

Council
March 11, 1976

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on March 3, 1976, as follows:

Housing Task Force

MOVED by Alderman Shannon, seconded by Alderman Sullivan that, as recommended by the City Planning Committee:

1. That staff be requested to delineate the terms of reference for the Office of Housing Co-ordinator as outlined in the submitted report;
2. That the following objective be approved:

"To ensure that safe, decent, and sanitary housing, in suitable living environments, is available to all residents."
3. That the following policies be approved:
 - "(a) It shall be the policy of the City to encourage the provision of housing for people of mixed income in all neighbourhoods in ways which are compatible to these neighbourhoods.
 - (b) It shall be the policy of the City to encourage preservation and improvement of existing housing in neighbourhoods.
 - (c) It shall be the City's policy to seek to influence the policies and programs of senior levels of government in order to further the City's housing policies.
 - (d) It shall be the policy of the City to encourage the development of non-profit housing corporations, continuing cooperatives, and similar types of organizations."

It was agreed that the matter of allocating funds for the position of Housing Co-ordinator should be considered during upcoming budget discussions.

The Motion was put and passed.

Council
March 11, 1976

Halifax-Dartmouth Waterfront Plan & Policies - Halifax Waterfront

The following is the recommendation of the City Planning Committee:

1. Council approve the basic concept of the Halifax Waterfront Plan as submitted by the Intergovernmental Waterfront Committee by approving the following resolutions:
 - (a) The conceptual plan entitled "Halifax-Dartmouth Waterfront Plan" (design, technical, implementation, and economics, and interim) prepared by the Intergovernmental Waterfront Committee, dated February, 1976, be adopted by City Council as a conceptual Plan for the Halifax Waterfront.
 - (b) Salter Street, Hollis Street, Purdy's Limited Property, and the Harbour be the boundaries of the Plan.
 - (c) The Plan be the basis for negotiation of Development Agreements under Section 538A of the City Charter between the City and the organization charged with the implementation of the Halifax Waterfront Plan.
 - (d) Reservations are expressed about the Plan in relation to traffic patterns, sewers, preservation of certain buildings, maintenance costs for open space, pedestrian areas, densities, and minor changes in mixes will have to be resolved and/or clarified during implementation of the Plan.
2. That Council refer the matter of dealing with recommendations for policies and guidelines on the Halifax Waterfront to the Municipal Development Plan Committee for consideration and recommendation to the Committee of the Whole Council in the most timely and expeditious manner possible.

Deputy Mayor Connolly said he would like to make a Motion which slightly amends parts of the recommendation of the City Planning Committee. Deputy Mayor suggested that the development is not going to be built all at once saying that Council may want to make changes in the future.

Council
March 11, 1976

Discussion ensued on the matter and it was
MOVED by Deputy Mayor Connolly, seconded by Alderman Meagher
that:

1. Council approve the basic concept of the Halifax Waterfront Plan as submitted by the Intergovernmental Waterfront Committee by approving the following resolutions:
 - (a) The conceptual plan entitled "Halifax-Dartmouth Waterfront Plan" (design, technical, implementation, and economics, and interim) prepared by the Intergovernmental Waterfront Committee, dated February, 1976, be adopted by City Council as a conceptual plan for the Halifax Waterfront.
 - (b) Salter Street, Hollis Street, Purdy's Limited property, and the Harbour be the boundaries of the Plan.
 - (c) The adoption of the Plan by City Council be conditional upon its detailed approval of traffic patterns, sewerage, treatment and preservation of Heritage buildings, maintenance costs of public open space, environmental quality of pedestrian areas, distribution of built form, density, and land use mix.
 - (d) The Plan be the basis for negotiation of Development Agreements under Section 538A of the City Charter between the City and the organization charged with the implementation of the Halifax Waterfront Plan.
2. That Council refer the matter of dealing with recommendations for policies and guidelines on the Halifax Waterfront to the Municipal Development Plan Committee for consideration and recommendation to the Committee of the Whole Council in the most timely and expeditious manner possible.

Motion passed.

Final Approval of Lots 89A, 90A, 91A, 92, 95-100 Incl.,
135-145 Incl., Brook Street & Botany Terrace,
Fairmount Subdivision

MOVED by Alderman Moore, seconded by Alderman
Lawrence that, as recommended by the City Planning Committee:

Council
March 11, 1976

1. Council grant final approval to Lots 89-A, 90-A, 91-A, 92, 95-100 inclusive, and 135-145 inclusive, Brook Street and Botany Terrace, as shown on Plan No. P200/7272 of Case No. 3274; and
2. Council authorize the Mayor and City Clerk to sign the subdivision agreement for this application.

Motion passed.

Call for Development Proposals - Quinpool Road Lands

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

1. City staff be authorized to negotiate with the Department of Public Works for the Province of Nova Scotia on behalf of the Atlantic Provinces Special Education Authority, the sale of the easterly approximate 5 acres, for the purpose of an institution for the visually handicapped, subject to covenants of irrevocable option to the City to re-acquire the land in the event construction has not commenced to the said institution by March 31, 1978, and the agreement of sale to embody undertakings about the communal use of the land and facilities, and staff advise City Council at its meeting on March 25, 1976, the result of the negotiations;

2. Council authorize staff to carry out additional negotiations and discussions with the principals of Century 21 Real Estate Limited and the consortium of Interfaith Housing Corporation, Stevens & Fiske, and Duffus, Romans, Kundzins & Rounsefell, for the purpose of establishing the most beneficial developer for the City of Halifax, and report back to Council not later than the regular meeting of March 25, 1976, hopefully with a recommendation that an agreement be entered into with either of these two developers for the development of the site; and

3. Any and all further considerations for an interim use of the site be delayed until the previous two recommendations are implemented.

Motion passed.

Council
March 11, 1976

Possible Acquisition & Development - Edmonds Grounds

MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, the City advise the owners of Edmonds Grounds:

1. That it is not in a position to acquire the property in its entirety;
2. That it would consider a proposal for development of the land primarily for residential use, consistent with the Northwest Arm Pathway Policy and involving additional dedication of public open space, including the Mont Blanc Anchor Site of not less than what would be required under the City's Subdivision Regulations; and
3. That staff prepare a preliminary plan delineating, with alternatives, the open space areas of greatest interest of the City.

Alderman Meagher requested that if development is to take place, Council be involved in it from the beginning.

Alderman Hanson said that if the Public Service Commission lands were not becoming available in the near future, he would have a different view of the matter. Alderman Hanson asked that Council be kept informed of proceedings if any development is to take place saying there should also be wide public knowledge.

Deputy Mayor Connolly noted the land is zoned R-2 saying the general public must be aware of what can be built at this time. The Deputy Mayor said that any different uses must come before City Council.

The Motion was put and passed.

Application for Rezoning from R-2 Residential General to
C-2 Commercial Zone - 6205 Pepperell Street

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

A confidential staff report dated March 11, 1976, was submitted.

Council
March 11, 1976

Mr. C. L. Dodge of the Development Department, addressed Council and, with the aid of maps, outlined the area requested for rezoning.

His Worship questioned whether the essence of the application is the location of a transformer, and Mr. Dodge suggested this formed part of the wishes of the applicant saying that if the rezoning were to be approved by Council, the existing building is proposed to be demolished and the area used for parking. Mr. Dodge also advised there is also a proposed transformer pad to be located on the property.

In reply to a question, Mr. Dodge advised that the plans submitted by the applicant did not show the requirement for either a transformer pad or vault.

Alderman Shannon noted that in the area in question, 100% lot coverage is permitted and felt the City must resolve the question of transformer pads being required so that staff will know where they are to be located in order to prevent similar situations from happening.

Mr. Dodge said that, to the best of staff's knowledge, this is the first time this situation has existed in the City saying that staff can now see how it can happen in many other cases.

Alderman Moore in referring to a possible modification of the By-law, questioned how large an area the transformer vault would occupy, and the City Solicitor advised that the Power Corporation indicated the size of the transformer would be 4' x 4' x 4'3".

His Worship questioned whether the City Solicitor could approach the problem by modifying the Zoning By-law rather than by rezoning, and Mr. Murphy indicated that he could.

His Worship said there is a compromise position available which is to consider modifying Part 16 of the By-law to allow the installation of a transformer conditional upon the withdrawal of the rezoning application.

The City Manager said that if this one particular problem can be resolved, it would be her intention to recommend that staff develop a policy on the matter and bring it forward so that staff can ensure that such a situation does not happen again.

Council
March 11, 1976

Further discussion ensued and it was MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that, under the authority of Section 1 of Part XVI of the Zoning By-law, a modification of the Zoning By-law be approved for the specific and only purpose of the installation of a transformer 4' x 4' x 4'3" at Civic No. 6205 Pepperell Street.

Mr. Fitzgerald, representing the applicant, addressed Council and advised that he spoke with the City Solicitor this afternoon and mentioned that if a compromise could be reached on the location of the transformer pad, the application to rezone may be withdrawn, but advised that he had no such instructions at this time.

Mr. Fitzgerald said it was his understanding that the parking proposed for the lot was for the employees of the business owned by the applicant which is to be located in the building, as well as for employees of a law firm proposed for the second floor. He suggested that all commercial establishments on Quinpool Road park at the rear of their buildings and, in referring to the staff report of February 18, 1976, said he could not see how seven or eight cars would cause a traffic jam. Mr. Fitzgerald said he is prepared to discuss with the City any compromise respecting the transformer and suggested that perhaps the item could be deferred until he meets with his client.

Deputy Mayor Connolly said he was not prepared to deal with the Motion in its present form until there is a commitment to withdraw the rezoning application and, with the agreement of the Seconder, withdrew his Motion.

MOVED by Alderman Meagher, seconded by Alderman Shannon that the application to rezone Civic No. 6205 Pepperell Street, lands of J. E. S. Developments Limited from R-2, Residential General to C-2, Commercial General, as shown on Plan No. P200/7282 of Case No. 3278, be refused by City Council. Motion passed.

Modification of Lot Frontage and Lot Area - 5299 South Street

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

MOVED by Deputy Mayor Connolly, seconded by Alderman Stanbury that the modification of lot frontage and lot area of 5299 South Street, be approved for four units.

Following a questioning of staff and debate of the matter, the Motion was put and Lost, three voting for the same and seven voting against.

Moratorium - South Street

The following is the recommendation of the City Planning Committee:

"That a moratorium be placed on the area bounded by the centre line of the west side of Studley Avenue from South Street to Oakland Road to the east side of the centre line of Dalhousie Street from South Street to Oakland Road, south to the centre line of South Street from Dalhousie Street to Studley Avenue, to the north side of the centre line of Oakland Road from Studley Avenue to Dalhousie Street, and that this matter be referred to the next regular meeting of City Council without recommendation."

A Confidential staff report dated March 11, 1976, was submitted.

Deputy Mayor Connolly suggested the lands in question can be used for purposes other than a sports building and said the reason for the proposed moratorium is to give the City the opportunity to look very carefully to see if the land can be used economically for purposes other than a sports building. The Deputy Mayor said it may be construed that it is an attempt to defeat Dalhousie's interest but said this is not what he is talking about saying that he is concerned about the planning of the community and the City and adhering to municipal development plans.

Deputy Mayor Connolly said that if the City Solicitor feels the item would be dealt with on the basis of planning the City and the community and an attempt to plan the area so that there could be economic use of the lands, then he would be prepared to make a Motion establishing a moratorium.

Deputy Mayor Connolly said that if the City Solicitor feels that the case would not or may not be heard on that basis, then perhaps the situation has to be re-examined and perhaps deferred for further legal counsel.

His Worship said the real difficulty is that the highest Court in the land has spoken on the matter and has ordered that a permit be issued.

Discussion ensued on the matter and Deputy Mayor Connolly said he would like to defer the matter to the next meeting of the Committee of the Whole Council in order that he may have discussions with the City Solicitor.

Council
March 11, 1976

Deputy Mayor Connolly said that Council only received the City Solicitor's report this evening saying he has not had an opportunity to meet with Mr. Murphy on the matter. The Deputy Mayor said he appreciated that if Dalhousie approaches the City for the permit, then perhaps it must be issued.

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

Further discussion ensued, and the Motion was put and passed.

MISCELLANEOUS BUSINESS

Recommendations from Retirement Committee Re: Amendments to Superannuation Act

A report dated March 2, 1976, was submitted on the matter.

His Worship advised that the report contains legislative changes which have been reviewed by the Retirement Committee.

Alderman Meagher referred to the matter of possible increased benefits for existing pensioners saying it was his understanding that when this was considered last by Council, staff were to present some figures as to what it would cost to do something for pensioners.

His Worship advised that this would be done.

MOVED by Alderman Meagher, seconded by Deputy Mayor Connolly that, as recommended by the Retirement Committee, an Act to amend Chapter 90 of the Acts of 1966, the Halifax Superannuation Act, be approved by City Council for submission to the current session of the House of Assembly.

Motion passed.

Resolution - The Town of North Sydney

A letter dated March 4, 1976, was submitted from the Town of North Sydney containing a resolution pertaining to adverse comments and publicity regarding The Queen officiating in her official capacity in opening the Olympic Games in Montreal this summer. The letter requested that Council endorse the Resolution.

Council
March 11, 1976

Discussion ensued on the matter and Council agreed that City staff or His Worship draft a Motion on the matter which Council may consider.

Consulting Contracts - Traffic Management Board

A staff report dated March 9, 1976 was submitted.

MOVED by Alderman Moore, seconded by Alderman Sullivan that the Mayor and the City Clerk be authorized to sign the exclusive Transit Lanes and Downtown Transportation Study Contracts. Motion passed.

Legislation

A report dated March 11, 1976 was submitted containing 1976 Legislation.

His Worship suggested the item should be referred to the next regular meeting of the Committee of the Whole Council.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that the matter be referred to the next regular meeting of the Committee of the Whole Council and that a Special meeting of City Council be convened in order to forward the legislation to the House of Assembly.

Motion passed.

Statement of Objectives and Policies - Municipal Development
Plan Committee

A report dated March 11, 1976, was submitted from the Chairman of the Municipal Development Plan Committee.

Deputy Mayor Connolly referred to Policy 10.2 as outlined on Page #18 of the submitted report, and questioned whether Council will have an opportunity to deal with the overall policies again or is the submitted report the final policy which is to be submitted to the Provincial Government.

His Worship advised that the document could be revised but said the Committee would hope that it would not be widely revised again saying that some fine tuning could be incorporated.

Council
March 11, 1976

The City Manager noted that the Planning Act states that the Plan has to be revised at least every five years, and Deputy Mayor Connolly said he is concerned about some difficulties that may be experienced in the short term with respect to the matter of area plans. Deputy Mayor Connolly referred to the matter of school construction, and said he is concerned that ten acres will have to be supplied for say, a twenty class room school in the case of a Junior High School.

His Worship said the Sub-Committee anticipated problems on the matter of area plans saying that the Statement of Objectives and Policies could be revised. His Worship said the document, if adopted this evening, does not have the force of law but does allow staff to go ahead with the land use strategy, planning map, and the Zoning By-law.

With respect to the example used by Deputy Mayor Connolly relating to schools, His Worship said that over time, it may be that the guidelines could be revised saying that the acreage and the number of classrooms are guidelines only.

It was MOVED by Alderman Shannon, seconded by Alderman Lawrence that City Council adopt the statement of objectives and policies as contained in a report from the Chairman of the Municipal Development Plan Committee dated March 11, 1976. Motion passed.

QUESTIONS

Question Alderman Lawrence Re: Fire - 20 Westridge Drive

Alderman Lawrence said he has received many calls with respect to a fire at the above noted location and asked that staff communicate with the Fire Prevention Officer to see if a report could be submitted regarding emergency lighting in buildings of this type. Alderman Lawrence also questioned whether, if necessary, the Fire Prevention Office should communicate with the Fire Marshall's Office for a report.

Alderman Lawrence suggested that if such buildings are not now required to have emergency lighting, the By-law should be amended to provide for such lighting in buildings containing a certain number of units.

Council
March 11, 1976

Alderman Walker suggested that such a report should also deal with the matter of supermarkets.

His Worship advised that a report will be submitted.

Question Alderman Hanson Re: Sign near South Shore Tourist Bureau

Alderman Hanson referred to the above noted sign and asked if City staff could be directed to remove the sign and bill the South Shore Promotion Group. Alderman Hanson said the residents of the area have been most patient saying there has been a great deal of correspondence between City staff and the group regarding the sign with no action having been taken to date.

Question Alderman Sullivan Re: Light Standards, Devonshire Ave.

Alderman Sullivan said he previously asked a question about two missing light standards on Devonshire Avenue and was told, at that time, they would be replaced when improvements to the Rotary were completed. Alderman Sullivan noted that the standards are still not in place and questioned when the work will be carried out. Alderman Sullivan also pointed out that one of the standards existing in the area does not have a bulb.

Question Alderman Sullivan Re: Ordinance No. 113

Alderman Sullivan asked if he could be supplied with a report on the number of charges laid for violations under Ordinance No. 113. Alderman Sullivan said it appears there are some problems with the enforcement of the Ordinance and said he would appreciate receiving copies of any reports which have been submitted relating to the Ordinance.

Question His Worship the Mayor Re: Re-installation of Flag Pole

His Worship requested that staff submit an information report with respect to the re-installation date of the flag pole in the Grand Parade.

Question Alderman Sullivan Re: Receipt of Staff Reports

Alderman Sullivan noted that a number of staff reports were circulated to the Aldermen just prior to the meeting and asked if these could be received in advance.

Council
March 11, 1976

Question Deputy Mayor Connolly Re: Dwelling at the corner of
Bishop and Hollis Streets

Deputy Mayor Connolly asked if staff could investigate the house located at Bishop and Hollis Streets which is presently boarded up. The Deputy Mayor said he has received a letter from an individual suggesting the building should be repaired or boarded up.

His Worship advised that a report will be submitted on the matter.

NOTICE OF MOTION

Notice of Motion - Alderman Stanbury Re: Increase in Electric
Power Bills

Alderman Stanbury gave notice that at the next regular meeting of City Council to be held on Thursday, March 25, 1976, she intends to make the following motion:

1. "That this Council go on record as strongly protesting the exorbitant increase in the electric power bills to Halifax consumers as charged by the Nova Scotia Power Corporation;
2. That this Council request the Corporation to do all in its power to lessen the burden to those affected by such bills by finding ways and means to reduce the fuel adjustment charges effective immediately."

ADDED ITEMS

Petition Re: Request for Rezoning - 247 Herring Cove Road

A petition dated December 17, 1975, was submitted objecting to the proposed rezoning of 247 Herring Cove Road.

MOVED by Alderman Lawrence, seconded by Alderman Hanson that the matter be referred to staff for a report and the item be placed on the agenda of the next regular meeting of the Committee of the Whole Council. Motion passed.

I.A.F.F. Local 268, Article 5, Hours of Work

A staff report dated March 11, 1976, was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Walker that the Mayor and City Clerk be authorized to sign a Memorandum of Agreement in a form prescribed by the City Solicitor, authorizing the continuance of the present shift schedule during the life of the present Collective Agreement between the City of Halifax and the International Association of Firefighters, Local 268.

Motion passed.

11:00 P. M. - Meeting adjourned.

HEADLINES

Expression of Sympathy - Alderman J. Albert Walker	102
Expression of Sympathy - S/Sgt. E. Moignard	102
Minutes	102
Approval of Order of Business, Additions & Deletions ...	102

DEFERRED ITEMS:

Zoning - Halifax Golf & Country Club (Ashburn - Dutch Village Road	103
--	-----

REPORT - FINANCE & EXECUTIVE COMMITTEE:

Tender Award - Upgrading of Streets - Contract #76-34 ...	104
Proposed Bond Issue & Approval of Bond Issuing Resolution.	104

REPORT - COMMITTEE ON WORKS:

Underground Wiring - Downtown Business District	105
Petition Local Improvement Charges - Laurel Lane	105
Petition Local Improvement Charges - Gottingen Street ..	105
Petition Local Improvement Charges - Bilby Street	106
Petition Local Improvement Charges - Bayview Road	106
Cancellation of Three Capital Works Sidewalk Projects & Their Project Replacement	107
Acceptance of Private Storm Drainage	107
Purchase of Property - Civic No. 3275 Kempt Road - Irving Oil Limited	108

SAFETY COMMITTEE:

Special Duty Pay Rates - Non-City Employment - Fire Department Personnel	109
--	-----

REPORT - CITY PLANNING COMMITTEE:

Housing Task Force	110
Halifax-Dartmouth Waterfront Plan & Policies - Halifax Waterfront	111
Final Approval of Lots 89A, 90A, 91A, 92, 95-100 Incl., 135-145 Incl., Brook Street and Botany Terrace, Fairmount Subdivision	112
Call for Development Proposals - Quinpool Road Lands ..	113
Possible Acquisition & Development - Edmonds Grounds ...	114
Application for Rezoning from R-2 Residential General to C-2 Commercial Zone - 6205 Pepperell Street	114
Modification of Lot Frontage and Lot Area - 5299 South Street	116
Moratorium - South Street	117

MISCELLANEOUS BUSINESS:

Recommendations from Retirement Committee Re: Amendments to Superannuation Act	118
Resolution - The Town of North Sydney	118
Consulting Contracts - Traffic Management Board	119
Legislation	119
Statement of Objectives and Policies - Municipal Development Plan Committee	119

QUESTIONS:

Question Alderman Lawrence Re: Fire - 20 Westridge Dr. .	120
Question Alderman Hanson Re: Sign near South Shore Tourist Bureau	121
Question Alderman Sullivan Re: Light Standards, Devonshire Avenue	121
Question Alderman Sullivan Re: Ordinance No. 113	121
Question His Worship the Mayor Re: Re-installation of Flag Pole	121
Question Alderman Sullivan Re: Receipt of Staff Reports.	121
Question Deputy Mayor Connolly Re: Dwelling at the Corner of Bishop and Hollis Streets	122

NOTICE OF MOTION:

Notive of Motion - Alderman Stanbury Re: Increase in Electric Power Bills	122
--	-----

ADDED ITEMS:

Petition Re: Request for Rezoning - 247 Herring Cove Rd.	122
I.A.F.F. Local 268, Article 5, Hours of Work	123

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

CITY COUNCIL
SPECIAL MEETING
MINUTES

Council Chamber
City Hall
Halifax, N. S.
March 17, 1976
5:05 P. M.

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

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

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

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

The meeting was called especially to give consideration to a Borrowing Resolution.

Borrowing Resolution - \$5,000,000 - City of Halifax Bonds

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan that City Council authorize the borrowing of \$5,000,000.00 and that the Mayor and City Clerk be authorized to sign the Formal Resolution.

Motion passed.

5:10 P. M. - Meeting adjourned.

HEADLINES

Borrowing Resolution - \$5,000,000 - City of
Halifax Bonds 125

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK

CITY COUNCIL
SPECIAL MEETING
MINUTES

Council Chamber
City Hall
Halifax, N. S.
March 25, 1976
7:20 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; Aldermen Hanson, Lawrence, Walker, Shannon, Sullivan, Stanbury, Downey, and Moore.

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

The meeting was called as a public hearing with respect to the following items:

1. To confirm the western, eastern, and southern official Street Lines of Pinewood Terrace from Kearney Lake Road to its dead end.
2. Rezoning of Lands of S. Cunard & Co. Ltd., northwest corner of Windsor and Young Streets, from C-1 Local Business to C-2 General Business Zone.

Public Hearing Re: To Confirm the western, eastern and southern Official Street Lines of Pinewood Terrace from Kearney Lake Road to its Dead End

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

Mr. C. L. Dodge of the Development Department, with the aid of maps, outlined the Street Line proposal. Mr. Dodge advised that staff have met with the residents of the six homes involved at which time they were informed as to what staff felt the betterment charges would be. Mr. Dodge said it was the feeling of the residents that they would like a decision in the matter postponed until the May 13th meeting of Council which would allow further discussions to take place with staff. Mr. Dodge said that staff would submit a further report to Council on the matter.

Following a short questioning of Mr. Dodge, His Worship called for those persons wishing to speak in favour of the proposal. There being none, His Worship called for those wishing to speak against to which there was no response. His Worwhip then declared the matter to be before Council.

MOVED by Alderman Lawrence, seconded by Alderman Hanson that the matter be referred to the May 13, 1976 meeting of Council without recommendation.

Motion passed.

Public Hearing Re: Rezoning of Lands of S. Cunard & Co. Ltd.,
northwest Corner of Windsor and Young Streets from
C-1 Local Business to C-2 General Business Zone

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

Mr. Boyd Algee of the Development Department, with the aid of a map, outlined the rezoning proposal. Mr. Algee advised that the proposed rezoning is to permit a used car sales lot at the location in question saying that the applicant is presently operating from a location on Windsor and Young Streets, but said that due to development of the Forum Lands, it is necessary that they relocate.

Mr. Algee advised that it is proposed that a Street will run from Bayers Road to the intersection of Windsor and Young Streets which is expected to take place about 1980.

Mr. Algee said that staff have indicated that three conditions would be placed on the rezoning which are as follows:

1. The land to be used solely for the purpose of facilitating a used car sales lot.
2. If the land were to be used for any other purpose other than a used car sales lot, the land would be rezoned back to C-1.
3. The zoning would apply only for the duration of the lease between S. Cunard and Co. Limited and Citadel Motors Limited which is approximately until 1980.

For the information of Council, Mr. Algee outlined what could be built on the land under its existing zoning.

Special Council
Public Hearings
March 25, 1976

Following a questioning of staff, His Worship called for those persons wishing to speak in favour of the proposed rezoning.

Mr. Eric Teasdale, owner of Citadel Motors Ltd., addressed Council in support of the rezoning application saying that the Company has been working on the property for about two years and has spent a great deal of money. Mr. Teasdale said he could see no alternative other than the property in question saying it is a very vital issue to the Company.

Mr. Teasdale referred to the present condition of the lot and felt that the intended use would not run it down. Mr. Teasdale requested that favourable consideration be given to the matter.

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

Mr. Ron Chambers of 6297 Young Street said there is presently a heavy flow of traffic on Young Street. Mr. Chambers spoke against the rezoning due to the resulting increase in traffic and the illumination of the car lot which is located near his property.

Mrs. Wood of 6305 Young Street addressed Council opposed to the proposed rezoning because of the increase in traffic which will result. Mrs. Wood said that trucks presently use Young Street which is contrary to the Truck Route Ordinance and also said the Street is narrow and experiences a number of accidents. Mrs. Wood said she was opposed to any further development on Young Street.

Mrs. Joanne McGrath of 6349 Young Street addressed Council opposed to the rezoning and suggested that the property in question should be used as a playground due to the loss of the one which existed at the Forum. Mrs. McGrath also asked questions relating to the proposed roadway from Bayers Road to the intersection of Windsor and Young Streets.

8:00 P. M. - Alderman Meagher arrives.

Mrs. Carol Joyce of 6289 Young Street addressed Council opposed to the rezoning and put forth a number of questions which were responded to by staff.

8:05 P. M. - City Solicitor arrives.

Mrs. Joyce said she was not in favour of a car lot as the street is presently overly congested suggesting it is one of the busiest streets in Halifax.

His Worship questioned whether the City can rezone for a specific purpose and for a specific period of time, and the City Solicitor said this is what the City is attempting to do in this case. Mr. Murphy advised there would be an agreement entered into with the City to the effect that if the land is rezoned to a C-2 use, it would only be used for a used car lot and upon it ceasing to be used as such, the other party would not object to it reverting back to C-1.

Mr. G. Hicks of 5335 Young Street addressed Council and in referring to traffic exiting from the lot, suggested that if left turning traffic were permitted, it would cause problems on both lanes of Young and Windsor Streets. Mr. Hicks suggested that only right turning traffic be permitted to enter and exit from the lot, if possible.

Further discussion ensued and His Worship declared the matter to be before Council.

MOVED by Alderman Walker, seconded by Alderman Stanbury that the matter be forwarded to the April 15, 1976 meeting of Council without recommendation. Motion passed.

8:45 P. M. - Meeting adjourned.

HEADLINES

Public Hearing Re: To Confirm the western, eastern, and southern Official Street Lines of Pinewood Terrace from Kearney Lake Road to its Dead End	126
Public Hearing Re: Rezoning of Lands of S. Cunard & Ct. Ltd., northwest Corner of Windsor and Young Streets from C-1 Local Business to C-2 General Business Zone ..	127

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
March 25, 1976
8:45 P. M.

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

Present: His Worship the Mayor, Chairman; Deputy Mayor Connolly, and Aldermen Shannon, Downey, Meagher, Stanbury, 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 March 11 and 17, 1976, were approved on Motion of Alderman Moore seconded by Alderman Lawrence.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20(a) - Abattoir Lands
- 20(b) - Resolution - Daylight Saving Time
- 20(c) - Results of U.S. Dollar Bond Issue - Proposal Call
- 20(d) - Consideration of Ruling re: Demonstrations -
City Hall Building and Grand Parade

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

- 20(e) - Traffic Signs at Windsor Street & Connaught Avenue

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

- 20(f) - Insurance Claims

The Order of Business, as amended, was then approved.

Council
March 25, 1976

Visit by Her Majesty

His Worship expressed the pleasure of the citizens of Halifax and City Council in learning of the consent of Her Majesty to visit Halifax on Tuesday, July 13, 1976. His Worship said the City Manager will shortly be appointing co-ordinators from City staff to make appropriate arrangements for the visit and said members of Council will be kept advised of the arrangements for the visit.

DEFERRED ITEMS

Call for Development Proposals - Quinpool Road Lands

The above noted item was referred to today's meeting from the March 11, 1976 meeting of City Council.

A staff report dated March 22, 1976, was submitted on the matter as well as a supplementary report under date of March 25, 1976.

His Worship said the supplementary report was distributed to members of Council this evening and results from a meeting which he convened at noon on this date.

Deputy Mayor Connolly, in referring to the figures presented in the supplementary report, said he recognized there is a possibility of receiving a municipal incentive grant but questioned whether there is any guarantee of obtaining it. The Deputy Mayor also referred to the write down period of interest from March 25th and to the cost of servicing Monestary Lane, and said it was his understanding that developers were always responsible for the cost of building roadways. Deputy Mayor Connolly also suggested that the land cost of any other development would be provided by the developer who would also have to build the roadways.

His Worship said the write-down of interest is a loss of interest from this midnight forward but said interest would be retrieved up to the date of this meeting. His Worship said the density of the development fits into the municipal incentive grant program saying that if it were not received, the matter would have to come back as the proposal would not work. His Worship said, however, that there is every indication that the development fits within the program.

Council
March 25, 1976

Deputy Mayor Connolly said his question is whether Council is prepared to rebate the incentive grant to any developer saying he did not want to set a precedent, and His Worship suggested that if the City could receive the grant, it could be directed towards the project.

The City Manager, in referring to the matter of whether such a move would be a policy decision for all time, said this may or may not be the case as the property is one which is owned by the City and can be developed by way of a development permit.

Deputy Mayor Connolly said he had no problems working with the Consortium but said Council must be aware there is a great deal of interest on the write-down over the nine month period and there are costs which the City in the past has not been assuming. Deputy Mayor Connolly said he would like to see staff pursue negotiations but he would not like this group dealt with any differently than any other developer in the City. Deputy Mayor Connolly said there are costs which must be negotiated with the Consortium.

His Worship said that what staff is asking is that they be authorized to continue negotiations on the matter and to return to Council.

Deputy Mayor Connolly said he would like to see continued negotiations with respect to the figures presented on Page #3 of the supplementary report saying that if those items can be negotiated, he would have no difficulty with the matter.

MOVED by Alderman Shannon, seconded by Alderman Lawrence that negotiations continue with the Consortium towards a development agreement in the manner outlined in the supplementary staff report of March 25, 1976, and to report back to Council.

Deputy Mayor Connolly questioned whether the negotiations referred to in the Motion include the points which he raised, and His Worship advised that they would.

Further discussion and questioning of staff ensued and the Motion was put and passed.

PETITIONS & DELEGATIONS

Petition - Opposing Establishment of a Proposed Pre-School -
1576 Larch Street

A petition, signed by approximately 50 residents of Larch and Oxford Streets, was submitted opposing the establishment of a preschool at 1576 Larch Street.

MOVED by Alderman Shannon, seconded by Alderman Meagher that the matter 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 March 17, 1976, as follows:

Possible Acquisition - Rear Portion of 2549-53 Brunswick
Street, Rosinski - Supplementary Report

MOVED by Alderman Hanson, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, the land shown as Parcel B on the sketch attached to the report of February 23, 1976, being a portion of the property owned by Janusz & Maud Rosinski and known as Civic No. 2549-53 Brunswick Street, be purchased for \$21,000 as settlement in full for all claims subject to the separate agreement mentioned in the staff report of February 23, 1976.

Following a short discussion, the Motion was put and passed with Deputy Mayor Connolly and Aldermen Stanbury and Walker against.

Former Captain William Spry School Property - 4 Arnold Drive

A supplementary staff report dated March 23, 1976 was submitted.

Following a short discussion, it was MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, the City reject the offer to purchase the Former Captain William Spry School property and that consideration be given at a later date with respect to re-offering the property for sale.

Motion passed.

Council
March 25, 1976

Possible Sale of Fire Alarm Building - Summer Street

MOVED by Alderman Hanson, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, City Council accept the offer of the Province of Nova Scotia for the purchase of the Fire Alarm Building on Summer Street for the price of \$95,000 subject to the City's occupancy of the building until December 31, 1976 at a rental of \$1.00 or thereafter as City staff can best negotiate and, that it be the responsibility of the Province to demolish the building.

Motion passed.

Tender 76-10 - Three Dump Trucks

MOVED by Alderman Meagher, seconded by Alderman Walker that, as recommended by the Finance & Executive Committee, authority be granted to purchase three units from Scotia Chevrolet Oldsmobile Ltd., at a cost of \$34,839.00 and that authorization be given to allocate funds sufficient for this purpose from the Vehicle Replacement Reserve Account.

Motion passed.

Tender 76-12 - Two Garbage Packers & Diesel Chassis

The following is the recommendation of the Finance & Executive Committee:

"That authority be granted to purchase two garbage packers and chassis from Haldart International Limited at a cost of \$70,266.00, and that authorization be given to allocate funds sufficient for this purpose from the vehicle replacement reserve account."

Alderman Lawrence spoke to the matter and MOVED, seconded by Alderman Hanson that authority be granted to purchase two garbage packers and chassis from Atlantic Truck at a cost of \$76,545.00 and that authorization be given to allocate funds sufficient for this purpose from the vehicle replacement reserve account.

Deputy Mayor Connolly said he was interested in purchasing one of the Scot trucks in order to evaluate their performance.

Council
March 25, 1976

It was MOVED in Amendment by Deputy Mayor Connolly, seconded by Alderman Moore that the City purchase one Scot truck and one International Truck at one-half the bid prices as shown in the staff report of March 12, 1976.

Following a short discussion, the Amendment to the Motion was put and lost.

The Main Motion was then put and lost.

MOVED by Alderman Meagher, seconded by Alderman Downey that authority be granted to purchase two garbage packers and chassis from Haldart International Limited at a cost of \$70,266.00, and that authorization be given to allocate funds sufficient for this purpose from the vehicle replacement reserve account.

Motion passed.

Legislation

MOVED by Alderman Meagher, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the following legislation, be approved:

1. Clause (e) of subsection (1) of Section 159 of said Chapter 52, is amended by striking out the words "that the Council may establish" in the third line thereof, and substituting therefor the following ", board, commission or corporation of the City".
2. Subsection (1) of Section 350 of said Chapter 52, as that Section is amended by Section 5 of Chapter 77 of the Acts of 1973, is amended by deleting the words "shown on any official plan" in the fourth line thereof.
3. Subsection (1) of Section 358 of said Chapter 52 is amended by inserting the words "for laying down street lines and" immediately following the word procedure in the second line thereof.
4. Clause (a) of Section 432 of said Chapter 52, is amended by inserting the words "and the forfeiture of such fees where construction has not been commenced," immediately following the word "permits" in the eighth line thereof.

5. Subsection (2) of Section 440 of said Chapter 52 is amended by striking out the words "administrative order" in the first and second lines thereof and substituting therefor the word "ordinance".

6. Clause (b) of Section 471 of said Chapter 52 is amended by adding the following subclauses, following subclause (vi):

(vii) the regulation known as the National Fire Code of Canada or the National Fire Code of Canada with the exception of any specified provisions thereof or any specified provisions of the National Fire Code of Canada;

(viii) any amendment to the National Fire Code of Canada with or without modification, either in place of or in addition to any regulations made under this or any other Section of this Act, and may add such other provisions or regulations as the Council may from time to time deem necessary for the prevention of the occurrence of spreading of fires.

7. (1) Subsection (2) of Section 596 of said Chapter 52, as enacted by Section 18 of Chapter 91 of the Acts of 1970, is amended by

(a) deleting the words "of subsection (1)" in the second and third lines thereof;

(b) renumbering the subsection as subsection (3).

(2) Notwithstanding the provisions of subsection (1) of this Section, the Council may by ordinance provide the terms and conditions under which the building inspector may issue a license permitting the Licensee to operate or conduct an industry, business, trade or work which is likely to produce noise or noises which disturbs or tends to disturb the peace and tranquility of the City or any part thereof.

8. Clause (a) of subsection (1) of Section 152 of said Chapter 52 is amended by striking out the words "five hundred" in the first and second lines thereof and substituting therefor the words "two thousand".

9. Section 578 of said Chapter 52 is amended by striking out the words "five hundred" in the sixth line thereof and substituting therefor the words "two thousand".

Motion passed.

Tender 74-08 & Recalled Tender 75-146 - One Dump Truck -
Incinerator

The following is the recommendation of the Finance & Executive Committee:

"That legal action be initiated against Citadel Motors Ltd., to recover the difference between \$15,506.39 and the original Citadel Motors tender of \$13,396.00 plus any costs incurred by the City as a result of Citadel Motors failure to fulfill the original contract including rentals of replacement, and that Scotia Chevrolet Oldsmobile Limited be awarded the tender for the supply of a 1976 model truck at a cost of \$15,506.39."

His Worship referred to a letter from Citadel Motors which was received by certain Aldermen with respect to the company supplying a vehicle, and the City Manager advised that the unit in question does not meet the specifications.

Alderman Meagher suggested that members of Council should be supplied with the letter and MOVED, seconded by Alderman Sullivan that the matter be deferred to the next regular meeting of the Committee of the Whole Council.

The City Manager advised that a copy of the letter would be circulated as well as legal comment.

Motion passed.

Police Boys' Club

The above noted matter was referred to today's meeting from the Finance & Executive Committee for the purpose of receiving a staff report.

A staff report dated March 25, 1976 which was labeled confidential, was submitted on the matter.

Council
March 25, 1976

Alderman Sullivan spoke to the matter and MOVED, seconded by Alderman Meagher that City Council grant an amount of \$2,000 to the volunteer group for the purpose of conducting an interim operation in the premises formerly operated by the Police Boys' Club.

The City Manager said she wished to point out that this amount is totally the City's responsibility and would be part of the budget projection.

A questioning of staff and discussion of the matter ensued following which the Motion was put and passed.

Council,
March 25, 1976

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on March 17, 1976, as follows:

Petition - Renewal Sidewalk, Curb & Gutter - Birmingham St.

Information staff reports dated March 23, 1976, and March 24, 1976, were submitted re Local Improvement Projects - 1976 and Supplementary Sidewalk Renewals - 1976 respectively.

Alderman Shannon asked that, in the case of retired persons or widows, would it be possible for local improvement charges to be attached as a lien to the property during their lifetime and the entire cost be paid when the estate is settled, or the house is disposed of.

The City Solicitor advised that under Section 228A of the City Charter an Ordinance has been passed relating to the postponement of the payment of taxes. He felt that it applied to real property tax only but suggested it might be possible to amend the Ordinance so that it could also apply to local improvement tax.

Alderman Shannon requested that the matter be investigated and a staff report be submitted.

Aldermen Sullivan and Hanson expressed concern re the impact of local improvement charges on property owners and suggested that the procedure and policy be changed.

MOVED by Deputy Mayor Connolly, seconded by Alderman Walker, that the renewal of concrete sidewalk, curb and gutter on the east side of Birmingham Street, Queen Street to Spring Garden Road be approved as a local improvement project this year.

Alderman Downey stated that he received a number of petitions against the renewal of the sidewalk, curb and gutter on Birmingham Street and from his observations he felt that the work was not required at this time.

Council,
March 25, 1976

Mr. Sullivan, Engineering & Works Dept., advised that four petitions were received by staff re Birmingham Street and noted that the petitions mentioned by Alderman Downey were not forwarded in accordance with the stated procedure. He stated that the sidewalk itself is approximately 66% defective.

The motion was put and passed, six voting for the same and four against.

Petition - Sidewalk, Curb & Gutter & Trees - Union Street

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Committee on Works, the petitions against the installation of sidewalk, curb and gutter, and trees on Union Street, be upheld.

After some discussion, the motion was put and lost, four voting for the same and six against.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that a resolution be passed under the provisions of Section 391 of the City Charter, that, in the interest of public safety, it is desirable to renew the concrete sidewalk, curb and gutter on the west side of Union Street - Young Street to the end of existing sidewalk as a local improvement project without the right of petition by the abutting property owners and, further, that a resolution be passed under the provisions of Section 391 of the City Charter that, in accordance with present City Policy, trees be installed where necessary in conjunction with the renewal of concrete sidewalk, curb and gutter on the west side of Union Street - Young Street to end of existing sidewalk as a local improvement project without the right of petition by the abutting property owners. Motion passed, six voting for the same and four against.

Petition - Sidewalk, Curb & Gutter Renewal & Planting of Trees
- Market Street

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence, that a resolution be passed under the provisions of Section 391 of the City Charter, that, in the interest of public safety, it is desirable to renew the concrete sidewalk

Council,
March 25, 1976

curb and gutter on the west side of Market Street - Prince Street to George Street as a local improvement project without the right of petition by the abutting property owners and, further, that a resolution be passed under the provisions of Section 391 of the City Charter, that, in accordance with present City Policy, trees be installed in conjunction with the renewal of concrete sidewalk, curb and gutter on the west side of Market Street - Prince Street to George Street as a local improvement project without the right of petition by the abutting property owners.

Alderman Downey advised that he received three petitions opposing the renewal and asked why the City is proposing to renew the west side of Market Street when there is no sidewalk on the east side.

Mr. Sullivan, Engineering and Works Dept., explained that the buildings are on the west side of the street, the parking lot is on the east side.

The motion was put and passed, seven voting for the same and three against.

Petition - Concrete Sidewalk Renewal - Grafton Street

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence, that the proposed renewal of concrete sidewalk and planting of new trees on the east side of Grafton Street, Spring Garden Road to Blowers Street, be deleted as a 1976 Capital Project and that the proposed renewal be resubmitted in the 1977 Capital Budget.

Motion passed.

Petition - Renewal of Concrete Sidewalk, Curb and Gutter - Prince Street

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence, that a resolution be passed under the provisions of Section 391 of the City Charter, that, in the interest of public safety, it is desirable to renew the concrete sidewalk, curb and gutter on the north side of Prince Street, Brunswick Street to Market Street as a local improvement project without the right of petition by the abutting property owners.

Motion passed, seven voting for the same and three against.

Council,
March 25, 1976

Petition - Renewal of Concrete Sidewalk, Curb & Gutter -
May Street

MOVED by Alderman Lawrence, seconded by Deputy Mayor Connolly, that the renewal of sidewalk, curb and gutter on the south side of May Street - Robie Street to Agricola Street be proceeded with as a local improvement project. Motion passed, six voting for the same and three against.

Petition - Sidewalk, Curb & Gutter Renewal and New Trees
- Almon Street

MOVED by Alderman Lawrence, seconded by Deputy Mayor Connolly, that the renewal of sidewalk, curb and gutter and the planting of new trees on the south side of Almon Street, Agricola Street to Isleville Street be proceeded with as a local improvement project. Motion passed, seven voting for the same and three against.

Procedure - Acceptance of Streets

MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly that, as recommended by the Committee on Works, City Council direct staff to prepare a Walkway Acceptance Procedure considering:

- a) Existing procedures for acceptance of walkways under the Subdivision Regulations, and
- b) Specific standards of maintenance to limit recurring maintenance costs.

Motion passed.

Street Acceptance - Stoneybrook Court, Braeside Lane, and
Streets in Sutton Gardens

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that, as recommended by the Committee on Works, the following streets in Clayton Park be accepted as part of the official street system as they fulfill the minimum standards required by the City:

Council,
March 25, 1976

1. Stoneybrook Court
2. Braeside Lane
3. Streets in Sutton Gardens
 - (i) Westridge Drive from Willett Street to Covington Way
 - (ii) Covington Way
 - (iii) Chelsea Lane
 - (iv) Willett Street Extension from Chelsea Lane to Westridge Drive

Motion passed.

Petition - Local Improvement Charges - Laurel Lane

MOVED by Alderman Moore, seconded by Alderman Hanson, that the proposed curb be installed on Laurel Lane as approved in the Capital Budget as a local improvement project with the City replacing the existing sod as necessary. Motion passed, seven voting for the same and two against.

Petition - Local Improvement Charges - Gottingen Street

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that a resolution be passed under the provisions of Section 391 of the City Charter, that, in the interest of public safety, it is desirable to renew the concrete sidewalk for the following:

- Gottingen Street - west side - Hennessey Place to Kane St.,
as a local improvement project
- Gottingen Street - west side - Stanley Street to Columbus
Place as a local improvement project
- Gottingen Street - west side - Columbus Street to Merkel
Place
- Gottingen Street - west side - Cabot Place to Sebastian
Place

and further, whereas the petitions indicated in the staff report dated March 1, 1976, fail to meet the requirements of Section 390(e), these petitions be denied and the proposed projects be proceeded with.

Council,
March 25, 1976

The motion was put and resulted in a tie vote, five voting for the same and five against.

His Worship cast his vote in favour of the motion and declared the same passed.

Petition - Local Improvement Charges - Bilby Street

MOVED by Alderman Sullivan, seconded by Alderman Meagher, that the petitions received against the proposed renewal of concrete sidewalk, curb and gutter on the south side of Bilby Street between Gottingen Street and Isleville Street, be upheld.

His Worship noted that specific legal counsel was given re this item.

The motion was put and lost, four voting for the same and six against.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence, that a resolution be passed under the provisions of section 391 of the City Charter, that, in the interest of public safety, it is desirable to renew the concrete sidewalk and curb and gutter on the south side of Bilby Street between Gottingen Street and Isleville Street as a local improvement project without the right of petition by the abutting property owners. Motion passed, six voting for the same and four against.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on March 17, 1976, as follows:

Petition of Taxi Operators re Use of Exclusive Bus Lanes

MOVED by Alderman Meagher, seconded by Deputy Mayor Connolly that, as recommended by the Safety Committee, the City Clerk be requested to notify the petitioning taxi operators of the decision which has been made by the provincial authorities in this regard. Motion passed.

Council,
March 25, 1976

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on March 17, 1976, as follows:

Application for Rezoning - R-4 Zone to C-1 Zone - 3 Sylvia Ave. - Lands of Philip Rizcallah - DATE FOR HEARING

It was agreed that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone Lot A, Civic No. 3, Sylvia Avenue, lands of Philip Rizcallah, from R-4, Multiple Dwelling Zone, to C-1, Local Business Zone, as shown on Plan No. P200/7193 of Case No. 3246.

The City Clerk advised that the public hearing is scheduled to be held on Wednesday, April 21, 1976, at 8:00 p.m. in the Council Chamber.

Application for Resubdivision of Lots L-2A and L-2B Clayton Park Subdivision to Form Lots L-2A-1 and L-2B-2

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that, as recommended by the City Planning Committee, the application to resubdivide Lot L-2B to form Lot L-2B-2 and Parcel L-2B-1 and consolidate Parcel L-2B-1 with Lot L-2A to form Lot L-2A-1 Clayton Park Subdivision, as shown on Plan No. P200/7273 of Case No. 3264, be approved by City Council. Motion passed.

Application for Rezoning from C-1 to C-2 - 247 Herring Cove Road and Lot No. 9 Catamaran Road from R-1 Zone to C-2 Zone - Lands of Edwards Fine Foods Limited

MOVED by Alderman Walker, seconded by Alderman Hanson that a date be set for a public hearing to consider the application to rezone Civic No. 247 Herring Cove Road from C-1 Local Business Zone to C-2 General Business Zone and Lot 9 Catamaran Road from R-4 Multiple Dwelling Zone to C-2 General Business Zone, lands of Edwards Fine Foods Limited, as shown on Plan No. P200/7277 of Case No. 3252. Motion passed.

Council,
March 25, 1976

The City Clerk advised that the public hearing is scheduled to be held on Wednesday, April 21, 1976, at 8:00 p.m. in the Council Chamber.

Subdivision - 3696 Acadia Street

MOVED by Alderman Sullivan, seconded by Alderman Meagher, that, as recommended by the City Planning Committee, the subdivision of Lot 16 Acadia Street to form Lot 16A and Lot 16B as shown on Plan No. P200/7245 of Case No. 3248 be approved by City Council. Motion passed.

Resolution Re: Location of Proposed Dalhousie University Sports Complex

MOVED by Deputy Mayor Connolly, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the following resolution be approved by City Council:

WHEREAS the City of Halifax, acting in what it believes to be the best interests of the City as a whole, approved R-1, single family zoning, for the residential neighbourhood south of South Street, west of Robie Street, in order to preserve, protect and maintain the residential character of that part of the City, and

WHEREAS the proposed construction of a major University building within that particular residential neighbourhood would clearly be contrary to and inconsistent with the purpose and intent of zoning that area R-1; and

WHEREAS the proposed construction of a major university building within that R-1 zone, Single Family Residential neighbourhood, would clearly be contrary to and inconsistent with numerous specific policies almost dating as far back as the Stephenson Report in 1957 and more recently with statements that have been set out in the Statements of Policy document, Municipal Development Plan, these policies having received approval from the City of Halifax,

BE IT RESOLVED that the Council of the City of Halifax go on record as opposing the location of the proposed Dalhousie University Sports Complex, that the City is opposed to locating

Council,
March 25, 1976

any major University buildings in the residential neighbourhoods south of the centre line of South Street, west of the centre line of Robie Street; that it is the opinion of the City of Halifax that the proposed location is not in the best long-term planning interests of this City; that any issuance of building permits is done so under duress, complying only with the orders of the Court, and shall not be construed as approval by the City of Halifax of the project; and that the City of Halifax serves notice that, in its opinion, the University zone lies between Coburg Road and South Street, from Oxford Street through to the hospital area;

AND THAT His Worship the Mayor make a representation to the Board of Governors of Dalhousie University on behalf of the City of Halifax conveying the foregoing resolution and asking their reconsideration in this matter.

Alderman Walker stated he did not understand the purpose of the motion as he felt that the City has indicated its opposition to the project when bringing the matter to the Supreme Court of Canada.

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

MOTIONS

Motion - Alderman Stanbury Re: Increase in Electric Power Bills

MOVED by Alderman Stanbury, seconded by Alderman Meagher:

1. That this Council go on record as strongly protesting the exorbitant increase in the electric power bills to Halifax consumers as charged by the Nova Scotia Power Corporation;
2. That this Council request the Corporation to do all in its power to lessen the burden to those affected by such bills by finding ways and means to reduce the fuel adjustment charges effective immediately.

Motion passed unanimously.

Council,
March 25, 1976

MISCELLANEOUS BUSINESS

Setting 1976 Tax Rate

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan, that this matter be deferred to a Special Meeting of City Council to be held on Wednesday, March 31, 1976. Motion passed.

Council,
March 25, 1976

QUESTIONS

Question Alderman Lawrence Re: Fire at #20 Westridge Drive

Alderman Lawrence asked when the report from the Fire Chief on the fire at 20 Westridge Drive could be expected. He noted that 120 people were left homeless and stated he has several questions to ask re the matter.

The City Manager suggested that the item be placed on the agenda for the next meeting of the Safety Committee.

Question Alderman Walker Re: Progress Report on the Demolition of Hilden Heights

Alderman Walker asked for a progress report on the demolition of Hilden Heights.

The City Manager stated that it is being attempted to have the buildings taken down in packages and if that cannot be arranged, tenders will be issued for demolition.

Question Alderman Hanson Re: Rotary Traffic

Alderman Hanson asked if a better means of communication could be found for drivers going through the Rotary who proceed through the lane which is for buses only from 4:00 p.m. to 6:00 p.m. He stated that drivers are being ticketed and paying substantial fines and suggested that when driving through the Rotary the driver's attention must be on traffic and therefore the sign is not being observed.

His Worship stated that a report will be submitted by the Traffic Authority.

Alderman Meagher retired from the meeting at 11:30 p.m.

Council,
March 25, 1976

Question Deputy Mayor Connolly Re: Report on Number of
Tickets Issued For Traffic Violations at the
Rotary

Deputy Mayor Connolly asked for a report on the number of tickets issued re traffic violations related to use of the bus lanes and also for vehicles proceeding up Chebucto Road.

His Worship stated that a report will be issued.

Question Alderman Downey Re: Fire Insurance

Alderman Downey referred to a question raised at the previous Council meeting and asked whether the City could be liable for fire damage against a property in the NIP area as insurance companies are cancelling policies in the said area.

Deputy Mayor Connolly suggested that the matter be brought to the Superintendent of Insurance for the Province of Nova Scotia.

The City Manager advised that a report will be submitted by staff as soon as possible.

Question Alderman Shannon Re: Mortgages Being Unavailable
in Some Areas of the City

Alderman Shannon stated that she previously raised the question of mortgages not being made available in some areas of the City and asked if staff could investigate the matter and report.

Question Alderman Shannon Re: Smoke Detectors in Rooming
Houses

Alderman Shannon requested that a report be submitted by the Fire Chief on the desirability or otherwise of having smoke detectors in rooming houses

Council,
March 25, 1976

NOTICE OF MOTION

Notice of Motion - Alderman Lawrence Re: Reconsideration of Motion passed by City Council on March 25, 1976, re Tender 76-12 - Two Garbage Packers & Diesel Chassis

Alderman Lawrence gave notice that at the next regular meeting of City Council, to be held on April 15, 1976, he will put forth a motion of reconsideration re the resolution of City Council this date relating to Tender 76-12 - Two Garbage Packers & Diesel Chassis.

MOVED by Alderman Lawrence, seconded by Alderman Hanson, that proceedings re Tender 76-12 - Two Garbage Packers & Diesel Chassis be postponed pending resolution of the Motion of Reconsideration. Motion was lost, three voting for the same and six against.

Alderman Lawrence then withdrew his Notice of Motion.

Alderman Lawrence retired from the meeting at 11:45 p.m.

ADDED ITEMS

Abattoir Lands

Staff reports dated March 10 and March 16, 1976, were submitted.

Deputy Mayor Connolly stated that he is disturbed by the fact that no other individual in the community could settle a portion of taxes owing the Corporation of the City of Halifax in the manner in which settlement is being recommended with the Province of Nova Scotia.

Alderman Walker retired from the meeting at 11:50 p.m.

MOVED by Alderman Hanson, seconded by Alderman Stanbury, that the grant in lieu of taxes and fire protection rates in the amount of \$17,500.00 be accepted, and permission given to write off the balance due on account of taxes and fire protection rates, plus outstanding interest charges and,