

SPECIAL CITY COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, N. S.
January 7, 1976
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 City Clerk, joined in reciting the Lord's Prayer.

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

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

His Worship advised that the meeting was called as a public hearing to consider:

1. An amendment to the Peninsula and Mainland Zoning By-law of the City of Halifax relating to Bachelor Apartment Units;
2. The closure of William Hunt Avenue, to vehicular traffic, by the placement of appropriate traffic control barriers across the travelled way at the location where the southwestern street line of Edward Arab Avenue intersects the said William Hunt Avenue.

Closure of William Hunt Avenue at the Location where the southwestern street line of Edward Arab Avenue intersects William Hunt Avenue

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

Special Council,
January 7, 1976

Mr. Fred J. Bradbrook, Engineering and Works Department, reviewed the background of the proposed closure which originated with the temporary closure in July 1974 of Peter Lowe Avenue between Doug Smith Drive and William Hunt Avenue. He advised that on December 12, 1974, Council instructed, after a public hearing was conducted, that the Peter Lowe closure be re-opened and another temporary closure be implemented to close off William Hunt Avenue south from Edward Arab, which closure was implemented on December 14, 1974.

Mr. Bradbrook then responded to questions from members of Council.

His Worship then called for those persons wishing to speak in favour of the proposed permanent closure.

Mr. J. J. Kerr, 2889 George Dauphinee Avenue, addressed Council in favour of the proposed closure and advised that in his opinion the residents who submitted previously a petition in favour of the proposed closure remain of the same opinion and appreciate the decrease in traffic in the subdivision.

Mr. Ted LeMoine, 6891 Edward Arab Avenue, addressed Council in favour of the proposed closure but stated that it was his understanding that a trial closure would be conducted at Mumford Road before a firm decision would be made which has not yet taken place. He suggested that, dependent upon the exact location of the physical structure to effect the closure, the residents across the street could experience difficulty in exiting from their driveway.

Mr. LeMoine further suggested that the signs are not located in the proper manner and felt that a sign should be placed with the stop sign at the intersection where Peter Lowe Avenue meets with William Hunt Avenue. He asked that, if a permanent barrier is erected, it be more compatible to the area than what is presently there, and stated that he and his neighbour would appreciate some consultation with staff before a permanent barrier is installed as it would abut their properties.

Mr. Bradbrook responded to questions raised by Mr. LeMoine.

Special Council,
January 7, 1976

Mr. Daniel Almon, 6685 Peter Lowe Avenue, addressed Council in favour of the proposed closure stating that he represented a number of families on Peter Lowe Avenue who wished to reiterate their support of the closure as it now exists.

Mr. Eric Thomson, 6741 Peter Lowe Avenue, spoke in favour of the proposed closure and suggested that the congestion of traffic on streets peripheral to the subdivision should not be used as an argument against the proposed closure.

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

Mr. Bill Fulton, 2914 Doug Smith Drive, stated that there is lack of access from the subdivision, there is snow congestion where the barrier exists, there is frustration of the neighbours in the area with traffic using their lawn and driveways as freeways and free access, and the greatest evil is the closure of any streets in that area as streets are for traffic, not for barriers. He stated that with the widening of Chebucto Road, with the improvements at the Rotary, the widening and the increased volume of traffic on Mumford Road, there is difficulty getting out of the subdivision at the corner of William Hunt Avenue and more difficulty making left-hand turns coming up Chebucto Road from the Rotary getting into the subdivision on William Hunt Avenue.

Mr. Fulton asked if it was within the capability of staff to devise restrictions on the through traffic in the Westmount subdivision and suggested that if this was not a solution it was at least a less frustrating alternative.

Mr. Bradbrook responded to Mr. Fulton's suggestion indicating that it would not be feasible as there could be a problem with enforcement.

Mr. Fulton responded to questions from members of Council.

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

Special Council,
January 7, 1976

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

Amendment to the Peninsula and Mainland Zoning By-law of the City of Halifax relating to Bachelor Apartment Units

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

A letter dated January 7, 1976, re the above subject was submitted by Ralph M. Medjuck, O.C., President, Centennial Properties Limited, copies of which were circulated to members of Council.

A supplementary staff report dated January 7, 1976, was submitted, copies of which were circulated to members of Council.

Mr. B. Algee, Development Department, reviewed the events leading to the request by the City Planning Committee on November 19, 1975, that staff bring forth an amendment which would create a new zone exclusively for efficiency unit buildings, such new zone being referred to as R-3A and R-4A.

Mr. Algee then responded to questions from members of Council.

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

Mr. Gary Chaplin, Halifax Manager of the Manufacturers Life Insurance Company, Mortgage and Real Estate Branch, read a brief dated January 7, 1976, copy of which is on file in the City Clerk's office. Mr. Chaplin suggested in his brief that if the proposed parking and open space requirements were adopted the apartment rentals would become such that the low to moderate income adult could not afford them and his company would most likely abandon their plans to develop one of these mini bachelor buildings in Halifax.

Mr. Chaplin submitted copies of the section of a report commissioned by the City of Toronto which deals with the mini bachelor units which his Company developed.

Special Council,
January 7, 1976

Mr. Chaplin responded to questions from members of Council.

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

Mr. Ralph Medjuck addressed Council and stated he is in favour of amendments to the Zoning By-law that will permit the use proposed. He suggested that Council consider permitting 20% to 25% of such efficiency unit buildings to include one-bedroom units, parking to be a 1 - 1 ratio for the one-bedroom units and 25% parking for the efficiency units. He further suggested that staff's recommendation for 50 sq. ft. of open space be permitted.

Mr. Medjuck stated that his company is considering constructing a building such as proposed and would also like to include some amenities in their building such as the commercial uses as presently outlined in the R-3 zone.

He requested that Council reflect on the creating of a new zone as he felt the existing R-3 zone could be amended to provide whatever Council desires the amendments should be and asked that a new zone not be created as this will require a rezoning application every time one of these buildings is proposed.

Mr. Medjuck further stated that the R-3 zone now permits limited commercial uses in apartments over 100 units on lots of more than an acre. He requested that the restriction to lots over an acre be deleted, particularly in the "inner zone" and pointed out that the present C-4 Professional Zone does not include this requirement.

Mr. Medjuck then responded to questions from members of Council.

The City Solicitor advised that the recommendations made by Mr. Medjuck are so substantially different than that which was advertised for the public hearing that if Council considers these as amendments to the Zoning Bylaw, perhaps a further public hearing should be held to deal with the suggested recommendations.

Special Council,
January 7, 1976

The City Solicitor further advised that if Council is going to consider including efficiency units in the existing R-3 and R-4 zones, they should be made aware that R-3 uses are permitted in the C-1, C-2, and C-3 zones and the R-4 uses are permitted in the C-1 zone.

Mr. Dimitri Procos, 1639 Henry Street, representing the Ward 2 Residents' Council, stated that the main disturbing problem is the shift away from the initially intended focus of the downtown which has culminated in the suggestion that the R-3 and R-4 zones should be the main target of change. He stated that the Residents' Council wish to go on record as resisting that suggestion as it is felt that if any change has to take place in existing regulations to accommodate efficiency housing, it should take place in the downtown area which would definitely benefit under some circumstances from greater availability of housing for people who work within that area, and many of whom do have a family status that would place them in units as are proposed.

Mr. Procos felt that any tampering with R-3 and R-4 zones would not be a good policy at this point and the C-2 zone would be the main area in which any such change could take place. He stated that as far as the method goes, they would definitely support the use of a zone such as the floating zone which does not have a predetermined area on which it is applied over any kind of inclusion or change of existing R-3 or R-4 zones.

Referring to the suggested reduction in parking requirements, Mr. Procos stated that the Residents' Council are not in opposition to it as long as the building is located in the downtown area where, if any miscalculation has taken place as to the number of people who have cars, there would not be any over-spill into a residential area of that parking.

Mr. Procos stated that it is not clear whether the present allowable density is to be increased. He referred to a previously raised issue of providing housing within the proposed amendment in terms of building conversion of existing downtown buildings and stated the issue at hand seems to be aimed more at the construction of new buildings.

Mr. Procos stated they would oppose the open space reduction as suggested as it is felt that single, transient, or people who do not own homes should not be deprived of physical amenities inherent in the open space provision.

Special Council,
January 7, 1976

Mr. Procos then responded to questions from members of Council.

Alderman Lawrence retired from the meeting at 10:00 p.m.

Mr. A. M. McCrae addressed Council and commended Council and staff for pursuing the idea proposed with diligence and urged that the matter be resolved at an early date. He suggested that the presently required parking provision in the downtown is not being fully utilized and therefore all R-3 zones should be looked at in the near future and positive action taken to reduce the overall cost of housing by reducing the parking requirement. He stated that his company is presently constructing a 150-unit apartment project and 20% of the total capital costs deals directly with parking.

Mr. McCrae stated that he supports the previously suggested inclusion of a low percentage of one-bedroom units and commercial space within the efficiency use proposed. He stated that it is his personal consensus that one fundamental principle is that as much of this type of specialized housing as possible be placed within the core of the peninsula to eliminate transportation problems, servicing problems, etc. He suggested that the proposed amendment, as it applies to the mainland or to anything outside of the 'inner zone' does not fall within the principle of using zoning as a planning tool. He suggested that the reduction of parking is in fact a reduction of the capital costs and is the type of incentive previously discussed. He stated that he would like to see Council move forward on this issue and primarily in the 'inner zone'.

Mr. A. Ruffman raised the question of whether or not a zoning modification at this time is the procedure that should be followed. He expressed concern that Council is responding to the request of one particular private corporation. He suggested that the creation of a proposed R-3A and R-4A zone is within the area of ongoing study being carried on by the Municipal Development Plan Committee.

Mr. Ruffman expressed concern with the proposed floating zone and suggested that Council first confine the proposed zone to the 'inner zone' and assess how it works before expanding it to other possible centres.

Special Council,
January 7, 1976

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

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

Meeting adjourned - 10:45 p.m.

HEADLINES

Closure of William Hunt Avenue at the Location where the southwestern street line of Edward Arab Avenue intersects William Hunt Avenue	1
Amendment to the Peninsula and Mainland Zoning By-law of the City of Halifax relating to Bachelor Apartment Units	4

MAYOR EDMUND MORRIS
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK

PUBLIC MEETING
MINUTES

J. L. Illsley High
School Gymnasium
Halifax, N. S.
January 8, 1976
8:10 P. M.

A public meeting was held on the above date to discuss the proposed Parkmoor Subdivision in Spryfield.

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

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

PUBLIC MEETING - PROPOSED PARKMOOR SUBDIVISION

His Worship opened the meeting by introducing to those present, members of City Council, City staff, and Mr. John Preston, Consultant and Designer for the Rocca Group, the developer of the proposed Parkmoor Subdivision.

His Worship said that Mr. Preston will be taking most of the meeting and said Council will discuss with the residents, the proposed subdivision. His Worship said that Mr. Dodge of the City's Development Department will introduce the matter briefly by giving an overview of the City's position. His Worship said he understands that Mr. Dodge will then ask Mr. Preston to present his client's proposal following which enquiries can be made by those present.

Mr. Dodge then addressed the meeting and, with the aid of maps, outlined the area in question as well as adjoining properties and roadways.

Mr. Preston, representing the developer, addressed the meeting and gave a short slide presentation showing the different uses in the development including the single-family and duplex portion, the commercial site of six acres, the town-house and apartment areas, as well as green areas.

Mr. Preston, in referring to the Commercial site of 6 acres, advised this was originally conceived as being some 15 acres but said it was reduced at the request of City staff and its frontage was also removed from the Herring Cove Road.

Mr. Preston also advised that in accordance with the City's wishes, the actual development in the Commercial area is to be 50,000 square feet which, he said, is about one-third of the original proposal.

Mr. Preston, in referring to the residential component, said the total development proposal for the area is in the region of 400 units saying that about 40 of these would either be single-family, duplex, or semi-detached with the remainder being townhousing. He said this will represent about 1,300 persons in the development and 19 persons per acre.

Mr. Preston said it was interesting to note that if the area were to be developed under the existing zoning regulations without any change in the zoning, there could be developed on the land, a population of about 1,800 persons with a density of 27 persons per acre.

Mr. Preston also outlined parcels of land around the border of the development which are being left with no proposal for their use saying the idea is that this land will have a use related to whatever use takes place on the property adjoining it.

He then referred to a previous meeting which was held with the residents of the area at which time a number of concerns were expressed. Mr. Preston said that one of these concerns related to what impact the development will have on the schools and advised that the proposal was discussed with the School Board at which time statistics were presented to the Board. He advised that the Board gave assurances there would be no problem as far as the provision of or accessibility to schools was concerned.

Mr. Preston said another concern related to the Park arrangement saying the residents felt there was a lack of park area. He said it was questioned whether more park area could be made available between the Dunbrack Street Extension and the Herring Cove Road and he advised this can be done. Mr. Preston said the developer is prepared to subdivide a portion of Parcel B and said that if the number of units that could be built on the land can be constructed elsewhere in the development, this area of park land could be deeded to the City free of charge.

Mr. Preston said concern was also expressed about improvements to Parkmoor Avenue which is presently a dead-end Street with no Sidewalks, curbs, or gutters.

Mr. Preston said the intention of the developer as well as the City, is to extend Parkmoor Avenue to the Collector which will result in substantially increased traffic flows and said the street will have to be improved in order to handle this. He said the residents on Parkmoor submitted that they did not wish to absorb any of the costs related to the necessary improvement saying that as has happened in other subdivisions which his client has been involved in, he will be willing to negotiate the extra costs involved in improving the street.

Mr. Preston said the residents initially felt they would prefer the street to be cul-de-saced rather than extended but said it is his understanding that Parkmoor is too long for the construction of a legal cul-de-sac under the City Regulations.

He said another point raised by the residents related to the increased traffic volumes on the Herring Cove Road and associated problems at the Armdale Rotary saying he has done an estimate of the traffic volumes that could be generated by the development and said it was estimated it would amount to 4,000 vehicle trips per day. He said this is about the increased volume of traffic through the Rotary in any given year. Mr. Parsons suggested the development would not take place for another two to three years saying it would take at least another five years to complete resulting in a gradual period of increased traffic.

Mr. Preston said this is the stage the development is in at this time and felt the developer can meet or go a long way towards meeting the objections of the residents' Association with respect to the Plan itself. Mr. Preston said the matter of transportation is something that is outside their ability to influence.

8:50 P. M. - Alderman Sullivan arrives at the meeting.

Mr. Preston then responded to a number of questions put forth by the residents present as did members of City staff.

Of those who spoke at the meeting, two persons formally addressed Council one being Mr. Allen Tanner, a member of the Spryfield Residents' Association.

Public Meeting
January 8, 1976

Mr. Tanner advised that on Monday evening, a meeting of the Association was held at which time it was felt that a development of the type proposed should not take place until such time as the proper roads and services are provided to go along with it. Mr. Tanner said that there must be a link to the centre of the City before such growth is allowed in the area.

A representative of the Ward #2 Residents Association addressed the meeting and advised that when the Association became aware that the residents of Ward #7 were concerned about the proposed Parkmoor Subdivision, the Ward #2 Residents Association was concerned as well. The representative submitted a letter from the Ward #2 Residents Association expressing the feeling that there should be an improvement to services in the area or there should be a delay in any major construction.

Further discussion and questioning ensued on the subject matter and His Worship said that Council gives public assurances that before any approval is given to the proposed Parkmoor Development, a further public forum will be provided.

His Worship said he could not say whether this would take the form of a public meeting or public hearing, but said no approval will be given without an opportunity for the public to be heard.

A representative of the residents then extended thanks to members of Council and City staff for attending the meeting in order to discuss the proposed project.

10:25 P. M. - Meeting adjourned.

HEADLINES

Public Meeting - Proposed Parkmoor Subdivision 1 - 4

MAYOR EDMUND L. MORRIS
CHAIRMAN

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CITY COUNCIL
M I N U T E S

Council Chamber,
City Hall,
Halifax, N. S.
January 15, 1976
8:00 p.m.

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

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

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

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

PRESENTATION - LONG SERVICE SCROLL - R. H. STODDARD

His Worship, in presenting to Mr. R. H. Stoddard, retired City Clerk, a long service scroll in recognition of his 38½ years' service to the City of Halifax, reviewed his employment history and noted that Mr. Stoddard was appointed Deputy City Clerk in June 1943 and City Clerk in May 1958, serving 17½ years in the latter position.

His Worship suggested that Ralph H. Stoddard is, to many people, 'Mr. City of Halifax', having served under fourteen Mayors and all five City Managers with a calm and even dignity and with an absolute and unquestioned loyalty to the City, its Statues and Ordinances. He noted that Mr. Stoddard, as Returning Officer, conducted eleven regular and special elections during his term of office and effectively recorded the history of the City administration. His Worship further stated that Mr. Stoddard left his desk with not a single paper unserved.

Mr. R. H. Stoddard expressed his appreciation to members of City Council and stated that he had enjoyed his relationship with the members of City Council, Department Heads and the various employees. He further expressed his best wishes to his successor in office and to the members of City Council for the future progress of the City.

City Council,
January 15, 1976

PRESENTATION - MRS. IONA CRAWLEY

His Worship introduced Mrs. Iona Crawley and stated that she has been the recipient of the Black Woman of the Year award, sponsored by Radio Station CHNS. He stated that, in recognition of this accomplishment, City Council also wished to make a presentation to Mrs. Crawley on behalf of the citizens of Halifax and called upon Alderman Sullivan, alderman for the Ward in which Mrs. Crawley resides, to make the presentation.

Alderman Sullivan stated that Mrs. Crawley is a very active person in the community and he is especially proud that she is a resident of his Ward.

His Worship noted that Mrs. Crawley is a member of the Board of School Commissioners and has been Vice-Chairman of that Board. He suggested that it is noteworthy that, upon the expiration of Mrs. Crawley's term as a City appointee on the Board of School Commissioners, she was nominated as the Provincial Government appointee on the said Board.

Mrs. Crawley expressed her appreciation for the honor and recognition given her by the City of Halifax. She suggested that there is a lot to be achieved for minority groups within the City and the Province of Nova Scotia and hoped that the civic representatives will continue to recognize that minority peoples have abilities and talents which should be used to a greater extent.

MINUTES

Minutes of City Council meetings held on December 18, December 22, 1975, and January 7, 1976, were approved on Motion of Alderman Sullivan, seconded by Alderman Stanbury.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20(a) - Request to Pay City's Contribution to Halicon
- 20(b) - Rockingham Y.M.C.A. (Alderman Lawrence)

City Council,
January 15, 1976

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

5(a) - Petition - Sewers - Coronet Avenue

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

20(c) - Termination of Employment

DEFERRED ITEMS

Petition - Sewers - Coronet Avenue

This item was deleted from the Order of Business.

Amendment to Peninsula and Mainland Zoning By-laws of the
City of Halifax relating to Bachelor Apartment
Units

A Private and Confidential report dated January
15, 1976, re the above subject, was submitted by the City
Solicitor.

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

Closure of William Hunt Avenue to Vehicular Traffic at the
Location where the Southwestern Street Line of
Edward Arab Avenue intersects William Hunt Avenue

A public hearing was held re the above subject on
January 7, 1976.

MOVED by Alderman Moore, seconded by Deputy Mayor
Connolly, that William Hunt Avenue be closed at the inter-
section of Edward Arab Avenue by an extension southerly of
the western street line of Edward Arab Avenue, at that
intersection.

Alderman Stanbury stated that she would vote
against the motion but wished the people involved in this

Council,
January 15, 1976

issue to understand that she is not opposed to their personal wishes but she is basically and principally against the closure of streets in general.

Alderman Moore stated that a staff report issued in October 1974 indicated that signing the area would not be a feasible means of controlling the traffic. He stated that the wishes of the residents have been conclusively expressed at public hearings and public meetings.

The Motion was put and passed with Alderman Stanbury voting against.

City Manager's Authority Relating to Boards & Commissions

The City Manager requested that this matter be deferred to the next meeting of Committee of the Whole Council at which time presentations will be accepted from the various Boards and Commissions.

It was agreed that this matter be deferred to the next regular meeting of Committee of the Whole Council.

Appointment of Fire Chief

It was agreed that this matter be dealt with later in the meeting pending the arrival of Alderman Lawrence.

MOTIONS OF RECONSIDERATION

Motion - Alderman Shannon Re: Reconsideration of Motion of City Council dated December 22, 1975, Respecting the Halifax Metro Centre

It was agreed that this matter be dealt with later in the meeting pending the arrival of Alderman Lawrence.

PETITIONS & DELEGATIONS

Petition Re: Request for the Rezoning of Butler's Yard
Property from R-3 Zone to R-2 Zone

The City Clerk read a letter dated January 7, 1976,

Council,
January 15, 1976

and attached petition dated December 4, 1975, copies of which were circulated to members of City Council.

MOVED by Alderman Shannon, seconded by Deputy Mayor Connolly, that the petition be referred to staff for a report. Motion passed.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on January 7, 1976, as follows:

Transfer of Funds - Covington Way Cul-de-sac

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, City Council approve a \$1,000.00 transferal of funds to Covington Way, Account #CAA31 from Lacewood Drive, Account #CAA57. Motion passed.

Forum Site - Metro Mail Processing Facility

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the Finance & Executive Committee:

1. The City accept the proposal of the Department of Public Works for extension of use of the Civic Arena and that tenders be called for relocation of the fence, work to be undertaken on completion of building demolition;
2. The City call tenders for relocation of the sewers as described in the staff report of December 19, 1975;
3. The City request the Public Service Commission to call tenders for installation of the twelve inch water main from Young Street to the northern boundary of the Federal site, including the connection to the Mayflower Curling Club;
4. Costs be charged to the proceeds of the land sale, subject to the approval of the Minister of Municipal Affairs; and

Council,
January 15, 1976

5. His Worship the Mayor be authorized, at an appropriate time, to seek an extension of the lease relating to the Civic Arena as is outlined in the staff report of December 19, 1975.

Motion passed.

Alderman Lawrence entered the meeting at
8:35 p.m.

Forum Site - Demolition of Buildings

MOVED by Alderman Walker, seconded by Alderman Stanbury that, as recommended by the Finance & Executive Committee, the City advise the Minister of Municipal Affairs that it was a condition of the offer of the Federal Government to purchase the land that "the City (would), at its sole risk and expense and to the complete satisfaction of Her Majesty, demolish the ... buildings located on the site to ground level ..." and request the approval of the Minister to withdraw funds from the proceeds of the sale in the amount of \$28,460.00 to cover the cost of the said demolitions.
Motion passed.

Tender 75-195 - Testing & Inspection Services

MOVED by Deputy Mayor Connolly, seconded by Alderman Walker that, as recommended by the Finance & Executive Committee, a contract be awarded to J. T. Donald & Co. Ltd., 19 Mosher Drive, Dartmouth, N. S., in the amount of \$26,522.50 to perform testing and inspection services during the calendar year 1976 at the unit costs submitted.
Motion passed.

Installation of Trunk Sewer Mains Kearney Lake Road from Broadholme Lane to the Bicentennial Highway

MOVED by Alderman Lawrence, seconded by Deputy Mayor Connolly that, as recommended by the Finance & Executive Committee, a new estimate of \$390,000.00 be approved for installation of trunk sewer mains on Kearney Lake Road from Broadholme Lane to the Bicentennial Highway interchange.
Motion passed.

Council,
January 15, 1976

Public Service Commission Expropriation of Lands 184A &
184B Hammonds Plains - Halifax County

MOVED by Alderman Sullivan, seconded by Deputy Mayor Connolly that, as recommended by the Finance & Executive Committee, the City Clerk be authorized to execute a Certificate of Approval indicating the consent of the City Council to the expropriation of these lands by the Public Service Commission for the development of the Pockwock Water Supply System. Motion passed.

Local Improvement Tax Rates

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, the 1976 Local Improvement rates as shown in Appendix "A" of the staff report of December 22, 1975, be approved. Motion passed.

DEFERRED ITEMS

Appointment of Fire Chief

A report dated January 15, 1976, with attached confidential reports, was submitted by the City Manager.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence, as recommended by the City Manager, that Candidate A, as per attached confidential reports, be appointed Chief of the Halifax Fire Department, effective 1 February 1976.

Alderman Moore stated that on October 22, 1975, he took an action to expedite the appointment of a Fire Chief as the senior position had been vacant for a number of months. He added that an extensive search for a person to fill this vacancy was carried out by the City Manager, in association with a professional-executive appointment firm. He stated that he has had an opportunity to speak with the City Manager, to review the various candidates for this position, and is prepared to support the City Manager's recommendation and has every confidence that Candidate A will be an excellent Fire Chief.

Council,
January 15, 1976

Alderman Moore expressed, on behalf of Council, appreciation to the Acting Fire Chief and members of the Fire Department for their co-operation during this very trying time.

Alderman Sullivan stated that he had his own personal choice for Chief of the Fire Department but the City Manager, in her wisdom, decided not to recommend that particular person for the position. He stated that he has given the matter considerable thought and is prepared to support the City Manager's recommendation.

Alderman Meagher expressed his appreciation for the efforts of the City Manager and stated that it is his belief that it is unfortunate that the Council is going outside of the City to appoint a new Fire Chief. He stated he would have to vote against the appointment of Candidate A but he has nothing personal against the gentleman.

Alderman Downey stated that he would not support the appointment of Candidate A and was sorry that the Acting Chief was not recommended. He added that he felt the appointment should be someone within the Fire Department.

Alderman Stanbury stated that she could not support the motion and took the opportunity to congratulate the Fire Department in whom she has the most confidence.

The motion was put and passed, seven voting for the same and three against as follows:

FOR:	Deputy Mayor Connolly, Aldermen Shannon, Sullivan, Walker, Hanson, Moore and Lawrence	7
AGAINST:	Aldermen Downey, Meagher and Stanbury	3

The City Manager advised that the appointee is Chief Ronald M. Horrocks who is presently Fire Chief in Saint Leonard, Quebec.

Council,
January 15, 1976

MOTIONS OF RECONSIDERATION

Motion - Alderman Shannon Re: Reconsideration of Motion of
City Council dated December 22, 1975, Respecting
the Halifax Metro Centre

Alderman Shannon stated that in the present economic climate she feels it to be extremely unwise to proceed with a project of this magnitude on the basis of scant information with which Council has so far been provided. She suggested that Council must have the opportunity to evaluate the studies that have been done from the City's viewpoint. Alderman Shannon stated that there are a great many aspects, details and important phases of information which have not been made available to City Council on this project and, for these reasons, she requested that City Council reconsider the motion of December 22, 1975, re the Halifax Metro Centre.

MOVED by Alderman Shannon, seconded by Alderman Stanbury, that the motion of City Council dated December 22, 1975, respecting the Halifax Metro Centre, be reconsidered.

The motion was put and lost, three voting for the same and seven against as follows:

FOR:	Aldermen Shannon, Stanbury and Deputy Mayor Connolly	3
AGAINST:	Aldermen Downey, Meagher, Sullivan, Walker, Hanson, Moore and Lawrence.	7

Council
January 15, 1976

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on January 7, 1976, as follows:

Rezoning - Block V, Clovis Avenue, Lands of Canadian Tire Corporation from R-2 Zone to C-1 Zone - DATE FOR HEARING

MOVED by Alderman Walker, seconded by Alderman Hanson that, as recommended by the City Planning Committee, a date be set for a Public Hearing for the requested rezoning of Block V (Civic No. 9) Clovis Avenue, lands of Canadian Tire Corporation Ltd., from R-2 Residential Two Family Dwelling Zone, to C-1 Commercial Local Business Zone.

The City Clerk advised that the public hearing has been scheduled for Wednesday, February 18, 1976, at 8:00 P. M.

The Motion was put and passed.

Application for Resubdivision and Consolidation - 25 Dentith Road and 18 Spencer Avenue and Rezoning - Lot B - from R-4 Zone to R-2 Zone - DATE FOR HEARING

MOVED by Alderman Walker, seconded by Alderman Hanson that, as recommended by the City Planning Committee:

1. The application to resubdivide Lot C (Civic No. 25 Dentith Road) to form Lot D and Lot B, and the application to consolidate Lot B with Lot A (Civic No. 18 Spencer Avenue) to form Lot X as shown on Plan No. P200/7209 of Case No. 3250, be approved by City Council; and
2. A date be set for a Public Hearing to consider the rezoning of Lot B from R-4 to R-2.

The City Clerk advised that the Public Hearing with respect to No. 2 above, has been scheduled for Wednesday, February 18, 1976 at 8:00 P. M.

The Motion was put and passed.

Council
January 15, 1976

Neighbourhood Improvement Program Area - Issuance of Building
and Development Permits

MOVED by Alderman Downey, seconded by Alderman Shannon that, as recommended by the City Planning Committee, City Council, under Section 538(1) of the City Charter, instruct the Building Inspector to withhold for six months, the issuance of all building permits and development permits of a non-residential nature and those of a residential nature in excess of \$15,000 within the Neighbourhood Improvement Area, unless applications therefore are approved by City Council on the recommendation of the NIP Core Committee in consistence with the Neighbourhood Planning Process.

Motion passed.

Appointment - Development Officer

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the City Planning Committee, Everett Boyd Algee be appointed Development Officer as provided in Section 43 of the Planning Act, effective December 29, 1975.

Motion passed.

MOTIONS

Motion - Alderman Stanbury Re: City Dump

At the last regular meeting of City Council, Alderman Stanbury gave a Notice of Motion with respect to the above noted matter.

MOVED by Alderman Stanbury, seconded by Alderman Sullivan that City Council fix June 30, 1976, as being the cut-off date for all refuse and rough material from sources outside the City limits to be deposited on the City Dump and that the County of Halifax be so advised.

For the information of Council, His Worship advised it is his understanding that a decision will be taken within the next week with respect to the matter of solid waste disposal.

The Motion was put and passed.

Council
January 15, 1976

MISCELLANEOUS BUSINESS

Private Roads within the City of Halifax (Alderman Hanson)

Alderman Hanson said that since being elected to Office, the matter of private roads in the annexed area of the City has been an item of great concern to him. Alderman Hanson referred to a previous Resolution of Council wherein the City would maintain such roads and provide services but said that such roads were not to be upgraded by the City.

Alderman Hanson said the residents that live on many of these roads have become most frustrated in that they cannot overcome certain hazards existing and minor improvements which are required.

Alderman Hanson said staff have spent a great deal of time with him on the subject to date but requested that staff review the situation and compile a list of private roads in the City with such a report to include a recommendation as to how the City could take over such roads without a financial burden resulting to the City.

Alderman Hanson suggested that such roads could be taken over on a demand basis. The Alderman then referred specifically to Pineridge Drive and the Armcrescent area where particular problems exist and felt these should be taken over by the City.

Further discussion ensued and Council agreed that staff should prepare a report as requested by Alderman Hanson.

Date for Natal Day - 1976

MOVED by Alderman Hanson, seconded by Alderman Lawrence that Monday, July 26, 1976, be set as the date for Halifax Natal Day.

Alderman Hanson referred to the previous recommendation of the Natal Day Committee that Wednesday be set as Natal Day, and requested that Council give consideration in future years, to holding Natal Day on a Wednesday.

Discussion ensued on the matter following which, the Motion was put and passed with Aldermen Downey, Meagher, and Stanbury against.

Capital Budget 1976 and Neighbourhood Improvement Projects

A staff report dated January 9, 1976, was submitted.

A short discussion and questioning of the City Manager ensued on the matter and it was MOVED by Alderman Meagher, seconded by Alderman Hanson that:

1. An additional \$400,000 be included in the Capital Budget under folio HAG12 N.I.P. Implementation for expenditures in the 1977 year and funding in 1978; and
2. Provision be made for further N.I.P. involvement (possibly in two additional areas rather than one further large area) and that the following be provided for in the 1976-80 Capital Program:

	SECOND (OR SECOND AND THIRD) NIP AREA		
	1976	1977	1978
GROSS EXPENDITURE	100,000	800,000	925,000
CONTRIBUTIONS FROM OTHER LEVELS OF GOVERNMENT	<u>50,000</u>	<u>400,000</u>	<u>375,000</u>
NET CITY COST AND FUNDING	<u>\$50,000</u>	<u>\$500,000</u>	<u>\$550,000</u>

Motion passed.

Capital Budget 1976

A staff report dated January 14, 1976, was submitted relating to the above noted matter.

The City Manager advised that the item was added to tonight's agenda in order that approval may be granted so that staff can proceed with the projects and the planning which is necessary.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that Council approve the Capital Budget as submitted and amended, and that staff be authorized to proceed towards implementation of these projects scheduled for 1976 and to proceed with preliminary design and preparatory work short of implementation for those projects scheduled for 1977.

Motion passed.

QUESTIONS

Question Alderman Lawrence - Blasting, Clayton Park and
Bridgeview area

Alderman Lawrence asked if the Building Inspector could make a visit early tomorrow morning to the blasting sites in the Clayton Park and Bridgeview area. Alderman Lawrence advised that he has received complaints about cracked walls saying he would like the matter investigated.

The Director of Development said it is his understanding that all the homes were checked before the blasting commenced and said they are being re-checked as the blasting operation proceeds. Mr. Grant said the Public Service Commission is administering the program on behalf of the City saying they will be contacted early in the morning.

Question Deputy Mayor Connolly Re: U.S.A. Bi-centennial

The Deputy Mayor said he is making a request rather than asking a question and noted the U.S.A. is celebrating its Bi-centennial. Deputy Mayor Connolly suggested the U.S.A. has been one of the most generous Nations of all civilization saying the City of Halifax experienced their generosity in 1917 particularly from the City of Boston and the State of Massachusetts.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that His Worship the Mayor be requested to extend to the City of Boston and the State of Massachusetts very warm wishes to the residents on behalf of Halifax City Council on the occasion of their Bi-centennial.

Motion passed.

Question Alderman Downey Re: Signal Lights - Intersection of
Gottingen & Cogswell Streets

Alderman Downey referred to the improvements which are taking place at the above location and asked if traffic lights could be installed while the work is taking place.

The Director of Engineering & Works advised that lights are planned for this location saying he would submit a report at the next Committee of the Whole meeting as to when the installation is to take place.

Council
January 15, 1976

Question Alderman Shannon Re: Distribution of Downtown Sports
Complex Study Reports

Alderman Shannon asked if members of Council could be supplied with copies of the General Urban Systems Study Report on the Downtown Site for the Sports Complex and any other reports which have been done with respect to other sites.

Alderman Moore advised that a meeting of the Sports Complex Committee is scheduled for next Monday morning saying he would bring the matter to the attention of the meeting at that time.

NOTICE OF MOTION

Notice of Motion - Deputy Mayor Connolly Re: Resolution
Respecting Municipal Taxes on Residential Property to be
Deductible for Income Tax Purposes

Deputy Mayor Connolly gave Notice that at the next regular meeting of City Council to be held on January 29, 1976, he proposes to introduce a Motion respecting Legislation to allow Municipal Taxes on Residential Property to be deductible for Income Tax purposes.

ADDED ITEMS

Request to Pay City's Contribution to HALICON

A staff report dated January 14, 1976, was submitted relating to the above noted matter.

MOVED by Alderman Walker, seconded by Alderman Meagher that City Council authorize payment of the amount of \$25,000 representing the City's contribution to Halicon's disbursements as per the agreement with the Province of Nova Scotia.

Motion passed.

Rockingham Y.M.C.A. (Alderman Lawrence)

Alderman Lawrence advised that he has been approached by the residents to ask the Tax Concessions and Grants Committee to include in its budget an amount of \$5,000 to maintain the level of service that is now being enjoyed by the residents at the Rockingham Y.M.C.A.

Council
January 15, 1976

Alderman Lawrence said the residents are working very hard trying to raise an amount of \$15,000 which is required before the end of January saying he would like to see Council approve a Motion that the amount of \$5,000 be included, if needed, in order that services at the Y.M.C.A. may continue.

It was suggested that the words "favourable consideration" and "an amount of up to \$5,000" should be included in such a request.

It was MOVED by Alderman Lawrence, seconded by Alderman Moore that the Tax Concessions and Grants Committee be requested to give favourable consideration to include an amount of up to \$5,000 in its subsequent report, in support of citizens' efforts to maintain operations in the premises known as the Rockingham Y.M.C.A. to June 30th.

A short discussion ensued, and the Motion was put and passed.

Termination of Employment (Alderman Downey)

Alderman Downey referred to an information report under date of December 30, 1975 dealing with the above noted matter and said he is of the understanding that the report is not completely accurate in that there have been more lay-offs than the report indicates.

The Director of Engineering & Works presented figures representing the complement of employees of the Department at various times of the year and also expanded on the submitted report.

A short discussion and questioning of the Director ensued and the Deputy Mayor suggested that Alderman Downey has some specific questions he wishes to deal with and felt he should meet with the Director of Works on the subject.

His Worship suggested this was the proper course of action and requested that Mr. Calda speak with Alderman Downey on the matter.

Notice of Meeting - Infilling of Punch Bowl

Alderman Walker, at this time, drew Council's attention to a public meeting at St. Michael's Church Auditorium to be held on January 28th concerning the infilling of the Punch Bowl.

9:50 P. M. - Meeting adjourned.

HEADLINES

Presentation - Long Service Scroll - R. H. Stoddard	9
Presentation - Mrs. Iona Crawley	10
Minutes	10
Approval of Order of Business, Additiona & Deletions	10
DEFERRED ITEMS:	
Petition - Sewers - Coronet Avenue	11
Amendment to Peninsula and Mainland Zoning By-laws of the City of Halifax relating to Bachelor Apartment Units ..	11
Closure of William Hunt Avenue to Vehicular Traffic at the Location where the Southwestern Street Line of Edward Arab Avenue intersects William Hunt Avenue	11
City Manager's Authority Relating to Boards & Commissions .	12
Appointment of Fire Chief	12
MOTIONS OF RECONSIDERATION:	
Motion - Alderman Shannon: Reconsideration of Motion of City Council dated December 22, 1975, Respecting the Halifax Metro Centre	12
PETITIONS & DELEGATIONS:	
Petition Re: Request for the Rezoning of Butler's Yard Property from R-3 Zone to R-2 Zone	12
REPORT - FINANCE & EXECUTIVE COMMITTEE:	
Transfer of Funds - Covington Way Cul-de-sac	13
Forum Site - Metro Mail Processing Facility	13
Forum Site - Demolition of Buildings	14
Tender 75-195 - Testing & Inspection Services	14
Installation of Trunk Sewer Mains Kearney Lake Road from Broadholme Lane to the Bicentennial Highway	14
Public Service Commission Expropriation of Lands 184A & 184B Hammonds Plains - Halifax County	15
Local Improvement Tax Rates	15
DEFERRED ITEMS:	
Appointment of Fire Chief	15
MOTIONS OF RECONSIDERATION:	
Motion - Alderman Shannon Re: Reconsideration of Motion of City Council dated December 22, 1975, Respecting the Halifax Metro Centre	17
REPORT - CITY PLANNING COMMITTEE:	
Rezoning - Block V, Clovis Avenue, Lands of Canadian Tire Corporation from R-2 Zone to C-1 Zone - DATE FOR HEARING.	18
Application for Resubdivision and Consolidation - 25 Dentith Road and 18 Spencer Avenue and Rezoning - Lot B - from R-4 Zone to R-2 Zone - DATE FOR HEARING	18

Council
January 15, 1976

Neighbourhood Improvement Program Area - Issuance of Building and Development Permits	19
Appointment - Development Officer	19
Motion - Alderman Stanbury Re: City Dump	19
MISCELLANEOUS BUSINESS:	
Private Roads Within the City of Halifax (Alderman Hanson)	20
Date for Natal Day - 1976	20
Capital Budget 1976 & Neighbourhood Improvement Projects .	21
Capital Budget 1976	21
QUESTIONS:	
Question Alderman Lawrence - Blasting, Clayton Park & Bridgeview Area	22
Question Deputy Mayor Connolly Re: U.S.A. Bi-Centennial .	22
Question Alderman Downey Re: Signal Lights - Intersection of Gottingen & Cogswell Streets	22
Question Alderman Shannon Re: Distribution of Downtown Sports Complex Study Reports	23
NOTICE OF MOTION:	
Notice of Motion - Deputy Mayor Connolly Re: Resolution Respecting Municipal Taxes on Residential Property to be Deductible for Income Tax Purposes	23
ADDED ITEMS:	
Request to Pay City's Contribution of HALICON	23
Rockingham Y.M.C.A. (Alderman Lawrence)	23
Termination of Employment (Alderman Downey)	24
Notice of Meeting - Infilling of Punch Bowl	24

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

CITY COUNCIL
SPECIAL MEETING
MINUTES

Council Chamber
City Hall
Halifax, N. S.
January 21, 1976
8:00 P. M.

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

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

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

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

Alderman Meagher, at this time, said he would like to add an item to tonight's agenda which would be the first item to be dealt with. Alderman Meagher said the item would be a Notice of Motion relating to the Resolution of Council of January 15, 1976 appointing a new Fire Chief.

MOVED by Alderman Meagher, seconded by Alderman Stanbury that, in accordance with Section 51 of Ordinance No. 103, City Council give its unanimous consent to the suspension of Sections 44 & 48 of Ordinance No. 103 and that an item entitled "Notice of Motion Re: Rescission of Resolution of City Council dated January 15, 1976 respecting the Appointment of a Fire Chief", be added to the agenda as Item #1, pursuant to Section 9(4) of Ordinance No. 103.

His Worship advised that earlier today in the Council Chamber and in a private meeting with the Fire Department and the Press, he explained a scenario that a Notice of Motion to rescind a Motion of Council must be given at a regular meeting of Council and taken up at the next meeting. His Worship said the Notice of Motion would have to be given at Council next Thursday and the Motion on February 12, 1976.

Special Council
January 21, 1976

His Worship advised that it was later ascertained that since tonight's meeting is a Special meeting of City Council, it is possible, with unanimous consent, for the Notice of Motion to be given. His Worship said it is his understanding that this procedure has not been used for some 20-25 years and said if unanimous consent is given, the Notice of Motion would be given tonight and the Motion dealt with at the January 29th., meeting.

The Motion was then put and passed.

Notice of Motion Re: Rescission of Resolution of City Council dated January 15, 1976 respecting the Appointment of a Fire Chief

Alderman Meagher gave notice that at the next regular meeting of City Council to be held on January 29, 1976, he proposes to introduce a Motion rescinding the Resolution of City Council of January 15, 1976 respecting the Appointment of a Fire Chief.

His Worship then advised that tonight's meeting was called especially to consider the following:

Public Hearing - Amendments to the Zoning By-law:

- (a) Part III, Section 1 - Peninsula Zoning By-law
- (b) Section 14, Mainland Zoning By-law;

Public Hearing Re: Amendments to the Zoning By-law:

- (a) Part VIII, Section 5 - Peninsula Zoning By-law
- (b) Part IX, Section 4 - Peninsula Zoning By-law; and

Public Hearing Re: - Closure of a Portion of Dunbrack Street between Main Avenue and Adelaide Avenue.

Council then considered the first item as follows:

Public Hearing Re: Amendments to the Zoning By-law:

- (a) Part III, Section 1 - Peninsula Zoning By-law
 - (b) Section 14, Mainland Zoning By-law
-

A public hearing was held on the above date relating to the subject matter.

Mr. Boyd Algee, of the Development Department, addressed Council and advised that staff propose to replace the present zoning maps with new ones saying the present maps are out of date and do not show many of the Streets in the City.

Mr. Algee displayed a sample of the new maps which are proposed saying there are twenty maps which cover the entire City which will be placed in the Zoning By-law along with Building Line Plans and View Plane maps to be passed out.

Mr. Algee said that staff also propose to clear up some zoning problems at the same time. He said that one location is the Allen Property on Gottingen Street and the other being the area of Clayton Park. Mr. Algee outlined the proposed zoning changes by way of maps.

Alderman Shannon referred to the zoning between R-2 and R-3 saying there appears to be no zone in this area which affects land values. Alderman Shannon suggested that the lack of a zone between the R-2 and R-3 discourages infill and Town housing saying this seems to be a problem.

Mr. Algee said that staff have thought about the differences between the R-2 and R-3 Zones saying that at one time it was proposed to consider additional units in the R-2 Zone. Mr. Algee said consideration was also given to having one or two zones between the R-2 and R-3 Zones. Mr. Algee said the suggestion has possibilities but said it is something that would have to be given consideration. Mr. Algee expressed the feeling that many of these items would be taken care of in the Master Plan and the Zoning By-laws which will result from the Plan.

Alderman Lawrence referred to the R-4 area proposed for the Clayton Park area as outlined in the displayed maps and questioned why this area is to be R-4 rather than a lesser zone, and Mr. Algee advised that the Clayton Park Master Plan proposes the area in question to be R-4.

Alderman Lawrence in referring to the traffic problems already existing in the area, felt there was some danger in zoning the area to R-4.

His Worship suggested that instead of holding the item up at this time, Council consider the rezoning of the lands in question to R-4 and a review of the R-4 section could follow. His Worship noted that the residents' Association considered the R-4 to be much better than the present "G" Zoning.

Alderman Shannon questioned what status the Clayton Park Master Plan has.

The City Solicitor said the Plan is between the City and the Company and said he did not know that it had all that much status. The City Solicitor said that in 1969, the City was dealing with the Town Planning Act rather than the present Planning Act saying that under the present Act, there is provision for the adoption of a development Plan. He said that a developer could produce a plan and once it was approved by the City, it may then become a City development Plan and have some legal status to it. The City Solicitor said he could not really remember those provisions being contained in the former Town Planning Act and could not be certain the Master Plan would have the same status between the City and the developer.

Mr. Murphy said it may be that it would have some status between any property owner who has purchased property in the Clayton Park development on the basis of a plan that was submitted to them as to future development of Clayton Park.

Further discussion ensued and His Worship called for those persons wishing to speak in favour of the proposal and there being none, His Worship called for those wishing to speak against.

As no persons expressed a desire to speak against, His Worship declared the matter to be before Council.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that the item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

Public Hearing Re: Amendments to the Zoning By-law:
(a) Part VIII, Section 5 - Peninsula Zoning By-law
(b) Part IX, Section 4 - Peninsula Zoning By-law

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

Mr. B. Algee, of the Development Department, addressed Council and outlined the proposed changes to the By-law.

Mr. Algee advised that staff are proposing to include a rear yard requirement in the R-2 Zone, clarifying the C-2 Zone and C-3 Zone in that if a lesser use were proposed in the C-2 and C-3 Zones such as say, an R-2 use, the R-2 requirements would have to be complied with. Mr. Algee said it was also intended to clarify the P & I Zone as it relates to the R-3 Zone Requirements.

Deputy Mayor Connolly, in referring to the P & I Zone, questioned whether it would not be possible for any use taking place within the Zone, to come before Council. The Deputy Mayor said it now appears that in the P & I Zone, one can build an R-3 use but said such a use may not be desirable in many locations. Deputy Mayor Connolly referred to the situation existing with Universities which are permitted to build under the R-2 Zone, and said he has questioned why University lands should not be zone P & I and that they be required to appear before Council to explain what is proposed.

Alderman Shannon referred to P & I lands such as the Commons and Victoria Park etc., and suggested the Zone should be split into two parts saying that it could be that all the Park lands could be developed as Institutional under the present zoning.

Deputy Mayor Connolly suggested that Council has not taken action in this regard in anticipation of the Master Plan which will result in new zones and guidelines.

His Worship suggested there is merit in having P & I applications coming before Council but felt there should be some ground rules to be met beforehand.

Deputy Mayor Connolly said he would like to see Institutional uses classified in an Institutional Zone with Council being able to review a particular application to determine whether it is prepared to accept it.

Further discussion and questioning ensued on the matter and the City Solicitor said that staff was considering the problem from a zoning point of view but said that as a result of tonight's discussion, other problems have occurred to him with respect to the City's dealings with Universities which make him question whether the present proposal is the prudent course of action to take. The City Solicitor said staff will give further consideration to the matter between now and the next regular meeting of Council.

His Worship then called for persons wishing to speak in favour of or against the proposals and there being none, His Worship declared the matter to be before Council.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that the item be forwarded to the next regular meeting of City Council without recommendation. Motion passed.

Aldermen Meagher and Stanbury leave the meeting.

Public Hearing Re: Closure of a Portion of Dunbrack Street
between Main Avenue and Adelaide Avenue

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

Mr. Fred Roberts of the Engineering and Works Department, addressed Council and, with the aid of maps, outlined the proposed Street Closure.

A discussion and questioning of staff ensued and Alderman Walker, in referring to a portion of Dunbrack Street between Convoy Avenue and Adelaide Avenue, questioned whether it would be possible to construct a retaining wall in this area for the new Dunbrack Street in order that this stretch of roadway could remain open for traffic.

Mr. Roberts indicated that staff would give consideration to the suggestion.

His Worship suggested that before the next meeting of Council, staff present further information as to what could be done in this area by using a retaining wall.

His Worship then called for persons wishing to speak in favour of or against the proposed Street Closure. As no persons expressed a desire to speak, His Worship declared the matter to be before Council.

MOVED by Deputy Mayor Connolly, seconded by Alderman Hanson that the matter be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

9:50 P. M. - Meeting adjourned.

HEADLINES

Notice of Motion Re: Rescission of Resolution of City Council dated January 15, 1976 respecting the Appointment of a Fire Chief	28
Public Hearing Re: Amendments to the Zoning By-law:	
(a) Part III, Section 1 - Peninsula Zoning By-law	
(b) Section 14, Mainland Zoning By-law	28
Public Hearing Re: Amendments to the Zoning By-law:	
(a) Part VII, Section 5, Peninsula Zoning By-law	
(b) Part IX, Section 4 - Peninsula Zoning By-law	30
Public Hearing Re: Closure of a Portion of Dunbrack Street between Main Avenue & Adelaide Avenue	32

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

PUBLIC MEETING
INFILLING OF PUNCH BOWL
M I N U T E S

St. Michael's Church Hall
Spryfield,
Halifax, N. S.
January 28, 1976
8:00 p.m.

A public meeting re the above subject was held on the above date.

Present: Alderman J. A. Walker, Chairman; Aldermen Sullivan, Downey, Hanson, Lawrence and Moore.

Also Present: Mr. D. Walters, Dept. of the Environment, Mr. K. MacInnis, Attorney General's Office, Mr. J. Jones, Department of the Environment, Province of Nova Scotia; City Clerk, L. Dursi, Environmental Engineer, City of Halifax, and other staff members.

Mr. Tanner, representing the Spryfield Residents' Association, introduced those present and explained the purpose of the meeting. He gave a very brief history of the Punch Bowl and, with the aid of diagrams and maps, traced the problem of the changing contours of Punch Bowl from 1948 to the present day.

The Spryfield Residents' Association submitted a brochure outlining the problem and their concerns, copies of which were distributed to those in attendance.

Mr. Tanner noted that from 1948 to the early 1960's there was very little change in the area surrounding the Punch Bowl and, as the area became built up, it became the hope of the residents to preserve the lake and surrounding area as a recreation area with playground and picnic areas adjacent to the lake. Since the City annexed the area, approximately 1966, the problem of infilling has escalated and has now become unsightly, the water is polluted and is generally a dumping ground for rock and other debris from construction sites in the area.

Some residents suggested that the first problem was created by the laying down of a road around the Punch Bowl and, because of this, the City of Halifax is an abuttor and the residents are looking to Halifax to stop the infilling of the Punch Bowl. It was pointed out that all water courses and

Public Meeting,
January 28, 1976

the lake, streams, etc. are the property of the Crown, and any abuttor has a right to petition the Crown to stop infilling of Crown property.

Mr. Walters explained that when a person sees infilling taking place, it is his or her right to report the matter to the Crown. He stated that complaints had been received concerning two properties and these two persons had received letters telling them to stop infilling. He advised that, to his knowledge, both had complied. He further stated that he was in some doubt as to the legal rights of certain property owners as the problem seems to stem from the boundaries on the individual deeds, in many cases these deeds state the property goes to the water's edge.

Mr. Walters stated that in 1948 an application for a subdivision was made in the area and, at that time, a subdivision plan was submitted to the County of Halifax, showing the proposed road around Punch Bowl but there was never any record of an application to change the course of Punch Bowl or any other waterway in this area. He advised that in 1966 the residents of that time made application to the then Water Resources to infill Punch Bowl completely in order to construct a fountain and pool. He stated that the Water Authority advised that any alteration to be made required an application to the Province and the property owners infilling on the lake at that time were violating the Water Act, and nothing further was done at that time. He stated that later applications from individuals to alter the watercourses around Punch Bowl Lake were received asking to infill up to their property lines and it is possible some verbal authorization may have been given but there was not any written authorization given to anyone.

Mr. Walters displayed some aerial maps showing the size of Punch Bowl on different dates, there appeared to be little change between 1948 and 1966, however, photos taken in 1972 showed the lake to be noticeably smaller. Mr. Walters stated that it was his understanding that by 1972 the water level had risen which presents a problem since it is now difficult to establish just where the original lot lines were located and whether or not some property has been lost by the residents as a result of infilling and subsequent rise in water level. He stated it was the desire of the Province to have any and all infilling cease and to work in conjunction with the residents, the City, and the Province to relate whatever information is available to the original property deeds and to try to establish boundaries acceptable to all concerned.

Public Meeting,
January 28, 1976

Mr. K. MacInnis explained that if a person has land abutting a waterway and some other persons do something to alter the course of that waterway, which has the effect of causing injurious damage to the owner, then there is a mechanism within the Act whereby the Province can cause the offending person to pay damages to the injured.

Some residents raised the question of the pumphouse, owned by the City, which in times of high run-off empties into Punch Bowl lake, causing pollution. Mr. Dursi explained that since annexation the City has spent over \$250,000 trying to upgrade the lift stations in the area and the City has not received any complaints recently about this problem.

Some residents expressed concern over what will take place in the future re other lakes in the area, fearing that presently undeveloped land around other lakes will soon be built up and the same problems will occur there as have occurred at Punch Bowl. The Department of Environment representatives assured that this will not happen as much more accurate surveys are available and these areas will be closely watched when they are being developed.

It was suggested that perhaps the Department of the Environment could establish where the level of the water is now and work from there, however, Mr. MacInnis cautioned against arbitrarily establishing a water level that might impinge upon the rights of an individual.

It was the general concensus of all present that the best course of action would be for a Committee to be set up.

It was agreed that the Spryfield Residents' Association would appoint two members to represent the residents of the area and the two names will be reported to Alderman Walker who will request the Council to appoint two Aldermen to represent the City, and these representatives will contact the Department of the Environment who will assign two members to work together to study the problems. It was decided that the Committee will try to establish original property lines insofar as this is possible and report their findings to the Council and the Residents' Association within three weeks. It was agreed that all the abutters and property owners around the lake be contacted to determine everyone's views as it was pointed out that the Residents' Association does not represent

Public Meeting,
January 28, 1976

all the abutters. It was further pointed out that all the residents are not abutting landowners, some live on the other side of the City's street and are therefore not abutting landowners in the legal sense.

Alderman Walker stated that the names of representatives to compose the membership of the Committee would be transmitted to the Department of the Environment within a week.

Meeting adjourned - 10:00 P.M.

ALDERMAN J. A. WALKER
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK