

CITY COUNCIL - SPECIAL MEETING
PUBLIC HEARINGS
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
May 9, 1973
8:10 p.m.

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

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

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

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

The City Clerk advised that the meeting is called to hold public hearings on the following:

1. Rezoning of Lot 7 (Civic No. 5821) Lady Hammond Road, from R-2, General Residential Zone to C-1, Local Business Zone
2. Rezoning of Lot "Z", lands of Fort Massey Realty Limited, Dutch Village Road and Alma Crescent, from R-3 Multiple Dwelling Zone to C-2 General Business Zone
3. Rezoning of Civic No. 2632-34 Windsor Street from R-3, Multiple Dwelling Zone, to C-1 Local Business Zone.

Public Hearing Re: Rezoning of Lot 7 (Civic No. 5821) Lady Hammond Road from R-2 General Residential Zone to C-1 Local Business Zone

A Public Hearing was held at this time in to the above matter.

The City Clerk advised that the matter has been duly advertised and that no correspondence has been received for or against the rezoning application.

Council heard an explanation of the application from Staff and a sketch showing the zoning of the area was displayed. Staff elaborated on the reasons, as contained in the Staff Report dated March 26, 1973, why they recommend against the rezoning. Staff explained that if the rezoning is approved, it will be necessary for the applicant to apply for a lot consolidation. It was pointed out that from the plans of an office building submitted to Staff, the proposed building would exceed the height limit by approximately 3 feet and exceed the lot coverage by 1.5%.

In reply to a question, the City Solicitor advised that the matter would return to Council if the rezoning is approved when an application is received for the lot consolidation. He said that under the Planning Act, Council has given authority to the Development Officer to grant modifications of lot coverage and height.

His Worship the Mayor then asked if there was anyone present who wished to speak in favour of the rezoning application.

Mr. E. A. Nelson Blackburn addressed Council on behalf of his client, Mr. Majaess, who presently owns the land and who proposes to construct a prestige office building. He referred to the comments of Staff and said that the building can be altered slightly to conform with the By-laws of the City of Halifax. He gave reasons why he considers the site to be ideal for an office building and contended that it would encourage growth of the area. He concluded by urging Council to give the application favourable consideration and to grant the rezoning.

Mr. Mechel Zebarah, architect of the building, addressed Council and said that the building proposed will be a luxury type of office building, fully air conditioned and it is hoped that it will provide office space for medical and other professional persons.

Mr. Fred Majaess, applicant, spoke and requested Council to approve the rezoning and in so doing would improve the appearance of the area considerably.

No other persons wished to speak in favour of the rezoning application.

His Worship the Mayor then asked if there was anyone present wishing to speak against the rezoning.

Mr. Lloyd Hennigar of 5882 Hillside Avenue spoke against the rezoning on the grounds that further commercial encroachment into a residential area will deteriorate from the value of the homes located there and on the grounds that the traffic situation which is presently congested would be further aggravated. He referred to problems associated with a driveway to a parking lot on Robie Street, just 40' from the intersection of Robie Street and Lady Hammond Road and he felt that a similar situation would arise with another driveway just 160' away from the same intersection on Lady Hammond Road. He said that both driveways would be adjacent to bus stops and would be a hazard to the many children who cross the street to school. He said that there can be much more traffic expected when Convoy Place is constructed and occupied and he questioned whether sufficient parking is provided by the building for clients and patients as well as persons who work there. He asked Council to refuse the rezoning application.

Mr. Bob Doucette who lives at the corner of Hillside Avenue and Agricola Street spoke against the rezoning. He

was concerned about the creeping commercialism in the area and the safety of the children travelling Lady Hammond Road and crossing the extremely busy street on their way to school. He also spoke of the nuisance that can be expected in connection with blasting required for such a large building. He asked Council to consider the views of citizens and refuse the rezoning lest it create a precedent for more applications of a similar nature.

No other persons indicated a wish to speak on the matter.

MOVED by Alderman Connolly, seconded by Alderman Stapells that the matter be forwarded to Council without recommendation. Motion passed.

Public Hearing re: Rezoning of Lot "Z", Lands of Fort Massey Realty Limited, Dutch Village Road and Alma Crescent from R-3 Multiple Dwelling Zone to C-2 General Business Zone

A public hearing was held at this time into the above matter.

The City Clerk advised that the matter has been properly advertised and that letters of objection have been received from the following:

John E. and Dora A. Deal
Mrs. Jean V. Young
Hugh K. Smith on behalf of the Astoria Grill
Anne C., Kenneth J. and Cyril G. Dunn

Staff displayed a sketch map showing the land for which rezoning is requested together with the zoning of the surrounding area and explained why they recommended refusal of the application in the Staff Report dated February 23, 1973.

His Worship the Mayor asked if there was anyone present who wished to speak in favour of the rezoning.

Mr. George Cooper, solicitor for Fort Massey Realty Limited, addressed the Council and gave a resume of the background of the rezoning application and of attempts by the owner to have the property developed. He contended that in this instance it is not proposed to intrude into a residential area with commercial development but rather to tidy up a strip of commercial zoning into which residential intruded. He urged Council to approve the rezoning and felt that the traffic situation is not as serious as Staff suggests on Dutch Village Road. He said that he was advised that one of the property owners within the subject block is in favour of the rezoning, being Mrs. Young.

His Worship the Mayor said that a letter of objection has been received from Mrs. Young and it was mentioned by a citizen in the gallery that Mrs. Young had signed a petition against the rezoning today.

Mr. Arthur Spiropolous addressed Council, being the applicant, and explained why he understood that Mrs. Young was in favour of the application. He spoke of long delays in his being able to develop the property and he spoke of a land swap arrangement with the City which is required to widen Dutch Village Road. He said that he is not committed to the construction of a drive-in restaurant at this location and some other type facility might be constructed. He urged Council to approve the rezoning.

No other persons indicated a wish to speak in favour of the rezoning.

His Worship the Mayor then asked if anyone present wished to speak against the rezoning.

Mr. Kenneth Dunn of 354 Dutch Village Road read his letter of opposition to the rezoning saying that it would devalue his property considerably and would add to the already hazardous traffic situation in the area.

Mrs. Frances Lyttle of Titus Street addressed the Council in opposition to the rezoning on traffic grounds. She referred to accidents which have taken place in the area and stressed the need for a crosswalk for children across the heavily travelled Alma Crescent.

Mrs. Robinson of Percy Street addressed Council and spoke against the rezoning. She explained the present traffic situation and the difficulties associated with making left turns at the intersection of Dutch Village Road and Alma Crescent and she expressed concern that traffic would use Deal Street and Percy Street to avoid the tie up. She said that she was not convinced that there is a need in the area for a drive-in restaurant facility. She submitted a hastily gathered petition signed by 37 property owners in opposition to the rezoning reading as follows:

"We, the undersigned strenuously object to the proposed building of a "Hamburger Take-Out Restaurant on designated land situated between Alma Crescent and Dutch Village Road, for the following reasons.

- (a) That particular area has already felt the traffic strain due to increased population in Clayton Park and Randall Park regions, and we feel that any additional traffic flow will prove both hazardous and unbearable.
- (b) Walking is extremely dangerous in all the areas immediately surrounding the proposed building, as sidewalks are non-existent on Alma Crescent, Titus Ave., and Dutch Village Road from Deal Street to Howe Avenue.
- (c) The stop sign at the junction of Dutch Village Road and Alma Crescent is already inadequate and further traffic will cause intolerable congestion.

(d) In this particular area there are sufficient business establishments, and the interests of individual residents should now receive consideration."

Mr. Allan Robinson spoke against the rezoning and elaborated on the traffic congestion which occurs in the area and which was referred to by the previous speakers.

Mr. Wilfred Moore addressed Council on behalf of some property owners on Dutch Village Road. He explained that his own offices are located in the Capitol Shopping Plaza on Alma Crescent and he knew well the traffic situation. He said that his clients are opposed to a drive-in restaurant and cannot see the need for such a facility. He said that they are fearful that the increased traffic congestion will drive away their own customers from the area. He asked Council to refuse the rezoning.

Mr. Norman Newman of Capitol Stores on Alma Crescent spoke of his knowledge of the traffic situation which presently exists and of his concern that some improvements be made when the City is in the financial position to do so. He felt that this type of facility proposed would further aggravate the difficult situation and he suggested that perhaps any rezoning should be deferred until such time as traffic improvements have been made in the area.

No other persons indicated a wish to speak against the rezoning.

MOVED by Alderman Bell, seconded by Alderman Connolly that the matter be forwarded to Council without recommendation. Motion passed.

Public Hearing re: Rezoning of Civic No. 2632-34 Windsor Street from R-3 Multiple Dwelling Zone to C-1 Local Business Zone

A public hearing was held at this time into the above matter.

The City Clerk advised that the matter has been duly advertised and that a submission was received from Mr. Ian Palmetter in favour of the rezoning and one letter of objection was received from Lawrence and Erma MacInnis of 2629 Windsor Street.

Council heard from Staff who outlined the reasons why they recommended refusal of the rezoning application and a sketch plan was displayed showing the subject property and the zoning in the general area.

His Worship the Mayor asked if anyone present wished to speak in favour of the rezoning.

Mr. Ian Palmeter addressed Council on behalf of the applicant. He said that his client proposes to have a small 31 seat lunch counter on the ground floor of the building with two apartment units above. He spoke of his clients lack of English and his desire to open his own business, being the only business he knows, in his own property. He told of the fact that his client had previously had a similar type facility but was dispossessed through a fire which occurred on the premises. He felt that the lack of parking is not significant since it was his clients intention to cater to the neighbourhood and not draw customers in from all parts of the City. In reply to a question, he felt certain that a take-out service would be included in the operation of this facility. He concluded by urging Council to give favourable consideration to the application.

Miss Salmas addressed Council on behalf of her Father who knows no other business and who needs to open a lunch counter in this location for his livelihood.

No other persons spoke in favour of the rezoning.

His Worship the Mayor then asked if anyone wished to speak against the rezoning.

Alderman Meagher said that he had been asked to submit a petition signed by 38 people on Seaforth Street against the rezoning. He said that the spokesman for the group was unable to do it himself since he has lost his voice.

Mrs. Shirley Clark of 6288 Seaforth Street addressed Council against the rezoning saying that the people in the area could not see the need for a lunch counter facility in the area. She spoke of the unsightly appearance of the properties in the block at the present time and said that she would not like to see the young people hanging out at the proposed lunch counter. She also was concerned about the attraction of garbage from the restaurant to rats, etc.

Mrs. Nagle of Seaforth Street spoke about the untidyness of the property and the fact that the snow has never been cleared from the sidewalk around the property.

At this time, several questions were asked and it was ascertained that Mrs. Nagle was speaking of a different property and not the one for which rezoning has been requested. She apologized to members of Council for her mistake.

No other persons spoke against the rezoning.

MOVED by Alderman Stapells, seconded by Alderman Connolly that the matter be forwarded to Council without recommendation. Motion passed.

10:55 p.m. Meeting adjourned.

HEADLINES

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WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
May 17, 1973
8:00 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 Acting City Clerk, joined in reciting the Lord's Prayer.

Present: Alderman N. P. Weagher, Chairman;
Aldermen Moir, Stanbury, Sullivan, Stapells, Connolly, Wentzell,
and Bell.

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

MINUTES

Minutes of Council meetings held on April 18, 25, 26, and May 9, 1973, were approved on Motion of Alderman Connolly seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of the Acting City Clerk, Council agreed to add:

- 5(e) - Application for Resubdivision (Lot Consolidation) Clayton Park Subdivision, Glenforest Drive, Willet Street, and Dunbrack Street.
- 20(a) - Convoy Place - Senior Citizen Housing Unit
- 20(b) - Appointments - Halifax Athletic Commission

The Acting City Clerk also advised that item 17(f) "Tender 73 - 34 Backhoe" should read "Tender 73 - 74 Backhoe".

At the request of Alderman Sullivan, Council agreed to add:

- 20(c) - Noise Ordinance

At the request of Alderman Moir, Council agreed to add:

- 20(d) - Cowie Hill Condominium - Authorization for Signing of Plans

It was MOVED by Alderman Moir, seconded by Alderman Wentzell that the Order of Business, as amended, be approved.

Motion passed.

DEFERRED ITEMSRezoning of Lot 7 (Civic No. 5821) Lady Hammond Road, from R-2 General Residential Zone to C-1 Local Business Zone

The Public Hearing on the above noted rezoning application was held on May 9, 1973.

At the request of Council staff with the aid of maps, briefly outlined the application and the considerations given in the staff report which recommended refusal.

MOVED by Alderman Stanbury, seconded by Alderman Wentzell that the application for rezoning Civic No. 5821 Lady Hammond Road from R-2 General Residential Zone, to C-1 Local Business Zone as shown on Plan Nos. P200/5646-52 of Case No. 2848, be refused by City Council.

Following a debate on the matter, the Motion was put and passed, five voting for the same and three voting against it as follows:

For: Aldermen Bell, Moir, Stanbury, Sullivan, & Wentzell - 5

Against: Aldermen Connolly and Stapells - 2

Rezoning of Lot "Z", Lands of Fort Massey Realty Limited, Dutch Village Road and Alma Crescent, from R-3 Multiple Dwelling Zone to C-2 General Business Zone

The Public Hearing on the above noted rezoning application was held on May 9, 1973.

A Supplementary Staff Report dated May 17, 1973 was submitted on the matter.

Alderman Connolly suggested deferment of this item saying that the residents in the area are opposed to a take-out service being located in the neighbourhood because of the traffic that will be generated, the hours of operation of the business, and due to the amount of debris that such a business generates. Alderman Connolly also advised that the residents are also of the opinion that an apartment building is not the proper use for this area either.

Alderman Connolly suggested an office type of building would be more appropriate for the area and noted that if Council rezones to C-2, any use can be placed there which falls within the regulations.

Alderman Connolly said he was suggesting the item be deferred to give the developer an opportunity to re-submit a proposal of a commercial professional type at which time, Council may consider the rezoning based on that particular type of use.

Alderman Bell concurred with Alderman Connolly's suggestion and said there are presently an excess number of restaurant type of operations in the area.

It was MOVED by Alderman Bell, seconded by Alderman Connolly that the matter be referred to the next regular meeting of the Committee of the Whole Council.

Following a short discussion of the matter, the Motion to refer was put and passed.

Rezoning of Civic No. 2632-34 Windsor Street from R-3 Multiple Dwelling Zone, to C-1 Local Business Zone

The Public Hearing on the above noted rezoning application was held on May 9, 1973.

8:30 P. M. - Alderman Meagher, Chairman, leaves the Chair and Alderman Sullivan takes the Chair as Acting Chairman.

MOVED by Alderman Moir, seconded by Alderman Connolly that the application for rezoning of Civic No. 2632 Windsor Street from R-3 Residential to C-1 Local Business as shown on Plan No. P200/5590 of Case No. 2828, be approved by City Council.

Alderman Moir suggested there is a need for the small restaurant type operation which is proposed in this area and felt the application should be approved.

Alderman Meagher said he has received a petition and a number of calls from people in the area and said the area behind the land in question is R-2 residential consisting mostly of single-family dwellings. He said these people are opposed to a restaurant because of the problems which will be generated such as late hours of operation. Alderman Meagher felt that Windsor Street should remain as first rate residential and felt the application should be refused.

Alderman Stanbury spoke in favour of the rezoning and said that a number of areas on Windsor Street have already been rezoned to permit uses other than residential.

8:45 P. M. - Alderman Meagher resumes the Chair and Alderman Sullivan returns to his normal seat in Council.

Further debate and questioning of staff ensued on the matter after which the Motion was put and passed with Alderman Wentzell voting against.

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

MOVED by Alderman Connolly, seconded by Alderman Stanbury that the Formal Resolution, as submitted, be approved.

Motion passed.

Application for Rezoning of Property known as Civic No.132 Purcell's Cove Road from R-1 Single-family Dwelling Zone to R-2 Two-Family Dwelling Zone

At the last regular meeting of City Council held on April 26, 1973, the above noted application was deferred to tonight's meeting in order for Council to review a report being prepared by staff at that time.

A confidential staff report dated May 15, 1973 was submitted on the matter.

Alderman Connolly referred to the staff report which recommended refusal of the application and which indicated that maybe an R-4 usage should be entertained on the site at a future date. Alderman Connolly said the applicant wishes to build a duplex and to live in one unit, and suggested the application should be approved especially where staff indicates an R-4 use on this site could be entertained in the future.

Alderman Connolly noted it was difficult to discuss the staff report as it is confidential, and suggested referring the matter to the Committee of the Whole.

The City Manager suggested Council could discuss the matter in-camera and could deal with it at the next Committee of the Whole or City Council according to the outcome of the in-camera meeting.

Alderman Moir said this is an important consideration which is before Council and said there is much debate in the area about the proper use of land. Alderman Moir felt Council should meet with Senior Staff members on the entire block of land and in particular on the land presently being considered.

MOVED by Alderman Moir, seconded by Alderman Stanbury that the matter be referred to the next regular meeting of the Committee of the Whole Council for discussion with senior staff members.

The Motion to refer was put and passed with Alderman Sullivan against.

Application for Resubdivision (Lot Consolidation) Clayton Park Subdivision, Glenforest Drive, Willett Street & Dunbrack Street

At the last regular meeting of City Council held on April 26, 1973, the above noted item was deferred until such time as preliminary plans of the proposal were received.

Mr. Dodge of the Development Department then, with the aid of maps, outlined the location of the proposed building within the area.

MOVED by Alderman Connolly, seconded by Alderman Moir that the application for resubdivision (lot consolidation) to create Lot G-5-C as shown on Plan No. P200/5717 of Case No. 2866, be approved by City Council. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on May 9, 1973, as follows.

MOVED by Alderman Wentzell, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, City Council declare August 1, 1973 a Civic half-holiday in recognition of Dartmouth Natal Day. Motion passed.

Dree Agreements

MOVED by Alderman Stapells, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, Council approve the DREE Agreements as submitted, and authorize the City Clerk and His Worship the Mayor to execute them on behalf of the City of Halifax. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on May 9, 1973 as follows.

Sidewalk Construction - Plateau Crescent

The Acting City Clerk read a letter received since the last meeting on the matter from H. L. Vye requesting that sidewalks be installed on Plateau Crescent.

Alderman Moir felt that in the future, if Council has received copies of letters, they should not be read at the Council meeting as it may appear that the members have been influenced by its content just prior to making a decision on an item.

MOVED by Alderman Connolly, seconded by Alderman Stanbury that the following Resolution be approved:

WHEREAS the City has followed the Local Improvement procedures with respect to the installation of sidewalks as provided for in the City Charter;

AND WHEREAS more than one-half the owners of land abutting Plateau Crescent have petitioned against the sidewalk installation;

AND WHEREAS the Council are concerned for the safety of pedestrians, particularly school children on these very heavily trafficked streets;

THEREFORE, Council deem it desirable to proceed with the sidewalk installations under the provisions of Section 391 of the City Charter, notwithstanding the petition of the abutting owners. Motion passed.

1555 Chestnut Street - Non-encroaching, Non-illuminated Sign

MOVED by Alderman Moir, seconded by Alderman Wentzell that, as recommended by the Committee on Works, a non-illuminated, non-encroaching fascia sign 10" x 4' over the entrance of 1555 Chestnut Street between Coburg Road and Watt Street, be refused by City Council.

Motion passed with Alderman Stapells against.

Acceptance - Inverness Avenue

MOVED by Alderman Stapells, seconded by Alderman Connolly that, as recommended by the Committee on Works, Inverness Avenue (end of existing pavement south about 950 feet to the south side of Lot #267) be accepted as part of the Official Street system as this section of street fulfills the minimum standards required by staff. Motion passed.

Sidewalk and Paving Contract #73-10 - Tender #73-56

MOVED by Alderman Wentzell, seconded by Alderman Connolly that, as recommended by the Committee on Works, the construction projects for sidewalks on Coronation Avenue, Cogswell Street and paving on Edward Laurie Drive, Court House Improvements (sidewalk and paving), Birchview Drive and Willowdale Terrace under Contract #73-10 (Tender #73-56) be awarded to Steed and Evans Maritimes Limited, the lowest bidder on these projects for a total individual bid price of \$118,798.50; and that the construction projects for sidewalks on Williams Lake Road, Gottingen Street, Rainnie Drive, Morris Street and Queen Street, Bayers Road under contract #73-10 (Tender #73-56) be awarded to Standard Paving Maritime Ltd., the lowest bidder on these projects for a total individual bid price of \$49,939.75.

Motion passed.

Tender #73-17 - One Motor Grader

MOVED by Alderman Moir, seconded by Alderman Connolly that, as recommended by the Committee on Works, the tender of Blackwood Hodge at \$27,000.00 be awarded for one 25,000 lb. motor grader. Motion passed.

Street Acceptance - Birchwood Drive & Willowdale Terrace

MOVED by Alderman Wentzell, seconded by Alderman Moir that, as recommended by the Committee on Works, Willowdale Terrace (Birchview Drive to cul-de-sac dead-end street, about 255 feet) and Birchview Drive (Williams Lake Road to about 355 feet south east - adjacent to Lot #20), be accepted as part of the Official street system as these sections of streets fulfill the minimum standards required by staff.

Alderman Wentzell referred to the amount of time it has taken to get these sections of streets approved, and noted there is still another section of the subdivision consisting of about 12 homes which has not been taken over by the City, and questioned if it would take another two years to bring this area up to grade.

Mr. Sheflin said it would not take two years and advised that staff has decided on a different course of action than has been used in the past. Mr. Sheflin suggested the work can be carried out reasonably fast and that staff intend to see that the residents are protected.

Alderman Connolly said he was of the understanding that on a previous road, there were bonds posted and the City allowed them to lapse which removed the developer's responsibility and put the responsibility on the City or the residents, and questioned whether such a situation could arise in this particular area. Alderman Connolly questioned whether the City can collect on performance bonds when developers do not do all that is required of them, and whether the City is insisting on the extending of performance bonds. Alderman Connolly said if the City has inherited problems, he would like to know those existing at the present time and what can be done to rectify these situations.

The City Manager said it is a complex matter and said he would like to see a more complete staff report on the subject. He said there should be a more detailed analysis of how many trouble-spots there are, but said it must be recognized there are about eleven miles of streets which are not accepted.

The Motion was then put and passed.

Resurfacing of Streets and Sidewalks - Contract #73-56

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the Committee on Works, the tender for Contract #73-14 for the resurfacing of Streets and Sidewalks, be awarded to the low bidder, Standard Paving Maritimes Limited in the amount of \$185,216.25, subject to the Department of Highways approval on cost shared streets.

The Director of Works advised that approval has been received from the Department of Highways on the cost shared streets and that work should be starting shortly.

The Motion was then put and passed.

Tender 73-68 - Demolition 2181-83 Barrington Street

The above noted item was forwarded to Council without recommendation subject to a further staff report being submitted.

The City Manager suggested a further deferral as the staff report has not been completed as yet.

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

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee, from its meeting held on May 9, 1973, with respect to the following matters:

Modification of the Lot Area Requirement - Civic No. 6298-6300 Lawrence Street

The recommendation from the City Planning Committee read as follows:

"It is recommended that the application for modification of the lot area requirement permitting the construction of a three unit building at Civic Nos. 6298-6300 Lawrence Street, as shown on Plan No. P200/5703 of Case No. 2862, be approved by City Council."

MOVED by Alderman Stanbury, seconded by Alderman Sullivan that the matter be referred back to the next meeting of the Committee of the Whole Council to permit the applicant to work something out with the residents of the area which would be acceptable to all.

After considerable discussion, when several Aldermen expressed their views on the matter, the motion to refer was put and lost, two voting for the same and five against it as follows:

For:	Aldermen Stanbury and Sullivan	2
Against:	Aldermen Bell, Connolly, Moir, Stapells, Wentzell	5

MOVED by Alderman Moir, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for modification of the lot area requirement permitting the construction of a three unit building at Civic Nos. 6298-6300 Lawrence Street, as shown on Plan No. P200/5703 of Case No. 2862, be approved. Motion passed with Alderman Stanbury voting against.

Rezoning from R-2 Residential to C-1 Local Business Zone - Properties on the Northwest side of the Herring Cove Road between the Dominion Store Property and Arthur Street

MOVED by Alderman Wentzell, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the rezoning of the properties on the northwest side of the Herring Cove Road between the Dominion Store property and Arthur Street, as shown on Plan No. P200/5543 of Case No. 2655, be approved. Motion passed.

Application for Final Approval of Lots G-1D, G-1E and G-1F - Portion of Block G-1, Clayton Park Subdivision, Reed Court and Clayton Park Drive Extension

MOVED by Alderman Stapells, seconded by Alderman Moir that, as recommended by the City Planning Committee, the

application for final approval of Lots G-1D, G-1E and G-1F, as shown on Plan No. P200/5617 of Case No. 2835, Clayton Park Subdivision, Reed Court and Clayton Park Drive Extension, be granted approval. Motion passed.

Application for Resubdivision of Lots 21 and 22 (Lot Consolidation) Drysdale Subdivision, River Road

MOVED by Alderman Bell, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application for resubdivision (lot consolidation) of Lots 21 and 22 to create Lot 21A, Drysdale Subdivision, River Road, as shown on Plan No. P200/5665 of Case No. 2852, be approved. Motion passed.

Rezoning of Lot A (Mont's Oil Limited Property) Herring Cove Road from R-2 Residential to C-2 General Business - Date for Hearing

MOVED by Alderman Moir, seconded by Alderman Connolly that, as recommended by the City Planning Committee, a date be set for a public hearing into the rezoning of Lot A (Mont's Oil Limited Property) Herring Cove Road from R-2 Residential to C-2 General Business, as shown on Plan No. P200/5695 of Case No. 2860, and that the property owners living within the designated area of notification as attached to the Staff Report of May 1, 1973, be informed of the date of the public hearing. Motion passed.

The Acting City Clerk advised that the public hearing will be held on June 20, 1973.

Resubdivision Creating Lot "X" - Civic No. 59 Main Avenue (Lot Nos. 5, 6 and a portion of Lot No. 7)

This item was forwarded to Council from Committee without recommendation.

Since it was felt that some discussion should be held on the item, it was MOVED by Alderman Connolly, seconded by Alderman Wentzell that the matter be referred back to the next meeting of the Committee of the Whole Council. Motion passed.

Building Lines Along Portions of Windsor Street, Kempt Road, Lady Hammond Road and the new Robie Street approach road to the A. Murray MacKay Bridge - Date for Hearing

MOVED by Alderman Moir, seconded by Alderman Bell that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the building line policy as recommended by City Staff in its report of May 3, 1973. Motion passed.

The Acting City Clerk advised that it is hoped the public hearing will be held on June 20, 1973.

Quinpool Road Project

The recommendation from the Committee read as follows:

"It is recommended that the following Resolution be approved:

WHEREAS Staff were authorized by City Council Resolution of January 25th, 1973, to negotiate a Development Agreement along the lines outlined in that Resolution for the Quinpool Road lands;

AND WHEREAS certain sketch plans were received on April 10, 1973;

AND WHEREAS a scale model was reviewed by Council and Staff;

AND WHEREAS negotiations have since taken place between Staff and the Developer and they have agreed as follows on items (a) to (e) as set out in the Council Resolution of January 25th, 1973:

- (a) The maximum residential density has been agreed upon as 3,300 people, being approximately 250 persons per acre;
- (b) The floor space of the office tower has been reduced by approximately 50,000 square feet to 170,000 square feet maximum;
- (c) The hotel has been removed from the scheme and replaced by an apartment hotel;
- (d) The Developer has undertaken, at no cost to the City, to provide such lands from the site necessary to make traffic improvements now agreed to by the Traffic Engineer and the Developer's Traffic Consultants, and to compensate the City for such other lands it is to acquire to permit a public street access to Windsor Street if necessary.
- (e) Provision has been made for communal facilities to serve future tenants of the residential area generally as outlined in the Developer's submission entitled "Quinpool Road Project" dated April 24th.

Council now approve the development as submitted and that Staff be instructed to prepare a Development Agreement in accordance with the terms herein and such further normal terms, and that the Mayor and the City Clerk be authorized to execute the Agreement.

9:25 p.m. Alderman Sullivan took the Chair to permit Alderman Meagher to speak on this item.

Alderman Meagher spoke of his grave concern about the approval of this Project without holding a further public

hearing to acquaint all the neighbouring residents with the changes and modifications that have been made, particularly the traffic pattern. He urged that Council, in its wisdom, agree to hold a public hearing on the matter.

Some discussion took place as to when Alderman Meagher should again assume the Chair.

9:30 p.m. Alderman Meagher assumed the Chair.

Alderman Connolly referred to the newspaper headlines which indicated that the City Council refused to hold a public hearing on this item, when in fact a public hearing has been held. He could see no reason for another one to be held, thus delaying the developer further. It was then MOVED by Alderman Connolly, seconded by Alderman Stanbury that the recommendation from the City Planning Committee, as set out above, be approved.

Considerable discussion ensued on this matter and various members of Council expressed their views. Some concern was expressed that further negotiations should take place while the Development Agreement is being drafted.

The City Manager suggested that the following be included in the motion: "it being understood that the proportion of the cost of additional public services necessitated by this development are to be clarified in this Agreement along the lines similar to those outlined in the City Manager's memorandum of May 15, 1973".

It was questioned why the words "cost shared items are to be negotiated" would not serve the same purpose.

After further discussion and after hearing the views of the City Solicitor on the motion, it was put and passed with Alderman Moir voting against.

Alderman Moir said that he understood that some people would expect him to give Notice of Reconsideration of the motion, but he could see no useful purpose in giving such notice since the motion was approved by a large majority.

MOTIONS

Motion Alderman Hogan Re: Repeal of Ordinance No. 28 - Weighing of Coal and Coke

Since Alderman Hogan was not present at this meeting, it was MOVED by Alderman Bell, seconded by Alderman Sullivan that the Repeal of Ordinance No. 28 - Weighing of Coal and Coke be read and passed a First Time. Motion passed.

Motion Alderman Hogan Re: Repeal of Ordinance No. 20 - Chimney Sweeps

On Alderman Hogan's behalf, it was MOVED by Alderman Bell, seconded by Alderman Stapells that the Repeal of Ordin-

ance No. 20 - Chimney Sweeps, be read and passed a First Time. Motion passed.

MISCELLANEOUS BUSINESS

Appointment - Halifax Transit Corporation

A memorandum was submitted from His Worship the Mayor recommending the re-appointment of Mr. Kenneth McGrail to the Halifax Transit Corporation Board of Directors.

MOVED by Alderman Wentzell, seconded by Alderman Moir that Mr. Kenneth McGrail be re-appointed to the Board of Directors of the Halifax Transit Corporation for a term of 3 years from June 1, 1973. Motion passed.

Appointment - City Treasurer

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

MOVED by Alderman Moir, seconded by Alderman Stanbury that Mr. B. G. Smith, Director of Finance, be formally appointed City Treasurer, effective July 1, 1973. Motion passed.

Central Mortgage and Housing Corporation - Bond Resolutions

A report was submitted from Staff together with Formal Issuing Resolutions as follows:

1. Lacewood sewer in the amount of \$139,025.22
2. South Armdale Sewer in the amount of \$108,034.18 at an interest rate of 8 $\frac{1}{4}$ % for twenty (20) years.

MOVED by Alderman Stapells, seconded by Alderman Sullivan that the Formal Resolutions, as submitted, be approved and His Worship the Mayor and the City Clerk be authorized to sign the debentures on behalf of the City. Motion passed.

Amendment to Administrative Order No. 8 - Addition of St. Joseph's Day Care Centre (First Reading)

MOVED by Alderman Connolly, seconded by Alderman Stapells that the following Amendment to Administrative Order No. 8 be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax that Administrative Order Number 8, respecting Real Property of a Character or Nature Other than Residential or Business, as amended and approved by the City Council on the 28th day of December, 1972, is hereby further amended as follows:

1. SCHEDULE "A" to Administrative Order Number 8, is amended by inserting immediately after "376 Purcell's Cove Road - Royal Nova Scotia Yacht Squadron" on page 3 thereof, the following: "6109 Quinpool Road - St. Joseph's Day Care Centre".

Motion passed.

Possible Acquisition - Sewer Easement - 1641 Lower Water
Street

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

After a short discussion, it was agreed that this item should be placed at the end of the Order of Business and discussed in camera before a decision is made.

Tender 73-74 Backhoe

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

MOVED by Alderman Connolly, seconded by Alderman Moir that authority be granted to purchase one Case Model 580-B Backhoe from Wilson Equipment Limited at a cost of \$12,960.00. Motion passed.

QUESTIONS

Question Alderman Connolly Re: Real Estate Department Personnel

Alderman Connolly referred to a newspaper advertisement for a position in the Real Estate Department which he considered to require excessive qualifications, particularly in the light of other personnel in that Department. He asked whether the position was open during the Budget discussions. He also asked the City Manager for a resume of the people working in the Real Estate Department with a list of their qualifications and salaries.

Question Alderman Connolly Re: Directions to Forum Commission

Alderman Connolly referred to a request he had made some months ago for some direction from Council as to how it would wish the Forum Commission to proceed with respect to the Forum Complex. He understood the City Manager would be submitting a report in this connection and asked when this report would be received.

The City Manager said that Staff is working on this but, as yet, he has nothing ready to submit.

Question Alderman Moir Re: Personnel of Housing Authority

Alderman Moir said that it has come to his attention that all the Staff of the Housing Authority have felt that they have come under a cloud, as a result of discussions which took place in this Council at the last meeting. It was his understanding that in the discussion, Council named only two persons in particular and he asked what could be done to eliminate the effect of the bad publicity on all the other employees of that Authority. He contended that there are some very dedicated and devoted employees in that organization who are upset with the publicity.

The City Manager said that he cannot answer the question but he could report that a meeting of Council with the Board of the Housing Authority is being arranged before the end of the month and notices will be sent out shortly.

The Chairman was sure that the remarks that were made in the discussions, did not refer to all the employees of the Authority, but to the two named.

Alderman Stanbury said there ~~were~~ two people specifically who she referred to, though she was very pleased that a meeting with the Board of the Authority is to be held when these difficulties can be talked out and hopefully resolved.

Question Alderman Stanbury Re: Distribution of Handbills, Circulars, Flyers, etc.

Alderman Stanbury referred to the fact that many people are making an all out effort to tidy up their gardens and premises and she referred specifically to persons living on Connaught Avenue. She displayed a number of handbills, flyers, circulars, etc. which had been thrown on her lawn and on the lawns of her neighbours, some containing several loose pages. She said that these circulars were blown about all over the street creating a dreadful mess. She asked if there are regulations relating to the proper distribution of such material and if so, can they be strictly enforced.

The City Solicitor said that this matter is covered by the Bill Posters Ordinance and persons aggrieved by the improper distribution can contact the Police Department who will enforce the regulations.

The City Manager ascertained from the Alderman the date these particular items were distributed and he said that he will investigate this situation. He reported that they appear to be properly placed in mail boxes in his area and not scattered around.

Question Alderman Wentzell Re: Clean-up - Herring Cove Road

Alderman Wentzell referred to an information report he had received indicating that the City is pushing for the cleanliness of the City and urging people to tidy up their properties. He said that he has noticed along the Herring Cove Road a number of front yards which are unsightly and where pieces of rotting lumber are strewn about. He asked how far the City can go to have people clean up their premises.

Question Alderman Wentzell Re: Unsightly Service Stations

Alderman Wentzell asked what can be done with respect to unsightly service stations, where cardboard cartons are left lying around and other debris creating an eyesore.

The City Manager said that Staff will be reporting to Council on this whole area and the report will contain what can and what cannot be done under the law. He said that it might be necessary to hire some additional people on staff for a short period of time to work in this area.

Question Alderman Moir Re: Grand Parade

Alderman Moir referred to a report Council has received from the Downtown Business Association with regard to Grand Parade and he asked when this item will be discussed.

The City Manager said that the Agenda for next week's Committee of the Whole meeting has been closed out now, but that he will peruse the report and attempt to include it on the Agenda for the first meeting in June.

NOTICES OF MOTION

Notice of Motion - Alderman Sullivan Re: Repeal of Ordinance No. 115 - Board of Management Basinview Home

Alderman Sullivan gave notice that, at the next regular meeting of City Council, to be held on May 31, 1973, he will introduce a motion to repeal Ordinance No. 115 Respecting the Board of Management of the Basinview Home, as this operation has ceased to function and this Ordinance is no longer relevant.

Notice of Motion - Alderman Connolly Re: Repeal of Ordinance No. 119 - Levying and Collection of Poll Tax

Alderman Connolly gave notice that, at the next regular meeting of City Council, to be held on May 31, 1973, he will introduce a motion to repeal Ordinance Number 119, Respecting the Levying and Collection of Poll Tax. With the repeal of the requisite sections of the City Charter in 1971, the Ordinance no longer has any relevance or legal standing.

ADDED ITEMS

Convoy Place - Senior Citizen Housing Unit

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

Considerable discussion ensued on the price of the land and the contents of the Development Agreement between the City and Convoy Projects Limited.

Several questions were asked of the Director of Development and the City Solicitor on this item.

MOVED by Alderman Moir, seconded by Alderman Stanbury that City Council approve the sale of Parcel "C" as shown on Plan No. 00-11-20344 to Central Mortgage and Housing Corporation for the sum of \$60,000.00.

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

For:	Aldermen Moir, Stanbury, Sullivan and Wentzell	4
Against:	Aldermen Bell, Connolly and Stapells	3

Appointments - Halifax Athletic Commission

His Worship the Mayor nominated the following for appointment to the Halifax Athletic Commission:

Mr. Charles Campbell
Mr. Leo McIsaac

MOVED by Alderman Sullivan, seconded by Alderman Stapells that Mr. Charles Campbell and Mr. Leo McIsaac be appointed to the Halifax Athletic Commission. Motion passed.

Noise Ordinance

Alderman Sullivan referred to complaints he has received from persons in the north end of the City about an excessive amount of noise during the night hours from the Shipyards and even from Dartmouth. He asked just what can be done about it.

The City Manager said he would like to receive all the details and would look at the matter further.

The City Solicitor said that other levels of government are involved in the complaints referred to by the Alderman and he said that they usually are good citizens and comply with the laws of the City.

The City Manager said that the businesses and government agencies which are causing the noise will be contacted as soon as the details are received.

Cowie Hill Condominium - Authorization for Signing of Plans

Alderman Moir said he has been asked to raise this matter in Council although he was not aware of all the details.

Mr. Dodge advised that as in the case of the Kensington Court Condominium Project, owners must register their Condominiums and in that instance Council authorized a member of Staff to sign the plans indicating that they are in compliance with the originally approved project.

MOVED by Alderman Connolly, seconded by Alderman Bell that Mr. C. L. Dodge be authorized to sign Plans, on behalf of the City, for the Cowie Hill Condominium Project as required. Motion passed.

Possible Acquisition - Sewer Easement - 1641 Lower Water Street

This item was deferred earlier in the meeting and was considered at this time.

11:05 p.m. Council adjourned to meet in camera for a short while.

11:32 p.m. Council reconvened, the same members being present.

MOVED by Alderman Stapells, seconded by Alderman Stanbury that Council reject the basis upon which the easement was negotiated but, rather than expropriate, reluctantly agree to pay the \$5,000.00 per annum easement rental fee as a flat rate easement charge, provided however, that the City can negotiate it to a minimum of nine years.

Alderman Connolly spoke against the motion.

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

For:	Aldermen Bell, Moir, Stanbury, Stapells and Wentzell	5
Against:	Aldermen Connolly and Sullivan	2

11:35 p.m. Council adjourned.

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ALDERMAN N. P. MEAGHER
CHAIRMAN

JOY P. LAMB
ACTING CITY CLERK

CITY COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, N. S.
May 24, 1973
8:00 P. M.

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

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

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

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

It was advised by the Acting City Clerk that the meeting was called as:

Public Hearing Re: Rezoning of Civic Nos. 19 and 21 Sussex
Street from R-2 Residential to R-4 Residential

A Public Hearing was held at this time into the above matter.

The matter was duly advertised and it was advised that two communications have been received on the item; one being a letter of objection signed by Mrs. Constance R. Nicholson and Flora F. Nicholson of 61 Clearview Street, and the other being a petition in favour of the rezoning signed by approximately 25 residents of the area.

Council then heard an explanation of the application from Mr. B. Algee of the Development Department and displayed a map which outlined the area involved. Mr. Algee outlined the reasons as contained in the staff report of March 9, 1973 as to why staff were recommending refusal of the application.

An information report dated May 8, 1973 was also submitted as a result of a request made at the Committee of the Whole meeting of April 16th. for information on the effects the proposed rezoning would have on the existing sewer and traffic conditions on Sussex Street.

Mr. Algee was then questioned by members of Council with respect to the application.

His Worship the Mayor then called for those persons wishing to speak in favour of the proposed rezoning and Mr. Frank Cordon indicated a desire to speak.

Mr. Frank Cordon representing the applicant addressed Council and displayed a drawing of the building proposed as well as photographs of adjoining buildings. Mr. Cordon noted staff is opposed to spot rezonings but suggested that some flexibility must be exercised in this area. He said the building is neat in design and aesthetically pleasing and felt it would be in keeping with the single family units in the neighbourhood.

Mr. Cordon said the building is set back a fair distance from the Road and said his client, if necessary, is prepared to deed the front 15' of the lot to the City of Halifax. Mr. Cordon also referred to the petition submitted which contained signatures in favour of the application, and requested Council give favourable consideration to the rezoning.

Alderman Wentzell presented a petition signed by 36 persons living on Sussex Street who are opposed to the rezoning. Alderman Wentzell noted that five of these names also appears on the petition presented by Mr. Cordon's client, and felt they must have since changed their minds.

Alderman Wentzell questioned whether the persons who were approached to sign the petition were informed of the sewer problems and other objections as contained in the staff report.

Mr. R. A. Hodgson, the applicant, then advised of the way in which the petition was carried out and said the items mentioned by Alderman Wentzell were not pointed out.

Mr. Cordon was then further questioned on various matters pertaining to the rezoning application.

There being no response to His Worship the Mayor's question for further persons wishing to speak in favour, His Worship then called for those wishing to oppose the matter.

Mr. J. Burton of 12 Sussex Street addressed Council objecting to the rezoning due to severe sewer problems which already exist in the area during storm periods.

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

MOVED by Alderman Moir, seconded by Alderman Sullivan that the matter of the rezoning of Civic Nos. 19 and 21 Sussex Street from R-2 Residential to R-4 Residential, as shown on Plan No. P200/5530 of Case No. 2810, be referred to the next regular meeting of City Council without recommendation.

Motion passed.

8:40 P. M. - Meeting adjourned.

HEADLINES

Public Hearing Re: Rezoning of Civic Nos. 19 and 21 Sussex Street from R-2 Residential to R-4 Residential

MAYOR WALTER R. FITZGERALD
CHAIRMAN

Council Chamber
City Hall
Halifax, N. S.
May 31, 1973
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 Acting City Clerk, joined in reciting the Lord's Prayer.

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

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

MINUTES

Minutes of Council meetings held on May 17 and May 24, 1973 were approved on Motion of Alderman Moir, seconded by Alderman Connolly.

APPROVAL OF ORDER OF BUSINESS - ADDITIONS AND DELETIONS

At the request of the Acting City Clerk, Council agreed to the following changes and additions to the agenda:

The item 14(c) - "Dunbrack Street - Lacewood Drive to Kearney Lake Road - Approval in Principle" to become "14(c) 1".

Add: "14(c) 2" - Authorization to Expropriate Collector Road Right-of-way - Dunbrack Street to Carson Street School Site

- Add: 20(a) - Change of Meeting Date of June 6, 1973 Committee of the Whole
20(b) - Amendment to Administrative Order #8
20(c) - Collective Agreement - Local 268 IAFF (Fire Fighters)
20(d) - Proposed Halifax-Dartmouth Regional Development Plan.
20(e) - Award of Tenders

At the request of Alderman Sullivan, Council agreed to add:

20(f) - Proposed Bank Building Bounded by Duke, Barrington, Granville, and George Streets.

MOVED by Alderman Moir, seconded by Alderman Bell that the order of business, as amended, be approved.

Motion passed.

DEFERRED ITEMS

REZONING OF CIVIC NOS. 19 AND 21 SUSSEX STREET
FROM R-2 RESIDENTIAL TO R-4 RESIDENTIAL

The Public Hearing on the above noted rezoning application was held on May 24, 1973.

Alderman Wentzell said there were petitions received at the Public Hearing both for and against the rezoning and in referring to the small number of persons that spoke against at that time, advised that they felt the petition submitted was sufficient and therefore, did not speak at the hearing.

Alderman Wentzell referred to staff reports submitted on the matter which outlined the sewer, traffic, and other problems in the area, and which recommended refusal of the application. Alderman Wentzell also noted that this is a case of spot rezoning and said that if it is approved, a precedent will be set which will result in further such applications being submitted to Council for approval.

It was MOVED by Alderman Wentzell, seconded by Alderman Hogan that the rezoning of Civic Nos. 19 and 21 Sussex Street from R-2 Residential to R-4 Residential as shown on Plan No. P200/5530 of Case No. 2810, be refused by City Council.

It was advised by the Acting City Clerk that Deputy Mayor MacKeen and Alderman Meagher did not have a vote as they were not present at the Public Hearing.

Following a debate on the matter, the Motion was put and resulted in a tie vote, four voting for the same and four voting against it as follows:

For: Aldermen Hogan, Moir, Stapells, and Wentzell - 4
Against: Aldermen Bell, Connolly, Stanbury, & Sullivan - 4

The Chairman cast his vote in favour of the Motion and declared same passed.

PETITIONS AND DELEGATIONS

Curbing and Paving - Portion of Tartan Avenue

A petition dated May 21, 1973 from Lawrence Hartnett of 1A Tartan Avenue and Robert Theakston Lot 18A Tartan Avenue, was submitted and read by the Acting City Clerk requesting the City to grade, pave, and curb that portion of Tartan Avenue from Ardwell Avenue northwesterly for 100 feet more or less to a dead-end at the brook.

The Director of Works advised that staff have considered the matter and are in favour of adding this project to work which is presently underway in the area. Mr. Sheflin said that staff have been advised that 100% of the property owners are in favour of the work, but said that the matter requires action of Council.

The City Manager said it should be noted that the owners have agreed to pay their proportion of the cost involved.

It was then MOVED by Alderman Wentzell, seconded by Alderman Moir that the section of Tartan Avenue as outlined in the petition and as being recommended by City Staff, be paved in conjunction with the present paving program in the area.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

City Council considered the report of the Finance and Executive Committee from its meeting held on May 23, 1973 as follows:

Possible Expropriation - Lot #4 - Block #6 of the Kline Heights Subdivision

MOVED by Alderman Bell, seconded by Alderman Stapells that, as recommended by the Finance & Executive Committee:

1. the land designated as Lots 212-A, 212-B, and 212-C on Plan #TT-19986 be expropriated by the City of Halifax and that the recommended compensation be a sum of \$2,175 based on an appraisal of market value prepared by Speed and Speed Limited dated March 31, 1973; and
2. in accordance with the requirements of the Provincial Act respecting Expropriation of Land Procedure, City Council authorize the payment of an amount equal to one-half the recommended compensation; funds for the above expropriation to be made available from Account #425-454-DA018.

Motion passed.

Harbour Interceptor Sewer Easement Agreement
National Harbours Board

MOVED by Alderman Moir, seconded by Alderman Wentzell that, as recommended by the Finance and Executive Committee, easement agreement numbers H-184 and H-185 between the National Harbours Board and the City of Halifax be approved and His Worship the Mayor and the City Clerk be authorized to execute the same on the City's behalf. Motion passed.

School Construction Program -
Cowie Hill, Carson Street, and Halifax West Schools

MOVED by Alderman Wentzell, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Council approve the calling of tenders for the Cowie Hill, Carson Street, and Halifax West Schools subject to the approval of the Department of Education and with the proviso that tenders be awarded not earlier than necessary to ensure that full provincial cost sharing is obtained relative to the August 1, 1973 sharing date.

Alderman Hogan referred to the great amounts of money which MAPC is proposing to spend in the area and said the City is unable to get a small amount from DREE to assist in the construction of these school sites.

His Worship concurred with Alderman Hogan and felt that if there was an overall plan for the area, the government may change its attitude.

The City Manager pointed out that in a previous motion there was a limitation that the City hold back the calling of tenders to get cost sharing. He said that such a limitation does not apply to a capital program that is going to be financed through the borrowing process, but said it does apply in terms of current revenue expenditures. The City Manager said that with Council's clearance and approval, tenders will be called at an early date and said what will tend to put off the date of the final tender receipt is the negotiations with the construction unions.

Alderman Wentzell referred to the need for the schools and said he wanted to be sure that any delays will not cause problems in the fall of 1974. He said he is of the understanding that it takes about 12 - 14 months before a school is ready to accept children.

His Worship referred to August 1st. sharing date, and felt that if a meeting was held with the Department of Education, the department would realize there is a high priority and perhaps arrangements can be made for an early start. His Worship said that he and the City Manager will pursue such a course of action in an attempt to speed up the process.

The Motion was then put and passed.

REPORT - COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its meeting held on May 31, 1973 as follows:

Queen Street Sewer

MOVED by Alderman Stapells, seconded by Alderman Connolly that, as recommended by the Committee on Works:

1. City Council, pursuant to Section 392 of the City Charter, declares that the construction of a sanitary sewer to serve the properties at 1172, 1178, and 1180 Queen Street to be a local improvement project, it being necessary and in the public interest on sanitary grounds; and
2. the required funds be transferred from Capital Budget Account No. 427-DC001 (Upgrading and Repair of Pumping Stations) to Capital Budget Account No. 426-DA045.

Motion passed.

Official Street Lines - DATE FOR HEARING

MOVED by Alderman Moir, seconded by Alderman Connolly that, as recommended by the Committee on Works, in accordance with Section 357 of the City Charter, City Council set a date for a public hearing to alter and confirm the official street lines as shown on Sections 20E, 17G, 6H, and 7P of the Official City Plan. Motion passed.

The Acting City Clerk advised that the date of the public hearing is scheduled for July 4, 1973.

Tender 73-68 - Demolition of 2181-83 Barrington Street

In reply to a question, the City Manager advised that tenders have been recalled and the recommendation is that when the tenders are received, the necessary funds be taken from the Sale of Land Account.

Alderman Connolly suggested that no action should be taken at this time until the City knows what the costs are going to be, and MOVED, seconded by Alderman Bell that the matter be deferred.

Motion passed.

Grand Parade - Summer Use

MOVED by Alderman Hogan, seconded by Alderman Stanbury that, as recommended by the Committee on Works, the following conditions apply to the use of the Grand Parade and adjacent areas, as outlined on the map attached to the staff report of May 23, 1973, by the Downtown Halifax Business Association during the months of June, July, and August, 1973:

1. No changes will be made to the vehicular and parking use of St. Paul's Hill.
2. Individuals may work at and sell handicrafts of their own making on the north sidewalk of St. Paul's Hill, provided such activities do not prohibit pedestrian use of the sidewalk as well. The number of handicraft stalls may be limited in number at the discretion of the Director of Engineering and Works and all participants will be required to purchase the appropriate license.
3. An outdoor cafe may be located on the east side of Argyle Street between George Street and St. Paul's Hill encompassing the sidewalk and present parking spaces. Any facilities erected in conjunction with such cafe will require the approval of the Director of Engineering and Works and must be complementary to the area.
4. The City of Halifax will supply and install a stage and electrical outlets at an appropriate site within the Grand Parade bearing in mind the presence of the Cenotaph.

5. Stage performances must be in good taste and cognizant of the fact that they are being presented adjacent to the Cenotaph and St. Paul's Church; performances must not be unduly noisy bearing in mind that there are offices and businesses close by; and must not block access to City Hall.
6. With the exception of the Mayor, City Manager, and Aldermen, all parking will be prohibited in the Grand Parade between the hours of Noon and 2 p.m. The exception to this will be that when Council meetings and other official functions are taking place in City Hall, those who are normally allowed to park in the Grand Parade will be permitted to do so at such times.
7. Any additions of the shrubbery, etc., that the Downtown Halifax Business Association may wish to place in or near the Grand Parade will be at their expense. The Supervisor of Parks and Grounds will give advice as to how such shrubbery, etc., may most advantageously be placed and will be subject to his approval. These are the same conditions as apply to the Spring Garden Road area.
8. No commercial enterprises in addition to the cafe and handicrafts, as outlined above, will be permitted.
9. The Director of Engineering and Works will exercise supervision over the complete project in order to ensure that tasteful and desirable use is made of the Grand Parade and adjacent areas, and further the Director of Engineering and Works will be permitted to make adjustments to the above conditions from time to time as may be deemed appropriate.

AND, that on this basis approval be given to the proposal of the Downtown Halifax Business Association.

Motion passed.

REPORT - SAFETY COMMITTEE

City Council considered the report of the Safety Committee from its meeting held on May 23, 1973 as follows:

Closing Portion of University Avenue
Nova Scotia Festival of the Arts

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the Safety Committee, the request of the Nova Scotia Festival of the Arts to close University Avenue between Henry Street and LeMarchant Street, August 24 to August 26 inclusive, be approved subject to the conditions as outlined in the letter dated May 16, 1973 from the Director of Engineering and Works to the Executive Director of the Nova Scotia Festival of Arts as attached to the staff report dated May 17, 1973.

Motion passed.