

Council,  
July 15, 1976

Gladys Blennerhassett, City Clerk, who carried impressive responsibilities, some of them, gracefully, not having to be executed.

Superintendent Ronald Bedgood, Halifax Police Department, who, under the direction and authority of the Chief of Police, had the responsibility for organizing all traffic and security arrangements for Her Majesty's visit, insofar as the City was involved within the City limits, involving all members of the Halifax Police Department.

Warrant Officer Whalen, who had particular security duties to perform in and about City Hall, under the direction of Carl Smith.

Bruce Smith, Administrative Assistant trainee, attached to the Mayor's office, whose particular services in connection with the Royal visit His Worship stated he personally had particular reason to appreciate.

Wilfred Nauffts, a long-term employee of the City and caretaker of the City Hall building and who, in fact, made the building look so fine.

D. Quinn, Administrative Assistant in the Engineering and Works Department, who had the direct responsibility, under the Director of Engineering and Works, for physical works in and about City Hall and the Grand Parade. His Worship stated Mr. Quinn had orchestrated the work with great care for detail and certainly without great regard for his own personal convenience, having been observed by His Worship working on weekends, evenings and Sundays. His Worship stated that the result of Mr. Quinn's and his associates' efforts were visible in City Hall and the Grand Parade, which had not looked more attractive in recent times. His Worship noted that very last-minute arrangements were completed as a result of the severe electrical and rain storm which passed over the City within ten hours of Her Majesty's visit.

Council,  
July 15, 1976

MOVED by Alderman Walker, seconded by Alderman Stanbury, that special commendations be authorized for the following civic employees, that the City Manager convey such special commendations on behalf of City Council, and furthermore, that record of the special commendations be made in each of the personal files:

Elizabeth Jamieson  
Michael Bowser  
Gladys Blennerhassett  
Superintendent Ronald Bedgood  
Warrant Officer Whalen  
Bruce Smith  
Wilfred Nauffts  
D. Quinn

Motion passed unanimously.

The City Manager, on behalf of the members of staff, thanked His Worship and members of Council for their recognition of staff and added her congratulations to all members of staff who worked so very hard on the project.

APPOINTMENT - MEMBERS OF TAXICAB COMMITTEE

His Worship stated that, by a resolution of City Council on June 17, 1976, the Mayor was authorized to establish a Committee of Council to review all aspects of the taxi industry. His Worship advised that the Committee will be composed as follows:

Alderman T. Sullivan, Chairman  
Alderman R. Hanson  
Alderman N. Meagher  
Alderman B. Shannon

HALIFAX INCINERATOR

His Worship advised that the Halifax Incinerator resumed operations as of 1:00 p.m. this date and will require until approximately July 19, 1976, to bring it into full operational mode.

Council,  
July 15, 1976

REDEVELOPMENT PROGRAM - HALIFAX INTERNATIONAL AIRPORT

His Worship noted that Phase I of the Redevelopment Program for the Halifax International Airport reached a point this date where the new Arrivals and Departures Lounge is operational, and suggested that Council express its satisfaction to the Ministry of Transport upon the completion of Phase I and the successful bringing in to service of the new facilities which members of Council had the pleasure of visiting very recently.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

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

Expropriation - Dunbrack Street & Pockwock Water System - Clayton Park Drive to Main Avenue

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Council authorize expropriation of the properties listed in the staff report dated June 23, 1976, as shown on the plan attached thereto, offers of compensation to be at the independently appraised values stated. Motion passed.

Possible Acquisition - 2412 Barrington Street

A confidential staff report dated July 7, 1976, was considered.

MOVED by Alderman Walker, seconded by Alderman McCore, that the property at 2412 Barrington Street be purchased at a price of \$15,000.00 as settlement in full for all claims. Funds are available from Account Number 806 449 HAA02, Uniacke Square Redevelopment Project. Motion passed with Aldermen Meagher and Stanbury voting against.

Possible Acquisition - 5218 North Street

MOVED by Alderman Downey, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, the property at 5218 North Street be purchased

Council,  
July 15, 1976

at a price of \$29,000.00 as settlement in full for all claims. Funds are available from Account Number 806 449 HAA02, Uniacke Square Redevelopment Project.

Alderman Walker suggested that more than one appraisal should be obtained when purchasing property.

The motion was put and passed with Aldermen Meagher, Stanbury and Walker voting against.

Possible Acquisition - 2574 Barrington Street - SEAWAY  
TAVERN

A confidential staff report dated July 12, 1976, was submitted.

MOVED by Alderman Walker, seconded by Alderman Moore, that the property of Seaway Tavern (1966) Limited, known as Civic No. 2574 Barrington Street, be purchased for \$160,000 as settlement in full. Funds can be made available from Account No. 806 449 HAA02 (Uniacke Square).

Mr. Churchill, Real Estate Division, responded to questions from members of Council.

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

Neighbourhood Centre (North End Neighbourhood Programs)

MOVED by Alderman Downey, seconded by Alderman Meagher, that Council continue the budget for the Community Resource Centre at \$36,000.00. Motion passed.

Possible Acquisition - 63 Parkhill Road

MOVED by Alderman Walker, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, that the City make an offer of \$38,600 to the owner of Civic No. 63 Parkhill Road as settlement in full. Funds can be made available from Account No. 806 449 HAF09 (Land for Municipal Purposes).

Council,  
July 15, 1976

Alderman Walker requested that a staff report be submitted re a policy pertaining to the obtaining of appraisals.

The motion was put and passed.

Provisions of Funds for Repairs to Sidewalks

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee:

1. necessary repairs be carried out by City Forces;
2. an overexpenditure not exceeding \$13,000 be authorized by virtue of authority of City Council vested by Section 201 of the City Charter re supplementary appropriations;
3. the cost of these repairs be charged to Current Budget Account No. 062-IN202 (Sidewalks, Curbs and Gutters).

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 7, 1976, as follows:

Sidewalk Policy

A supplementary information report dated July 12, 1976, was submitted.

Mr. Sullivan, Engineering and Works Department, responded to questions from members of Council.

MOVED by Alderman Shannon, seconded by Alderman Sullivan that, as recommended by the Committee on Works, the sidewalk policy, as set out in the attachments to the staff report dated June 14, 1976, be adopted by City Council.

Council,  
July 15, 1976

Provincial/City Construction Cost-Sharing Agreement No. 22

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

1. approve Construction Cost-Sharing Agreement No. 22;
2. authorize His Worship the Mayor and the City Clerk to sign the proposed Agreement No. 22 as requested by the Provincial Department of Highways, so the Minister of Highways may finalize the legal documentation.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on July 7, 1976, as follows:

Policy on Roadway & Boulevard Median Closures

MOVED by Alderman Meagher, seconded by Alderman Stanbury that, as recommended by the Safety Committee, Council adopt the following detailed policy with regard to roadway and boulevard median closures:

"In initiating any action regarding street or boulevard median closures, staff must, in every case, obtain the approval of City Council, and the closures shall be only for the purpose of:

- 1) reducing vehicular accidents or vehicular-pedestrian accident conflicts at locations where such closure is deemed appropriate as a corrective measure;
- 2) providing better vehicular flow distribution through improved geometrical patterns in a particular area within the context of over-all traffic patterns;
- 3) eliminating from the roadway network sections of roadway which because of changing travel or land use development patterns or realignment, are no longer considered necessary links within the street system;

Council,  
July 15, 1976

- 4) eliminating from the roadway network sections of roadway to facilitate reuse of land as may be considered to be in the best interests of the City and for which alternative travel facilities are available or are to be provided, or
- 5) limiting access to controlled access highways.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance No. 116, respecting "The Regulation of Vehicles Transporting Passengers for Hire" -  
SECOND READING

MOVED by Alderman Sullivan, that the amendment to Ordinance No. 116, as submitted, be further amended to provide that the fee for each additional passenger remain at twenty-five cents and the fee for each piece of luggage handled by the driver remain at twenty-five cents.

There was no seconder to the above amendment.

MOVED by Alderman Meagher, seconded by Alderman Stanbury, that the amendment to Ordinance No. 116, respecting "The Regulation of Vehicles Transporting Passengers for Hire", as submitted, be now read and passed a Second Time. Motion passed.

Council  
July 15, 1976.

REPORT - CITY PLANNING COMMITTEE

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

Appeals of Development Officer's Decision re: Minor Variance.

MOVED by Alderman Lawrence, seconded by Alderman Shannon that as recommended by the City Planning Committee, when the Development Officer refuses an application for a minor variance and the applicant appeals the decision to City Council, notices be sent to assessed owners within 200 feet of the property, indicating the nature of the minor variance, and the date that the appeal will be heard by City Council.

Motion passed.

Lands of Maritime Estates Limited, 3-538 Bedford Highway,  
DATE OF HEARING.

It was agreed that as recommended by the City Planning Committee that a date be set for a Public Hearing to consider:

1. the rezoning of Parcel ME-1 from C-1 to R-1 and Parcel ME-2 from P to R-1, lands of Maritime Estates Limited as shown on Plan No. P200/7084 of Case No.3151, and
2. the lot consolidation of Parcels ME-1, ME-2 and ME-3 lands of Maritime Estates Limited, into Parcel M, and the re-subdivision of Parcel M into Parcels M-1 and M-2.

The City Clerk advised that the date has been set for August 18, 1976 at 8:00 PM.

Application for Re-zoning - 287 Herring Cove Road -  
DATE FOR HEARING.

It was agreed that as recommended by the City Planning Committee that a date be set for a public hearing to consider the application for the rezoning of 287 Herring Cove Road from R-2, Two-Family Residential to C-2, General Business, as shown on Plan No. P 200/7398 of Case No.3317.

The City Clerk advised that the date has been set for August 18, 1976 at 8:00 PM.

Appointment - Acting Development Officer.

It was MOVED by Alderman Lawrence, seconded by



Council  
July 15, 1976.

Alderman Moore, that as recommended by the City Planning Committee, Edward M. Robinson, Planner II be appointed Acting Development Officer for purposes of the Planning Act to act whenever the Development Officer is absent from duty.

Motion passed.

Subdivision Agreement - Thornhill Park Subdivision.

It was MOVED by Alderman Walker, seconded by Alderman Moore that as recommended by the City Planning Committee, that Council authorize the Mayor and City Clerk to sign the Subdivision Agreement between the City of Halifax and Thornhill Construction Company Limited for the completion of the Thornhill Park Subdivision.

Motion passed.

Application for Rezoning from R-2 Zone to R-3 Zone  
3391-95 Gottingen Street - DATE FOR HEARING.

It was agreed that as recommended by the City Planning Committee that a date be set for a public hearing to consider the application to rezone Lots 1, 2, 3, 4, 7 and part of Lot 8 (Civic No.3391-95) Gottingen Street from R-2 (General Residential Zone) to R-3 (Multiple Dwelling Zone) as shown on Plan No.P200/7404 of Case No.3318.

The City Clerk advised that the date has been set for August 3 1976 at 8:00 PM.

Uniacke Square.

It was MOVED by Alderman Downey, seconded by Alderman Shannon, that as recommended by the City Planning Committee staff be authorized to consult CMHC and ascertain their general response to this conceptualized plan, and if favourable, staff be authorized to organize a public meeting in the area.

Motion passed.

Council  
July 17 1976

QUESTIONS

Question - Alderman Moore re: Tennis Courts, Fairview  
Junior High School.

Alderman Moore asked when the installation of the two tennis courts at the above school will be started, and said that although the tender was awarded two months ago, no progress has been made. Mr. Sullivan said the contractor for these courts was awarded the contract for all the courts, and is about two weeks behind schedule. He promised to contact the contractor the next day. Alderman Moore requested a report before the next Committee of the Whole.

Question - Alderman Hanson re: Fencing round Tennis  
Courts at Billman Property.

Alderman Hanson asked what the status is for the fencing round the above tennis courts. Mr. Sullivan said he understands the fencing is part of the contract for the courts, and said he would check this out and submit a report.

Question - Alderman Walker re: New Development, Cowie Hill.

Alderman Walker said he had received complaints from residents in that area that the contractor is working until the early hours of the morning on this development, disturbing the rest of people in the area, and asked for some action to be taken to stop this occurring. The City Manager said this would be brought to the attention of the Building Inspector, who will deal with the matter.

Question - Alderman Stanbury re: Equipment in Playground  
Connelly Street

Alderman Stanbury said it is her understanding that there is an agreement between the City and the Department of National Defence regarding the maintenance and provision of swings etc., at the above playground, and said there is nothing of this nature on site. Mr. Oehman said he is not aware of any City involvement in the playground, but would look into the matter and report.

Question - Alderman Stanbury re: No Parking Signs on the  
West Side of Connaught Avenue.

Alderman Stanbury questioned the presence of No Parking Signs on the west side of Connaught Avenue and

July 17 1976

asked if they were going to remain there. Mr. Calda will reply to this matter.

Question - Alderman Downey re: Sidewalks, Gordon B. Isnor Manor.

Alderman Downey thanked the City Manager, Mr. Pelham and Mr. Crowell for visiting the above centre, and stated that it had been noticed that the sidewalks on all sides of the building have deteriorated and need replacing. Alderman Downey asked who is responsible for the sidewalk on Creighton, Cornwallis and Maynard Streets.

Question - Alderman Downey re: Sidewalk, Halifax Armouries.

Alderman Downey asked if the appropriate Government department could be approached with regard to replacing the sidewalk on the Maynard Street side of the Armouries.

Question - His Worship the Mayor re: Steps to street at Gordon B. Isnor Manor.

His Worship said the uniform grey colour of the steps at the above residence is dangerous to the inhabitants, and asked if some sort of coloured safety striping could be put on them, to enable the steps to be more visually noticeable. Mr. Calda said a report will issue.

Question - Alderman Shannon re: Meeting with U.D.I. and Home builders.

Alderman Shannon asked for a staff report on the meetings with U.D.I. and the home builders, and asked what staff's reply had been to the problems raised regarding standards etc.

Council  
July 15, 1976.

ADDED ITEMS

Administrative Order No.17 respecting "The Functions  
Duties and Responsibilities of the Health Department -  
FIRST READING.

---

A staff report, dated July 12, 1976, to which was attached a copy of the proposed Administrative Order No. 17 respecting the Functions, Duties and Responsibilities of the Health Department, was submitted for the consideration.

Some discussion ensued with respect to the proposed Administrative Order and the City Manager said its purpose is to set up terms of reference for that department and the department head.

It was MOVED by Alderman Meagher, seconded by Alderman Walker that Administrative Order No.17 Respecting the Functions, Duties and Responsibilities of the Health Department, as submitted, be read and passed a First Time.  
Motion passed.

Funding - Land Use Survey Proposal.

A staff report dated July 7, 1976 was submitted, together with a proposal from the Planning Department titled "Proposal for City of Halifax Comprehensive Land Use Survey" dated June 1976, addressed to the Community Planning Division, Department of Municipal Affairs, Province of Nova Scotia. Mr. Richard Matthews answered questions put to him by Council members, stating that it is the intention of the department to proceed with the survey immediately if funds are made available. The City Manager asked that in moving the recommendation made in the staff report, it be amended and that City Council approve an expenditure of \$16,000, to be cost shared, 50 per cent by the Province of Nova Scotia, and 50 per cent by the City of Halifax.

In reply to a question put by His Worship, Mr. Matthews said it is the intention of his department to develop a system which would not only be useful to the City's needs, but could be utilized by other municipalities. When the material is computerized, it will be so done as to be readily available on a Ward basis. There will also be a colour coded map available.

It was MOVED by Alderman Lawrence, seconded by

Alderman Moore that City Council approve an expenditure of \$16,000. to be cost shared, 50 per cent by the Province of Nova Scotia, and 50 per cent from the contingency account of the City Manager for the purpose of carrying out a land survey.  
Motion passed.

Matrimonial Counselling Association.

A staff report dated July 6 1976 was submitted.

It was MOVED by Alderman Meagher, seconded by Alderman Moore that Council approve the expenditure of \$4000. from the Social Planning Sundries budget to be made available to the Matrimonial Counselling Association and further that \$1,000. of this amount be transferred from the Tax Concession and Grants Committee budget. Sufficient funds are available within the Social Planning Sundries budget to cover this expenditure on this basis.  
Motion passed.

N.I.P. Area.

Alderman Downey spoke to this matter stating that the members of the N.I.P. Core Committee are planning a N.I.P. week August 2-6, and have requested that there be a public meeting in the area shortly thereafter, with all members of Council present. Mr. Crowell said it is his understanding that his department is working on this matter.

Meeting adjourned - 9.45 P.M.

HEADLINES

Minutes.....	P 329
Approval of Order of Business, additions and deletions...	P 329
Commendations to Staff - Royal Visit.....	P 330
Appointment - Members of Taxicab Committee.....	P 332
Halifax Incinerator.....	P 332
Redevelopment Program, Halifax International Airport.....	P 333

REPORT - FINANCE & EXECUTIVE COMMITTEE:

Expropriation - Dunbrack Street & Pockwock Water System, Clayton Park Drive to Main Avenue.....	P 333
Possible acquisition - 5218 North Street.....	P 333
Possible acquisition - 2574 Barrington Street - Seaway Tavern.....	P 334
Neighbourhood Centre (North End Neighbourhood Programs)...	P 334
Possible acquisition - 63 Parkhill Road.....	P 334

REPORT - FINANCE & EXECUTIVE COMMITTEE (contd.)  
Provision of Funds for Repairs to Sidewalks.....335

REPORT - COMMITTEE ON WORKS  
Sidewalk Policy.....335  
Provincial/City Construction Cost-Sharing Agreement  
No.22....336

REPORT - SAFETY COMMITTEE  
Policy on Roadway & Boulevard Median Closures.....336

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS  
Amendment to Ordinance No.116, respecting "The Regulation  
of Vehicles Transporting Passengers for Hire"  
Second Reading.....337

REPORT - CITY PLANNING COMMITTEE  
Appeals of Development Officer's Decision re:  
Minor Variance.....338  
Lands of Maritime Estates Limited,3-538 Bedford  
Highway, DATE OF HEARING.....338  
Application for Re-zoning - 287 Herring Cove Road  
DATE FOR HEARING.....338  
Appointment - Acting Development Officer.....338  
Subdivision Agreement - Thornhill Park Subdivision..339  
Application for Rezoning from R-2 Zone to R-3 Zone  
3391-95 Gottingen Street - DATE FOR HEARING.....339  
Uniacke Square.....339

QUESTIONS  
Question - Alderman Moore re: Tennis Courts, Fairview  
Junior High School.....340  
Question - Alderman Hanson re: Fencing round Tennis  
Courts at Billman Property.....340  
Question - Alderman Walker re: New Development  
Cowie Hill.....340  
Question - Alderman Stanbury re: Equipment in  
Playground, Connelly Street.....340  
Question - Alderman Stanbury re: No Parking Signs on  
West Side of Connaught Avenue.....340  
Question - Alderman Downey re: Sidewalks, Gordon B.  
Isnor Manor.....341  
Question - Alderman Downey re: Sidewalk, Halifax  
Armouries.....341  
Question - His Worship the Mayor re: Steps to street  
at Gordon B. Isnor Manor.....341  
Question - Alderman Shannon re: Meeting with U. D. I.  
and Home builders.....341

Council

July 15 1976

ADDED ITEMS

Administrative Order No.17 respecting "The  
Functions, Duties and Responsibilities of the  
Health Department," FIRST READING.....342  
Funding - Land Use Survey Proposal.....342  
Matrimonial Counselling Association.....343  
N.I.P. Areas.....343

MAYOR EDMUND L. MORRIS,  
CHAIRMAN.

G.I.BLENNERHASSETT  
CITY CLERK

CITY COUNCIL  
SPECIAL MEETING  
M I N U T E S

Council Chamber  
City Hall  
Halifax, N. S.  
July 21 1976  
8:10 PM.

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 a clergyman present in the Chamber, 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 Alderman Moore.

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

The Chairman advised that the meeting was called as a public hearing with respect to the following item:

Zoning in the Area of Chebucto Road, Allen Street, Chebucto Lane and Robie Street.

Public Hearing - Re-Zoning of Lands as Recommended in the Staff Report to City Council on May 11, 1976.

A public hearing was held at this time with respect to the above noted item which was duly advertized.

Mr. Richard Matthews, Director of Planning, addressed Council and outlined the proposal for which the public hearing was called, and stated the course of action proposed is in full accord with the City's policies for the Municipal Development Plan for the stabilization of certain areas in the City.

Mr. Matthews then responded to questions put forth by members of Council.

The Chairman then called for those persons wishing to speak in favour of the proposed rezoning changes.

A written supportive letter was submitted to the City Clerk on behalf of the Halifax Homeowners Association Incorporated.



Mrs. Grace H. Burfitt, 6191 Duncan Street spoke for herself and Mrs. Muriel Conrad stating that when the dairy was established in the 1900's, the business was small and kept in good order. Despite the fact that Twin Cities have moved their operation, there was considerable noise up to a short time ago. The ladies felt that the continuation of an industrial plant in this area, would be a contributing factor in the gradual run-down condition of the properties in the area. Mrs. Burfitt submitted a petition containing some 586 names.

His Worship thanked Mrs. Burfitt on behalf of Council, stating with regard to the petition it would appear some 35-40 names contained on it, appear to be those of people outside the immediate area of concern.

Mrs. Joan Malay, 6041 Williams Street spoke to this matter. Mrs. Malay said it would appear that residents in the area have established an acceptable boundary, and referred Council to suggestions contained in a written brief submitted under her name.

Mrs. Joan Steadman, 6035 Williams Street spoke in favour of the proposed changes.

Mr. Murphy, 6292 Duncan Street spoke in favour of the proposed changes.

Mr. Edgar Malay, 6041 Williams Street spoke in favour, suggesting that the dairy lands could be used for single-family dwellings.

Mrs. Lilian Dimitiropolous, 6195 Duncan Street spoke in support of the proposal.

Mr. Paul Bovey, 6052 Williams Street spoke in favour of the proposed changes.

Mr. Gordon Conrad, 2100 Robie Street spoke in favour of the proposed changes.

Mr. David O'Leary, 5276 Chebucto Road spoke in favour of the proposed changes.

Mr. Mike Bradfield, 6324 Cornwallis Street spoke in favour of the proposed changes, stating that whilst not a resident of that particular area, he considered the implications important to all inhabitants of the City.

There being no further persons wishing to speak in favour of, the Chairman called for those wishing to oppose the

Special Council  
Public Hearing  
July 21 1976

proposal.

A written brief opposing the proposed changes was received from Mr. J. R. Thibeau, 3259 Albert Street, Halifax.

A written brief opposing the proposed changes was received from Mrs. Mary E. Caine, 880 Bridges Street, Halifax.

A written brief opposing the proposed changes was received from Mr. Douglas E. Adams, 6059 Williams Street, Halifax.

Mr. Ronald Pugsley, acting on behalf of Twin Cities Dairies, 5210 Chebucto Road, Halifax, spoke, opposing the proposed re-zoning, saying that it is the view of his clients that under the Regional Development Plan new zoning by-laws would be effected and existing by-laws repealed, and some measure of control exercised in the use of land. Therefore it would appear unnecessary to rezone the land at this time. Mr. Pugsley said his clients would lose some half a million dollars should this land not be commercial, at time of sale. The residents' action is having an inhibiting effect on purchasers.

Mr. MacLellan, Manager for Twin Cities Dairies answered questions put by those present.

Mr. Leo Francis, Corner Store, Windsor/Lawrence Street spoke against the proposal, stating that his store occupies a small lot. Should it burn down, re-building would not be permitted.

There being no further persons wishing to speak against the proposals, the Chairman declared the item to be before Council.

MOVED by Alderman Moore, seconded by Alderman Meagher that this matter be forwarded to the next regular meeting of City Council without recommendation.

Meeting adjourned - 9.55 PM.

HEADLINES

Public Hearing re: Zoning of Lands as recommended in the Staff Report to City Council on May 11, 1976, area of Chebucto Road, Allen Street, Chebucto Lane and Robie Street.....346

G. I. BLENNERHASSETT (MRS)  
CITY CLERK

MAYOR EDMUND MORRIS  
CHAIRMAN

CITY COUNCIL  
MINUTES

*rec'd*

Council Chamber  
City Hall  
Halifax, N. S.  
July 29, 1976

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, and Aldermen Shannon, Downey, Meagher, Sullivan, Stanbury, Walker, Hanson, Moore, and Lawrence.

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

MINUTES

Minutes of City Council meetings held on July 15 & 21, 1976, were approved on Motion of Alderman Walker, seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20(a) - Award of Tender #76-26 - Construction of Various Capital Budget Projects
- 20(b) - Appointment - City of Halifax Representation to Board of Directors of Halifax Police Boys' Club

DEFERRED ITEMS

Rezoning of Lands in the Area of Chebucto Road, Allen Street, Chebucto Lane, and Robie Street

A public hearing was held into the above noted matter on July 21, 1976.

Council  
July 29, 1976

His Worship made reference to a letter dated July 29th marked confidential and the City Manager drew Council's attention to a supplementary report under date of July 28, 1976.

**MOVED** by Alderman Meagher, seconded by Alderman Stanbury that:

1. For the R-3 area bounded generally by Chebucto Road and Cunard Street on the north, Robie Street on the east, Welsford Street and various property lines on the south of Allen Street to the south, Monastery Lane to the west, Allen Street to Chebucto Lane to the north, and Chebucto Lane to the west, less the C-2 area along Windsor Street, be rezoned to R-2 all as shown in Exhibit 3 attached to the staff report of May 11, 1976;
2. For the C-2 area along Windsor Street as shown in Exhibit 3 as attached to the staff report of May 11, 1976, in accordance with Policy 2.1, and in view of the fact that sufficient information is not yet available to devise more appropriate zoning for this area, the present C-2 area be rezoned to C-1;
3. For the C-3 area at Chebucto Road and Chebucto Lane as shown in Exhibit 3 attached to the staff report of May 11, 1976, the City rezone this area from C-3 to R-2;
4. Council state its willingness to consider rezonings to higher density residential and/or commercial uses where specific proposals made to the City are made on the basis of a plan which is consistent with the Statement of Objectives and Policies.

Alderman Moore said he listened very closely to proceedings which took place at the public hearing saying that a long time corporate citizen was painted as a culprit with respect to the subject matter. Alderman Moore suggested it was very quickly forgotten that this concern was a long time employer.

Alderman Moore also referred to the matter of the Statement of Objectives and Policies of the Municipal Development Plan not being approved as yet by the Minister.

MOVED by Alderman Moore, seconded by Deputy Mayor Connolly that the matter be deferred and that Council receive a thorough and detailed report from the City Solicitor as to where the City might stand in the event that this large and wholesale rezoning is approved.

Council  
July 29, 1976

A short discussion ensued and the Motion to defer was put and passed with Aldermen Meagher, Shannon, Downey, and Stanbury against.

His Worship advised that the item will be placed on the agenda of the next Council meeting at which time the report from the City Solicitor will be heard if it is ready.

His Worship the Mayor

His Worship the Mayor advised that Nancy Garapick has brought honor to herself and adornment to her City again by the winning of two Bronze Medals at the 21st Olympiad. His Worship advised that he requested the Natal Day Committee to arrange an appropriate reception for Nancy Garipeck and any other medal winners from this area.

Alderman Hanson, Chairman of the Natal Day Committee, advised that Miss Garipeck will be arriving Friday evening at 9:15 p.m. and members of Council will be at the airport to greet her. Alderman Hanson said it is planned to have a motorcade from the airport to the City

Alderman Hanson advised that on Monday at 12:30 p.m. in the Grande Parade, His Worship will welcome Miss Garipeck and other athletes back.

Deputy Mayor Connolly suggested that all of the Olympic Athletes in the area be invited to City Hall on Monday and Alderman Hanson referred to the difficulty in obtaining information as to when the different athletes will be arriving but said the matter will be looked into tomorrow.

His Worship advised that all athletes will be invited that can be contacted and extended an invitation to all citizens to participate on Friday at the airport as well as on Monday at the Grande Parade.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on July 22, 1976 as follows:

Job Creation Project

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the Finance & Executive Committee, Council endorse the proposal, in principle, contained in the staff report dated July 14, 1976, and authorize staff to negotiate with the various Departments of the Federal and Provincial Governments, and private organizations (for placement purposes) as necessary. Motion passed.

Rockingham "Y" - Citizen Committee Proposal

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

"That His Worship, on behalf of Halifax City Council, approach the Y.M.C.A. to negotiate the purchase, for the sum of one dollar, the facility known as the Rockingham "Y", free of all debts and encumbrances, this to operate as a civic facility from September 1, 1976; also, that the City Manager report regarding the funding for this operation for the current fiscal year."

His Worship advised that he has met with the President and representatives of the Y.M.C.A. and has conveyed the offer authorized by the Finance & Executive Committee. His Worship said that the President of the Y.M.C.A. is to convene a meeting of the Trustees and Directors of the "Y" with respect to this matter. His Worship said the President indicated that he will recommend to the Directors the sale of the Rockingham facility for one dollar.

MOVED by Alderman Lawrence, seconded by Alderman Walker that the matter be deferred to the August 12, 1976 meeting of City Council. Motion passed.

Amendment to Lease - Billman Property

MOVED by Deputy Mayor Connolly, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, Council approve the amending agreement attached to the staff report dated July 15, 1976 and authorize the Mayor and City Clerk to execute it on behalf of the City.

Motion passed.

Northwest Arm Drive - Fairview School Property

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, the City accept compensation of \$105,000 for the 3.53 acres of land required from the western edge of the Fairview Schools lot for construction of Northwest Arm Drive; proceeds to be credited to the Sale of Land Account.

Motion passed.

Fleet Insurance - Tender

MOVED by Alderman Shannon, seconded by Deputy Mayor Connolly that, as recommended by the Finance & Executive Committee, authority be granted to authorize Reed Shaw Stonehouse to insure all City vehicles with \$300,000 BI/PD and \$1,000 deductible specified perils insurance at a cost of \$55,952.00.

Motion passed.

Fence Repairs - Fort Needham

MOVED by Alderman Walker, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, a contract be awarded to the low bidder, Dartmouth Machine Company, 1 Parker Street, Dartmouth N. S., in the sum of \$9,986.00. Motion passed.

Computer Equipment - Recommendation

MOVED by Deputy Mayor Connolly, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, authorization be given for the Mayor and City Clerk of the City of Halifax to enter into a rental agreement with NCR of Canada Limited for the installation of an NCR Criterion 8550 Computer on the basis outlined in the staff report dated July 16, 1976 (at an initial monthly rental of \$10,982 going to \$12,782 as additional capacity is added).

Following a questioning of the Director of Finance, the Motion was put and passed.

Tender 76-85R One Surplus 1972 Harley Davidson 3 Wheel  
Motorcycle #80

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the Finance & Executive Committee, authority be granted to sell one surplus 1972 Harley Davidson 3 Wheel Motorcycle #80 to the highest bidder, Mr. Freeman Joseph, 211 Willett Street, Halifax, Nova Scotia for a bid price of \$1,100. Motion passed.

Consulting Services for NIP Plan

MOVED by Deputy Mayor Connolly, seconded by Alderman Shannon that, as recommended by the Finance & Executive Committee, Council approve an amount not to exceed \$8,000.00 to hire the consulting firm H. J. Porter & Associates to provide all services required for developing the conceptual plan for the NIP area into a format acceptable for presentation to Council, the Province, and CMHC; funds available in Account 810 085 HAG11.

Motion passed with Alderman Downey against.

Policy on Assumption of Recreational Facilities in City of  
Halifax (Alderman Sullivan)

MOVED by Alderman Sullivan, seconded by Deputy Mayor Connolly that, as recommended by the Finance & Executive Committee, Council request the City Manager to instruct the Recreation Department to prepare a policy for the possible take-over of non-profit recreational facilities in the City of Halifax that have experienced financial difficulties over the last two years and report back to Council as quickly as possible.

Following a questioning of the City Manager, the Motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 22, 1976 as follows:

Transfer of Capital Budget Funds - Recreation

The following is the recommendation of the Committee on Works:



Council  
July 29, 1976

1. That \$2,000.00 be transferred from Account No. FAA40 for utilization at Rockingstone Heights Playfield as outlined in the staff report dated July 12, 1976; and
2. the project at Cunard Jr. High Playfield, as outlined in the staff report dated July 12, 1976, be referred to staff for a further report."

Alderman Hanson spoke to the matter and MOVED,  
seconded by Alderman Walker that:

1. \$2,000.00 be transferred from FAA40 for utilization at Rockingstone Heights Playfield as outlined in the staff report of July 12, 1976; and
2. the \$1,402.00 in FAA18 and an additional \$3,000.00 from FAA56 be utilized to do the project at Cunard Jr. High Playfield.

Following a discussion of the matter and a questioning of staff, the Motion was put and passed.

Tender 76-21 - Construction of Various Sewer Rehabilitation  
Projects

It was noted that the name of the Company in the staff report should read "Kaizer Construction & Services Limited" rather than Kaizer Construction Limited.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that, as recommended by the Committee on Works, tender No. 76-21 be awarded to Kaizer Construction and Services Limited on the following basis:

1. that the project on Vernon Street be cancelled from this group and retendered at some future date; and
2. that Council authorize the transfer of funds from different accounts as shown on Appendix A of the staff report dated July 16, 1976.

Motion passed.

His Worship noted that the Vernon Street project has recently been retendered.

Fairfield Retention Basin - Appointment of Consultants

MOVED by Deputy Mayor Connolly, seconded by Alderman Hanson that, as recommended by the Committee on Works, Canadian British Consultants Limited be appointed to undertake preparation of a pre-design brief and cost estimate for improvements to the mechanical-electrical system at the Fairfield Road Retention Tank at an estimated cost of \$19,000.00

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

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on July 21, 1976, as follows:

Petition - Armview Avenue

MOVED by Alderman Shannon, seconded by Deputy Mayor Connolly that, as recommended by the Safety Committee, a decision regarding action to be taken in connection with the petition received from residents of the Armview Avenue area be deferred until such time as a public meeting can be held with the local residents to discuss the matter in more detail; it is suggested that such a meeting be organized by City staff in co-operation with the Ward Alderman in early fall following the summer vacation period.

Council agreed that the City Clerk advise of an appropriate date at the next regular Committee of the Whole meeting.

Motion passed.

Report - Committee of the Whole Council, Boards & Commissions

Administrative Order No. 17 Respecting "The Functions, Duties and Responsibilities of the Health Department -- SECOND READING

MOVED by Alderman Walker, seconded by Alderman Stanbury, that Administrative Order No. 17 Respecting "The Functions, Duties and Responsibilities of the Health Department be now read and passed a second time.

Council,  
July 29, 1976

Deputy Mayor Connolly referred to difficulties experienced re the interpretation of the responsibilities of the Atlantic Health Unit versus the responsibilities of the City of Halifax in health matters and asked that the Legal Department continue to review Administrative Order No. 17 so that areas of jurisdiction may be clarified.

Alderman Shannon advised that a Committee has been set up by the Board of Health for purposes of clarifying such matters.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on July 21, 1976, as follows:

Barrington Street Realignment (DATE FOR PUBLIC MEETING)

It was agreed that this matter be deferred to the next meeting of Committee of the Whole Council so that a date for the public meeting may be set at that time.

Negro Point (Green Patch) Proposal

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore, as recommended by the City Planning Committee, that recommendations 1 and 2, contained in the staff report dated June 21, 1976, be adopted, as follows:

1. The Negro Point site not be used as an interim park as proposed by the Neighbourhood Planning Committee of the Ward 5 Resources Council.
2. In future plans for the Fairview Cove/City Dump, Negro Point area, a high priority should be given to establishing a park as part of any development plans, consistent with Policies 3.1, 5.7, and 5.9 of the Statement of Objectives and Policies.

Council,  
July 29, 1976

Deputy Mayor Connolly stated that it was his understanding at Committee of the Whole that Council was not too anxious for staff to proceed with the green area under the Bridge approaches as the City would not be accomplishing what the residents of the area apparently want, that is, a beach area. He stated that he felt the consensus of the City Planning Committee was to omit recommendation #3, continue to explore the Negro Point proposal but, having in mind the difficulties that exist at the present time, the City could not proceed immediately but would consider it in the Capital program for next year.

Alderman Sullivan stated his understanding was that the recommendations, as stated in the City Planning Committee minutes, were approved. Alderman Sullivan stated that all he was seeking was to establish a point that high priority be given to the establishment of a park at Negro Point.

After some discussion, the motion was put and passed with Aldermen Sullivan and Stanbury voting against.

Alderman Sullivan stated he voted against the motion as he did not wish it to be included in the 'package' plans for Fairview Cove/City Dump, he simply wished to establish as a priority the Negro Point proposal.

Subdivision - Lots A, B and D2 (Civic No. 53 & 55)  
Parkhill Road

MOVED by Alderman Walker, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, Council approve the subdivision of the lands of Edward M. McCulloch and Shiv Singh Datt, Parkhill Road, to form Lots A, B and D2 as shown on Plan No. P200/7490 of Case No. 3346.  
Motion passed.

Modification of Zoning Bylaw to Allow Conversion from A Single Family Dwelling to a Duplex - 2583 Kline St.

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that, as recommended by the City Planning Committee, Council approve the modification of the Zoning Bylaw requirements from the permitted 5 habitable rooms to 8 habitable rooms to allow the single family dwelling located at 2583 Kline Street to be converted to a duplex. Motion passed.

Council,  
July 29, 1976

Amendment to Zoning Bylaw - Schedule "A" (Peninsula Area)  
DATE FOR HEARING

---

A supplementary staff report dated July 28, 1976, was submitted.

Alderman Meagher requested that the recommendation in the supplementary staff report dated July 28, 1976, be included, that is, that the public hearing be called on Schedule "A" west of Robie Street between Cunard Street and Coburg Road.

It was agreed that a date be set for a public hearing prior to approving changes in the Zoning Bylaw, which in effect would amend Schedule "A" of the Peninsula Zoning Bylaw in order to delete from the inner high-density zone that portion of the western side of Robie Street between Cunard Street and Coburg Road.

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

Council,  
July 29, 1976

QUESTIONS

Question Alderman Meagher Re: Appointments to the Boxing  
Commission

Alderman Meagher asked if appointments could be made to the Boxing Commission at the next meeting of Committee of the Whole Council. His Worship stated he is consulting with various people on this matter and would endeavour to comply with the Alderman's request.

Question Alderman Meagher Re: Notification to Abutting  
Residents re Modifications of the Zoning Bylaw

Alderman Meagher referred to a recent modification of the Zoning Bylaw on Kline Street converting a single family dwelling to a duplex. He asked that some method be devised for notifying abutting property owners when the recommendation for such modifications is for approval.

Question Alderman Sullivan Re: Tenders for the Allen Street  
Property

Alderman Sullivan asked when tenders are going to be received for the Allen Street property. He stated he would like to have the sodding done as quickly as possible because of the difficulties in the area. His Worship advised that a staff report will be issued.

Question Alderman Shannon Re: Work on Jubilee Road from Edward  
Street to Robie Street

Alderman Shannon asked when the work is going to be done on Jubilee Road from Edward Street to Robie Street. The City Manager advised a report will be issued.

Question Alderman Shannon Re: Crosswalks

Alderman Shannon asked that the painting of crosswalks have a high priority in future years.

Council,  
July 29, 1976

Question Deputy Mayor Connolly Re: Ordinance No. 131  
Respecting Building and The Adoption of the  
National Building Code

Deputy Mayor Connolly referred to section 1.5.2. of Ordinance No. 131 and asked whether there is provision within section 1.5.2. for protection for abutting property owners when construction is taking much longer than it should and causes a detrimental effect on the surrounding neighbourhood. He asked if, in such instances, the Building Inspector has the authority to advise that the structure must be completed within a certain time frame. His Worship stated a staff report will be issued.

Question Alderman Walker Re: Signs at the Prospect Interchange

Alderman Walker asked if there is any further report from the Province re signs at the Prospect Interchange. Mr. Connell, Acting Director, Engineering and Works Dept., advised that the Traffic Authority for the City of Halifax has been in contact with the Traffic Authority for the Province. He stated action on this matter has been promised within a week.

Question Alderman Meagher Re: Canteen on the Central Commons

Alderman Meagher stated that the canteen at the Central Commons, to his knowledge, is not in service this year and asked if it is intended that canteen facilities will be provided. His Worship stated that a contract has been authorized by the City Manager for a mobile canteen in that location.

Question Alderman Walker Re: Stockpiling of Fill at 135  
Herring Cove Road

Alderman Walker requested a staff report on a problem at 135 Herring Cove Road re the stockpiling of fill.

Council,  
July 29, 1976

ADDED ITEMS

Award of Tender #76-26 - Construction of Various Capital Budget Projects

A staff report dated July 28, 1976, was submitted.

MOVED by Alderman Lawrence, seconded by Deputy Mayor Connolly, that tender #76-26 be awarded on the combined bid price basis to Standard Paving Maritime Limited and that Council authorize a transfer of funds in the amount of \$10,000.00 from street widening account number CDA08 (surplus funds) to account number CDA16 - Kempt Road. Motion passed.

Appointment - City of Halifax Representative to Board of Directors of Halifax Police Boys Club

Alderman Sullivan asked if the Alderman from the Ward is supposed to be on the Board of Directors. The City Manager stated that she would check into the matter and advise. She stated that it was recommended that a staff member be appointed.

Alderman Shannon stated that she felt the appointment of staff to such Boards often puts them in a very difficult position and suggested the appointment should be the Alderman from the Ward. Deputy Mayor Connolly concurred with Alderman Shannon's remarks.

His Worship suggested, and it was agreed, that the matter be deferred to the next meeting of Committee of the Whole Council.

Meeting adjourned - 10:00 p.m.

HEADLINES

Minutes .....	349
APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS .....	349
DEFERRED ITEMS:	
Rezoning of Lands in the Area of Chebucto Road, Allen St. Chebucto Lane, and Robie Street .....	349



Council,  
July 29, 1976

HEADLINES (CONT'D)

His Worship the Mayor .....	351
REPORT - FINANCE & EXECUTIVE COMMITTEE:	
Job Creation Project .....	352
Rockingham "Y" - Citizen Committee Proposal .....	352
Amendment to Lease - Billman Property .....	352
Northwest Arm Drive - Fairview School Property .....	353
Fleet Insurance - Tender .....	353
Fence Repairs - Fort Needham .....	353
Computer Equipment - Recommendation .....	353
Tender 76-85R One Surplus 1972 Harley Davidson 3 Wheel Motorcycle #80 .....	354
Consulting Services for NIP Plan .....	354
Policy on Assumption of Recreational Facilities in City of Halifax (Alderman Sullivan) .....	354
REPORT - COMMITTEE ON WORKS:	
Transfer of Capital Budget Funds - Recreation .....	354
Tender 76-21 - Construction of Various Sewer Rehabilitation Projects .....	355
Fairfield Retention Basin - Appointment of Consultants ....	356
REPORT - SAFETY COMMITTEE:	
Petition - Armview Avenue .....	356
REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS:	
Administrative Order No. 17 Respecting "The Functions, Duties and Responsibilities of the Health Department -- SECOND READING .....	356
REPORT - CITY PLANNING COMMITTEE:	
Barrington Street Realignment (DATE FOR PUBLIC MEETING) ..	357
Negro Point (Green Patch) Proposal .....	357
Subdivision - Lots A, B and D2 (Civic No. 53 & 55) Parkhill Road .....	358
Modification of Zoning Bylaw to Allow Conversion from A Single Family Dwelling to a Duplex - 2583 Kline St. ....	358
Amendment to Zoning Bylaw - Schedule "A" (Peninsula Area) DATE FOR HEARING .....	359
QUESTIONS:	
Question Alderman Meagher Re: Appointments to the Boxing Commission .....	360
Question Alderman Meagher Re: Notification to Abutting Residents re Modifications of the Zoning Bylaw .....	360
Question Alderman Sullivan Re: Tenders for the Allen St. Property .....	360

Council,  
July 29, 1976

HEADLINES (CONT'D)

Question Alderman Shannon Re: Work on Jubilee Road from Edward Street to Robie Street .....	360
Question Alderman Shannon Re: Crosswalks .....	360
Question Deputy Mayor Connolly Re: Ordinance No. 131 Re Building and The Adoption of the National Building Code.	361
Question Alderman Walker Re: Signs at the Prospect Interchange .....	361
Question Alderman Meagher Re: Canteen on the Central Commons .....	361
Question Alderman Walker Re: Stockpiling of Fill at 135 Herring Cove Road .....	361
ADDED ITEMS:	
Award of Tender #76-26 - Construction of Various Capital Budget Projects .....	362
Appointment - City of Halifax Representative to Board of Directors of Halifax Police Boys Club .....	362

MAYOR EDMUND MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT  
CITY CLERK

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

*Record*

Council Chamber  
City Hall  
Halifax, N. S.  
August 3, 1976  
8:20 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; Deputy Mayor Connolly, Aldermen Shannon, Downey, Meagher, Sullivan, Walker and Moore.

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

The meeting was called as a public hearing to consider the following:

1. Rezoning 5687-91 Duffus Street, Lands of Hector Ian MacGregor, from R-2 Residential General Zone to C-2, Commercial General Zone;
2. Rezoning of Lot 95, 5508-12 Stairs Place from R-2, Second Density Residential Zone to C-2, General Business Zone;
3. Rezoning 3391-95 Gottingen Street from R-2 General Residential Zone to R-3, Multiple Dwelling Zone.

Rezoning 5687-91 Duffus Street, Lands of Hector Ian MacGregor, from R-2 Residential General Zone to C-2, Commercial General Zone

---

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

Special Council,  
August 3, 1976

The City Clerk advised that the matter was duly advertised.

Mr. E. M. Robinson, Development Department, with the aid of a map, explained the proposal and advised that the change to commercial zoning at the subject address is being sought to allow the existing single-family dwelling with a doctor's office to be converted to offices for four doctors on the first floor with one residential unit over the second floor. Mr. Robinson explained the basis for staff's recommendation of refusal and responded to questions from members of Council.

His Worship then called for those persons who wished to speak against the application.

Mr. Bob Doucette, 5830 Hillside Avenue, addressed Council in opposition to the proposal. Mr. Doucette stated that he has owned the property at 5830 Hillside Avenue for ten years and, over those ten years, has on several occasions appeared before Council objecting to proposed intrusions of commercial zoning into the area. He stated that he opposes the rezoning application in order to protect his property and maintain the quality of life to which he has become accustomed.

There being no further persons present wishing to speak in opposition to the application for rezoning, His Worship called for those persons present who wished to speak in favour of the application.

Dr. Ian MacGregor, applicant, addressed Council in support of his application, stating that he originally set up his medical practice at the said address in March 1947. He stated that with the growth in the area it was necessary in approximately 1960 to expand to include a partner in the medical practice and subsequently a third partner was acquired.

Dr. MacGregor stated that the present situation is that the three medical practitioners operate out of two offices. He advised that the expanded population in the area as a result of the Convoy Place project has increased their workload to the extent that the number of new patients has had to be curtailed.

Special Council,  
August 3, 1976

Dr. MacGregor advised that it is not the intention to change the structure of the dwelling other than to put on a new veranda approach and a ramp for the accommodation of wheelchair patients. He stated that all other changes would be internal changes. He stated that ample parking is available for staff parking and stated that it is his experience that there is not a parking problem in the area.

Dr. MacGregor submitted a petition, with forty-eight signatures attached thereto, indicating residents of the area who support the application for rezoning.

Dr. MacGregor suggested that the traffic load should not be any greater than it is at present. He stated it is certainly not the intention to change the use of the building, and would have no objection to a caveat providing that the zoning revert to R-2 when the use of the dwelling changes from that of a medical practice.

Mrs. Joseph Penney, 3466 Isleville Street, addressed Council in support of the application for rezoning.

There being no further persons present who wished to speak in support of the application, His Worship declared the matter to be before Council.

MOVED by Alderman Sullivan, seconded by Alderman Walker, that the matter be referred to City Council without recommendation. Motion passed.

Rezoning of Lot 95, 5508-12 Stairs Place from R-2, Second Density Residential Zone to C-2, General Business Zone

A public hearing was held at this time re the above-noted subject.

The City Clerk advised that the matter was duly advertised.

Mr. E. M. Robinson, Development Department, with the aid of a map, explained the proposal and advised that the rezoning application is for the purpose of legalizing an existing photographic studio. Mr. Robinson explained the basis for staff's recommendation of refusal.

Special Council,  
August 3, 1976

His Worship then called for those persons present who wished to speak against the application for rezoning.

Mr. Harold Grant, 5515 Stairs Place, addressed the Council in opposition to the application for rezoning, noting that he resides across the street from the applicant. He stated that the parking situation is not good and suggested that it is aggravated by the applicant's clients. He stated that the area has been set up as a residential district and requested that City Council see to it that it continues as such. Mr. Grant responded to questions from members of Council.

Mr. Gerald MacDonnell, 5547 Columbus Place, addressed Council in opposition to the rezoning application and stated that there is sufficient commercial area in the north end now and it should not be further increased. He stated that he is not opposed to the studio as it exists now but is opposed to the rezoning of the land.

Mr. J. A. Mont, 5545 Stanley Place, addressed Council in opposition to the rezoning application and advised that he is also the owner of the property at 5545 Stairs Place. He suggested that there is a fear in the neighbourhood that if the rezoning application is approved, the encroachment will commence for more obnoxious types of businesses. He stated that it is his understanding that when the original plans for the area were drawn up by the Halifax Relief Commission, it was understood that the area was to remain residential.

Mrs. Faucett, Gottingen Street, advised that the commercial district on Young Street has been in existence since at least 1930.

Mrs. Parks, 5554 Merkel Place, addressed Council in opposition to the rezoning application and stated that she wished to see the area remain residential.

Mr. Doug Craig, 5519 Stairs Place, addressed Council in opposition to the rezoning application, and stated that he had signed a petition circulated by the applicant as he personally understood that, with a caveat attached, the

Special Council,  
August 3, 1976

zoning would revert automatically to R-2. He stated that he has since been advised by City staff that such is not the case and suggested that a number of signatures on the petition were placed there under those circumstances.

In response to a question, the Acting City Solicitor advised that the attachment of a caveat is essentially a conditional zoning and has, if anything, mostly moral worth. She stated that it is doubtful if subsequent purchasers can be compelled to abide by the caveat.

Alderman Walker retired from the meeting at 9:10 p.m.

Virginia Whittaker, 5525 Livingstone Place, addressed Council in opposition to the rezoning application stating that she is against the rezoning because of the parking problem. She stated she purchased her home a year ago and would not have bought in that area if she had known that eventually it would have become a commercial area.

Mrs. Murphy, Russell Street, addressed Council and stated that she is opposed to commercial zoning in the hydrostone area. She stated that a person of the applicant's calibre is a welcome asset to the neighbourhood as a resident.

Mrs. Houlihan, 5541 Stanley Place, addressed Council in opposition to the rezoning application, stating she has been a resident of the area for five years. She stated that a parking problem presently exists as a result of the commercial area on the opposite side of Isleville Street. She suggested that approval of the application would add to the present parking problem.

Mr. Arthur Rudge, 5534 Stairs Place, addressed Council in opposition to the rezoning application, and stated he had nothing further to add to what has previously been stated by residents of the area, other than that he wished the neighbourhood to remain residential.

The following correspondence opposing the rezoning application was received, copies of which were circulated to members of City Council:

Letter dated July 31, 1976, from Mr. Harold D. Grant

Special Council,  
August 3, 1976

Letter dated July 28, 1976, from Mr. Gerald P. MacDonnell  
Letter dated July 26, 1976, from Mrs. Virginia Whittaker  
and Mr. Garfield Whittaker  
Letter dated July 23, 1976, from Fred M. Jollota and  
Vivian M. Jollota

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

Cheryl Kennedy, 5513 Livingstone Place, addressed Council in support of the application for rezoning. Ms. Kennedy stated that the issue tends to revolve around the use of a caveat as a number of people stated they are not opposed to the applicant or his present business but are concerned about commercial uses in the hydrostone area. She stated that it is her understanding that there has not been much testing of caveat rezoning and therefore a series of different legal opinions can be had re the extent to which the caveat can be binding. She stated that it is her understanding that the applicant is agreeable to including in his caveat the condition that the land be rezoned to its residential use prior to sale of the property by the applicant.

Ms. Kennedy stated that a caveat is ideally suited to handle special cases when a general commercial zoning is not acceptable. She stated that the photography studio has been operating for three years in its present location and she felt it has not undermined the stability of the neighbourhood over that period. She suggested that the applicant and the studio have improved the aesthetics of the said property. Ms. Kennedy questioned whether the parking problem is related directly to being a result of the studio.

Ms. Kennedy stated it is very difficult to categorize a photographic studio and she did not feel it was included in an interpretation of Policy 2.1 and Policy 2.2 of the Municipal Development Plan. She stated she differs with the concern that it represents a commercial intrusion into a very stable residential neighbourhood and feels it is not undermining the stability but adds to the diversity of the neighbourhood and makes it more lively and viable.



Special Council,  
August 3, 1976

Mr. Robert F. Calnen, 5512 Stairs Place, applicant, addressed Council in support of his application for rezoning. Mr. Calnen submitted a document dated August 3, 1976, signed by himself, listing fifteen caveat conditions he would agree to. He further submitted a copy of a survey carried out by him in the area re the application. He stated the survey was the result of a letter, undated and unsigned, which was circulated in the area, opposing the application, a copy of which he also submitted.

Mr. Calnen showed slides of the property and the area which indicated the condition of the dwelling before and after it was converted to a studio and living quarters. Mr. Calnen expressed frustration with the statements that his studio would be a detriment to the residential area.

Mr. Calnen submitted a copy of a letter dated July 1976 circulated to residents of Stairs Place, north side of Livingstone Place, south side of Stanley Place, signed by Robert and Barbara Calnen.

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

There being no further persons present who wished to speak in favour of the application, His Worship declared the matter to be before Council.

MOVED by Alderman Sullivan, seconded by Alderman Moore, that the matter be referred to City Council without recommendation. Motion passed.

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

Rezoning 3391-95 Gottingen Street from R-2 General Residential Zone to R-3, Multiple Dwelling Zone

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

The City Clerk advised that the matter was duly advertised.

Special Council,  
August 3, 1976

Mr. E. M. Robinson, Development Department, with the aid of a map, explained the application, stating that the purpose of the rezoning application is to permit the construction of a three-storey apartment building containing 27 one-bedroom units. Mr. Robinson explained the basis for staff's recommendation of refusal.

His Worship then called for those persons present who wished to speak against the application for rezoning.

A petition, undated, signed by approximately ninety-eight residents was submitted, copies of which were circulated to members of Council.

Lieutenant Commander Brown, owner of the property immediately south of the property in question, stated he was opposed to the rezoning application because of the magnitude of it. He stated he was very much in favour of having the present dwelling removed but certainly not by something of the magnitude of the present proposal. In response to a question, Lieutenant Commander Brown stated he would certainly not be opposed to a four-unit dwelling or something less than the present proposal.

Mrs. Herman Manthorne, 3405 Gottingen Street, addressed Council and stated her property borders the subject property on the north. She expressed concern with the further deterioration of the subject property and advised that there has also been a sewer problem. She stated she strongly opposes the magnitude of the present proposal.

Mrs. Manthorne advised that her name is on the submitted petition which she suggested was circulated shortly after the decision to place the fire station elsewhere. She advised that it was her understanding, when signing the said petition, that professional men were interested in the property and it would be developed as doctors' offices with some residential space included. She advised that it could have been a year ago that she signed the petition and confirmed that it was the petition received on July 8, 1976, in the City Clerk's office.

Special Council,  
August 3, 1976

Mr. T. K. Wooden, owner of the third dwelling north of the proposal, addressed Council in opposition to the rezoning application, and stated that he agreed with the statements of the two previous speakers.

There being no further persons present who wished to speak in opposition to the proposed rezoning, His Worship then called for those persons present who wished to address Council in support of the rezoning application.

Mr. Lloyd Patterson, agent acting on behalf of a third party who intends to proceed with the proposed development, addressed Council in support of the application. Mr. Patterson stated that his clients are prepared to include in their deed a caveat indicating that the proposed development cannot exceed three stories.

Mr. Patterson referred to the petition and stated that there must be some misunderstanding as it has only been since January that it has been determined the extent of development permitted on the said site.

Mr. Patterson suggested that the development will not overwhelm the neighbouring dwellings and stated that the location is a desirable place for a good apartment building. He suggested that the plans will indicate that the proposal is an attractive apartment building. Mr. Patterson then responded to questions from members of Council.

There being no further persons present who wished to speak in favour of the rezoning application, His Worship declared the matter to be before City Council.

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan, that the matter be referred to City Council without recommendation. Motion passed.

Meeting adjourned - 10:30 p.m.

Special Council,  
August 3, 1976

HEADLINES

Rezoning 5687-91 Duffus Street, Lands of Hector Ian MacGregor, from R-2 Residential General Zone to C-2, Commercial General Zone .....	365
Rezoning of Lot 95, 5508-12 Stairs Place from R-2, Second Density Residential Zone to C-2, General Business Zone .	367
Rezoning 3391-95 Gottingen Street from R-2 General Residential Zone to R-3, Multiple Dwelling Zone .....	371

MAYOR EDMUND MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT  
CITY CLERK

Record

CITY COUNCIL  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.  
August 12, 1976.  
8:05 PM.

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, Walker, Hanson and Lawrence.

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

PRESENTATION OF LONG SERVICE AWARD - HAROLD WM. FORAN.

His Worship paid tribute to Mr. Foran, saying he had served the public diligently for thirty-two years, and called upon Alderman Downey to make the presentation. Alderman Downey presented the award to Mr. Foran.

PRESENTATION OF BENJAMIN FRANKLIN FIRE SERVICE AWARD - FIRE FIGHTER JOHN WEAVER.

His Worship advised Council that he had been advised by the Fire Marshal of the Province of Nova Scotia, that Fire Fighter John Weaver who performed a life-saving act on a small child on August 1, 1972. for which he was publicly commended, was the recipient of one of the highest awards in the Fire Fighting Service, namely the Benjamin Franklin Fire Service Award.

His Worship asked Deputy Mayor Connolly and Deputy Fire Chief Swan to make the presentation to Fire Fighter John Weaver.

MINUTES

Minutes of City Council meetings held on July 29, 1976 and August 3, 1976 were approved on Motion of Alderman Walker, seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS.

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

- 8(a) Appeal from Decision of Development Officer to vary By-law relating to Sideyard Requirement - 18 Ivylea Crest, Lieblin Park, Spryfield.
- 8(b) Appeal from Ms. Susan Petursson for Permit under The Lord's Day Act.

DEFERRED ITEMS

Rockingham "Y" - Citizen Committee Proposal.

His Worship gave details of an offer which had been received by the City from the Directors and Trustees of the Y.M.C.A.

It was MOVED by Alderman Lawrence, seconded by Alderman Walker that the City accept the offer of the Y.M.C.A. to sell the Rockingham Y.M.C.A. free of all encumbrances, for the sum of \$1.00 to the City of Halifax, and to signify in its Resolution, the City's desire to use the said facility for the purpose of a recreational and community resource.

Deputy Mayor Connolly said he would like there to be a clear understanding that if at some future date the City no longer wished to operate the facility for recreational purposes, this would not mean it could revert back to the Y.M.C.A. for the payment of \$1.00. His Worship said he considered the wording of the Motion, obviated this likelihood.

Alderman Shannon said she considered the building to be impractical, and that this was the primary factor for their financial difficulties. Alderman Shannon suggested an alternative would be for the Community group to purchase the facility on the same terms as the City, if this could be arranged.

Alderman Sullivan said he felt a precedent was being set in this instance, which would have the effect of discouraging other organizations from working to solve their own problems.

The Motion was put and passed, 5 voting for the Motion, 3 voting against.

The City Manager said staff would bring in a proposal to cover the operation of the Y.M.C.A. to the end of the year this matter was adjourned to the next meeting of City Council.

Rezoning from R-2 Residential General Zone to C-2 Commercial General Zone - 5687-91 Duffus Street, Lands of Hector Ian MacGregor.

The City Clerk said that as the following Aldermen had not

Council  
August 12 1976

been present at the public hearing, they would be ineligible to vote.

Alderman Stanbury, Hanson and Lawrence.

Alderman Sullivan spoke to the Motion, saying that Dr. MacGregor performed a most necessary service to the community and had done so for many years.

It was MOVED by Alderman Sullivan, seconded by Alderman Walker that the application to rezone Civic No.5687/5691 Duffus Street, lands of Hector Ian MacGregor from R-2 Residential General to C-2 Commercial General be granted by City Council to allow the existing single-family dwelling with a doctor's office be converted to offices for four doctors on the first floor with one residential unit over the second floor.

The Motion was put and passed, with two abstentions.

Staff was asked to look into the growing similarity between C 4 and C2 zonings, and report.

Rezoning of Lot 95 from R-2 Second Density Residential Zone to C-2 General Business Zone - 5508-12 Stairs Place.

The City Clerk reported the following Aldermen as not being in attendance at the public hearing, and therefore being ineligible to vote:

Aldermen Stanbury, Hanson and Lawrence.

It was MOVED by Alderman Sullivan, seconded by Alderman Shannon that the application to rezone Lot 95 (Civic No.5508-12) Stairs Place from R-2 (Second Density Residential) to C-2 (General Business) for the purpose of legalizing an existing photographic studio, be refused.

Deputy Mayor Connolly said he felt that certain professions are permitted to operate from their residences, and that the applicant's profession as a photographer has some validity to be included and he be permitted to do likewise.

The Motion was put and passed, 4 voting for the Motion 1 voting against the Motion, and two abstentions.

Rezoning of Lot 95 from R-2 Second Density Residential Zone to R-2 Multiple Dwelling Zone 3391-95 Gottingen Street.

The Clerk reported the following Aldermen as not being present at the public hearing, and therefore being ineligible to vote:

Aldermen Stanbury, Hanson, Lawrence, Walker and Shannon.