

In referring to the staff report, Mr. Cooper said that the developer suggests that it would be better not to have a shopping centre located on the Herring Cove Road and said that Dentith Road would provide for a holding capacity for cars. He said that the developer would be prepared to purchase direct access to Sussex Street if necessary. Mr. Cooper further advised that the developer is prepared to install sidewalks on its side of the street from the Herring Cove Road to the Church property.

With respect to the intersection of Herring Cove Road and Dentith Road, Mr. Cooper said the developer will install a light at this location at their cost, and said the traffic consultants for the developer have suggested that Dentith Road should be right-turn in and out as suggested.

Mr. Cooper referred to the matter of channelizing the MacIntosh Run, and said the developer is prepared to confer with staff on this item. Mr. Cooper also made reference to the proposed Municipal Development Plan which shows a different site for a shopping centre in the area of Spryfield, and felt the site in question would not be contrary to the Plan simply by moving the designated area a little further away. Mr. Cooper pointed out that about one-half of the developer's land is presently zoned C-2 and he is only asking Council to round-out the area in question.

Mr. Barry Zwicker a resident of Spryfield addressed Council and put forth a number of questions with respect to the subject matter and concluded by saying that he was in favour with the location for the proposed shopping centre.

Mr. Frank Fisher representing St. Paul's United Church spoke on the matter and advised that the Church previously owned a portion of the property in question but advised it was sold to the proposed developer with a number of stipulations attached which he proceeded to explain. Mr. Fisher suggested the proposed shopping centre would benefit the area as a whole and requested that Council approve the rezoning. Mr. Fisher then answered a number of questions put forth by members of Council.

Mr. Gerry Cooper a resident of Lieblin Park addressed Council in favour of the rezoning and suggested that the proposed Mall would help to improve traffic problems in the area. Mr. Cooper referred to the number of housing developments in the area which are near completion, and said that such a shopping centre is needed.

Mr. F. MacKay of Dentith Road spoke in favour of the proposed development and also felt it would help to alleviate traffic problems in the area.

Mr. J. Scanlan of Lieblin Park also addressed Council in favour of the rezoning application.

Mr. John Stevens of Thornhill Park spoke in favour of the rezoning and said that such a shopping centre would help to eliminate the necessity of having to contend with the Rotary every time persons were required to shop. Mr. Stevens then questioned staff with respect to certain points pertaining to the proposed development.

Mrs. Edna Hobin a resident of Spryfield addressed Council and felt that residents in the area of Harrietsfield and Herring Cove would also use such a shopping centre attesting to the need for such a facility.

Mr. C. Boudreau a resident of the Spryfield area spoke in favour of the rezoning. Mr. Boudreau referred to the number of developments etc. which have been proposed for the Spryfield area but which have never become a reality, and said that this particular proposal could start in two to three months time. Mr. Boudreau felt there are many residents in the area who are in favour with such a proposal.

Mr. William Hatter a resident of the area addressed Council in favour of the rezoning and said that one presently must drive to the peninsula for most purchases which are required.

There being no further persons wishing to speak in favour of the rezoning, His Worship then called for those wishing to oppose the application.

Mr. J. Burton of Sussex Street addressed Council opposed to the rezoning due to the severe sewer problems presently existing in the area.

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

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

Motion passed.

9:55 P. M. - Council adjourned for a short recess.

10:05 P. M. - Council reconvened with the same members being present

Public Hearing - Rezoning of Lot "A" (Mont's Oil Limited Property) Herring Cove Road from R-2 Residential (Two-Family Dwelling Zone) to C-2, General Business Zone

A public hearing was held at this time into the above noted rezoning application.

The matter was duly advertised and no letters of support or objection were submitted.

Mr. Dave Keefe of the Development Department, with the aid of maps, outlined the proposal and answered questions put forth by members of Council.

His Worship then called for those persons wishing to speak in favour of the rezoning application.

Mr. Eric Dean addressed Council on behalf of the applicant and submitted and read a letter outlining the type of development proposed and which outlined reasons why the application should be given serious consideration. Mr. Dean in reply to a question advised that the building would be 60' x 130' and that there will be paved parking provided. Mr. Dean also answered further questions pertaining to the application.

The Pastor of St. Paul's Church who also represented the Interfaith Council addressed Council in favour of the application saying that the proposed Co-operative store should do much to improve the quality of life for a number of people in the area.

Mrs. MacGillivray, a resident of the area and a member of the Steering Committee which started under the Interfaith Council addressed Council in favour of the application. Mrs. MacGillivray submitted and read a letter outlining the way in which membership will be sought for the Co-Op, and requested favourable consideration be given.

Mr. J. Chaisson a resident of Spryfield spoke in favour of the application. Mr Chaisson said the problem in the past has been to locate a suitable piece of property on which to locate a Co-op and felt this is one of the most worth while uses to which the property in question could be put.

Mr. R. Ritchie of Auburn Avenue spoke in favour of the application and noted that the proposed development would help to increase employment in the area. Mr. Ritchie noted there are presently a number of persons in the area who shop in the Co-Op in Dartmouth and said the facility proposed will make available to the residents an outlet which does not presently exist in the area, and requested that favourable consideration be given to the matter.

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

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

10:30 P. M. - Meeting adjourned.

#### HEADLINES

Public Hearing - Rezoning of Certain Properties on and off the Purcell's Cove Road from R-1 (Single-Family Dwelling Zone) to R-2 (Two-Family Dwelling Zone) ....

HEADLINES (Cont'd)

Public Hearing - Rezoning of Civic Nos. 8-18 (Lot Nos. 1-6 Inclusive) Dentith Road from C-1, Local Business to C-2 General Business, and rezoning of Civic No. 20 (Lot G) Dentith Road from R-2 Residential (Two-Family Dwelling Zone) to C-2 General Business .....

Public Hearing - Rezoning of Lot "A" (Mont's Oil Limited Property) Herring Cove Road from R-2 Residential (Two-Family Dwelling Zone) to C-2 General Business Zone ...

MAYOR WALTER R. FITZGERALD  
CHAIRMAN

R. H. STODDARD  
CITY CLERK



CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
June 28, 1973  
8:10 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 Stanbury, Stapells, Wentzell, Connolly, Moir, Sullivan, Hogan, Meagher, Bell, and Deputy Mayor MacKeen.

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

TRIBUTE TO THE LATE FRANK J. HEALY

Alderman Meagher referred to the recent passing of Mr. Frank J. Healy former Alderman and Deputy Mayor of the City of Halifax, and said that Mr. Healy was a gentleman and a good Alderman who worked hard for the citizens of Halifax and for the Ward which he represented.

It was MOVED by Alderman Meagher, seconded by Alderman Connolly that City Council go on record as extending sympathy to the family of the late Mr. Frank J. Healy and that a letter to that effect be forwarded to the family by His Worship the Mayor.

Motion passed.

MINUTES

Minutes of City Council meetings held on June 14 and 20, 1973 were approved on Motion of Alderman Moir, seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 9(e) - Petition Re: Storm Sewer Installation, Auburn Avenue
- 9(f) - Petition Re: Storm Sewer Installation, Willett Street between Main Avenue and Frederick Avenue

- 20(a) - Temporary Borrowing Resolution
- 20(b) - Appointment Director of Recreation
- 20(c) - Area Interest Rate - 1972 Billings

At the request of Deputy Mayor MacKeen, Council agreed to add:

- 20(d) - Personnel and Labour Relations.

It was MOVED by Alderman Meagher, seconded by Alderman Connolly that the Order of Business, as amended, be approved. Motion passed.

DEFERRED ITEMS

Rezoning of Civic Nos. 8-18 (Lot Nos. 1-6 Inclusive) Dentith Road from C-1 Local Business, to C-2 General Business and rezoning of Civic No. 20 (Lot G) Dentith Road from R-2 Residential (Two Family Dwelling Zone) to C-2 General Business

The Public Hearing on the above noted rezoning application was held on June 20, 1973.

Alderman Wentzell said he was originally against the rezoning but noted that the developer has since come forth with a number of improvements to the original proposal. Alderman Wentzell also referred to feelings expressed by persons attending the Public Hearing that such a facility is desperately needed in the area.

It was MOVED by Alderman Wentzell, seconded by Alderman Sullivan that the application for rezoning of Civic Nos. 8-18 (Lot Nos. 1-6 inclusive) Dentith Road from C-1 Local Business to C-2 General Business, and rezoning of Civic No. 20 (Lot G) Dentith Road from R-2 Residential to C-2 General Business for the purpose of constructing a shopping centre as shown in Case No. 2776 of Plan Nos. P200/5702 & 5711, be approved by City Council.

The Motion and Formal Resolution were put and passed.

Rezoning of Lot A (Mont's Oil Limited Property) Herring Cove Road from R-2 Residential (Two Family Dwelling Zone) to C-2, General Business Zone

The Public Hearing on the above noted rezoning was held on June 20, 1973.

It was MOVED by Alderman Bell, seconded by Alderman Sullivan that 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, be approved by City Council. Motion passed.

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

Moved by Alderman Bell, seconded by Alderman Sullivan that the Formal Resolution, as submitted, be approved.

Motion passed.

Rezoning of certain properties on and off the Purcell's Cove Road from R-1 (Single Family Dwelling Zone) to R-2 (Two-Family Dwelling Zone)

The Public Hearing on the above noted rezoning was held on June 20, 1973.

MOVED by Alderman Stapells, seconded by Alderman Connolly that the rezoning of certain properties on and off the Purcell's Cove Road from R-1 (Single-Family Dwelling Zone) to R-2 (Two-Family Dwelling Zone), which are more particularly described as follows, be approved:

Bounded on the north by Pinehaven Estates Ltd., (Home for extended care);

Bounded on the east by Loop Road;

Bounded on the south by Fleming Park; and

Bounded on the west by Purcell's Cove Road.

The Motion and Formal Resolution were put and passed.

PUBLIC HEARINGS & HEARINGS

Appeal by Standard Paving Maritime Limited from the Decision of the Building Inspector refusing to Issue a Building Permit for a Proposed Addition of a Storage Hopper - Kearney Lake Road

Mr. Jefferson the Building Inspector, advised that this is a situation where there exists a non-conforming use and in his opinion as Building Inspector, a proposal to construct two storage silos as proposed would be an extension to the non-conforming use within the meaning of the By-law. He advised that the By-law forbids an extension of the nature proposed.

Following a short questioning of Mr. Jefferson, His Worship questioned whether Council has the power to deal with this matter and suggested that nothing can be done other than to change the law.

The City Solicitor advised that the City's by-law does deal with con-conforming uses but said it pre-dated the Provincial Planning Act which does not allow for expanding a non-conforming use. Mr. Murphy advised that the applicant suggests the proposed tanks would not be classed as a structure, but said the City's view is that according to the Planning Act the proposal would be classed as a structure. The City Solicitor further advised that the matter of issuing a permit is beyond the power of the Building Inspector as well as City Council as it is a Provincial Statute which is involved.

It was noted that the City By-law does provide for an appeal to Council and that the persons involved would have to be heard. The City Solicitor suggested that the Section of the City's By-law which provides for such appeals should be amended.

Following a short discussion on the matter, Mr. J. D. MacIsaac representing Standard Paving Maritime Limited addressed Council on the matter. Mr. MacIsaac referred to the letter of refusal to issue which was received from the Building Inspector and noted that the Inspector regretted the necessity of refusing the permit due to the probable beneficial effects that would result if the permit could have been granted.

Mr. MacIsaac also referred to Section 4 (g)(2) of the Zoning By-Law which deals with the matter in question, and which refers to an increase in height, size or volume, or a change in the use of the building.

With respect to the matter of height, Mr. MacIsaac said that if one were to view the applicant's development from a point called infinity, the proposed addition would not increase the height. With respect to size and volume, he said the proposed construction will not increase the capacity of the plant. Mr. MacIsaac also referred to Section 538(a) of the City Charter which he said, gives Council authority to waive the requirements of the Halifax Zoning By-law if the land in question is in excess of five acres, and said the applicant's land is in excess of the requirement.

Mr. MacIsaac went on to outline the way in which the proposed tanks would be of benefit to the Community as a whole and was asked a number of questions by members of Council.

Alderman Moir noted that the issues raised are ones of legality and felt these should be considered at the staff level. Alderman Moir said he would prefer to receive a report as to the City's position on the matter at the next meeting of the Committee of the Whole Council than to debate the matter at this time.

It was MOVED by Alderman Moir, seconded by Alderman Meagher that the matter be deferred to the next regular meeting of the Committee of the Whole Council, at which time a staff report be submitted outlining the City's position on the issue. Motion passed.

Appeal against the refusal of the Development Officer to Issue a Permit for an Addition to the Property #3531 Leaman Street

Mr. Jefferson, the Development Officer, addressed Council and advised that the matter involves an application to the Development Officer for a modification to permit the extension to a dwelling on Leaman Street. Mr. Jefferson advised the extension requested would have reduced the sideyard to 2' and said the By-law requirement in this case is 6'. He said it was his opinion that a reduction to 2' was not a minor variance.

Mr. Jefferson was then questioned by Council following which Mr. L. A. LaRose the appellant, addressed Council and advised that the original application for a 3.17 foot extension was approved. Mr. LaRose said this amount was not sufficient for the required improvements and said they would now like to increase the extension to 5'.

It was noted that the plan as submitted by staff advised of a 6' extension but that Mr. LaRose is now requesting only 5' which would make a deficiency of 3' rather than 4'.

Further discussion ensued, and it was MOVED by Alderman Sullivan, seconded by Alderman Stanbury that the appeal against the Development Officer's decision to refuse a 5-foot by 16-foot one-storey addition on the northwest side of Civic No. 3531 Leaman Street as shown on Plan No. P200/5825 of Case No. 2807, be approved by City Council. Motion passed.



Appeal against the decision of the Development Officer approving a Minor Variance to the Property No. 100 Coronation Avenue (Addition 4' x 8')

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Mr. Jefferson addressed Council and advised that the Development Officer granted a minor variance at the above noted property and said an appeal was received from one of the persons within the area of notification. Mr. Jefferson advised that the minor variance reduces the front yard requirement of 26' to 22', and said the purpose of the extension is for the construction of a porch. Mr. Jefferson said it was a reasonable variance to approve and said there are a number of other houses on the street which have previously had porches added to the dwellings.

As the person who appealed the decision of the Development Officer was not present, His Worship declared the matter to be before Council.

It was MOVED by Alderman Moir, seconded by Alderman Stapells that City Council uphold the Development Officer's decision in approving a minor variance of the front yard requirement at Civic No. 100 Coronation Avenue as shown on Plan No. P200/5810 of Case No. 2904. Motion passed.

#### PETITIONS AND DELEGATIONS

The following petitions were submitted resulting from Local Improvement Notices being sent to persons in the affected areas advising of the intention to install sewers in the areas indicated:

- (a) Petition Re: Storm Sewer Installation Main Avenue between Willett and Dunbrack Streets
- (b) Petition Re: Storm Sewer Installation Borden Street between Main Avenue and Adelaide Avenue
- (c) Petition Re: Storm Sewer Installation Bayview Road
- (d) Petition Re: Storm Sewer Installation Hillcrest Street between Main Avenue and Adelaide Avenue
- (e) Petition Re: Storm Sewer Installation Auburn Avenue
- (f) Petition Re: Storm Sewer Installation Willett Street between Main Avenue & Frederick Avenue.

The City Clerk advised that the petitions have been circulated to all members of Council.

The City Manager suggested that from the protests received, staff must analyse the proposed installations and suggested referring the matter to staff for a report.

MOVED by Alderman Moir, seconded by Alderman Stanbury that the petitions received on the matter of proposed storm sewer installations be referred to staff for a report.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on June 20, 1973 as follows:

Appointment Special Committee to meet with N. S. Power Corporation

MOVED by Alderman Stapells, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, His Worship the Mayor form a Committee to meet with the Nova Scotia Power Corporation, of which the Premier of the Province is a member, for the purpose of obtaining the facts and figures with respect to the growth and revenue of the Corporation, and to attempt to reach a suitable agreement with respect to taxation.

His Worship advised that he would nominate Aldermen Meagher, Sullivan, and Connolly to sit on the Committee.

The Motion and Nominations were then approved.

APPLICATION BILL POSTERS LICENSE

A staff report dated June 27, 1973 was submitted on the matter of such signs distracting other motorists as was requested at the Committee of the Whole meeting of June 20th.

MOVED by Alderman Meagher, seconded by Alderman Bell that, as recommended by the Finance & Executive Committee, the application of Taxi Board Advertising, a division of Ontario Specialty Signs, for a Bill Posters License be granted in accordance with Ordinance No.19, provided that:

1. The signs are not illuminated in any manner;
2. The signs do not block the visibility of the automobiles rear lights, license plate, etc.; and
3. The signs do not in any way exceed the dimensions of the cars, pursuant to Section 170 (1) of the Motor Vehicle Act.

Motion passed with Aldermen Hogan & Stanbury against.

RECOMMENDATIONS - TAX CONCESSIONS AND GRANTS COMMITTEE

MOVED by Alderman Moir, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, the following be approved:

Spryfield Lions Club

That the Spryfield Lions Club receive a capital grant of \$15,000 subject to the conditions that no operating grant be forthcoming and that residential taxes be paid by the organization.

Lots 4, 5, and 6 Sunset Avenue

That a grant in the amount of \$54.34 in lieu of taxes be approved for Lots 4, 5, and 6 Sunset Avenue, so long as the land is used for recreational purposes.

IOOF Building and Joint Stock Association Limited

That no grant be given to the IOOF Building and Joint Stock Association Limited.

Institute of Canadian Bankers

That no funds be granted to the Institute of Canadian Bankers.

Black United Front

That a grant of \$350.00 be made to the Black United Front subject to the prior payment of the outstanding balance for taxes for 1973.

New Leaf Enterprises and Canadian Rehabilitation Council for the Disabled (Nova Scotia Chapter)

That a grant in the amount of \$1,041.01 be approved for New Leaf Enterprises to offset business occupancy taxes, but that no grant be made to the Canadian Rehabilitation Council for the Disabled (Nova Scotia Chapter).

Halifax Committee of Oxfam - Canada

That no grant in lieu of taxes be approved for the Halifax Committee of Oxfam - Canada.

Police Boys' Club

That a grant in the amount of \$10,500 be approved for the Police Boys' Club but that no grant be made to offset the tax liability for the Club for 1973.

Junior Achievement of Halifax

That no grant be made to the Junior Achievement of Halifax.

Atlantic Institute of Education

That the application from the Atlantic Institute of Education requesting that outstanding business taxes and interest at 5244 South Street be forgiven, be denied.

Canadian Red Cross Society

That funds in the amount of \$4,553.46 be granted to the Canadian Red Cross Society to offset 25% of the applicable tax levy.

Dalhousie Legal Aid

That no grant be made to Dalhousie Legal Aid.

Family Planning Association

That a grant in the amount of \$3,000 be made to the Family Planning Association to offset Business Occupancy Taxes and provide for some assistance towards operating costs, subject to the satisfaction of the Social Planner that the group has received satisfactory core funding to cover salaries etc.

North End Community Health Association

That a grant in the amount of \$1,700 be made to the North End Community Health Association which is composed of a sum equal to business occupancy taxes (\$777.29) and a modest operating grant for medical supplies.

Cornwallis Street Baptist Church

That no grant be made to the Cornwallis Street Baptist Church.

Atlantic Child Guidance Centre

That a grant in the amount of \$17,000 be approved for the Atlantic Child Guidance Centre.

Public Housing Tenants Association of Nova Scotia

That \$1,800 be set aside for the Public Housing Tenants Association of Nova Scotia on condition that the 87½% is forthcoming from the other partners and that the \$1,800 be a maximum figure to be returned to the Tax Concessions and Grants Committee for a specific amount when the actual number of units is known.

Aldermen Connolly and Stanbury against.

Red Cross - Homemaker's Service

That a grant in the amount of \$2,000 be made to the Red Cross Homemaker's Service.

Neptune Theatre

That a grant in the amount of \$22,000 as a tax offset and operating grant, be approved for Neptune Theatre.

Atlantic Symphony Orchestra

That a grant in the amount of \$11,000 as a tax offset and operating grant, be approved for the Atlantic Symphony Orchestra.

Halifax Music Festival Association

That no grant be made to the Halifax Music Festival Association.



Atlantic Opera Society

That no funds be granted to the Atlantic Opera Society.

Maritime Conservatory of Music

That no grant be made to the Maritime Conservatory of Music.

Nova Scotia Museum of Fine Arts

That no funds be granted to the Nova Scotia Museum of Fine Arts.

Nova Scotia Festival of the Arts

That no funds be granted to the Nova Scotia Festival of the Arts.

Callow Veterans' and Invalids' Welfare League

That \$500.00 be granted to the Callow Veterans' and Invalids' Welfare League for operating costs.

Canadian National Institute for the Blind - Maritime Division

That no grant be made to the Maritime Division of the Canadian National Institute for the Blind.

Canadian Cancer Society - Nova Scotia Division

That no grant be made to the Nova Scotia Division of the Canadian Cancer Society.

St. John Ambulance

That a grant in the amount of \$1,500 be made to St. John Ambulance for operating costs.

Canadian Paraplegic Association

That a grant in the amount of \$1,500 for operating expenses, be made to the Canadian Paraplegic Association.

Salvation Army Grace Hospital (Outpatient)

That a grant in the amount of \$3,500 be made to the Salvation Army Grace Hospital (Outpatient).

Salvation Army (Rehabilitation Centre)

That a grant in the amount of \$2,000 be made to the Salvation Army (Rehabilitation Centre).

Inner City Boys' Club

That no grant be made to the Inner City Boys' Club.

Children's Hospital

That a capital grant in the amount of \$72,500.00 be made to the Children's Hospital.

Salvation Army

That a capital grant in the amount of \$25,380.00 be made to the Salvation Army.

Y.M.C.A.

That a capital grant in the amount of \$50,000 be made to the Young Men's Christian Association.

St. George's Church

That a grant in the amount of \$200.00 be made to St. George's Church.

Nova Scotia Society for the Prevention of Cruelty

That a grant in the amount of \$4,000 be made to the Nova Scotia Society for the Prevention of Cruelty to offset taxes and operating costs.

Canadian Council of Christians and Jews

That a grant in the amount of \$147.68 to offset business occupancy taxes be made to the Canadian Council of Christians and Jews.

Missions to Seamen

That a grant of \$2,000.00 be made to the Missions to Seamen.

African Liberation Support Committee

That no grant be made to the African Liberation Support Committee.

Nova Scotia Technical College - Students

That no grant be made to the Students of the Nova Scotia Technical College.

Salvation Army Grace Hospital (Infants Home)

That a grant in the amount of \$500.00 be made to the Salvation Army Grace Hospital (Infants Home).

The Motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 20, 1973 as follows:

Street Acceptance - Willett Street Extension

MOVED by Alderman Hogan, seconded by Alderman Wentzell that, as recommended by the Committee on Works, the following street be accepted as a part of the official street system as this section of street fulfills the minimum standards required by staff:

"Willett Street - West street line of Dunbrack Street to 255 feet westward."

Motion passed.

Kline Heights - Upgrading of Roads

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

1. The City initiate a program of road improvements in Kline Heights using funds available in the Kline Heights services account (427-DA021);
2. The road improvements which will consist of multiple aggregate treatment be cost shared by the City and the abutters using the approved formula for permanent street paving, i.e. 1/3 each abutter and 1/3 City; and
3. A rate of \$1.90 per lineal foot be approved as the local improvement tax rate for the road improvements.

Motion passed.

Fairview Sewer DREE Project #2.9(c) - GLENFOREST EXTENSION -  
AWARD OF CONTRACT

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the Committee on Works, City Council approve the award of the Project #2.9(c) - Fairview Storm Sewer to Waverley Construction Company Limited under the terms of the original contract agreement with the 1973 price escalation of 13% on the original contract prices.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on June 20, 1973 with respect to the following matters:

Application for Resubdivision of Lots RA3B and RA4A -  
Wedgewood Subdivision, Robert Allen Drive

MOVED by Alderman Connolly, seconded by Alderman Wentzell that, as recommended by the City Planning Committee, the application for resubdivision of Lots RA3B and RA4A to create Lots RA3 and RA4, Wedgewood Subdivision, Robert Allen Drive, as shown on Plan No. P200/5775 of Case No. 2884, be approved. Motion passed.

Extension to a Non-conforming Building - Civic No. 3824  
Basinview Drive

MOVED by Alderman Stanbury, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application for permission to construct an 8-foot by 19-foot one-storey addition on the north side of Civic No. 3824 Basinview Drive, as shown on Plan Nos. P200/5797-5800 of Case No. 2901, be approved. Motion passed.

Application for Resubdivision - Lands of Cecil Gray,  
Forest Hill Drive

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the City Planning Committee, the application for resubdivision of Lots A, B, 17 and 15 to create Lots X, Y and Z, as shown on Plan No. P200/5750 of Case No. 2876, be approved. Motion passed.

Lot M, Lands of Manufacturers Life Insurance Company,  
Spring Garden Road and College Street - Resubdivision  
(Lot Consolidation)

MOVED by Alderman Connolly, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the resubdivision (lot consolidation) of eight parcels of land presently in the ownership of Manufacturers Life Insurance Company, Spring Garden Road, forming new Lot M, as shown on Plan No. P200/5163 of Case No. 2881, be approved.

In reply to a question from Alderman Moir, Staff advised that in their opinion the present plan for the siting of the building, 102 feet from the Spring Garden Road and the same distance from College Street is the best. Any changes which would site the building farther from Spring Garden Road would disrupt the present underground parking plan because of the grade of the property.

Alderman MacKeen spoke of the changes made in the plans since the initial submission for the rezoning of the property.

A brief reference was made to a petition submitted (copies distributed) opposing the construction of this building.



The City Manager was of the opinion that no firm plans were drawn at the time of the rezoning application and just an illustration was shown to indicate what the building would look like.

Staff stated that the whole Spring Garden Road frontage will be landscaped and form a green area.

The City Manager made a comment that if the building is permitted to be pushed farther back on the property, at some time in the future another application might be made for a resubdivision to construct a building on the front portion of the property.

Alderman Stanbury spoke against the motion.

The motion was then put and passed with Aldermen Hogan and Stanbury voting against.

Application for Final Approval of Lots A1 and A2 Subdivision -  
Lands owned by Judith T. Moreira, Francklyn Street and  
Inglewood Drive

MOVED by Alderman Connolly, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the application for final approval of Lots A1 and A2, Lands owned by Judith T. Moreira, Francklyn Street and Inglewood Drive, as shown on Plan No. P200/5776 of Case No. 2885, be approved. Motion passed with Alderman MacKeen abstaining.

Resubdivision - Civic Nos. 5680-5690 Duffus Street

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the City Planning Committee, the application for resubdivision (lot consolidation) of 5680-5690 Duffus Street, forming new Lot "A", as shown on Plan No. P200/4706 of Case No. 2808, be approved. Motion passed with Alderman Sullivan voting against.

Application for Final Approval - Lots 111 to 134 incl.  
Fairmount Subdivision, Downs Avenue and Brook Street

MOVED by Alderman Connolly, seconded by Alderman Wentzell that, as recommended by the City Planning Committee, the application for final approval of Lots 111 to 134 inclusive, Fairmount Subdivision, Downs Avenue and Brook Street, as shown on Plan No. P200/5816 of Case No. 2905, be granted. Motion passed.

Alderman Bell asked Staff to keep a check on the development of these lots to make sure that it does not aggravate the drainage problem on Walton Drive.

Proposed Windsor Street Access - Quinpool Road Development

MOVED by Alderman Connolly, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, City Council confirm that a Windsor Street access road is a

requirement for the Quinpool Road Development but further, that, although an alternative routing should be left open and pursued, the City considers the routing between the High School and St. Vincent's Guest House the most feasible routing for the Windsor access road. Motion passed with Aldermen MacKeen, Meagher and Moir voting against.

MOTIONS

Motion - Alderman Hogan - Re: Amendments to Ordinance #153,  
Respecting the Sewer Development Charge

MOVED by Alderman Hogan, seconded by Alderman Stanbury that the following amendments to Ordinance No. 153, Respecting a Sewer Development Charge, be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax, under the authority of Section 376B of the Halifax City Charter, 1963, as enacted by Section 20 of Chapter 79 of the Acts of Nova Scotia, 1971, and as amended by Section 11, of Chapter 71 of the Acts of Nova Scotia, 1972, Volume 2, as follows:

1. Section 2 shall be amended by deleting (a) and (d), and relettering definitions (b), (c) and (e) to read (a), (b) and (c).

2. Subsection (2) of Section 3 shall be amended by inserting (a) after (2) and by changing the word "levied" in the fourth line to read "paid".

3. Subsection (2) of Section 3 shall be further amended by adding paragraph (b) as follows:

"(b) Notwithstanding paragraph (a) of Subsection (2) of this Section, any trunk sewer charge levied more than twenty (20) years prior to the levying of a sewer development charge shall not reduce the sewer development charge so levied."

4. Subsection (8) of Section 4 is repealed and the following substituted therefor:

"(8) For purposes of this Section, floor space shall be calculated as the total area in square feet of all the floors, measured along the interior of the exterior walls of the building, including the areas occupied by interior walls and partitions, but excluding exits, vertical surface spaces, non-habitable attic spaces, crawl spaces and service access space, and including all enclosed parking areas."

Motion passed.

MISCELLANEOUS BUSINESS

Appointments - (a) Landmarks Commission

His Worship the Mayor advised that two appointments were made to this body at the last regular meeting of Council and although there is another person to be appointed to the Commission, he is not quite ready to make any recommendation.

General Comprehensive Insurance - Tender 73-83

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

MOVED by Alderman Moir, seconded by Alderman Bell that the tender for General Comprehensive Insurance be awarded to the Guardian Group for a three year term (\$23,103 per annum) with commissions being assigned by the insurers to the local agents tendering on their behalf. The one thousand dollar deductible be dropped in favour of no deductible coverage thus shifting the entire onus for policy administration from the City, Solicitor and Group to the Insurer. The additional cost of the no deductible coverage will effectively save a minimum of three to five thousand dollars per year in payment of deductibles and considerable staff participation.

The City's Purchasing Manager answered several questions from members of Council. It was pointed out that this Insurance Coverage includes Police Liability Protection.

After a short discussion, the motion was put and passed with Alderman Connolly voting against.

QUESTIONS

Question Alderman Hogan Re: Landscaping - Court House Frontage

Alderman Hogan said that a few months ago it had been reported to City Council that some landscaping will be done along the Water Street frontage of the new Court House building. He asked when this work will get started.

The City Manager advised that the work is now about to proceed and a report will be submitted to Council shortly.

Question Alderman Hogan Re: Street Markings

Alderman Hogan referred to the yellow and white street markings and he said that they do not appear to last very long. He asked if it is possible for a thicker paint to be used.

The Director of Engineering and Works advised that both the City and the Department of Highways have been experimenting over the years with different types of pavement markings by using a variety of paints, hot plastic applications, etc. He said that even the expensive hot plastic mix fails to last a two year period. He said that he would see if it is possible to use a thicker paint.

Alderman Moir asked if the experiments carried out by the Department of Highways have been completed and if the City has received the results.

The Director of Engineering and Works advised that there is a great deal of co-operation between the Department of Highways and City Staff. He also stated that the Department of Highways has been very generous with time, advice and assistance to the City.

Question Alderman MacKeen Re: Crosswalks - Falkland at Creighton and at Maynard Streets

Alderman MacKeen asked if some paint can be applied to the crosswalks at Falkland and Creighton Streets and Falkland at Maynard Street.

Question Alderman Stapells Re: Titus Smith Playground

Alderman Stapells asked when the complete report will be forthcoming with respect to the expenditures to the tune of \$18,000 for the Titus Smith Playground.

The City Manager was of the opinion that the questions had been answered verbally, but he said if a written report was required he would have one prepared. He said that by far the largest portion of this money was spent on drainage.

Question Alderman Moir Re: French Consulate - Connaught Avenue

Alderman Moir said that he has again been receiving complaints about the use of the French Consulate property on Connaught Avenue for meetings, classes, etc. He realized that this is a difficult problem and he asked if the City Solicitor could report on the present situation.

His Worship the Mayor said he was sure that the City Solicitor would prepare the requested report.

Question Alderman Sullivan Re: Traffic Report - Gottingen Street between Young Street and Duffus Street

Alderman Sullivan referred to two recent accidents on the stretch of Gottingen Street between Young Street and Duffus Street and he asked if a traffic report could be prepared with some recommendations as to how this particular hazard can be eliminated.



Question Alderman Wentzell Re: 25 Clovis Street

Alderman Wentzell referred to a report which had been distributed to members of Council with respect to the above property, the owners of which were taken to Court under the Unsightly Premises section of the City Charter. He was concerned that the Judge found the owner not guilty when the property is in an awful mess and nothing has been done to improve the situation.

The City Solicitor said that Judges do not always make decisions that are acceptable to the City, but he said that the decision is being appealed. The Solicitor went on to say that the City's record with respect to housing type violations in the Courts is far superior to the records of other Canadian cities.

Question Alderman MacKeen Re: Consultants - Maintenance Management System - City Field

Alderman MacKeen referred to the fact that a Committee was set up to discuss with the consultants the progress of the maintenance management procedures that are being undertaken at City Field. He asked how the program is proceeding and if the Committee has met.

Alderman Stapells, a member of the Committee, advised that the Committee has met about four times and that he is quite satisfied with the performance of the consultants and the work that has been done. He said it certainly seems that the maintenance management program as outlined by the consultants is a good one and is saving the City a substantial amount of money.

Question Alderman Connolly Re: Tower Road and University Avenue

Alderman Connolly said that the matter of the above intersection was shelved some months ago to permit a study to be undertaken of the traffic pattern in the area. He asked that it be brought forward again for discussion at the earliest possible time.

His Worship the Mayor said that he would make sure that it is placed on the Order of Business for a Committee of the Whole meeting in the near future.

NOTICE OF MOTION

Notice of Motion - Alderman Connolly - Redistribution of Ward Boundaries

Alderman Connolly gave notice that, at the next regular meeting of City Council, to be held on Thursday, July 12, 1973, I will move that application be made to the Board of Commissioners of Public Utilities to consider the redistribution of Ward boundaries of the City of Halifax which would create two (2) additional Wards making a total of twelve (12); that the City Clerk be requested to prepare



a new Ward map with a view to the most equitable distribution of the voting population per Ward.

ADDED ITEMS

Temporary Borrowing Resolution

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

MOVED by Alderman Hogan, seconded by Alderman MacKeen that His Worship the Mayor and the City Clerk be authorized to sign a temporary borrowing resolution for \$5,000,000 for the period from July 1 to December 31, 1973.

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

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

MOVED by Alderman Hogan, seconded by Alderman MacKeen that the Formal Borrowing Resolution, as submitted, be approved. Motion passed.

Appointment of Recreation Director

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

MOVED by Alderman Moir, seconded by Alderman Wentzell that the position of Recreation Director for the City of Halifax be offered to Mr. Howard J. Oehmen.

Alderman Stanbury spoke against the motion.

The motion was put and passed with Aldermen Stanbury and Sullivan voting against.

Area Rate Interest - 1972 Billings

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

MOVED by Alderman Moir, seconded by Alderman Bell that the date from which interest should apply be extended from July 1st, 1973 to August 1st, 1973, and at that time City Council consider whether it should be extended further.

Alderman Moir spoke to the motion and said that while negotiations are still going on with the Provincial Government, the appeals committee has not yet decided to start a program of hearing appeals.

The City Manager spoke on the matter and was concerned that further delays will mean that the 1973 Bills will not be going out until 1974, thus again creating a situation similar to that which occurred before. He was of the opinion that there must be a terminal date.

10:05 p.m. His Worship the Mayor leaves the Chair to speak on this matter and the Deputy Mayor takes his place.

His Worship the Mayor outlined his position with respect to this matter and he said that he feels quite strongly that while there is still any hope that some solution can be found in discussions with the Provincial Government the date should continue to be extended. He said that if, at some time, it appears that nothing is going to be done on the part of the Provincial Government, then he will report back to City Council.

10:10 p.m. His Worship the Mayor returns to assume Chair.

The motion was then put and passed.

Personnel and Labour Negotiations - City of Halifax

Alderman MacKeen spoke at some length about his concern over the cost of the Personnel Department, its operation and the fact that the Labour Negotiator was permitted to leave on vacation at a time of crucial labour negotiations, thus necessitating the City hiring an outside negotiator for that period of time. He felt that there should be a full report prepared on the operation of this Department.

Alderman Moir understood the Deputy Mayor's concern and he agreed that a full report should be prepared as quickly as possible. He suggested that such report should be considered confidential.

Alderman MacKeen was opposed to the report being confidential, he said that it is a matter of concern to all the citizens of Halifax.

Alderman Moir felt that since the report will be dealing with individuals it should remain an in-house matter.

Alderman Stanbury shared the concern of Alderman MacKeen and she said that she had asked for a report with respect to this matter some time ago.

Alderman Sullivan said that he had received some difficult questions from citizens which he could not answer at the time the news story was printed stating that the Labour Negotiator had left on vacation during serious negotiations. He mentioned the fact that the Director of Engineering and Works had been permitted to attend a course for six weeks during the winter season, when his presence was needed in the City.

Alderman Connolly spoke on the matter and felt that highly paid administrative staff should take their vacations at slack times, nor during negotiations. He felt that the idea that the hiring of a Labour Negotiator would improve the morale of City Staff and improve relations with Union executives has been proven to be a failure. He felt that the taxpayers have been subjected to picking up the cost of

the heavy increases. He was of the opinion that anyone could bargain with Unions, if they were prepared to go along and accept the requests. He urged that a report be prepared and that the report not be private and confidential but should explain the whole difficult situation to the citizens and taxpayers who are the most concerned.

The City Manager said that this is a subject which he considers should have been discussed in private since it involved personalities but he was prepared to say a few words. He explained why the Labour Negotiator was permitted to take his vacation at that particular time, plans having been made some time previously. He said that it might be necessary to hire outside lawyers at some time even with a Labour Negotiator, and he did not consider this to be unusual practice. He said that he was not fearful of grievances, although he felt that some grievances have been unreasonable. He felt that you cannot compare municipal government with private business. He agreed to prepare a report on this subject. He said it is not a simple matter but is indeed a problem area. He said that the City does not have the ultimate solution and felt that maybe it will never have one but it is something to strive for.

10:30 p.m. Council adjourned.

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WALTER R. FITZGERALD  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

CITY COUNCIL - SPECIAL MEETING  
PUBLIC HEARINGS  
MINUTES

*Read*

Council Chamber,  
City Hall,  
Halifax, N. S.,  
July 4, 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, the 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, Hogan, MacKeen, Meagher, Moir, Stanbury, Stapells, Sullivan and Wentzell.

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

The City Clerk advised that the meeting was called to consider:

Public Hearings Re:

1. Rezoning of the rear portion of Civic Nos. 352 and 354-356 Herring Cove Road from R-2 Residential (Two Family Dwelling 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. 2317 Princess Place from R-3, Residential (Multiple Dwelling Zone) to C-2 General Business Zone.
4. To alter and confirm the official street lines in the following locations:

Ivanhoe Street at Inglis Street  
Coburg Road at Oxford Street  
Robie Street at Memorial Drive  
Lady Hammond Road at MacIntosh Street

Public Hearing Re: Rezoning of the Rear Portion of Civic Nos. 352 and 354-356 Herring Cove Road from R-2 Residential (Two Family Dwelling Zone) to C-1, Local Business Zone

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

The City Clerk advised that the public hearing had been duly advertised and that a petition was received signed by approximately 25 persons opposing the rezoning.

Staff displayed a sketch map showing the small triangular portion of land at the rear of the properties 352 and 354-356 Herring Cove Road which is the subject of the application. It was explained that the purpose of the rezoning is to demolish the building on 352 Herring Cove Road and to construct a half-way house for alcoholics.

His Worship the Mayor asked if any persons present wished to speak in favour of the rezoning application.

Mr. W. T. Smith addressed Council as Sponsor of the project which will be operated through a Board of Directors. He spoke as an alcoholic himself, having not had a drink in 23 years. He felt that he was now in a position to help others and said that the half-way house which would accommodate approximately 24 persons would receive persons from the Correctional Institution and the Alcoholic Ward of the Hospital. He said that the intention is to include workshop facilities in the building and to assist in the rehabilitation of these unfortunate persons and attempt to find them employment.

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

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

Mr. Alex M. Wright of 10½ Aldergrove Drive spoke in opposition to the rezoning. He was of the opinion that this location is not an appropriate one for such a facility it being close to two schools. He felt that there are many other areas which would be more acceptable and suggested that such a half-way house be constructed close to the Correctional Institution. He was vehemently opposed to housing drunks in this area.

Some questions were asked of Mr. Wright particularly relating to his definition of a drunk and of an alcoholic.

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

MOVED by Alderman Moir, seconded by Alderman Connolly 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

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

The City Clerk advised that the public hearing had been duly advertised and that no correspondence has been received on the matter.

Staff displayed a sketch map showing the area to be considered for rezoning and explained that the purpose of the rezoning is to construct a three storey office building with retail commercial facilities on the ground floor. Staff explained why they were opposed to the rezoning mainly on the grounds of parking and the traffic situation.

Several questions were asked of Staff for clarification.

His Worship the Mayor asked if any persons present wished to speak in favour of the rezoning application.

Mr. Peter McDonough addressed Council on behalf of the applicant and advised that plans have been shown to those persons who opposed the rezoning at the last public hearing and the majority of them have indicated agreement. He briefly ran through the history of the land and urged Council to approve the rezoning.

Mrs. Robinson of Percy Street advised that the developer had shown her the plans of the proposed office building which she in turn had shown to people living in the area and she said that an office building appears to be an acceptable use and is preferably to a take-out restaurant or an apartment building.

Mr. Art Spiropolous, owner of the property spoke of the delays he has encountered in his attempts to have his property developed and he took exception to the fact that he was to blame for the delays when, in his opinion, City Staff should take the blame. He said that he had shown the plans to those persons who were most vocal at the previous public hearing with respect to the property and he understood that they were in agreement with the proposal. He asked that a decision be made as soon as possible so that he can go ahead with some development.

No other person wished to speak in favour of the rezoning.

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

Mr. John MacKinnon of the White Cross Pharmacies Limited, Dutch Village Road spoke against the rezoning on the grounds of the traffic and parking situation. A copy of his submission is attached to the Official Minutes of this meeting.

Mr. Joel Pink addressed Council on behalf of the owner of the Capital Shopping Plaza and opposed the rezoning on the grounds that further traffic congestion and parking problems would be created. A copy of the submission is attached to the Official Minutes of this meeting.

Mr. Norman Newman, owner of the Capital Shopping Plaza spoke against the rezoning and said that he realized the Shopping Plaza creates parking problems, although some 65 spaces are provided off-street. In reply to a question,



he advised that the Plaza contains some 20,000 square feet of space. He said that when his property was rezoned by the County Council, the parking provided was considered adequate at that time. He was concerned that his parking area would be used by those persons visiting the proposed office building because sufficient parking is not being provided.

Mrs. Little of 9 Titus Street spoke against the rezoning on traffic grounds and she proposed that traffic lights should be installed at the intersection of Titus Street and Dutch Village Road.

During the discussion, it was suggested that the ideal solution would be for the City to purchase the land and develop it as a park area, thus eliminating any traffic or parking problems.

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

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

Public Hearing Re: Rezoning of Civic #2317 Princess Place  
from R-3, Residential (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 duly advertised and that no correspondence has been received.

Staff displayed a sketch map showing the area to be rezoned and explained the reasons why they are recommending approval of the application.

Alderman Connolly questioned why the land should be zoned to Commercial, when the operation does not pay business taxes. It was suggested that the proper zone should be Park and Institutional.

His Worship the Mayor asked if any persons wished to speak in favour of the rezoning application.

Mr. John G. Cooper briefly urged Council to approve the rezoning and felt that there was no necessity to say more as Staff has adequately outlined the proposal.

In response to a question from His Worship the Mayor, no other person wished to speak in favour of or against the rezoning.

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

Public Hearing To Alter and Confirm the Official Street Lines in the Following Locations: Ivanhoe Street at Inglis Street, Coburg Road at Oxford Street, Robie Street at Memorial Drive and Lady Hammond Road at MacIntosh Street

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

The City Clerk advised that the public hearing has been duly advertised and that no correspondence for or against has been received.

Staff displayed the Official Plans of the proposed street lines, the first two relating to 10' x 10' corner cut offs and the others in connection with the Narrows Bridge.

There being no persons present in the gallery to speak for or against the matter, His Worship the Mayor did not ask the questions.

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

10:00 p.m. Council adjourned.

HEADLINES

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WALTER R. FITZGERALD  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

TO: His Worship the Mayor,  
Mr. Henderson, Aldermen  
and Alderwoman

My name is Joel E. Pink and I am of the law firm of Stewart, MacKeen & Covert and tonight I am here representing the owners of Capital Stores Limited who own Capital Store Plaza directly across from the proposed area to be rezoned.

Lady & Gentlemen I would request that prior to giving approval to the change in the zoning by-law I would ask you to carefully consider the intentions of the developer. I have been informed and do verily believe that back in August of 1970 an application was made to have the existing proposed area changed from an R-3 residential zone to a C-2 business zone. At that time the application was accompanied by plans of a proposed shopping centre-office building complex. The application was processed. However, it was withdrawn by the developers prior to the report being finalized. Later, the developers approached the city requesting a building permit to construct and occupy a 72 unit apartment building on the property but prior to this being done there had to be a lot consolidation approved by City Council. This was finally done on February 17, 1972. Since that time the developer has now filed an application for a building permit. Now the developer comes before This Honourable Council and requests a zone change from the present R-3 residential to the C-2 General business.

In February of this year an application was filed for the rezoning for the purpose of constructing and occupying a hamburger take-out restaurant. At that time a public hearing was held and the application was withdrawn for

further consideration by the developer. They now present Council with an application for rezoning for the purpose of building a 3 story office building with the first floor containing commercial facilities such as a bank, drug store, etc.

I would like to make it quite clear that my clients are not apprehensive of competition and in fact they encourage it. Their position to oppose the proposed zoning change is in the interests of merchants in the area who are going to be directly affected by the development.

Over the past few years there has been a great deal of development in the Fairview area. i.e. Clayton Park and the traffic at all times seems to be almost unbearable.

The proposal will undoubtedly create problems with regard to the traffic flow along Dutch Village Road. It is my understanding from discussions with the Traffic Control people that the present traffic flow in this area is under study. It is recognized that there are traffic problems and if Council approves the rezoning application all that you will be doing is contributing to the bottleneck that already exists. Let's plan for today and let's not create more problems for tomorrow.

Presently there are only two exits into Halifax from the Fairview area. 1. by the Bedford highway and 2. by the Dutch Village Road. With the amount of traffic that is already generated with the present commercial area what will happen if the new structure proposed goes ahead? I ask you Lady and Gentlemen to look carefully at the plans and look carefully as to the commercial area that is to be established on the



Dutch Village Road side of the development. The present plans call for only 44 parking spaces and this I submit will not meet the needs and requirements of the developer or the tenants and definitely not the needs of the customers to be served by the commercial outlets.

Alma Crescent is 22'6" wide. Dutch Village Road in the area of the development is only 35'6" wide. What is to happen to the flow of traffic? 1. they will use Dutch Village Road for parking which will only add to the present bottleneck or 2. they will park along the side of Alma Crescent which is now only a one-way street.

Eventually the traffic people will have to control same and the only possible solution will be eventually to have <sup>no</sup> parking on Dutch Village Road. If this was the case, the people to suffer are going to be the merchants along that particular section of highway. *Interesting to note 11(D) of the Grand Land Zoning Bill.*

I also emphasize to you Lady and Gentlemen that this section of Fairview is still largely a residential section. There are no sidewalks for the pedestrians to walk on and if more traffic is generated you have more hazards to pedestrians.

From previous experience I have heard comments of several aldermen regarding spot rezoning. It must be remembered that there are two properties adjacent to the parking area of the development that will remain R-3 residential. If one is to look at the plan as attached to Mr. Henderson's report you will note that there is a large area of R-3 residential zoning in the immediate vicinity of the development.

I myself do not feel qualified to talk on the creation and spread of commercially zoned lands in the Fairview area. I leave this to the experts in the planning department. I, however, do agree when Mr. Henderson states that it is more desirable to entertain zoning or rezoning of an overall city block than to proceed in a piecemeal fashion.

In conclusion, it is requested that in the best interests of the commercial and residential area of Dutch Village Road, <sup>Alma</sup>~~Am~~ crescent Avenue and Fairview in general the application of Fort Massey Realty Limited for rezoning of Lot "Z" from R-3 residential to C-2 general business ~~by~~ refused by Council. If, however, Council does not see its way to refuse the application, then I respectfully submit that consideration be given to the following:

1. Let's straighten out the bottleneck that already faces many hundreds or even thousands of people that use Dutch Village Road daily, and
2. The commercial area of Dutch Village Road relies mainly upon people stopping on the roadside and visiting their shops. Let's allow the people of Fairview to have the facilities that is deserved by all citizens in that sidewalks and traffic patterns be stabilized prior to any more conjection on the highway. I would ask Council to defer this proposal until this drastic situation is remedied.
3. The developer has presently been before Council with 4 or 5 different proposals. If the land is zoned commercial then I <sup>should</sup> would recommend to City Council that if possible it lock in the developer to commit itself for

the building of a commercial office complex and that within the period of the next six months the people of Fairview do not have to look at this intersection and see a drive in restaurant or some other commercial area.

I thank you for letting me speak my client's views.