.

Resignation and Appointment of Acting City Treasurer

The resignation of Mr. D. B. Hyndman as City Treasurer, effective December 31, 1972 was submitted for consideration.

MOVED by Alderman Connolly, seconded by Alderman Stapells that the resignation be accepted.

Alderman Connolly said that it is with much regret that he made the motion and he felt that the City is losing a highly competent employee who has worked hard on behalf of the City. He was sure that he would go on to bigger and better things and is very sorry that the City was unable to keep him in its employ.

His Worship the Mayor said that in this case Alderman Connolly has spoken for all members of Council.

The motion was then put and passed.

The City Manager said that it is necessary to appoint an Acting City Treasurer from January 1, 1973 who will be a signing officer for cheques of the City.

MOVED by Alderman Connolly, seconded by Alderman Bell that Mr. I. J. Kent, Comptroller, be designated Acting City Treasurer effective January 1, 1973, as provided for in Section 166 of the City Charter.

Alderman Sullivan said that before a final replacement is selected for this position, he would like to receive a list of the qualifications and background experience of the top ten persons presently employed within the Finance Department.

The City Manager pointed out that these persons would not necessarily apply for the position after it is advertised. He said it is usual procedure that he makes a recommendation to Council and Council can either accept it or reject it.

After further discussion, the motion was put and passed.

Safety Regulations - Outdoor Swimming Pools

Alderman Hogan said that it has come to his attention that certain outdoor swimming pools that have been installed in the City are not adequately protected. He was under the impression that regulations did apply but has been advised that there is no by-law in the City governing these safety factors. He suggested that the City Solicitor look immediately into the preparation of a by-law which would cover this matter.

The City Solicitor said that the City does not have a by-law. He said that he will take a look at the City's authority to make regulations in this regard. He felt that it might be possible to include a section in the Building Code Ordinance.

His Worship the Mayor felt that this matter should receive top priority and he asked the City Solicitor to advise Council at his earliest convenience.

Drainage - St. Margaret's Bay Road

Alderman Stapells referred to the heavy rains the City has experienced recently and said that the drainage down the St. Margaret's Bay Road has completely devastated Cottage Road. He said that the roadway has completely washed away and it is practically impossible to drive along it. He said that the road serves four

or five houses. He asked if this matter can be taken under advisement and if something can be done to assist the residents.

The Director of Engineering and Works advised that the portion of Cottage Road referred to by the Alderman is not a City street and the residents would be required to fix it themselves. He said that there are many other similar situations which are the responsibility of the City which must be attended to.

Alderman Stapells asked if the Engineering and Works Department can write to the residents of Cottage Road explaining the situation to them.

The Director of Engineering and Works said that this can and will be done as soon as possible.

11:03 p.m. Council recessed to meet in private.

11:15 p.m. Council reconvened, the following members being present:

His Worship the Mayor, Chairman, Aldermen Bell, Connolly, MacKeen, Meagher, Stanbury, Stapells, Sullivan and Wentzell.

Appointments - Recreation Committee

MOVED by Alderman Meagher, seconded by Alderman Connolly that, as nominated by His Worship the Mayor, the following persons be appointed to the Recreation Committee for a one year term:

Mr. Richard MacLean
Mrs. Marlene Mullenger
Mr. Jack Gray

Motion passed.

11:17 p.m. Council adjourned.

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WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

CITY COUNCIL
MINUTES

Record

Council Chamber
City Hall
Halifax, N. S.
November 30, 1972
8:00 P. M.

A 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; Aldermen Stapells, Bell, Sullivan, Wentzell, Stanbury, Moir, Meagher, and Connolly, and Deputy Mayor MacKeen.

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

MINUTES

Minutes of the City Council meeting held on November 16, 1972, were approved on Motion of Alderman Bell, seconded by Alderman Sullivan.

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:

4(a) Statement by Alderman Stanbury.

20(a) Issue Date of Assessment Roll

Council agreed with the request of Alderman Moir to add the following item to the agenda:

20(b) National Parks.

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

STATEMENT - ALDERMAN STANBURY

The following statement was read by Alderman Stanbury resulting from the Alderman being charged with a conflict of interest

"Because of my request to Council that they consider the brief submitted to them last February from the Halifax Homeowners Association, containing some well considered ideas toward holding the tax line for 1972, I have been charged with a conflict of interest.

The essence of the charge is that I am both a member of Council and President of the Halifax Homeowners Association.

(Continued)

Even if I would like to believe that the Alderman Spoke in haste, these are serious accusations and need to be responded to in an equally serious manner. In future the Mayor and this Council should insist that such charges be pursued in a proper manner.

Using the media, and not meetings of Council or the Courts to levy such accusations, is neither just, nor in the best interests of the City of Halifax.

I carefully considered Alderman MacKeen's accusation and have sought knowledgeable advice. It is their opinion and my conclusion, that I have no conflict of interest, nor shall I resign as either an elected member of Council, or as President of the Halifax Homeowners Association.

The charge of conflict of interest to me implies, financial gain, or deliberately supressing the best interests of the City of Halifax, for personal motives. This is not true -- an Alderman can be objective and conscientious, while at the same time participate in other community orientated organizations.

In conclusion, I find it interesting to note, that on the two occasions that I stood for election to this Council, it was a well publicized fact that I was, (in the good company of His Worship the Mayor) an executive of the Homeowners Association.

Let us stop debating nonsense and get down to better management of the City of Halifax, who in these critical times demands meaningful and positive thinking from each and every member of its elected representatives."

Margaret Stanbury
Alderman, Ward VI

Deputy Mayor MacKeen then read the following statement:

"The only conflict of interest described in the City Charter is the conflict of interest that deals with personal or financial gain"

It is a very narrow definition and if one wishes to adopt this narrow definition they are entitled to do so.

However, there are conflicts of interest other than those of a financial nature. It is this conflict of interest that I wish to discuss.

There can be a conflict of interest regarding objectivity. I don't believe that in serving as President of the Homeowner Association, the Alderman can be objective. The fact of the matter is that she isn't.

We have her referring to apartment dwellers as "birds of passage". Such a statement is not objective, it is derogatory, insulting, and without logic. Because the Alderman holds public office, she should not draw a distinction between any citizen, she should not classify them. She has done so.

(Continued)

The Alderman should not have the conflict of interest which exists when she gives priorities to one group of citizens. She does. In referring to the Homeowners Association, she says "those that have a priority, an obvious one, should be listened to." No point of view should have priority other than the merits of its logic and the case that can be made for it. It will be a terrible day for this city and democracy if we govern because we believe that a certain group has priority. We are elected to govern for all. If we don't, then we have a conflict of interest.

The Second Vice-President of the Homeowners Association has stated that they helped elect the Alderman. He then inferred that it would be ridiculous to expect that, having become elected, the Alderman would not serve the organization. She must serve the City first. She can belong to the Homeowners Association, she can be sympathetic to their point of view, but she must always have the right to choose another point of view - the point of view that is best for the City. As President of the Homeowners Association, she doesn't have the right to make the choice. That is a conflict of interest.

In serving as President of the Homeowners Association and the City, the Alderman is serving two masters, that is a conflict of interest. As President of the Homeowners Association, the Alderman has raised doubts, serious ones, vis-a-vis this group and her position as Alderman. These doubts will remain as long as she hides behind a literal interpretation of her position. She should not do so.

If she would resign as President of the Homeowners Association, she would gain the admiration and respect, not of one particular group, but of all citizens whom she is called upon to serve as an Alderman.

Should she not resign as President, then many will feel that her dedication to the Homeowners Association is greater than her dedication to the City. She should not allow herself to be put in this position by hiding behind a narrow and technical definition of conflict of interest."

8:15 p. m. - Alderman Hogan arrives.

His Worship the Mayor ruled that there is no legal conflict of interest and that the matter was no longer before City Council. No further discussion took place on the matter.

PUBLIC HEARINGS & HEARINGS

Hearing: Appeal against the Development Officer Re:
Minor Variance - 790 McLean Street

A letter dated November 6, 1972, was submitted from Mr. E. M. Jackson appealing the Development Officer's decision in refusing a minor variance at 790 McLean Street.

As Mr. Jackson was not present at the meeting, it was MOVED by Alderman Connolly, seconded by Alderman Bell that the Appeal against the Development Officer's decision in refusing a minor variance at 790 McLean Street be deferred to the next regular meeting of the Committee of the Whole Council and that Mr. Jackson be advised of the meeting. Motion passed.

REPORT OF THE FINANCE AND EXECUTIVE COMMITTEE

City Council considered the report of the Finance and Executive Committee from its meeting held on November 22, 1972 with respect to the following:

Possible Sale of City-owned Land - 3 Mountain Road, Kline Heights

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the Finance & Executive Committee, the land designated as Lot 41-A on Plan No. TT-13-18894 and containing 1,992 square feet, be sold to the Interfaith Housing Group for the sum of \$1,195.20, subject to the approval by City Council of the necessary subdivision applications in order to make the proposal a feasible project; proceeds from the sale to be deposited in the Sale of Land Account.

Motion passed.

Possible Acquisition - 2513 Barrington Street - Nova Scotia Cold Storage Limited

MOVED by Alderman Hogan, seconded by Alderman Moir that, as recommended by the Finance & Executive Committee:

- 1) that the property of Nova Scotia Cold Storage Limited, located at 2513 Barrington Street and 981 (old number) Barrington Street, be purchased by the City for the sum of \$95,000;
- 2) that Council authorize withdrawal from the Sale of Land Account the amount of the purchase price;
- 3) that the City agree to lease back to the company the premises to be acquired at an annual rental of 9 per cent of the purchase price, the company to be responsible for all outgoings relative to their occupancy of the premises, including realty and occupancy taxes;
- 4) that the company retain movable equipment of a replacement value of \$10,000 at such time as the premises are vacated.

Motion passed with Aldermen Connolly & Meagher against

Possible Expropriation Settlement - 2249 Barrington Street

MOVED by Alderman Hogan, seconded by Alderman Moir that, as recommended by the Finance & Executive Committee, the expropriation of the property of Mrs. Rose Hatt, known as Civic No. 2249 Barrington Street, be settled for \$17,000 as settlement in full for all claims, funds to be made available from Account No. 850-726.

Motion passed with Aldermen Meagher, Connolly, and Stanbury against.

Delegation of Minor Property Acquisitions to City Manager

MOVED by Alderman Stapells, seconded by Alderman Moir that, as recommended by the Finance & Executive Committee, the City Manager be authorized to approve minor property acquisitions, i.e., those below, say \$2,500 in value for which Council has approved a budgetary appropriation on the conditions that the price paid is:

- (a) within 15% of value as determined by the City Assessor, or by an independent appraiser,
- (b) acceptable to the owner
- (c) in his opinion, fair to the City.

Alderman Sullivan said he could not go along with the Motion as is but would be for it if provision were made for His Worship the Mayor to approve such property acquisitions as well as the City Manager.

Alderman Connolly said the motion is an attempt to reduce the work of Council and felt these acquisitions should either be approved by Council or the City Manager should be given the power to approve same.

After further discussion, it was MOVED in Amendment by Alderman Moir, seconded by Alderman Stanbury that the Motion be amended by adding the following section:

- (d) that minor property acquisitions as well as other information reports, be reported to Council in a designation of the agenda shown as Information Reports.

Amendment passed.

The Motion as Amended was then put and passed with Alderman Sullivan voting against.

Possible Acquisitions - South-east side of Mountain Road -
Kline Heights

MOVED by Alderman Stapells, seconded by Alderman Stanbury, as recommended by the Finance & Executive Committee, that lots of land designated as Lot Nos. 73B, 74B, 76B, 191B, 77B, 158B, 160B, 162B, 163B, 165B, 167B, 168B, 169B, 170B, 171B, 172B, 173B, 174B, 175B, 176B, 177B, 187B, 201B, 193B, and containing a total area of 13,368 square feet, be acquired by the City by means of the individual occupiers giving to the City quit claim deeds covering their interest in any and all of the lots in exchange for compensation for loss of use of land occupied and improvements thereon, all in accordance with Schedule "A" as attached to the staff report dated November 15, 1972, total compensation for land required being \$3,342 and for improvements thereon \$3,444; funds to be made available from Account No. 524-454-DA018.

Motion passed.

Purchase of Vehicles - Engineering and Works Department

MOVED by Alderman Moir, seconded by Alderman Bell that as recommended by the Finance & Executive Committee, the lowest tender in the amount of \$34,218.36 from Harbour Motors Limited be accepted for the purchase of two combination salt and dump trucks with one-way plows. Motion passed.

Purchase of Equipment - Department of Engineering & Works

MOVED by Alderman Moir, seconded by Alderman Hogan that, as recommended by the Finance & Executive Committee, the tender of Wilson Equipment Limited in the amount of \$9,775.00 be accepted for the supply of one new high velocity sewer cleaner and street flusher, being the lowest tender meeting specifications.

Motion passed.

Provincial Cost Sharing - Social Assistance
Program - Food Budget

MOVED by Alderman MacKeen, seconded by Alderman Connolly that, as recommended by the Finance & Executive Committee, the food scale as approved by Council October 12, 1972, and now approved by the Minister of Welfare, be implemented December 1, 1972:

<u>Food Scale</u>	Adult	\$26.00	per month
	Age 12-18	\$31.00	per month
	7-11	\$23.00	per month
	0-6	\$16.00	per month
	Pregnancy	\$30.00	per month

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Community Care of the Elderly and Disabled

City Council considered the report of the Committee of the Whole Council from its meeting held on November 23, 1972 with respect to "Community Care of the Elderly and Disabled".

MOVED by Deputy Mayor MacKeen, seconded by Alderman Connolly that, as recommended by the Committee of the Whole Council, the proposed projects as contained in the staff report dated September 29, 1972, as Section 3 (Mentally Disabled, Institutional Care, and Home Care) be approved in principle in order that the Social Planning Department may continue to direct its efforts along the course outlined, with the proviso that the Social Planner submit a further report to Council.

Motion passed.

Ordinance Number 155, Respecting "Truck Routes" - SECOND READING

MOVED by Alderman Connolly, seconded by Alderman Bell that Ordinance No. 155, containing the following amendments, be read and passed a Second Time:

1. Section 2 (Definitions) be amended by inserting after clause (b) the following subsection:

"(c) "Public utility" includes any person who may now or hereafter own, operate, manage or control:

- (i) any plant or equipment for the conveyance of telephone messages;

(ii) any plant or equipment for the production, transmission or delivery or furnishing of electric power or energy, water, or steam heat, either directly or indirectly."

2. Section 2 be further amended by relettering subsections (c) and (d) and (e).

3. The following Section be added immediately following Section 6:

"7 The provisions of this Ordinance do not apply to trucks owned by a public utility when being operated in an emergency."

4. Section 7 of the proposed Ordinance be changed, to read Section 8.

Alderman Sullivan presented statistics as to the number of accidents which have occurred in the past on Gottingen and Agricola Streets, and also noted there are five streets in the north end running north and south, and contended that Gottingen Street and Agricola Street should be deleted from the Truck Route Ordinance before he could vote in favour of the Motion.

Alderman Stapells expressed the feeling that there are streets in other Wards which are not felt to be ideal truck routes, but did not feel Council should further amend the proposed Ordinance and said he would like to see it passed as it presently exists.

Alderman Meagher referred to Page 3, Section 6 of the proposed Ordinance and noted this would mean another system of signs in the City which will cause more confusion. Alderman Meagher said there should be a wide distribution of both the day time and night time truck routes and felt it should be mandatory to have the maps passed out at weighing stations. Alderman Meagher also referred to the penalties contained in the Ordinance, and spoke against imprisonment for 30 days if the violator fails to pay the fine, and suggested a warning for the first offence.

The City Manager advised it was a legal requirement to erect the signs but noted that some signs will be removed also. The Manager also expressed agreement with distributing maps of the truck routes at weighing stations.

Alderman Connolly said he endorsed the Truck Routes Ordinance as presented.

Alderman Meagher requested that when the matter is presented to the Department of Highways, a discussion take place as to how the signing and route system will be carried out, and suggested there are too many signs presently posted on City streets.

The Motion was then put and passed with Alderman Sullivan voting against.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 22, 1972 with respect to the following matters:

Resubdivision of Lots 25A Margaret Road and 41A Mountain Road

MOVED by Alderman Stapells, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the application for resubdivision of Lots 25A Margaret Road and 41A Mountain Road, creating Lots "X", "Y" and 25A-1, as shown on Plan No. P200/5467 of Case No. 2784, be approved. Motion passed.

Rezoning from R-1 and R-2 Residential to R-4 Residential - Lots No. P-1 - P-6 Princeton Avenue

MOVED by Alderman Wentzell, seconded by Alderman Bell that, as recommended by the City Planning Committee, the rezoning of Lots No. P-1 - P-6 Princeton Avenue from R-1 and R-2 Residential zone to R-4 Residential zone, as shown on Plan No. P200/5353 of Case No. 2730, be refused. Motion passed.

Application for Resubdivision - Lands Owned by Centennial Properties Ltd. - South and Queen Streets

MOVED by Alderman Connolly, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the application for resubdivision, lands owned by Centennial Properties Limited, South and Queen Streets, to create Lot C, as shown on Plan No. P200/5463 of Case No. 2782, be approved, subject to the 10-foot by 10-foot cutback (triangle) at the southwest corner of Queen and South Streets being deeded, at no cost, to the City of Halifax.

Alderman Connolly questioned whether the construction of a large building at this location will aggravate the present sewerage problems on Queen and South Streets.

Mr. Paul Calda of the Engineering and Works Department advised that any building would be connected with the South Street sewer which feeds into the Freshwater Brook sewer.

Some discussion took place on the problems of sewerage on Queen Street and Alderman Connolly suggested that some of these problems could affect the construction on this site.

Alderman Hogan spoke very strongly on this matter and contended that it is a license to build a high rise apartment building which will effectively cut off another portion of the view from Citadel Hill of the Harbour.

Considerable discussion ensued with respect to lot consolidations and land use and then Alderman Moir re-

ferred to a recent news story about a fire in a high rise building in New Orleans where there was difficulty in rescuing those trapped in the top floors because the ladders on the fire trucks would not reach. He felt that a good look must be given to the fire regulations in connection with high rise buildings in the City of Halifax so that a similar disaster could not occur here.

After further discussion, it was MOVED by Alderman Hogan, seconded by Alderman MacKeen that the matter be deferred until Council is fully aware of what will be constructed on the subject property.

His Worship the Mayor ruled this motion out of order as being contrary to the motion already on the floor.

MOVED by Alderman Hogan, seconded by Alderman MacKeen that the matter be deferred to the next regular meeting of the Committee of the Whole Council.

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

For: Aldermen Hogan, MacKeen, Meagher and Wentzell 4

Against: Aldermen Bell, Connolly, Moir, Stanbury, Stapells and Sullivan 6

After further discussion, it was MOVED in Amendment by Alderman MacKeen, seconded by Alderman Hogan that before approval is given to the resubdivision, a public hearing be held.

Alderman Hogan spoke to the motion and said that he knew a high rise apartment building is proposed for the site, he spoke again of the view from the Citadel Hill of the Harbour which will be completely blocked.

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

For: Aldermen Hogan, MacKeen, Meagher and Moir 4

Against: Aldermen Bell, Connolly, Stanbury, Stapells, Sullivan and Wentzell 6

The Motion was then put and passed.

Application for Resubdivision - Lands of Spryfield Properties Ltd., Corner Old Sambro Road and Dentith Road

Alderman Stapells said that he had received a request from the owner of one of the properties involved in this matter to have the matter deleted from the Order of Business.

The matter had been forwarded to Council without recommendation.

MOVED by Alderman Stapells, seconded by Alderman Stanbury that the matter be deferred until such time as further word is heard from the applicant. Motion passed.

Application for Resubdivision - Lands of Robert Hamilton,
Percy Street

MOVED by Alderman Connolly, seconded by Alderman Bell that, as recommended by the City Planning Committee, the application for resubdivision, lands of Robert Hamilton, Percy Street, to combine Lots 37 and 38 to create from them one lot, Lot X, as shown on Plan No. P200/5443 of Case No. 2772, be approved. Motion passed.

Application for Resubdivision - Lands of Centennial Properties Ltd., Victoria Road

MOVED by Alderman Connolly, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the application for resubdivision, lands of Centennial Properties Limited, Victoria Road, to consolidate the lots outlined in red on Plan No. P200/5441 of Case No. 2770, into one lot, be granted approval. Motion passed.

Application for Resubdivision - Lands of John Carroll,
Old Sambro Road

MOVED by Alderman Wentzell, seconded by Alderman Bell that, as recommended by the City Planning Committee, the application for resubdivision, lands of John Carroll, Old Sambro Road, to approve Block AlBCX as a separate lot and Lot Y-2, as shown on Plan No. P200/5283 of Case No. 2700, be granted. Motion passed.

Application for Subdivision - Lot 589, Corner of Main Avenue and Willett Street

MOVED by Alderman Bell, seconded by Alderman Hogan that, as recommended by the City Planning Committee, the application for final approval of Lots 589-A and 589-B, Corner of Main Avenue and Willett Street, as shown on Plan No. P200/5465 of Case No. 2783, be granted. Motion passed.

Rezoning of Lands in the Area Bounded by (1) Keating Road, Crown Drive & St. Margaret's Bay Road, and (2) Balcome Drive, St. Margaret's Bay Road and Ferndale Drive, from C-1 Local Business Zone to R-2 and R-1 Residential Zone Respectively - Date for Hearing

MOVED by Alderman Stapells, seconded by Alderman Meagher that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the rezoning of lands in the area bounded by Keating Road, Crown Drive, St. Margaret's Bay Road and Balcome Drive as follows:

Area "1" comprising land on the north side of the St. Margaret's Bay Road, between Keating Road, Crown Drive and an existing R-4 zone, be rezoned from C-1 Local

Business to R-2 Residential; and

Area "2" comprising land on the south side of the St. Margaret's Bay Road, between the newly approved Keddy Motor Inn, Chocolate Lake and an existing R-1 Residential zone, be rezoned from C-1 Local Business to R-1 Residential.

and that the persons living within the area outlined on the plan attached to the Staff Report be informed of the date of the public hearing. Motion passed.

The City Clerk advised that the Public Hearing will be held on January 17, 1973.

Resubdivision - Forming Lot 3-A - Civic No. 3 (Lots 1 & 3)
Cherry Lane

MOVED by Alderman Wentzell, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the resubdivision of Civic No. 3 (Lots 1 and 3) Cherry Lane forming new Lot 3-A, as shown on Plan No. P200/5478 of Case No. 2792, be approved. Motion passed.

Application for Resubdivision - Lands of Halifax-Dartmouth
Bridge Commission & H. H. Marshall Limited, MacKintosh
Street

MOVED by Alderman Hogan, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the application for resubdivision to add Lot 1 to Lot B, to add Lot 4 to Lot A and for Lots 2 and 3 to become part of the land included in the A. Murray MacKay Bridge approach road, as shown on Plan No. P200/5462 of Case No. 2779, be approved subject to a revised survey plan being submitted. Motion passed.

Rezoning of Civic Nos. 5740-46 Spring Garden Road and
1462-88 Tower Road - R-3 Residential zone to C-2 General
Business zone

MOVED by Alderman Connolly, seconded by Alderman Bell that this matter be referred back to the next regular meeting of the Committee of the Whole Council. Motion passed.

Application for Subdivision and Resubdivision - Lands of
Victor Harris, Williams Lake Road

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

1. final approval of Lots 1 and 2, as shown on Plan No. P200/5396 of Case No. 2753, be granted, subject to the City of Halifax being in receipt of a certified cheque in the amount of \$495.00 which will be considered the public open space dedication for Lots 1 and 2;

2. resubdivision to create Lots 3 and 4, as shown on Plan No. P200/5369 of Case No. 2728, be approved by Council; and
3. final approval of Lots 5 to 9 inclusive, as shown on Plan No. P200/5369 of Case No. 2728, be granted by Council subject to the City of Halifax being in receipt of a certified cheque in the amount of \$1,455 which will be considered the public open space dedication for Lots 5 to 9 inclusive.

Alderman Wentzell spoke of the concern expressed by some of the residents on Wyndrock Drive which runs off the Williams Lake Road that houses built on these lots, if approved, will further aggravate the present sewage problems when after heavy rains they are unable to flush their toilets.

The City Manager was of the opinion that a small project of this nature would not seriously affect the present problems which are of a serious nature. He said that it is hoped some of the problems will be alleviated if some programme can be included in the winter works for this coming winter. He said that he would prepare a report with more complete information for members of Council on this matter.

Alderman Sullivan referred to the comments made by Mr. Harris at the last City Planning Committee meeting and he said that he would oppose the motion.

After further discussion, it was MOVED by Alderman Wentzell, seconded by Alderman Moir that the matter be deferred to the next meeting of the Committee of the Whole Council for a discussion of the sewage problems in the area.

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

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

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

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

MOVED by Alderman Sullivan, seconded by Alderman Meagher that the resubdivision and subdivision be approved but that the amount to be paid by the applicant in lieu of land dedication be reduced to \$865.00 according to the letter sent to the applicant in September.

After conferring with the Acting Solicitor, His

Worship the Mayor ruled the motion out of order, as being contrary to the City Charter provisions.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that this matter be referred back to Staff for a further report on the assessment question to be submitted to the next meeting of the Committee of the Whole Council.
Motion passed with Alderman Hogan voting against.

The City Manager advised that there is no more information that can be provided other than that already provided.

MOTION

Motion - Alderman Bell - Amendment to Ordinance Number 121, respecting "The Retail Shop Closing Ordinance"

MOVED by Alderman Bell, seconded by Alderman Sullivan that the following amendment to Ordinance Number 121, Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax, be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax, that Ordinance Number 121, Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax, as that Ordinance is enacted and approved by the Minister of Municipal Affairs on the 23rd day of August, 1967, and subsequently amended and approved by the Minister of Municipal Affairs on the 21st day of August, 1968, the 25th day of August, 1970, the 14th day of January, 1972 and the 26th day of April, 1972, respectively, be and the same is hereby further amended as follows:

1. Clause (b) of subsection (2) of Section 3 of said Ordinance Number 121, is amended by inserting immediately following the word "holiday" in the second line thereof the words "or half-holiday".
2. Clause (c) of subsection (2) of said Section 3 is amended by inserting immediately following the word "holiday" in the second line thereof the words "or half-holiday".
3. Clause (3) of Section 4 of said Ordinance Number 121 is repealed and the following substituted therefor:
 - (e) Any day or part of a day proclaimed by the City Council of the City of Halifax as a civic holiday or half-holiday;
4. Section 4 of said Ordinance Number 121 is further amended by inserting the following immediately following the word "day" in the sixth line thereof:

"; provided, however, that when a civic half-holiday is proclaimed by the City Council, such shops shall close at twelve o'clock noon on that day and shall remain closed until five o'clock in the forenoon of the following day".

Motion passed.

Alderman Hogan said that he thought the company is trying to take the City on this matter and he recalled that the President of the Company, when speaking at a public hearing, said that \$12.00 a square foot for the land was an extremely good price and now the company is asking for \$15.00.

His Worship the Mayor said that he had no choice but to rule the motion of Alderman Meagher out of order and he said that he would accept Alderman Connolly's motion at this time.

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

QUESTIONS

Question Alderman Connolly Re: Sewers - Queen and South Streets

Alderman Connolly asked if anything is going to be done about the sewers on Queen and South Streets which are presently causing a health hazard and many other problems.

The City Manager said that this is basically a local improvement programme and some action has been taken this week by the Director of Engineering and Works directly with the owners affected. If this action does not produce results, he said, then the matter will have to be processed and Council will be asked to initiate the improvements and the abutting owners charged. He said that some provision has been made for this work in the Capital Budget.

Question Alderman Hogan Re: Donald Butler Playground - Bridgeview

Alderman Hogan asked who was responsible for the almost complete destruction of the Donald Butler Playground in the Bridgeview area. He said that after the last several days of rain, some large pieces of heavy equipment were moved on to the playground and then had to be towed off again causing thousands of dollars damage. He asked if those responsible were City Staff or employees of Standard Paving. He said that if these persons were in his employ they would be fired.

The City Manager said he would report on this matter and circulate copies of the report to all members of Council.

Question Alderman Hogan Re: Property on Flint Street

Alderman Hogan said that on April 17 a registered letter was sent to the owners of a property on Flint Street giving them a certain amount of time to correct a drainage problem. He said that the problem was not corrected and a further letter was sent by registered mail on November 2nd containing the same request. He asked why no action was

taken when the first request was ignored.

His Worship the Mayor said that this will be checked into by City Staff.

Question Alderman MacKeen Re: Height Controls in the City of Halifax

Alderman MacKeen asked if any Department Head in the City has a copy of the proposed height restriction law at the present time.

The City Manager reported that there was in the past a proposed RM zoning which received some considerable discussion but which apparently died a natural death. He said that work has been proceeding on the Master Plan and the Views By-law and consideration is being given to other methods of controlling height of buildings at the present time.

Question Alderman Stanbury Re: Extension of Overnight Parking Ban to Facilitate Street Sweeping

Alderman Stanbury asked if it would be possible to extend the overnight parking ban or by some other way, make it easier for the City Field people to sweep up the leaves from the streets which accumulate at this time of year in the gutters, thus blocking drains.

The City Manager said that this was considered some time ago when a suggestion was made to continue the overnight parking ban throughout the whole year. He agreed that some thought could be given to starting the ban on October 15.

Alderman Connolly said that he had asked some time ago for a Staff Report relating to the imposition of an overnight parking ban in certain sections of the City to facilitate street cleaning and he has never received it.

A short discussion took place on this question.

Question Alderman Sullivan Re: Position of Director of Finance

Alderman Sullivan asked if the position of Director of Finance will be advertised.

The City Manager replied in the affirmative.

Question Alderman Sullivan Re: Clearing of Debris - Bus Stop - Rear of Police Boys Club

Alderman Sullivan asked if City Field personnel could clear away some of the debris which is littering the bus stop area at the rear of the Police Boys Club building.

The City Manager said this would be looked into.

Question Alderman Wentzell Re: Grading of Ardwell Avenue

Alderman Wentzell referred to the dreadful state of Ardwell Avenue in Thornhill Park and asked if it could be at least graded before the snow falls.

Mr. Calda of the Engineering and Works Department advised that the street is presently under construction by Standard Paving and he expected that the work will be completed within the next week or two. He said it will be gravelled and graded.

Question Alderman Wentzell Re: Petition - Lynnett Road

Alderman Wentzell referred to a petition from residents of Lynnett Road submitted some months ago and he said that he understood a report was to be presented to Council from Dr. Cameron of the Atlantic Health Unit. He asked when this report will be submitted.

The City Manager said he has had quite a number of pieces of correspondence across his desk on this matter and would check to find out why the report has not been submitted.

NOTICE OF MOTION

Notice of Motion - Alderman Hogan Re: Rescission of Resolution of Council - Resubdivision of Lands Owned by Centennial Properties Ltd. - South and Queen Streets

Alderman Hogan gave notice that, at the next regular meeting of City Council, to be held on December 14, 1972, he would move that the resolution of Council passed at today's meeting respecting the resubdivision of Lands owned by Centennial Properties Ltd., - South and Queen Streets, be rescinded.

ADDED ITEMS

Issue Date of Assessment Roll

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

MOVED by Alderman MacKeen, seconded by Alderman Moir that the date for completion of the 1973 Assessment Roll be set as January 5th as provided for in Section 259 of the City Charter. Motion passed.

National Park

Alderman Moir referred to the controversy that has developed with respect to a proposed National Park for the Eastern Shore of Nova Scotia. He suggested that if a decision is made not to proceed with the Eastern Shore Park some thought should be given to the development of a large portion of the present watershed lands as a National Park