

PUBLIC MEETING  
AMENDMENT TO PENINSULA AND MAINLAND ZONING BYLAW  
RELATING TO BACHELOR APARTMENT UNITS  
M I N U T E S

City Hall  
Halifax, N.S.  
September 24 1975.  
3.30 p.m.

A public meeting was held in the Council Chamber re amendment to Peninsula and Mainland Zoning By Law.

Present: His Worship the Mayor Morris, Aldermen Connolly, Lawrence, Meagher, Hanson, Moore, Sullivan, Shannon, Downey and Deputy Mayor Stanbury.

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

The following correspondence was received and circulated:

1. Staff report dated July 30, 1975 from the City Manager.
2. A brief from C.D.Davison & Co.Ltd., Architects.

His Worship opened the meeting by briefly outlining what had transpired, and expressing the hope that Council could move forward to a resolution of this matter.

Mr Bruce Davidson then spoke to this matter, stating that in the spring of this year staff was requested to examine plans for a type of residential unit that had not been seen before in this city. This was done and their comments passed on to the developer and to the staff concerned. In June of this year an information item went to Council, outlining four possible methods to incorporate this type of unit in the city. Mr.Davidson quoted the proposals contained in the staff report dated July 30, 1975, and said suggestions made at today's meeting would be considered. In reply to a question by Alderman Meagher, Mr. Davidson said the angle control would remain the same as now.

His Worship asked for clarification on the question of parking, asking whether it would be 27½% or 35%. Mr. Davidson confirmed the parking at a 35 percent ratio, 25 percent for residents, 10 percent for guests.

His Worship asked if anyone in the public gallery wished to address the meeting.

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Mr. Gary Chaplin, Halifax Manager of Manufacturers Life, Mortgage and Real Estate branch asked for permission to speak. It was agreed he should be heard. Mr. Chaplin proceeded to give a visual presentation of various building projects financed by his company, including projects in Toronto and Calgary for efficiency bachelor apartments. Mr. Chaplin said that the present by-laws covering parking facilities and calling for 80 square feet of open space per bachelor unit inhibit the development of cheap bachelor unit housing. The concept is to house single people near their place of employment, shopping, entertainment and recreational facilities, so that they could walk or use public transit, thus avoiding the necessity for a car. Mr. Chaplin said that based on his Company's experience, only 16½ percent of people in this type of accommodation own cars, and that it was considered that 25-27 percent be sufficient to cover the requirements of residents and guests. Mr. Chaplin also requested that the open space requirement be reduced from 80 square feet to 50 square feet.

In reply to a question by Alderman Meagher, Mr. Chaplin said that at the MacDonald building, 65 per cent of the parking is in use, 35 per cent vacant. At the Spring Garden Road building only 46 per cent has been taken.

Alderman Hanson asked if tennis courts or similar recreational facilities would be provided.

Mr. Chaplin replied that this could be done but would add to the cost. It has been the experience of his company that although people may move to buildings which have these facilities, only about 10 per cent of the residents actually make use of them. Some attempt could be made to provide a small area for recreation.

In reply to a question by Alderman Downey asking if it is this Company who will be developing the site on North Park and Cogswell, Mr. Chaplin replied in the negative and said they were presently looking at five locations. His Worship said that the North Park site would be technically outside the C.B.D. Mr. Davidson said the amendment as set forth by staff, to the R.3 zone is entirely in the peninsula area. His Worship observed this appeared somewhat different from what was contained in Mr. Davison's brief.

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In reply to a question put by Alderman Shannon Mr. Chaplin said the zoning in Toronto was High-Rise which appeared to be equivalent to R.3 here, and that his Company wished to locate this unit as near to the CBD as possible.

Mrs. Glube said there was a change in the Charter in Toronto in order to incorporate the building.

Mr. Chaplin estimated that the rents would be between \$150 - \$160 per month.

In reply to a question put by the City Solicitor Mr. Chaplin said the parking requirement in Toronto is 28 per cent and 25 per cent in Calgary including guest parking. Mr. Murphy asked if they changed their open space requirement. Mr. Chaplin said they did not, but that they paid the cost of the landscaping and the City provided the trees in Calgary. Mr. Chaplin expressed his satisfaction with the 90 foot frontage requirement.

Mr. Chaplin then returned to his seat.

Mr. Davidson, City staff reported that results of a postal survey of 1000 units showed that in certain areas there is a reduced call for parking and suggested it may be a viable amendment to the By-law to have parking controls similar to density controls with less parking required in the downtown area. The ruling should be flexible. Mr. Davidson felt further investigation should be undertaken of other cities.

Mr. Sidney Langmaid asked to speak on behalf of the Community Planning Association of Canada, saying that in general his Association supported the idea of this project insomuch as it would encourage residential development in the downtown area and thus help to revitalize this part of the city. The Association also supported flexible parking restrictions. They were however, concerned about the open space recommendation and suggested the following amendments to the proposed changes as outlined in the staff report of July 30, 1975 -

(a) No change for open space requirements.

(the words "for any mixed unit building" be deleted).

(b) be deleted

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(c) (d) and (e) would remain.

A new paragraph (f) would be inserted; which, with the deletion of (b) would become (e). which would state that the regulations would apply to a specific geographical unit - the inner city maximum density zone.

The City Manager said she felt it must be clarified that the report covered the peninsula and the mainland, not just the peninsual.

In reply to a question by Alderman Walker regarding these units being located near Municipal parking lots, Mr. Langmaid said this would constitute urban land use efficiency.

Mr. Langmaid said he felt differentiation should be made between new buildings and existing buildings, and that there were many buildings in the downtown area which were capable of being used if they could meet the requirements of the regulations. Whilst discretionary regulations existed, developers liked clear cut situations.

Mr. Davidson explained how his department had arrived at the 50 foot open space requirement, saying that with the controls for R3, there would still be space for landscaping.

Mr.Langmaid returned to his seat.

Mr. Hugh Davison of C. D. Davison & Co. Ltd., Architects, spoke very briefly, stating that he believed that this type of development should only be allowed in the C.B.D. Outside that area it would defeat its purpose, which was to minimize the necessity for car ownership and be near work and play facilities.

Mr.Davison sat down.

Mr.Peter Robson, representing Ward 1 Residents Association then addressed Council, stating he had three points he wished to bring to the attention of those present.

Firstly, it was felt that should a new zone R3B be created for the mainland this may lead to a dangerous situation in the future, and the Association would prefer this development to be spot-zoned.

Secondly this would constitute a change in land use.

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Mr. Robson asked that as the M.D.P.C. report is expected shortly, a decision be withheld until the report has been circulated.

Thirdly Mr. Robson said he felt that although the public meetings are advertised, because of the time they take place, members of the general public find it difficult to participate.

His Worship pointed out that members of Council were also public.

The City Manager said that in addition to the public meeting, a public hearing would also take place.

Mr. Robson asked if this could be held at night.

Mr. Demetri Prokos, Chairman of the Planning Committee of Ward 2 Residents Association then spoke on this matter, to say that in some cases they would support a reduction in lot sizes to enable such buildings to be located in the downtown area, since the downtown area is the most likely location for such units to be located. The Association applauded the decision of staff to recommend against the reduction or modification of angle controls, and the decision not to tamper with overall density controls. With regard to the reduction in open space requirements, it was considered that the decrease in parking facilities was sufficient bonus to the developer to preclude the necessity for decreasing the open space to 50 square feet. 70 square feet at least should be provided. C.M.H.C. requires 150 square feet in similar circumstances.

Mr. Prokos said that after considering the alternatives the Association would support the R3B zone in a precisely defined CBD area, and that there not be a rigid density ceiling, the first developer perhaps receiving a bonus.

Mr. Prokos returned to his seat and Mr. Davidson of City staff spoke. Mr. Davidson felt that there already existed controls which would maintain such developments in the downtown area. A number of cities have turned back increased density as this led to over development. It could be allowed into the C2 zone so long as it meets the requirements of R3. Bonuses in density to first developers would be difficult.

Mr. Lambros then addressed Council saying that as traffic problems are increasing daily, perhaps some changes in the rules were desirable to encourage such

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developments in the core area. Under the present regulations 10 - 15 per cent of parking was required on the surface. To go underground would add enormously to the building costs. Mr. Lambros felt that 25 per cent parking would be more than adequate.

In reply to a question put by Alderman Connolly, Mr. Lambros said he felt a restaurant or foodshop would be worthy of consideration. Mr. Lambros returned to his seat.

Alderman Connolly asked if staff could prepare a report taking into consideration some of the comments made today. Alderman Connolly also said that at the Planning Committee meeting he asked if these buildings were to be strictly or exclusively bachelor units, or whether it could be mixed units, and whether, if this were to be so, the parking for the bachelor units could be as decided for this project, and the parking for the other units to be as required in R3 zoning.

In regard to land, Alderman Connolly referred to the point raised by Mr. Davison, the architect, and said there should be regulations covering renovations spelling out how much people are required to adhere to R3 regulations in a C2 zone.

Alderman Connolly said that in some of the units today certain amounts of land are required before certain things are allowed to happen. For instance units in excess of 100 are allowed certain uses for the convenience of people living there, which do not affect the density. Alderman Connolly said he felt this should be looked at more closely, and staff input obtained.

His Worship asked that this, together with other pertinent suggestions made today be incorporated in a staff report and brought to the next Planning Committee Meeting on October 8, 1975, with a view to it being brought forward to the subsequent meeting of City Council.

Meeting adjourned - 5.10 p.m.

HEADLINES

Public Meeting - Amendment to Peninsula and Mainland  
Zoning Bylaw relating to Bachelor Apartment Units.....1

MAYOR EDMUND MORRIS,  
Chairman.

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
September 25, 1975  
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 Acting City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman; Deputy Mayor Stanbury, and Aldermen Moore, Hanson, Meagher, Downey, Sullivan, Walker, Shannon, Connolly, and Lawrence.

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

MINUTES

Minutes of a City Council meeting held on September 11, 1975, were approved on Motion of Alderman Downey, seconded by Alderman Hanson.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20(a) - Annual Report - 1974 - Engineering & Works
- 20(b) - Proposed New Armdale Community Centre (Former South Armdale School)
- 20(c) - Director of Public Safety

The Acting City Clerk also advised that the agenda item 8(a) should read as follows: "Appeal Against the Decision of the Development Officer to Issue a Permit for a Minor Variance - 610 Tower Road".

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

- 20(d) - Hilden Heights.

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His Worship said he wished to welcome this evening, on behalf of City Council, a distinguished academic, Professor Kel Antoft and his university class on Local Government. His Worship expressed the hope that what the class observes this evening will be demonstrative to them in the way Council operates, and that Professor Antoft and his class will be the forerunners of many such classes that will visit City Council and Committee of the Whole meetings.

His Worship said that Council most deeply values the University presence in the City and the student's good will and efforts in the community.

The Order of Business, as amended, was then approved by City Council.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal Against the Decision of the Development Officer to Issue a Permit for a Minor Variance - 610 Tower Road

A letter dated September 11, 1975, was submitted from Professor Martin appealing the decision of the Development Officer to issue a permit for a minor variance at 610 Tower Road.

A staff report dated September 23, 1975, was submitted which was reviewed by Mr. B. Davidson of the Development Department. Mr. Davidson advised that the Development Officer granted a minor variance and an appeal has been presented to Council with respect to that decision.

Alderman Connolly said the plot plan indicates the lot has a 33 foot frontage and said he was of the understanding that lots in the peninsula are required to have a 40 foot frontage for single family homes.

Mr. Davidson indicated this requirement is for new lots and said the public has the right to build on lots which were approved prior to the By-law requiring 40 foot frontages.

Further discussion ensued, and Mr. George Davis addressed Council on behalf of Mr. William Power, the owner of the property in question. Mr. Davis spoke in favour of the decision of the Development Officer saying a minor variance was granted on the south side of the building which, he suggested, was in the amount of 4 inches.



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Mr. Davis advised that the owner applied for a building permit which he received, and said the house is now constructed and the owner is ready to move in. Mr. Davis said his client had no intention to violate the By-law saying that when the variance was noted, he made application to have a minor variance granted.

Mr. Davis submitted that this minor variance of 4 inches which was not the owners fault and which does not affect the sideyard on the north side, is a variance which should be granted by City Council.

Professor Martin of 610 Tower Road who appealed the decision of the Development Officer, addressed Council and suggested this is a matter which at first, seems more trivial than it really is. Professor Martin said it has been suggested that it is a 4 inch variance but he expressed the feeling that it is more in the order of a 7 foot variance as the normal requirement is for a 40 foot frontage saying the lot in question is only 33 feet.

Professor Martin said he was aware that construction was to take place on the lot last November and had requested that, because of the narrow nature of the lot and because the picture window in his house over-looked the lot, he be permitted to comment on any proposal. He said that when constructed commenced, he inquired as to what was taking place and was informed that a permit had been granted.

Professor Martin said the reason he wished to comment on any proposed construction was because of the elevation of the land and advised that the house which has now been constructed dominates his dwelling and cuts out almost all the light from the picture window. He further advised that he was informed the dwelling to be constructed was to be of two storeys, but said it appears to be a three storey dwelling saying the floor of the basement is about level with the ground floor of his house.

Professor Martin suggested it is a matter which requires further examination and said he would be pleased if any member of Council would visit the site in order to see the basis of his appeal. He said the other point he wished to raise is that the house does not fit in with the architectural style of the neighbourhood and felt the situation should be reviewed.

Alderman Connolly asked if this subdivision took place prior to the By-law requiring 40 foot frontages, if this would make the lot in question a legal lot, and the City Solicitor advised that it would.

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A questioning of staff and a debate of the matter ensued following which, it was MOVED by Alderman Connolly, seconded by Alderman Shannon that the appeal against the decision of the Development Officer in granting a minor variance at 610 Tower Road, be disallowed. Motion passed.

PETITIONS & DELEGATIONS

Petition Re: Flamingo Drive Sidewalk Project

A petition dated September 13, 1975, was submitted from Elizabeth and Michael Walsh with respect to the above noted matter.

MOVED by Alderman Connolly, seconded by Alderman Lawrence that the petition be referred to staff for a report.

Motion passed.

Petition Re: Proposed Inclusion Section Bayview Road in a  
Express Bus Service Operating between the Heights of  
Clayton Park and Downtown Halifax

A petition under date of August 21, 1975, was submitted relating to the above noted matter which was signed by a number of residents on Bayview Road.

MOVED by Alderman Lawrence, seconded by Alderman Meagher that the petition be referred to the Transit Corporation and City staff for a report.

His Worship suggested the Transit Corporation should make its views known through the City Manager.

The Motion was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 17, 1975, as follows:

Proposed Installation of Sidewalk & Sod - North Side of  
Glenforest Drive

The above noted item was forwarded to City Council without recommendation in order that the parties involved have an opportunity to work out a suitable solution with City staff.

Mr. P. Connell of the Engineering and Works Department advised that following the Committee of the Whole meeting last week, staff met with Mr. Stirling and Mr. Croft on the matter of the retaining walls, and said it was agreed that during the construction of the sidewalks at their properties, staff would meet with the owners and reach a compromise on the height and slope of the wall.

A short questioning of Mr. Connell ensued, and it was MOVED by Alderman Moore, seconded by Alderman Connolly that the petitions be denied and under the provisions of Section 391 of the City Charter, in the interest of public safety, it is desirable that the concrete sidewalk proposed to be installed on the north side of Glenforest Drive, Southill Drive to Hillwood Crescent, be proceeded with as a local improvement project without the right of petition by the benefitting property owners subject, however, to continued conversations between staff and Mr. Stirling and Mr. Croft with a view to agreeing to the appropriate installation of retaining walls as required.

Motion passed.

Capital Expenditures - Basketball Court - George Dixon  
Playground

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MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Finance & Executive Committee, the remaining \$27,000.00 in Account FAA51, not be spent at this time.

Alderman Moore questioned what happens to these funds if the Motion is approved, and the City Manager indicated the monies would remain in the account and could be transferred to next year's account.

Alderman Downey said he had requested that these funds not be spent at this time as a proposal for recreational facilities at the Dixon Grounds is being considered and said these funds could be used towards such a project. He said he will be bringing forward a different proposal for the use of these monies.

The City Manager said that if there are further plans for the site, she would hope that staff is brought into the discussions.

A discussion ensued on the subject and Alderman Connolly expressed the feeling that what Alderman Downey is suggesting is that the people in the area would like to re-examine what is to be built and he would like to get some input and reconsider what should take place. Alderman Connolly said it seems to him that it is just a holding process to re-analyze the situation which exists there.

Following a further short discussion, the Motion was put and passed.

Contract Landscaping - Highland Park Ball Field

MOVED by Alderman Walker, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Lorraine Landscaping Ltd., be awarded a contract for landscaping of the Highland Park Ball Field in the amount of \$2,350.00 with the necessary additional funding being transferred from Capital Account FAA63 (Fort Needham Pool Renovations). Motion passed.

Contract - Landscaping - Kline Heights Playground

MOVED by Alderman Hanson, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, a contract be awarded to Elmsdale Landscaping to do the landscaping at Kline Heights Playground at a cost of \$9,262.00.

Deputy Mayor Stanbury referred to the amount of money involved and questioned why it is that City forces could not carry out this work.

The City Manager advised that this would mean taking people off the City's regular maintenance type of work and she also noted this is a rather large project and questioned whether the City has the proper type of equipment to undertake such work.

Alderman Connolly said he would be voting against the Motion for the reason that Council is not accepting the lowest bid.

Alderman Hanson said that at the Committee meeting, he questioned what is to take place with the remaining funds in this account, if there are any left, and the City Manager later advised that the balance of the funds is to be spent on equipment for the site.

The Motion was put and passed with Deputy Mayor Stanbury and Aldermen Connolly and Downey against.

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Possible Sale of Lands - Kempt Road, W. E. D. Shields  
Projects Limited.

MOVED by Deputy Mayor Stanbury, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City not dispose of the subject lands until such time as the owner of the abutting lands is prepared either to proceed with the development or alternatively, to pay a value commensurate with that of the abutting lands as indicated by the City's appraisers. Motion passed.

Tender - Street Lighting Equipment - Ward #3

The above noted item was forwarded to Council without recommendation for the purpose of a further review by staff.

A supplementary staff report was submitted under date of September 23, 1975.

MOVED by Alderman Downey, seconded by Alderman Hanson that authority be granted to order street lighting equipment for Ward #3 from the lowest bidder, Westinghouse Canada Ltd., at a cost of \$7,821.70. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on September 17, 1975, as follows:

Street Closure - Proctor Street - DATE FOR HEARING

MOVED by Alderman Meagher, seconded by Alderman Moore that, as recommended by the Committee on Works, City Council set a date for a public hearing for the closure of Proctor Street from Brunswick Street to Barrington Street as shown on City of Halifax Plan Number TT-20-21400.

The Acting City Clerk advised that the hearing has been scheduled for October 22, 1975 at 8:00 P. M.

The Motion was put and passed.

Contract - Dunbrack Street Phase I DREE 107301 - Regional  
Water Supply System - Pockwock

MOVED by Alderman Lawrence, seconded by Alderman Meagher that, as recommended by the Committee on Works:

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1. The Contract be awarded to the low bidder at a total cost of \$7,198,256.10; subject to the approval of the Provincial Department of Development and Highways;
2. The Mayor and City Clerk be authorized to execute the Contract documents;
3. The Public Service Commission of Halifax be appointed as Agents for the City of Halifax to administer this Contract and be responsible for its implementation along with their 48" water transmission line and rider mains;
4. The City Solicitor and the Public Service Commission of Halifax Solicitor, be authorized to prepare an agreement between the City and Public Service Commission for the administration of this Contract;
5. His Worship the Mayor be authorized to write to the Provincial Minister of Development committing the City to complete the project subject to the provision of funding as outlined under Phase IV of the staff report of September 10, 1975; and
6. City staff be authorized to call tenders early in 1976 for the work to complete the project described as Phase IV in the staff report of September 10, 1975.

Motion passed.

Local Improvement Charges - Dunbrack Street

The above noted item was forwarded to City Council without recommendation.

Alderman Walker referred to the expropriation of some of the properties in Ward 10, and said he has been informed by some of the owners of property abutting the Street that they were not informed as to where their property line is now located. Alderman Walker said they have asked that markers be placed on their property and he went on to question if there is any way the affected property owners can be informed on this subject.

The City Solicitor suggested this would be a matter for staff to report on at the next meeting of the Committee of the Whole Council.

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Alderman Shannon noted that the recommendation in the staff report is that local improvement charges be imposed on abutting owners where the installation is of direct benefit to the abutters and questioned why it is that there shall be no right to petition.

The City Manager said that if the City were to allow petitions, there could be a situation where, if the petition were successful, there could be a gap in the sewer line. Mrs. Glube said this is a sewer which must go in saying there will only be a few property owners that will be connecting to it and these are the ones that will be receiving billings.

Further discussion ensued and it was MOVED by Alderman Connolly, seconded by Alderman Moore that:

1. A policy be established by City Council that in the case of limited access highways in which in excess of 50% of the capital cost is (excluding City costs for providing oversized services - approximate cost of Dunbrack estimated at \$1,200,000) provided by other levels of Government, no local improvement charges should be levied for the paving, sidewalk, curb and gutter components of such highway with the exception that where, due to an existing non-conforming use, a property does in fact have access to the limited access highway, and where in fact in the case of that particular property, the highway is not limited access for the purposes of that property, then normal City local improvement charges shall be applied to that particular property only;
2. Local improvement charges for sewer installation, installed as part of the limited access highway construction, be imposed where the sewer installation is of direct benefit to the abutting property owners and in fact, for their purposes is performing the function of a local sewer;
3. Dunbrack Street be designated as a limited access highway in accordance with the policy as outlined in the staff report dated September 12, 1975;
4. The section of Kearney Lake Road (Bicentennial Highway to east of Donaldson Avenue) be treated as a limited access highway, and that local improvement charges be levied in a manner consistent with the policy applied to Dunbrack Street; and

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5. Council authorize the commencement of the local improvement projects under the authority of Section 391 of the City Charter without allowing the abutting property owners the right of petition against.

Following a short discussion, the Motion was put and passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on September 17, 1975 as follows:

Traffic Problems - Kaye Street (Petition)

The above noted item was forwarded to City Council without recommendation.

The City Manager advised that another report is being prepared on the subject which is not ready at this time.

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

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance No. 144, respecting "The Controlling of Bonfires" - Second Reading

A Confidential staff report dated September 25, 1975, was submitted on the item.

His Worship noted the report was only just received and suggested that not all members of Council have had an opportunity to read it.

It was MOVED by Alderman Connolly, seconded by Alderman Lawrence that the matter be deferred to the next Regular meeting of the Committee of the Whole Council.

Motion passed.



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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on September 17, 1975, as follows:

Application for Rezoning from R-2, General Residential Zone to C-2, General Business Zone - 2651 Dutch Village Road - DATE FOR HEARING

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MOVED by Alderman Connolly, seconded by Alderman Moore that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone the property known as Civic No. 2651 Dutch Village Road from R-2, General Residential, to C-2, General Business, as shown on Plan No. P200/7108 of Case No. 3227. Motion passed.

The Acting City Clerk advised that the hearing is scheduled to be held on Wednesday, October 22, 1975, at 8:00 p.m.

Resubdivision of Lot L-2 to Form Lots L-2A and L-2B,  
Willett Street

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MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the City Planning Committee, the application to resubdivide Lot L-2 to form Lots L-2A and L-2B, as shown on Plan No. P200/7093 of Case No. 3217, be approved by City Council with the understanding that occupancy permits will not be issued for the building until the sewer is able to accept sewage flow from them. Motion passed.

Application for Resubdivision - Lands of George S. Simms et ux, Connaught Avenue

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A supplementary staff report dated September 19, 1975, was submitted in which was stated that in this instance the provisions of the Zoning Bylaw are over-ruled by Section 823(f) of the City Charter and the application was thereby cancelled and the applicant duly notified.

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Application for Modification of Street Frontage - Lands of  
Commercial Developments Maritime Ltd. - Bayers Rd.

MOVED by Alderman Connolly, seconded by Alderman  
Moore that, as recommended by the City Planning Committee,  
the application for modification of street frontage to permit  
the construction of a 331-unit apartment complex, lands of  
Commercial Developments (Maritimes) Limited, Bayers Road, as  
shown on Plan No. P200/7162 of Case No. 3239, be approved by  
City Council.

Mr. B. Davidson, Development Department, in response to questions, advised that the modification proposed is approximately sixty-three feet. He stated that staff do not contemplate any difficulty in traffic movement on Bayers Road. He advised that the development proposed will comprise of one building which will be required to meet all the regulations under R-3 controls.

The motion was put and passed.

Call for Proposals - Quinpool Road Lands

MOVED by Alderman Lawrence, seconded by Alderman  
Walker that, as recommended by the City Planning Committee,  
City Council authorize the call for Development Proposals  
with respect to the Quinpool Road Lands as outlined in staff  
reports dated September 9 and September 16, 1975. Motion  
passed.

REPORT - MISCELLANEOUS BUSINESS

Delay in Cases - Board of Health (Alderman Walker)

Alderman Walker stated that he raised this matter as a member of the Board of Health. He advised that on September 17, 1975, there were seven cases before the Courts re licensing of premises within the City of Halifax. He noted one case in particular in which the defendant plead 'not guilty' and the trial date has been set for February 3, 1976. Alderman Walker reviewed the procedure followed and stated that approximately twenty-nine weeks from the date of the inspection will have elapsed before the court appearance of February 3, 1976.

Alderman Walker stated that this is a delay that

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the City of Halifax cannot afford as it is a serious matter and the health of the citizens is in jeopardy.

MOVED by Alderman Walker, seconded by Alderman Downey, that representations be made to the Attorney General for the Province of Nova Scotia requesting that whatever steps necessary be taken to improve upon the delays in disposing of court cases relating to violations under the Public Health Act and Ordinance No. 157.

The City Solicitor stated that he concurred with Alderman Walker's statements and he did not feel that justice is better served by such long delays as much evidence is with the memory of the people giving testimony and the delays could influence the quality of the evidence and the quality of justice that is administered. He stated that he felt some study should be given to the matter to determine how the time within which these cases are being disposed of can be decreased. He noted that he has previously brought to Council's attention delays in disposing of violations under Ordinance No. 157.

The motion was put and passed.

Recommendations - Tax Concessions & Grants Committee

A report dated September 22, 1975, was submitted.

St. Vincent de Paul Society

It was agreed that a grant in the amount of \$340. be made to the St. Vincent de Paul Society.

Halifax Kiwanis Music Festival

Alderman Connolly stated that he felt that the direction of the Tax Concessions and Grants Committee should be to assist organizations that are having very difficult financial times and, in line with this principle, he could not support the Committee's recommendation for this particular organization, nor for several other requests contained in the report.

MOVED by Alderman Meagher, seconded by Alderman Lawrence, that a grant in the amount of \$250.00 be made to the Halifax Kiwanis Music Festival. Motion passed with Alderman Connolly voting against.

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Women's Cultural, Recreational & Educational Association

MOVED by Alderman Meagher, seconded by Alderman Moore, that a further grant in the amount of \$372.00 be made to the Women's Cultural, Recreational & Educational Association. Motion passed.

St. John's Ambulance

MOVED by Alderman Meagher, seconded by Deputy Mayor Stanbury, that a further grant in the amount of \$1,500.00 be made to St. John's Ambulance. Motion passed.

Lots 4, 5, 6 Sunset Avenue

MOVED by Alderman Meagher, seconded by Alderman Walker, that a grant in the amount of \$59.00 be made re Lots 4, 5, 6 Sunset Avenue. Motion passed.

Nova Scotia Sports Hall of Fame

MOVED by Alderman Meagher, seconded by Alderman Moore, that a further grant in the amount of \$900.00, if required, be made to the Nova Scotia Sports Hall of Fame.

Alderman Connolly stated it was his understanding that Sports Nova Scotia is keenly interested in the Sports Hall of Fame and the relocation of same. He suggested that Sports Nova Scotia is in a better position to pick up costs involved for dismantling, etc.

Motion was put and passed.

Halifax Horticultural Society

MOVED by Alderman Meagher, seconded by Deputy Mayor Stanbury, that a grant in the amount of \$500.00 be made to the Halifax Horticultural Society. Motion passed with Alderman Connolly voting against.

Nova Scotia Society for the Prevention of Cruelty

MOVED by Alderman Meagher, seconded by Alderman Lawrence, that a grant in the amount of \$4,000. be made to the Nova Scotia Society for the Prevention of Cruelty. Motion passed.

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Spryfield Lion's Club

MOVED by Alderman Meagher, seconded by Alderman Hanson, that a further grant of \$7,500. be made to the Spryfield Lion's Club for support of the Spryfield arena.  
Motion passed.

Ward Five Resources Council

MOVED by Alderman Meagher, seconded by Alderman Sullivan, that a further grant in the amount of \$7,500. be made to the Ward Five Resources Council for purposes of the rink. Motion passed.

Neptune Theatre

MOVED by Alderman Meagher, seconded by Deputy Mayor Stanbury, that a further grant in the amount of \$5,000. be made to Neptune Theatre. Motion passed.

Sisters of the Good Shepherd

It was agreed that this matter be referred to the City Solicitor for a report to the Tax Concessions and Grants Committee.

W. T. Smith Halfway House for Alcoholics

Alderman Meagher stated that the Committee has met with Mr. Smith on various occasions but has not been able to work out the mechanisms with the Finance Department on how a grant can be made to this organization.

He advised that it is intended to assist Mr. Smith and the request is still being actively considered by the Committee.

Alderman Connolly advised that he is an honorary member of the Board of the W. T. Smith Halfway House for Alcoholics and suggested that the work they are attempting to

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accomplish is creditable and worthy of further consideration. He hoped that they would be able to meet the criteria as laid down by the Finance Department.

Alderman Moore advised that he has acted in a professional capacity for Mr. Smith when the premises on South Street were being acquired in 1974. He stated that he has spent many hours with the organization as a member of their Board and has counselled them free of charge. He stated that he knows what is trying to be accomplished by the Halfway House and hoped that the Committee would further consider their request.

Alderman Meagher advised that the Tax Concessions and Grants Committee are still actively considering a request from the Y.M.C.A. for a further grant.

MOVED by Alderman Meagher, seconded by Alderman Lawrence, that the requests from the Y.M.C.A., Sisters of the Good Shepherd, and the W. T. Smith Halfway House for Alcoholics be referred to the Tax Concessions and Grants Committee for a further report. Motion passed.

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QUESTIONS

Question Alderman Lawrence Re: Clearing of Land for 36"  
Watermain Parallel to Glenforest Drive

Alderman Lawrence stated that two years ago, under a DREE agreement, the Public Service Commission ran a 36" watermain down through an area parallel to Glenforest Drive and the trailer park in that area of Fairview and in some places there was a 40' to 70' clearing of the land where all the trees and shrubbery have been removed. He asked that staff check with the Public Service Commission to determine what the terms of the contract were between the contractor and the Public Service Commission with respect to the clearing and grubbing of the land and whether the contractor may or may not be liable for the destruction of the trees. He further asked that the agreement between the City and the Public Service Commission be checked re the use of these lands.

His Worship advised that a report will issue on this subject.

Question Alderman Walker Re: Filling in of the Punch Bowl

Alderman Walker referred to the filling in of the Punch Bowl day by day and nothing is being done about it. He asked what can be done to stop this from continuing and requested a report.

His Worship noted that this matter was raised before the Municipal Development Plan Committee and advised that representations have been made to the Province as it is a Provincial jurisdiction. He stated that a report will issue on this matter.

Question Alderman Walker Re: Pollution Control Charge

Alderman Walker referred to the pollution control charge levied at 25¢ per 1,000 gallons of water. He stated that residents who are not using water, who have wells, but are using the sewer system are charged on the average of 14,000 gallons per quarter. He pointed out that a resident using 6,000 gallons of water pays less than a resident who does not use any water. He felt that this is a case of discrimination against those residents who do not use the water.

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His Worship noted that such residents are using the sewer system and the charge is for pollution control and added that a report would issue in this regard.

Question Alderman Connolly Re: Tax Concessions & Grants

Alderman Connolly requested a report as to the total budget approved for tax concessions and grants and, further, what has been approved to be expended to date.

Question Alderman Connolly Re: Garbage Collection

Alderman Connolly noted that from time to time residents place their garbage in cardboard boxes for pick up, which garbage subsequently remains on the street. He asked that some publicity be given to the fact that it is an offence to place garbage in cardboard containers for pick up, that it will not be picked up, and that residents can be fined for placing their garbage for collection in that manner. He wondered whether, in such instances, an official notice should be issued, a fine levied or a ticket issued, and the garbage picked up.

The City Solicitor advised that placing garbage for collection in a cardboard carton is an offence under the Health regulations and, if the garbage foreman wished to lay a charge, he would consult with the prosecutor and lay an information.

His Worship suggested that the Engineering and Works Department consider whether such procedure should be reinforced.

Question Alderman Connolly Re: Street Lighting on Atlantic Street

Alderman Connolly asked whether the Engineering and Works Department would review the street lighting on Atlantic, particularly east of Young Avenue to Bland Street.

Question Alderman Sullivan Re: Traffic at Russell and Gottingen Streets

Alderman Sullivan asked if reports have been made re the traffic situation on the corner of Russell and Gottingen Streets and, if so, he would appreciate receiving



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copies of same. If not, he asked that staff carry out an investigation as accidents have occurred at this location and the residents are concerned.

Question Alderman Sullivan Re: Installation of Sidewalks on  
the West Side of Robie Street from Young Street to Kane St.

Alderman Sullivan asked if consideration has been giving to placing a sidewalk on the west side of Robie Street, from Young Street to Kane Street. He stated it is his understanding that there is a bus stop there and this is the main approach to the A. Murray MacKay Bridge.

Question Alderman Sullivan Re: Boulders - Corner of Kencrest  
Avenue and Newberry Street

Alderman Sullivan stated that when the street was constructed at the corner of Kencrest Avenue and Newberry Street, a number of large boulders were left on that corner. He advised that the residents say that the City is responsible for putting these boulders there and he asked that they be removed.

Question Alderman Downey Re: Transient Meal Allowances

Alderman Downey asked if the transient meal allowance could be increased from the present rate of \$5.50.

Mr. Crowell, Social Planner, advised that this matter has been examined recently and within the last two days an arrangement has been worked out whereby transients will be permitted to eat at the Nova Scotia Technical College dining room and will receive three meals a day which will be covered by the current rate.

Question Alderman Connolly Re: Report re the Enforcement of  
Truck Routes Ordinance

Alderman Connolly requested that a report be issued re the enforcement of truck routes, for example, how many offences have been recorded in the past year. He stated he felt that this is not being monitored as closely as it should be.

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Question Alderman Shannon Re: Flashing Pedestrian Lights  
on Quinpool Road at Beech Street and on Jubilee Road at  
Preston Street

Alderman Shannon asked when the the flashing pedestrian lights will be installed on Quinpool Road at Beech Street and on Jubilee Road at Preston Street.

Question Alderman Shannon Re: Minimum Fines for Violations  
of the Minimum Standards Ordinance and Violations of the  
Zoning Regulations

Alderman Shannon requested a report from staff re the minimum fines for violations to the Minimum Standards Ordinance and the zoning regulations. She suggested that the minimum fines seem to be the ones handed down and they are very low.

Question Alderman Downey Re: Building at 2221 Creighton St.

Alderman Downey asked if staff could board up the building at 2221 Creighton Street where a recent fire occurred. He stated that the building is open and children are entering the structure.

Alderman Shannon retired from the meeting at 11:05 p.m.

#### ADDED ITEMS

Annual Report - 1974 - Engineering and Works Department

The Annual Report - 1974 - Engineering and Works Department was submitted at this time.

MOVED by Alderman Walker, seconded by Alderman  
Lawrence that the Annual Report - 1974 be tabled and that  
Mr. Calda and staff be commended on the publication of this  
document. Motion passed.

Proposed New Armdale Community Centre (Former South Armdale  
School)

A staff report dated September 24, 1975, was submitted.

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The City Manager advised that staff are basically concerned at this time with the leasing of space to the Department of Education for the conducting of adult education classes as these are required to commence immediately and another site would have to be found if the City is not prepared to lease these properties to them.

MOVED by Alderman Hanson, seconded by Alderman Moore that approximately 10,400 square feet of space in Building No. 2 be leased to the Department of Education for the conducting of adult education classes on the terms stated in the staff report dated September 24, 1975; and that His Worship the Mayor and the City Clerk be authorized to execute same. Motion passed.

#### Director of Public Safety

MOVED by Alderman Lawrence, seconded by Alderman Connolly, that Council ask the City Manager to prepare Terms of Reference within thirty days for a proposed office of Director of Public Safety and, in the meantime, that the Safety Committee not make any further appointments in the Police or Fire Departments.

Alderman Meagher stated he would support the present motion but it is not to be construed that he will also support the motion upon receipt of the report.

The motion was put and passed.

#### Hilden Heights

Alderman Walker referred to a newspaper item re action taken by the Committee on Works on September 17, 1975, re the above subject and suggested that the intent of his motion has been misconstrued in the newspaper article. He advised that, by his motion, he intended that the assessed owners would come back to Council with a firm commitment, that they would have their permit ready to go to work and carry on repairing this whole project.

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Question Alderman Walker Re: Captain William Spry School

Alderman Walker requested a report from staff as to the disposition of the Captain William Spry School, to be submitted to the next meeting of Committee of the Whole.

Tax Concessions and Grants Committee

MOVED by Alderman Meagher, seconded by Alderman Moore, that a transfer of funds in the amount of \$27,000. be made from the funds provided in the 1975 Current Budget for the North End Multi-Service Centre to cover the additional expenditures. Motion passed with Alderman Connolly voting against.

Meeting adjourned - 11:20 p.m.

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MAYOR EDMUND MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)  
ACTING CITY CLERK

*recd.*

SPECIAL CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
October 8, 1975  
8:10 p.m.

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

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

Present: Deputy Mayor Stanbury, Chairman; Aldermen Shannon, Downey, Meagher, Sullivan, Walker and Moore.

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

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

"the closure of a portion of Buckingham Street between Barrington Street and Granville Street"

Street Closure - Buckingham Street from Barrington to Granville Streets

A public hearing was held at this time re the above subject and was duly advertised.

Mr. C. L. Dodge, Assistant Director of Development, with the aid of a sketch, reviewed the latest proposal for development in the area and indicated the area of Buckingham Street which it is proposed to close and sell to Durham Leaseholds Limited to form part of their lands for development.

He stated that there is a possibility of a future closure of a further portion of Buckingham Street dependant upon finalization of plans for development of the site. He advised that the area to be sold to the developer is 5659 square feet.

Alderman Connolly entered the meeting at 8:20 p.m.

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In response to a question, Mr. Dodge stated that the proposal to close Buckingham Street does affect the proposed Waterfront Development as the Waterfront Development proposes using Buckingham Street as a turn-around street from the Cogswell Street Interchange. He further stated that the whole Durham Leaseholds Limited development is dependant upon the closure of Buckingham Street.

Alderman Shannon requested that the new members of City Council be provided with copies of past reports relating to this development and, further, that staff report on this in the context of the whole downtown.

Mr. Dodge stated that the recommendation of the Development Department will be such that, the agreement now under negotiation between Durham Leaseholds Limited and the City, once it meets staff's satisfaction, will be presented to Council and, at that time, a special meeting be scheduled to discuss the whole issue.

The Chairman called for those wishing to speak in favour of the proposed closure. No persons present wished to speak in favour of the proposal.

The Chairman called for those wishing to speak against the proposed closure. No persons present wished to speak against the proposal.

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

Meeting adjourned - 9:00 p.m.

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DEPUTY MAYOR STANBURY  
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)  
ACTING CITY CLERK



CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
October 16, 1975  
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 Connolly, Shannon, Downey, Meagher, Sullivan, Walker, Hanson, Moore and Lawrence.

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

MINUTES

Minutes of City Council meetings held on September 25 and October 8, 1975, were approved on Motion of Alderman Walker, seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20(a) Contract Agreements
- 20(b) Expropriation - Court House Site

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

- 20(c) Fairview Overpass Improvements

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October 16, 1975

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

20(d) 5783-85 Sarah Street

DEFERRED ITEMS

Street Closure - Buckingham Street from Barrington Street  
to Granville Street

His Worship, referring to the above item and item 15(f), Modification of Height Requirement and Lot Consolidation - Durham Leaseholds Ltd., Phase I, Granville Street, Barrington Street and Duke Street, advised that representatives of Durham Leaseholds Ltd. have met with City staff and recommend that, rather than deal with the matters at this time, a special Council meeting be held on Wednesday, October 23, 1975, at 1:00 p.m. to discuss the whole Durham Leaseholds Limited development.

Alderman Shannon requested that Council members be provided with copies of past staff reports relating to the development and that staff further report on the development in the context of the proposed Y & R development and traffic problems as related to the downtown area.

It was agreed that a special Council meeting be held on Wednesday, October 23, 1975, at 1:00 p.m. to discuss the above matters.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 8, 1975, as follows:

Date for 1976 Halifax Natal Day

MOVED by Alderman Hanson, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Halifax Natal Day be held on July 21, 1976.

The Motion was put and lost, three voting for the same and six against as follows:

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FOR: Aldermen Ha son, Meagher and Sullivan 3  
AGAINST: Aldermen Connolly, Shannon, Downey, Walker,  
Moore and Lawrence 6

MOVED by Alderman Connolly, seconded by Alderman Lawrence, that the Natal Day Committee be asked to recommend a further date to City Council in accordance with Council's wish that Natal Day be held on a Monday.

The Motion was put and passed, six voting for the same and three against as follows:

FOR: Aldermen Connolly, Shannon, Downey, Walker,  
Moore and Lawrence 6  
AGAINST: Aldermen Hanson, Meagher and Sullivan 3

Resolution from City of Windsor Re: Bank of Canada Rate Increase

MOVED by Alderman Sullivan, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, rather than give support to the specific recommendations of the City of Windsor Council, Council continue its efforts in the more specific area of municipal finance and its efforts to obtain a more receptive climate to the purchase of municipal bonds. Motion passed.

Status of Funding - City of Halifax Superannuation Plan

The recommendation of the Finance and Executive Committee is as follows:

"that no additional demands be made upon the City of Halifax Superannuation Plan in terms of improved benefits at this time without an adequate provision for such benefits in terms of increased contributions into the Plan to the extent called for by such benefits over and above the present level of contribution now being made."

Alderman Meagher expressed concern that the staff report indicates that no further demands can be made on the fund and stated that he would like to see some scheme worked

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out whereby additional monies could be given to retired employees of the City of Halifax.

MOVED by Alderman Meagher, seconded by Alderman Lawrence, that an effort be made to discern any additional funds that may be available to augment the existing pensions of select superannuated employees of the City of Halifax.

Alderman Connolly stated that he has the same concern as Alderman Meagher and felt that the escalation clause for the present membership should also be made on behalf of past employees as well as future employees along with present employees. He noted that a report from the actuaries and the Retirement Committee indicates that at the present time the Plan has an unfunded liability and is not in a position to make additional payments. He advised that he could not support the motion because of the present status of the Superannuation fund and suggested that staff continue to review the matter and determine whether, at some future time, the escalation clause can be extended to include those employees who retired prior to December 31, 1973.

Alderman Meagher requested that a report be submitted by staff with alternate proposals to determine whether these superannuated employees can be helped in any way.

The motion was put and passed with Alderman Connolly voting against.

Supplementary Agreement - City of Halifax and the Nova Scotia Command of the Canadian Legion

MOVED by Alderman Walker, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, His Worship the Mayor and the City Clerk be authorized to execute the supplementary agreement between the City of Halifax and the Nova Scotia Command of the Canadian Legion at such time as the Building Inspector is prepared to issue a permit for construction of the proposed addition to the Command Headquarters Building. Motion passed.