

Council,
June 13, 1974

NOTICES OF MOTION

Notice of Motion - Alderman Connolly Re: Amendments to Ordinances No. 12 and 12A, Respecting Camp Hill Cemetery and Fairview Lawn Cemetery, respectively

Alderman Connolly gave notice that at the next regular meeting of City Council to be held on Thursday, June 27, 1974, he would introduce amendments to Ordinances Numbers 12 and 12A, an Ordinance respecting Camp Hill Cemetery and an Ordinance respecting Fairview Lawn Cemetery, respectively. The purpose of the amendments to these Ordinances is to increase the fees for interments in accordance with the approval of Council on May 30, 1974 to reflect the increased cost of maintenance of cemeteries.

Notice of Motion - Alderman Moir Re: Amendment to Ordinance No. 38, Respecting Blasting

Alderman Moir gave notice that at the next regular meeting of City Council to be held on Thursday June 27, 1974, he will introduce an amendment to Ordinance Number 38, Respecting Blasting. The purpose of the amendment is to increase the fee for the blasting permit from \$5.00 to \$10.00 as approved by Council on May 16, 1974.

Notice of Motion - Alderman Moir Re: Amendment to Ordinance No. 21, Respecting Illuminated Signs

Alderman Moir gave notice that at the next regular meeting of City Council to be held on Thursday, June 27, 1974, he will introduce an amendment to Ordinance Number 21, Respecting Illuminated Signs. The purpose of the amendment is to increase the license fee for signs as approved by Council on May 16, 1974.

ADDED ITEMS

Proclamation of Chapter 84 of the Acts of 1970-71

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

MOVED by Alderman Stapells, seconded by Alderman Connolly that His Worship the Mayor be directed to write the Minister of Municipal Affairs requesting the proclamation of Chapter 84 of the Acts of 1970-71, an Act to Repeal Chapter 92 of the Acts of 1969, an Act relating to Sewers and Sewage in the Areas annexed to the City of Halifax, such proclamation to be effective on the 1st day of October, 1974.
Motion passed.

9:40 p.m. Council adjourned.

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ACTING MAYOR L. C. HOGAN
CHAIRMAN

R. H. STODDARD
CITY CLERK

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.
June 27, 1974
8:10 p.m.

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

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

Present: Acting Mayor Hogan, Chairman, Aldermen Bell, Connolly, Meagher, Moir, Stanbury, Stapells, Sullivan and Wentzell.

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

MINUTES

Minutes of the meetings of Council held on June 10 and 13, 1974 were approved on motion of Alderman Meagher, seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The City Clerk advised that the following two items are to be added to the Order of Business:

- 20(a) The Present Difficulty in Financing City Capital Expenditures
- 20(b) Request for Increase in Recreation Budget

Alderman Connolly asked that an item be added as 20(c) Building Permits - Belmont-on-the-Arm.

MOVED by Alderman Moir, seconded by Alderman Stanbury that the Order of Business be amended accordingly. Motion passed.

MOVED by Alderman Moir, seconded by Alderman Stanbury that the Order of Business, as amended, be approved. Motion passed.

STATEMENT - MR. RONALD WALLACE M.L.A. HALIFAX CITADEL

Acting Mayor Hogan welcomed Mr. Wallace to the Council meeting and said that he has some pleasant information to impart to Council.

Mr. Wallace addressed Council and advised that the Province of Nova Scotia has authorized the expenditure of funds in amounts of \$15,000 in 1974, \$15,000 in 1975 and \$15,000 in 1976 to assist the City's Recreation Department in carrying out an expanded program of activities

at the St. Mary's Boat Club property. He expressed his pleasure in being able to make this announcement and commended the members of Staff and the Director of Recreation of the City on their enthusiasm and energy in working to provide a good recreation program for the City of Halifax.

Alderman Moir, as Alderman of the Ward in which the St. Mary's Boat Club is located, thanked Mr. Wallace for his announcement on behalf of all members of City Council.

At this time, Alderman Sullivan suggested that an item discussed at last night's meeting relating to the Maritime Tel & Tel building on Barrington St. should be added to the Order of Business.

After some discussion, it was MOVED by Alderman Sullivan, seconded by Alderman Stapells that the following item be added as 20(d) on the Order of Business:

Resubdivision (Lot Consolidation), Setback Modification - Proposed Maritime Centre Complex - Lands bounded by Barrington, Salter and Hollis Streets.

Alderman Meagher was opposed to the addition of this item since the citizens present at the meeting held last night were informed that they would be given an opportunity to speak to Council before any decision is made.

Some questions were raised as to whether any additional information has been received by Staff and whether or not they had had an opportunity to evaluate such material.

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

For:	Aldermen Connolly, Stanbury, Stapells, Sullivan and Wentzell	5
Against:	Aldermen Bell, Meagher and Moir	3

PETITIONS & DELEGATIONS

Petition - Residents of Ward 10 - Irresponsible Use of Incinerators

The City Clerk submitted and read a petition received from residents of Ward 10, Lower Fairview Area, relating to the irresponsible use of incinerators located in various sections of the neighbourhood.

After a short discussion, it was agreed that the petition should be referred to Staff and that a comprehensive report be prepared for submission to a meeting of the Committee of the Whole Council.

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Petition - Property Owners of Land on Keating Road -
Against Proposed Paving, curb and gutter installations

The City Clerk submitted and read a petition received relating to the above matter.

Alderman Stapells spoke to the matter and expressed sympathy with the residents who will be required to pay the local improvement charges, but he stressed that the street must be widened. It was MOVED by Alderman Stapells, that the petition be denied and that the improvements proceed immediately.

There was no seconder to the motion.

After some discussion, it was MOVED by Alderman Moir, seconded by Alderman Sullivan that the matter be referred to the Committee of the Whole Council for further discussion. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on June 19 and 20, 1974 relating to the following matters:

Salt Storage Shed

This item was forwarded to Council without recommendation but with a request that a photograph of the proposed structure be available.

The Director of Engineering and Works displayed a photograph of the proposed storage shed.

After some discussion, it was MOVED by Alderman Stapells, seconded by Alderman Connolly that:

1. Council approve the low bid of \$38,300.00 submitted by Bulk Store Structures Ltd. and the over expenditure of \$10,000.00.
2. Council approve the borrowing resolution for the additional expenditure of \$10,000.00.

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

For: Aldermen Bell, Connolly, Meagher,
Stapells and Wentzell 5

Against: Aldermen Moir, Stanbury and Sullivan 3

City Market

MOVED by Alderman Connolly, seconded by Alderman

Meagher that, as recommended by the Finance and Executive Committee:

1. the Mayor be authorized to negotiate with the Warden of the County Council of the County of Halifax to increase their share of the subsidy substantially;
2. the Mayor be authorized to negotiate with the Hon. John Hawkins, Minister of Agriculture and Marketing, with the aim of obtaining financial support from the Provincial Government for the "Farmers" market.

Motion passed.

Former Fawson Street Lands

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, subject to the acceptability to the City of the development being proposed:

1. the City convey to Canadian National Railways an area of 8,727 square feet of land, formerly Fawson Street, at a price of \$4 per square foot, plus \$6,000 to be applied to the cost of retiring a water main (total \$40,908);
2. the City acquire from Her Majesty the Queen and Canadian National Railways lands on Lower Water Street and Dutch Village Road of a value of \$40,908, subject to the approval of the Minister of Municipal Affairs of withdrawal of funds from the Sale of Land Account;
3. the proceeds of the disposal attributable to land, be deposited in the Sale of Land Account and the balance applied to the cost of retirement of the Public Service Commission water main situated in the former Fawson Street land.

Motion passed.

Possible Sale of Two Parcels of Land - Off Kempt Road -
Possible Acquisition of One Parcel

MOVED by Alderman Connolly, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the two parcels of land belonging to the City of Halifax and identified as Parcel "H" and Parcel "I" on Plan No. TT-18-20354 be sold to Nova Scotia Tractors & Equipment Ltd., of Kempt Road, Halifax, Nova Scotia, for the sum of \$31,784 (\$29,017 + \$2,767), proceeds to be deposited in the Sale of Land Account and that Parcel "X" also identified on Plan No. TT-18-20354 belonging to Nova Scotia Tractors & Equipment Ltd., be acquired by the City for the sum of \$689, subject to approval of the Minister of Municipal Affairs to withdrawal of funds from the Sale of Land Account; transactions to be settlement in full for all claims. Motion passed.

Addition to Staff Complement - Assessor's Department

MOVED by Alderman Meagher, seconded by Alderman Stapells that, as recommended by the Finance and Executive committee, Council approve the addition of one Assessor I to the staff complement of the City Assessor's Department effective July 1, 1974. Motion passed.

Encroachments - Fleming Park

MOVED by Alderman Stapells, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, the encroachers be allowed to remain in the Park lands and the City apply to the Province for the passing of an Act of the Legislature empowering the City to sell the various lands for nominal consideration; the Real Estate Department to be empowered to negotiate which lands are involved. Motion passed.

Recommendations - Tax Concessions & Grants Committee

At this time, at the request of Alderman Meagher, Mr. Earl Bowman of the Canadian Paraplegic Association was permitted to address Council.

Mr. Bowman spoke of the Association's application for a Special Grant to cover the increased rental costs levied for the accommodations occupied and rented from the City. He said that the rental has risen from \$50 per month to \$372 per month and is beyond the capacity of the Association. He realized that the Tax Concessions and Grants Committee have no more money available and he asked that City Council might reduce the rent charged to the Association or assist in some other way.

In reply to a question, Mr. Bowman said that the anticipated deficit this year amounts to approximately \$19,000, which is almost \$4,000 more than originally thought and results from the increased rental.

Alderman Bell suggested that this Special Grant application should be referred back to the Tax Concessions and Grants Committee and staff should report on what methods are available to assist the Association.

Considerable discussion ensued on this item and the City Manager said that there might be some funds available to the Tax Concessions and Grants Committee to assist, but she said that Staff would report fully to that Committee when the application is considered.

Mr. Bowman said he would be only too pleased to make a presentation to the Tax Concessions and Grants Committee at its next meeting.

It was agreed that the application for a Special Grant from the Canadian Paraplegic Association be referred to the Tax Concessions and Grants Committee for consideration, and that Staff should report fully.

MOVED by Alderman Connolly, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee:

1. Salvation Army Rehab. (Halfway House)

a grant in the amount of \$500.00 be made to the Salvation Army Rehab. (Halfway House), and that staff be instructed to approach the Salvation Army on the basis of financing the Grace Hospital from some other source or submit an explanation why this could not be done.

2. Halifax Police Boys Club

funds within the Social Planning Budget be re-allocated to the Social Planning Sundries budget in the amount of \$12,000 to be granted to the Halifax Police Boys Club as a sharable item with the Province of Nova Scotia and that a further grant in the amount of \$11,123.58 be also approved.

3. Kiddy Korner Day Nursery

no grant be made to the Kiddy Korner Day Nursery.

4. Halifax Welfare Rights Organization

a grant in the amount of \$1,925 be made to the Halifax Welfare Rights Organization.

5. Odd Jobbers for Old People

no grant be made to the Odd Jobbers for Old People.

6. Halifax Trojan Aquatic Club

no grant be made to the Halifax Trojan Aquatic Club.

7. World Racquet Ball Championship

no grant be made to the World Racquet Ball Championship.

8. Kinsmen International Band Festival

no grant be made to the Kinsmen International Band Festival.

9. Canadian Paraplegic Association

an additional grant in the amount of \$300.00 be made to the Canadian Paraplegic Association and that staff review the financial statements of the Association and submit a report in view of the information submitted by Mr. Curren insofar as increased rent, business realty tax, is concerned.

10. Save the Playground Committee

the Director of Finance request the Save the Playgrounds Committee to restate their objectives and submit a plan for expenditures of the grant of \$2,000 before the Committee approves the release of the balance of the approved grant.

11. N. S. Tuberculosis & Respiratory Disease Association

in view of the fact that this is a province-wide Association and it appears to be financially sound, the request to have their property at 17 Alma Crescent, Fairview, Halifax, N. S. included in Administrative Order #8 be denied.

12. Parkview Fellowship Baptist Church

the Parkview Fellowship Baptist Church be advised that the assessment continues on their property located on Willett Street north of Main Avenue until such time as a church is constructed on the property.

Motion passed.

Date Change - Committee of the Whole Council -
August 7th to August 6th, 1974

MOVED by Alderman Bell, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, the Committee of the Whole meeting scheduled for August 7, 1974 be held on August 6, 1974 in view of the fact that August 7th is Dartmouth Natal Day. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 20, 1974 with respect to the following matters:

Advertising Sign - Dennals Carpet World, 422 Dutch Village Road

MOVED by Alderman Bell, seconded by Alderman Meagher that, as recommended by the Committee on Works, a proposed 12' x 13' sign to be placed in front of Civic No. 422 Dutch Village Road, which is situated between Main Avenue and McFatridge Road on the west side of Dutch Village Road be permitted and the actual location of the sign be worked out with the Building Inspector. Motion passed.

Sidewalks - Tower Road

MOVED by Alderman Moir, seconded by Alderman Meagher that, as recommended by the Committee on Works, the petition re sidewalk renewal - Tower Road be denied

and that under the provisions of Section 391 of the City Charter, it is desirable that the sidewalk be renewed on the east side of Tower Road, Southwood Drive to Harrington Drive as a Local Improvement Project without the right of petition by the benefitting properties.

Alderman Connolly asked about the state of the sidewalk on other sections of Tower Road and the Director of Engineering and Works advised that a study had been made and there are a number of slabs that will be replaced.

Alderman Connolly felt that there are a number of sidewalks in the City which are in a much worse state of repair and are hazardous to pedestrians. He said that the surface of this portion of sidewalk is rough but it is not hazardous.

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

Street Name - Convoy Place Phase II

MOVED by Alderman Bell, seconded by Alderman Stapells that, as recommended by the Committee on Works, Council approve the name of Carriageway Crescent for the street located in Phase II Convoy Place in Parcel A-1-3. Motion passed.

20 Melville Avenue - Date for Hearing

MOVED by Alderman Stapells, seconded by Alderman Stanbury that, as recommended by the Committee on Works, Council set the date of July 17, 1974 as the date for a hearing with the assessed owner with a view to issuing an order by Council directing the assessed owner of 20 Melville Avenue to demolish the structure and clear the premises within 30 days of the date of such order. Motion passed.

Unsightly Premises - 25 Clovis Avenue

This item was forwarded to Council without recommendation from the Committee on Works.

A report was submitted from Staff relating to the matter and advising what action has been taken to date.

Alderman Wentzell said he would accept the Staff Report and hoped that Staff would not let the matter go and he urged that the actions taken will be followed up.

The City Manager advised that Staff will indeed follow up on this item.

The report from Staff was accepted by Council.

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Trees and Traffic Improvements - Jubilee Road and Oxford Street

The recommendation from the Committee on Works read as follows:

"that the traffic improvements at the intersection of Jubilee Road and Oxford Street not be proceeded with at this time, until a report is submitted from staff with a possible solution which will permit the trees to be retained."

An additional staff report was submitted relating to this matter.

MOVED by Alderman Moir, seconded by Alderman Meagher that the matter be referred back to the Committee of the Whole Council for further consideration. Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance No. 131, Respecting "Buildings and the Adoption of the National Building Code" - Second Reading

MOVED by Alderman Moir, seconded by Alderman Meagher that the Amendments to Ordinance No. 131, Respecting "Buildings and the Adoption of the National Building Code" be read and passed a Second Time. Motion passed.

Amendment to Ordinance No. 130, Respecting "Electrical Wiring and the Use of Electrical Energy" - Second Reading

MOVED by Alderman Connolly, seconded by Alderman Sullivan that the Amendments to Ordinance No. 130, Respecting "Electrical Wiring and the Use of Electrical Energy" be read and passed a Second Time. Motion passed.

Amendment to Ordinance No. 132, Respecting "Licensing of Plumbers and Regulating the Installation of Plumbing Systems" - Second Reading

MOVED by Alderman Bell, seconded by Alderman Sullivan that the Amendment to Ordinance No. 132, Respecting "Licensing of Plumbers and Regulating the Installation of Plumbing Systems" be read and passed a Second Time. Motion passed.

Amendment to Ordinance No. 153, Respecting "A Sewer Development Charge" - Second Reading

MOVED by Alderman Connolly, seconded by

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REPORT - CITY PLANNING
Alderman Bell that the Amendment to Ordinance No. 153,
Respecting "A Sewer Development Charge" be read and
passed a Second Time. Motion passed.

Amendment to Ordinance No. 121, Respecting "The Closing
and Observation of Holidays of Certain Classes of
Shops in the City of Halifax - Second Reading

MOVED by Alderman Stapells, seconded by
Alderman Sullivan that the Amendment to Ordinance No.
121, Respecting "The Closing and Observation of Holi-
days of Certain Classes of Shops in the City of
Halifax" be read and passed a Second Time. Motion
passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on June 19, 1974 as follows:

Subdivision of Lands - Cresthaven Park Subdivision

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

1. Final approval be granted for Lots 1 to 59 inclusive, 60A to 67B inclusive, 68, 69, and 73 to 75 inclusive, as shown on Plan No. P200/6314 of Case No. 2813;
2. Tentative approval be granted for Lots 70-72 inclusive, 76A to 84B inclusive and 85 to 121 inclusive, as shown on Plan Nos. P200/6314-15 of Case No. 2813; and
3. City Council receive monies in lieu of land as the public open space dedication in the amount of \$48,350 re the lots for which final approval is granted above.

Motion passed.

Resubdivision, Lot G5C, Glenforest Drive and Willett Street into Lots G5CA and G5CB

MOVED by Alderman Bell, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, City Council approve the resubdivision of Lot G5C located on the northeast corner of Glenforest Drive and Willett Street into Lots G5CA and G5CB, as shown on Plan No. P200/6372 of Case No. 3035. Motion passed.

Proposed Three Unit Addition - Civic No. 6235 Chebucto Road

MOVED by Alderman Meagher, seconded by Alderman Stapells that, as recommended by the City Planning Committee, the application requesting modification of the lot frontage requirement to permit the construction of a three unit addition at the rear of Civic No. 6235 Chebucto Road, as shown on Plan Nos. P200/6375-6380 of Case No. 3052, be refused by City Council.

Motion passed.

Lot Consolidation - Civic Nos. 194 & 198 Bedford Highway

MOVED by Alderman Bell, seconded by Alderman Connolly that, as recommended by the City Planning Committee, the application requesting consolidation of Lots creating Lot M Bedford Highway, as shown on Plan No. P200/6454 of Case No. 3056, be approved by City Council. Motion passed.

Lot Consolidation - Civic Nos. 2509-15 Windsor Street

The above noted matter was forwarded to City Council without recommendation with comments to be requested from the surrounding property owners prior to the Council meeting.

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The City Clerk advised that 35 letters were sent to surrounding property owners this week and suggested the item be deferred to the next meeting of the Committee of the Whole Council as there was not sufficient time for replies to be received.

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

MOTIONS

Motion - Alderman Connolly Re: Amendments to Ordinance Nos. 12 & 12A respecting "Camp Hill Cemetery and Fairview Cemetery,"
FIRST READING

MOVED by Alderman Connolly, seconded by Alderman Meagher that the amendments to Ordinance Nos. 12 & 12A be read and passed a First Time as submitted. Motion passed.

Motion - Alderman Moir Re: Amendment to Ordinance No. 38,
respecting "Blasting" FIRST READING

MOVED by Alderman Moir, seconded by Alderman Stanbury that the amendment to Ordinance No. 38, as submitted, be read and passed a First Time. Motion passed.

MISCELLANEOUS BUSINESS

Resignation - Municipal Development Plan Committee

The City Clerk read a letter dated May 30, 1974 from Mr. Ernie W. Rafuse advising of his resignation from the Municipal Development Plan Committee.

MOVED by Alderman Connolly, seconded by Alderman Meagher that the resignation of Mr. Ernie W. Rafuse from the Municipal Development Plan Committee be accepted. Motion passed.

Alderman Connolly suggested a letter of thanks should go forward to Mr. Rafuse from the Office of the Mayor.

Appointments:

Appointment - Municipal Development Plan Committee

The City Clerk read a letter from the Acting Mayor recommending Mrs. Marion Kierans for appointment to the Municipal Development Plan Committee. The letter also advised that the City is awaiting a nomination from the Labour Council to fill the vacancy of Mr. Fred Brodie who has also resigned. The letter further advised there is still one appointment outstanding which the Acting Mayor will endeavour to have filled by next Council.

Discussion ensued on the matter, and it was MOVED by Alderman Sullivan, seconded by Alderman Meagher that the matter be deferred for a period of 10 days at which time appointments can be made to fill all vacancies on the Committee. Motion passed.

Appointment - Halifax Landmarks Commission

The City Clerk read a letter from the Acting Mayor recommending the appointment of Miss Barbara Hinds, Mr. George Rogers, and Mr. A. Terrance Ball to the Halifax Landmarks Commission for a three year term expiring on April 30, 1977, and the appointment of Mr. A. M. McCrae to fill the unexpired term of Robert Street expiring April 30, 1975.

MOVED by Alderman Connolly, seconded by Alderman Stapells that the appointment of Miss Barbara Hinds, Mr. George Rogers, and Mr. A. Terrance Ball for a term expiring on April 30, 1977, and the appointment of Mr. A. M. McCrae to fill the unexpired term of Mr. Robert Street expiring on April 30, 1975, to the Halifax Landmarks Commission, be approved. Motion passed.

Appointment - Halifax Housing Authority (Nomination)

The City Clerk read a letter from the Acting Mayor recommending an appointment to the Halifax Housing Authority.

MOVED by Alderman Connolly, seconded by Alderman Meagher that Mrs. Nellie McAndrew be nominated for presentation to the Hon. Walter R. Fitzgerald, Minister in Charge of the Housing Development Act, Province of Nova Scotia, as an appointee to the Halifax Housing Authority for a 3-year term expiring on December 31, 1976. Motion passed.

Capital Works Tender - 74-72 & Transfer of Additional Funds

A staff report dated June 12, 1974 was submitted relating to the above noted matter.

Alderman Moir referred to the recommendation to increase the funding authorization for 1974 approved projects by advancing the required funds from the 1975 budgeted block allocations and said he could not subscribe to the principle of borrowing capital from next year's budget to carry out this year's projects saying he was afraid of setting a precedent.

The Director of Works said that if the items are postponed to stay within the approved budget, it will result in an increased price when the work is eventually carried out. Mr. Sheflin said costs keep rising due to inflation and suggested the capital budget will have to be given very careful consideration in the future.

Alderman Connolly questioned whether staff is prepared to cut the block allocations for paving by \$175,000 in 1974 or if the next year's budget will be submitted on the same basis as before. Alderman Connolly also suggested there are some projects approved for 1974 which will not take place and questioned whether it would be possible to re-allocate some monies so it will not be necessary to use a portion of next year's budget.

The Director of Finance also said it was a dangerous precedent but said as the amount was not a major one in terms of the City's Capital Budget, and as these projects were urgent and would be first on the list for next year, the matter was brought to Council for consideration.

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June 27, 1974

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MOVED by Alderman Connolly, seconded by Alderman Stapells that the appointment of Miss Barbara Hinds, Mr. George Rogers, and Mr. A. Terrance Ball to the Halifax Landmarks Commission for a three year term expiring on April 30, 1977, be approved. Motion passed.

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Alderman Moir referred to the recommendation to increase the funding authorization for 1974 approved projects by advancing the required funds from the 1975 budgeted block allocations and said he could not subscribe to the principle of borrowing capital from next year's budget to carry out this year's projects saying he was afraid of setting a precedent.

The Director of Works said that if the items are postponed to stay within the approved budget, it will result in an increased price when the work is eventually carried out. Mr. Sheflin said costs keep rising due to inflation and suggested the capital budget will have to be given very careful consideration in the future.

Alderman Connolly questioned whether staff is prepared to cut the block allocations for paying by \$175,000 in 1974 or if the next year's budget will be submitted on the same basis as before. Alderman Connolly also suggested there are some projects approved for 1974 which will not take place and questioned whether it would be possible to re-allocate some monies so it will not be necessary to use a portion of next year's budget.

The Director of Finance also said it was a dangerous precedent but said as the amount was not a major one in terms of the City's Capital budget, and as these projects were urgent and would be first on the list for next year, the matter was brought to Council for consideration.

The Director of Finance said it is too early in the year to determine whether the monies could be used from some project which may not take place in 1974.

The City Manager said that the matter was discussed with the Director of Finance saying that the staff recommendation is the only way carrying out the projects. Mrs. Glube said that if Council does not wish to approve the recommendation, the items will have to be deleted from the budget for this year.

Further discussion ensued, and it was MOVED by Alderman Stapells, seconded by Alderman Sullivan that Alternative No. 2 as outlined in the staff report of June 12, 1974 be approved and that:

- a) Council accept the lowest combined tender bid price of \$517,741.25 as outlined under alternative 1 of the staff report of June 12, 1974 by Standard Paving (Maritimes) Ltd.;
- b) Council approve that the additional monies required for the proposed sidewalk projects of \$21,507 be obtained by transferring the necessary funds from project CA034 - Purcell's Cove Road asphalt sidewalk, Colindale to William's Lake, as this project has been deferred by Council, awaiting a new sidewalk cost/sharing policy;
- c) Council approve that the additional monies required for the proposed paving projects of \$177,000 be obtained by advancing funds from the already approved 1975 Capital Budget paving block allocation; and
- d) Council approve that the additional funds of \$12,018.52 required for street widening projects be obtained by transferring funds from the already completed Capital Works projects CD010, Dunbrack St. at Rockingstone, CD012 property acquisition for new streets, CD023, contingency.

Motion passed with Aldermen Connolly and Meagher against.

Alderman Moir said he would like a continuing report on the matter as to the projects for which monies are expended etc.

Honorarium - Director of Education

A letter dated June 26, 1974 was submitted from the Acting Mayor relating to the above noted matter.

MOVED by Alderman Connolly, seconded by Alderman Moir that an honorarium of \$3,000.00 be paid to Mr. Arthur T. Conrad, Director of Recreation, for his services to the City of Halifax as Acting City Manager for the 5 month period, January to May, 1974. Motion passed.

stipends - Members of City Council

A letter dated June 26, 1974 was submitted from the Acting Mayor which outlined suggested stipends to be paid to the Mayor, Deputy Mayor, and Aldermen commencing January 1, 1975.

The Acting Mayor said Council could deal with the report or appoint a Committee to make a recommendation to Council.

MOVED by Alderman Connolly, seconded by Alderman Sullivan that a non-Council Committee be formed to recommend stipends for the Mayor, Deputy Mayor, and Aldermen.

Alderman Connolly said he would like to have a report from such a Committee previous to the present Council's term of office expiring. Alderman Connolly noted that no monies were included in the budget for any increases in stipends for this year and suggested it was the feeling of Council that any changes should take place as of January 1, 1975.

Alderman Sullivan said he hoped the terms of reference would include a date as to when any changes should become effective saying this should be after the upcoming Civic Election.

With respect to the matter of who the members of such a Committee would be, Alderman Connolly said that members of Council should meet with the Acting Mayor to discuss the matter and that a Committee be named at the next meeting of City Council.

Motion passed.

QUESTIONS

Question Alderman Meagher Re: Sidewalk on Maitland Street
between Cornwallis and Gerrish Streets on the School Side

Alderman Meagher referred to the above noted sidewalk advising that it is in a deteriorating condition and asked if staff intends to carry out repairs on same.

Question Alderman Meagher Re: Chairman of the Halifax Housing
Authority

Alderman Meagher asked that he be informed as to who the present Chairman is of the Halifax Housing Authority.

Question Alderman Sullivan Re: Meeting with the Minister of
Health and the Civic Hospital Board

Alderman Sullivan said he has raised this question before, and said a meeting was to be held between the Minister of Health, the Civic Hospital Board, Alderman Stanbury, and himself, and asked that this meeting be arranged as soon as possible.

Question Alderman Sullivan Re: Railway Wall on Barrington Street

Alderman Sullivan asked what the situation was with respect to the Railway Wall on Barrington Street.

Mr. Sheflin advised that work has been carried out and said it was his understanding that the problem had been corrected. Mr. Sheflin said he would check into the matter.

Question Alderman Moir Re: Mainland Park Committee

Alderman Moir said Council has appointed a Committee to draw up terms of reference for a Mainland Park Commission saying a Chairman was never appointed nor has the Committee ever met. Alderman Moir asked that His Worship check into this matter.

Question Alderman Moir Re: Meeting of the Fire Prevention Committee

Alderman Moir also noted that there was to be a meeting of the Fire Prevention Committee regarding the matter of Sprinkler Systems saying this meeting has never been called. Alderman Moir said he was bringing the matter to the attention of staff and the Acting Mayor to arrange this meeting.

NOTICE OF MOTIONS

Notice of Motion Alderman Sullivan Re: Recommendation to the Provincial Government to commence construction of an Arm Bridge

Alderman Sullivan gave notice that at the next Regular meeting of City Council to be held on July 11, 1974, he proposed to introduce the following Resolution:

WHEREAS the North West Arm Bridge construction has again been urged in the Provincial House by the Minister of Housing and Labour, and as the Leader of the Opposition has urged an immediate start on this project;

AND WHEREAS the Armdale Rotary continually is a constant source of irritation to motorists travelling through at the rate of over 60,000 cars daily;

AND WHEREAS City Council has been urged to press Provincial Government officials for firm commitments over the next five years to improve the transportation situation at this location;

AND WHEREAS it has been stated that the Arm Bridge from the Peninsula of Halifax to the Spryfield area is presently a necessity for the present population of Spryfield;

BE IT RESOLVED that this Council go on record as approving a recommendation to the Provincial Government to commence immediate construction of the Arm Bridge so as to provide a solution to the chaotic traffic conditions at the Armdale Rotary.

ADDED ITEMS

The Present Difficulty in Financing City Capital Budget
Expenditures

A staff report was submitted relating to the above noted matter.

Alderman Moir noted that Council had requested a report regarding the cost of money to municipalities with respect to Bond issues which was to be forwarded to the Department of Municipal Affairs saying this is the subject of the report before Council.

MOVED by Alderman Moir, seconded by Alderman Connolly that copies of the following Resolution be forwarded by the City Clerk to the Minister of Municipal Affairs for the Province of Nova Scotia, the Minister of State for Urban Affairs in Ottawa, and to the Union of Nova Scotia Municipalities with the request that the Union in turn bring this Resolution to the attention of the Canadian Federation of Mayors and Municipalities through the Atlantic Provinces Division:

"That the present level of interest costs are a cause of great concern to this Council. The Council wishes to formally express its concern that these costs may severely restrict the ability of the City of Halifax to continue to implement the Capital improvements needed at the scheduled rate;

This Council calls upon the Provincial and Federal Governments to take cognizance of this situation and wishes particularly to recommend to the Federal Government that serious consideration be given to exempting interest earnings on municipal bonds from personal income tax, thus making such bonds more appealing to the individual investor and consequently more marketable."

Motion passed.

Request for Increase in Recreation Budget

A report dated June 24, 1974 was submitted on the matter.

Alderman Connolly noted that the over-expenditure as outlined in the report will be offset by the grant which was received from the Provincial Government earlier in the meeting.

It was MOVED by Alderman Connolly, seconded by Alderman Bell that Council approve an over-expenditure in the Recreation Budget in the amount of \$15,000 and a corresponding increase in general revenue.

Motion passed

Building Permits - Belmont on the Arm

The above noted item was added to the agenda at the request of Alderman Connolly. Alderman Connolly said it come to his attention that buildings are being constructed on Belmont on the Arm and that one of the lots do not have a building permit. Alderman Connolly said it may be that these buildings will require some type of modification to conform with the City's By-laws saying that the builder may be coming to Council in the future requesting such a modification.

Alderman Connolly requested that the Building Inspection Department investigate the matter and to do whatever is possible to make sure these buildings conform with the City's building By-laws.

Resubdivision (Lot Consolidation), Setback Modification -
Proposed Maritime Centre Complex - Lands bounded by Barrington,
Salter, and Hollis Streets

The above noted item was added to the agenda at the request of Alderman Sullivan.

The City Clerk circulated to members of Council a copy of a map which was supplied to the City by the developers of the proposed project relating to views from Citadel Hill.

Mr. B. Davidson of the Development Department addressed Council saying that in relation to statements made at a meeting yesterday regarding the matter of views, staff have received a map from the developer which indicates that certain criteria is being met as was stated. He said that this plan was only received at 3:00 p.m. today and that staff have not had time to examine it and said there is no way of checking it this evening.

The City Manager said that although the plan is signed by a surveyor, such plans are checked by City staff as well.

Alderman Stapells said the item should be now sent to the Committee of the Whole Council for a report from staff as there is no way Council can deal with the item tonight.

MOVED by Alderman Stapells, seconded by Alderman Meagher that the matter be referred to the next regular meeting of the Committee of the Whole Council for a staff report.

In reply to a question from the Acting Mayor as to whether the necessary information will be available by Wednesday, Mr. Davidson replied in the affirmative.

Alderman Moir felt that Council must recognize there are three items before Council regarding the matter of Views and felt the Wednesday afternoon meeting will be a continuation of last evening's meeting.

Alderman Moir said that Council must look at the total View Plane legislation and be prepared to listen to all the citizens involved saying that even if Council comes to the conclusion by majority vote that this particular project can have a variation of the Views Legislation, Council still has to recognize that what is before it is an application for Lot Consolidation and set-back modification on which there has been a staff report submitted which must be debated.

Alderman Sullivan at this time rose to a point of order saying that discussion on a Motion to defer could only be on the subject to time, and the Chairman ruled that the point of order was in fact, in order.

The Motion was then put and passed.

10:30 P. M. - Meeting adjourned

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ACTING MAYOR LEO C. HOGAN
CHAIRMAN

R. H. STODDARD
CITY CLERK

SPECIAL CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
July 3, 1974
8:05 P. M.

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

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

Present: Acting Mayor L. C. Hogan, Chairman; Aldermen Bell, Meagher, Connolly, Stanbury, MacKeen, and Wentzell.

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

The City Clerk advised that the meeting was called as a Public Hearing to consider the following items:

1. Rezoning of a portion of Lady Hammond Road from C-2, General Business Zone, to R-2 Second Density Residential Zone;
2. Rezoning of the Mansion Road area from R-4, General Residential Zone, to R-2, Two-Family Dwelling Zone;
3. Rezoning of Civic No. 90 Sunnybrae Avenue from R-1, Single Family Dwelling Zone, to R-2, Two-Family Dwelling Zone;
4. Street Closure - Portion of Kempt Road; and
5. Street Closure - Portion of Penny Avenue.

8:09 p.m. - Alderman Moir arrives.

The Chairman advised that Council would deal with item Nos. 4 and 5 first as they are housekeeping matters.

Street Closure - Portion of Kempt Road

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

The City Clerk advised the item was duly advertised and that no written objections were received.

Mr. Fred Roberts of the Engineering Department, with the aid of a map, outlined the proposal to Council.

His Worship then called for those persons wishing to speak against the street closure. There being no persons wishing to speak against, His Worship called for those wishing to speak in favour of. There being no persons wishing to speak in favour of, His Worship declared the matter to be before Council.

MOVED by Alderman Moir, seconded by Alderman Bell that the matter be forwarded to the next regular meeting of City Council without recommendation. Motion passed.

Street Closure - Portion of Penny Avenue - Public Hearing

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

The City Clerk advised that the item was duly advertised and no written objections were received.

Mr. Fred Roberts of the Engineering Department, with the aid of a map, explained the proposal to Council.

There being no persons wishing to speak either in favour of, or against the proposed Street Closure, His Worship declared the matter to be before Council.

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

Public Hearing - Rezoning of a portion of Lady Hammond Road
from C-2, General Business Zone, to R-2 Second Density
Residential Zone

The City Clerk advised the item was duly advertised and that one petition signed by 316 persons in the area was received in favour of the rezoning.

Mr. B. Davidson of the Development Department, with the aid of a map, outlined the proposed area for rezoning and advised that staff excluded the Chebucto Inn from the area proposed for rezoning as it was felt this is a proper use for that area.

8:15 P. M. - Alderman Sullivan arrives.

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

Mr. Laurie Walker addressed Council and gave a slide presentation to familiarize those present with the area in question.

Mr. Bernard Harvey of 3675 Memorial Drive addressed the meeting saying he was not sure whether his property was zoned Commercial or R-2 but that he was in favour of the rezoning to R-2.

It was ascertained that Mr. Harvey's property was in a Commercial Zone, and he advised that even though this was so, he was still in favour of the rezoning.

Mr. Donald L. MacDonald of 3663 Basinview Drive said that he was the first resident on Basinview Drive saying that although it was zoned commercial, he was glad to see residential dwelling being built and, at that time, felt it would remain this way forever.

Mr. MacDonald said, however, that in this day and age, no one is safe forever saying he was sure there would be opposition to the rezoning application suggesting that such opposition would be for monetary reasons. Mr. MacDonald said he was concerned with the rezoning as there is a chance of having a service station and a beverage room adjoining his property. Mr. MacDonald requested favourable consideration be given to the rezoning.

Mr. Gary Ashton of 3725 Basinview Drive addressed Council in favour of the rezoning as he felt that if the property in question were R-2, it would form a buffer between the residential and commercial properties and protect the area from further encroachment of commercial establishments.

Mr. Ashton also said it will eliminate further traffic and parking problems which could result in the area as well as eliminate increased noise etc., which would result from commercial outlets.

Mr. George Cooper representing the Lady Hammond Road area residents addressed Council advising that these are the residents who brought about the rezoning application. He referred to a section of the staff report on the matter which stated that the area concerned is a natural extension of the R-2 Two-Family residential zone surrounding it, and which went on to state that further commercial intrusion as allowed by the existing zoning is unwarranted and should be stopped. Mr. Cooper said that the residents endorse 100% the City's experts on this matter.

Mr. Cooper also referred to the section of the report which states "Such action would make Lady Hammond Road the only effective buffer in protecting the large residential community on its north side", and said staff must be right on this point as Lady Hammond Road is a more natural boundary than the artificial lot lines of properties on the other side of the road and suggested unless this natural boundary is adopted, Council will be under pressure to expand the commercial zone into the triangle of Robie Street, Memorial Drive, and Lady Hammond Road.

Mr. Cooper said people living on the other side of Robie Street are concerned as well saying they have been parties in opposition to both City Council and the Liquor License Board with respect to the proposed use of part of the commercially zoned land in the area as a beverage room.

Mr. Cooper said the residents are particularly concerned with the matters of traffic and parking saying Lady Hammond Road is already congested and if the area in question is developed as a beverage room, the situation will be worse than normal as traffic will be extended beyond the normal closing hours. He suggested any commercial development will result in many cars parked on residential streets near such a development. He also suggested it is difficult to maintain a residential property which is adjacent to a commercial property with there being great pressure on the owner to sell to the commercial developer.

Mr. Cooper said the residents are concerned about the noise and disruption in the area if the particular commercial development of a Beverage Room is proceeded with saying this is the kind of development which can be best put in a large commercially zoned area.

Mr. Cooper requested that Council not permit the commercial intrusion into the area and approve the rezoning application.

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

Mr. Tim Bernard addressed Council opposed to the rezoning suggesting that the residents of the area were aware the lands in question were zoned commercial when they located there.

Mr. Joseph Nickerson of 3655 Basinview Drive addressed Council opposed to the rezoning saying that when an application was made for a Motel to be located up the street from his property, he was about the only person from the area who attended the public hearing in opposition. He also advised that if his property is rezoned from C-2 to R-2, he stands to lose some \$10,000 if he wishes to sell his property. Mr. Nickerson suggested the reason an application for rezoning has been made is to stop the proposed beverage room.

Mr. Peter MacKeigan addressed Council representing the Dobsons and Mitchells whose property is located on Lady Hammond Road adjacent to the proposed Beverage room. He said he has been instructed by his clients to oppose the rezoning saying the Mitchells have lived at this location for about 22 years and the Dobsons since 1966 and have been paying taxes at a commercial rate.

Some question arose at this time as to whether the properties would be taxed at the residential rate if they were being used as residential, and the City Solicitor suspected the practice of the City Assessor would be to value on the basis of land and buildings saying that if one had a residential property, it would be taxed at that rate. Mr. Murphy said there would be an increase owing to the commercial zoning of the land as opposed to residential zoning.

Mrs. Peter Bradbury of 6181 Lady Hammond Road addressed Council opposing the rezoning saying she has been paying taxes on a higher assessment for the past 21 years due to the Commercial zoning. She said she is opposed for strictly monetary reasons saying there is a motel next to their property wanting a licensed dining room and a proposed beverage room to be located two doors down from their property. She advised that her husband will soon be retiring and they would like to be able to relocate if they should so decide.

Mr. Ted Wickwire representing Messrs. Ray and Ralph Hollett who, he said, acquired an option on the property 6211 Lady Hammond Road which was commercial in the 1950's and before. He suggested the slides which were shown earlier did not go quite far enough saying they did not show the industrial zone to the south and proceeded to show pictures of some of the existing commercial establishments in the area.

Mr. Wickwire said that his clients acquired an option many months ago being familiar with the commercial history of the area and the zoning and entered into discussions with the City of Halifax. He said they received a letter from the City's Building Inspector to the effect that a permit will be issued in accordance with an application to construct a beverage room on the condition that a license is granted by the Liquor License Board saying approval was given by the Board.

Following this, he said, it became incumbent on his clients to acknowledge their option and referred to a letter received from the Planning Department stating that 6211 Lady Hammond Road was legally zoned C-2 General Business which, he said, was received just before the transaction was completed. He said his clients are now obliged to come before City Council and object to the rezoning application. Mr. Wickwire noted that Council has now heard from five of the nine owners of the properties which are the subject of the application.

Mr. Wickwire said that if the rezoning should be approved, the usage intended by his clients will become non-conforming as has been stated by the City Solicitor, saying the beverage room plans will proceed with plans to be submitted to the City shortly. He suggested the singular purpose of the subject application is due to the proposed beverage room and said if it can be proved that the singular aim of the application is to frustrate the development ambitions of one client, the amendment could be reversed by the Courts as it is discriminatory.

Mr. Wickwire concluded by saying that the plans of his clients are compatible to the area and displayed a picture of what the completed building will look like.

A short questioning of Mr. Wickwire then ensued.

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

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

9:10 p.m. - Council adjourned for a short recess.

9:15 p.m. - Council reconvened with the same members being present.

Public Hearing - Rezoning of the Mansion Road area from R-4,
General Residential Zone, to R-2, Two-Family Dwelling Zone

A Public Hearing was held at this time into the above noted matter. The City Clerk advised the matter was duly advertised and a petition containing 149 signatures was received in favour of the rezoning.

Mr. B. Davidson of the Development Department, with the aid of a map, explained the application for rezoning and advised that staff have recommended approval of same.

Mr. Davidson was then questioned on the matter.

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

Mr. John McGrath of 8 Green Acres Road, addressed Council in favour of the rezoning and in referring to some of the problems which will result if more permits are issued for apartments on the lower portion of Mansion Road, said that Green Acres Road is only 1/10 of a mile long and has 19 units suggesting that if more apartments are allowed to be built in the area, a similar situation would result as what now exists at the Rotary. He said that access from the area of Mansion Road is either through Green Acres Road or Woodcrest Avenue.

Mrs. John McGrath also addressed Council in favour of the application saying that as there are no recreational facilities in the area, the children on the street use Green Acres Road for the purpose of playing ball etc., and would therefore not want to see further congestion in the area resulting from further apartments.

Mr. Dan MacDonald, Vice-Principal of Tower Road School, addressed Council noting that much of the area in question is of the single family dwelling type. He referred to apartments along the Herring Cove Road which he said, are poorly planned and said the schools in the area are presently overcrowded. Mr. MacDonald noted that the Herring Cove Road is one of the most highly travelled roads in the Province saying that if the number of apartments in the area are allowed to increase, so will the traffic tie-ups.

Mr. Lou Jenkins of 20 Woodcrest Avenue spoke in favour of the rezoning saying the residents are only trying to prevent a heavy traffic flow into Green Acres Road. He said the residents are opposed to further apartments being constructed if the occupants must travel through their subdivision.

There being no further persons wishing to speak in favour of, His Worship called for those wishing to speak against.

Mr. Ken Reardon addressed Council opposed to the rezoning saying he is familiar with the area as he was involved with the original development of some of the properties.