

The remaining members did not constitute a quorum.

It was MOVED by Deputy Mayor Connolly, seconded by Alderman Walker that this matter be deferred to the next meeting of City Council to be held on August 26 1976. Motion passed.

Rezoning of lands in the area of Chebucto Road, Allen Street, Chebucto Lane and Robie Street.

The City Clerk reported Alderman Lawrence as not being present at the public hearing and therefore ineligible to vote.

The City Solicitor regretted that due to insufficient time he had been unable to prepare a report germane to this issue, but would proceed to do so without delay.

It was MOVED by Deputy Mayor Connolly, seconded by Alderman Walker that this matter be deferred, until the next meeting of City Council. The Motion was put and passed

PETITIONS AND DELEGATIONS.

Petition - Armshore Drive.

It was MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly that this matter be referred to staff for a report. Motion passed.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Proposed Day Care Operations - Armdale Civic Centre.

A staff report, dated August 9 1976 was submitted on this matter, also a staff report dated August 11 on Day Care Operations - City Premises was also submitted.

It was MOVED by Alderman Hanson, seconded by Alderman Downey that the two classrooms on the north side of the main floor of the older building in the South Armdale School complex be rented to the Armdale Cooperative Play Group for the sum of \$25.00 per month until the end of 1976, and a rent review take place in 1977.

Ms. Angela Julien answered questions put to her by those present. His Worship said he felt the provision of day care by the City required review, and asked this to be put on a future agenda, and the necessary background information be obtained and submitted prior to discussion.

The Motion was not put.

It was MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly that the matter of the proposed Day Care Operations - Armdale Civic Centre be deferred to the next Committee of the Whole. Motion passed.

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

Alderman Sullivan, in referring to the recommendation of the Finance & Executive Committee, felt that perhaps the Alderman for Ward #5 should be appointed rather than naming a specific person.

MOVED by Alderman Lawrence, seconded by Alderman Walker that incumbent Aldermanic representative of Ward #5 be appointed as the City of Halifax representative to the Board of Directors of the Halifax Police Boys' Club to serve at the pleasure of Council. Motion passed.

9:35 P. M. - Alderman Hanson leaves the meeting.

Appointments -

1. Halifax Transit Corporation, Board of Directors, and
2. Waterfront Development Corporation

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that, as recommended by the Finance and Executive Committee, Mr. Kenneth McGrail be appointed to the Board of Directors, Halifax Transit Corporation, for a further term to expire June 1, 1979. Motion passed.

MOVED by Alderman Meagher, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Mr. James Cowan be appointed to the Waterfront Development Corporation to serve at the pleasure of Halifax City Council. Motion passed.

Purchase of Electronic Read-out Board & Lane Markers

MOVED by Alderman Sullivan, seconded by Alderman Walker that, as recommended by the Finance & Executive Committee, Council authorize the charge of \$6,000 to be made from account number FAA53 for the purchase of electronic read-out board and the lane markers from Pointe Claire, Quebec (with a recovery of \$3,000 for a net cost of \$3,000).

Motion passed.

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Tender Nos. 76-55(R), 76-73(R), 76-74(R), 76-75(R) 76-77(R),  
76-93(R) - New & Replacement Equipment

MOVED by Deputy Mayor Connolly, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, authority be granted to purchase equipment from the lowest bidders indicated as follows; funds available in the new equipment account:

Tender #76-55(R) - Four (4) One-Way Snow Plows

LaHave Equipment Limited \$9,180.00

Tender #76-73(R) - One (1) Two Ton Dump Truck

A. E. Fowles Limited \$8,872.53

Tender #76-74(R) - One (1) Backhoe Attachment

Paul C. Palmer Limited \$6,182.00

Tender #76-75(R) - One (1) Stump Cutter

Vermeer of Canada Limited \$9,465.00

Tender #76-77(R) - One (1) Reversible Snow Plow

Wilson Equipment Limited \$3,140.00

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

Tender No. 76-93 - One Air Compressor

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, authority be granted to purchase equipment from the lowest bidder, W. N. White & Company Limited in the amount of \$6,633.00 and that necessary funds be transferred from the Vehicle Replacement Reserve Account.

Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on August 3, 1976, as follows:

Street Acceptance, Convoy Place, Phase I & II

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Committee on Works, the following streets in Convoy Place Phases I and II, be accepted as part of the official street system as they fulfill the minimum standards required by the City:

- (i) North Ridge Road
- (ii) Sentinel Square
- (iii) Stoneham Court
- (iv) Carriageway Crescent

Motion passed.

Street Acceptance, Clayton Park Drive Extension & Streets in Hampton Mews

MOVED by Alderman Lawrence, seconded by Alderman Walker 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:

- (i) Clayton Park Drive Extension
- (ii) Streets in Hampton Mews:
  - 1. Westridge Drive from Covington Way to Hanover Court, and
  - 2. Hanover Court.

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

Contract - Chain Link Fence - Pennington Avenue

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Committee on Works, a contract be awarded to the lowest bidder meeting specifications, Atlantic Fence Builders, 961 South Bland Street, Halifax, in the amount of \$8,000.00.

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

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Deputy Mayor Connolly referred to the fence work being carried out by the C.N.R. in the area of the railway cut which runs through a residential district, and asked if the C.N.R. could be required to tidy up this area.

Alderman Shannon questioned whether anything is being done in terms of a fence at Conrose Field, and His Worship advised that a report would issue on this matter.

Contract - Chain Link Fence - Williams Lake Road,  
Lot H-1 and H-2

MOVED by Alderman Walker, seconded by Alderman Lawrence that, as recommended by the Committee on Works, authority be granted to transfer \$725.00 from Account CGA10 to Account CGA11 and a contract be awarded to the lowest bidder meeting specifications, Eastern Fence Erectors Limited, in the amount of \$3,724.74. Motion passed.

Fence - Billman Property

MOVED by Alderman Walker, seconded by Alderman Lawrence that, as recommended by the Committee on Works, a contract be awarded to the lowest bidder meeting specifications, Edmonds Brothers Enterprises Limited, in the amount of \$1,420.00. Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on August 3, 1976, as follows:

Recreation Committee Motion Re: Police Department  
Surveillance in Civic Parks and Playgrounds

MOVED by Deputy Mayor Connolly, seconded by Alderman Shannon that, as recommended by the Safety Committee, no action be taken on the Recreation Committee's Motion and that the Halifax Police Department be requested to increase surveillance in Civic parks and playgrounds in order to reduce the possibility of vandalism and annoyance to private citizens. Motion passed.

REPORT - CITY PLANNING COMMITTEE

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

Development of Cowie Hill - Block J & Recreational Areas

The following is the recommendation of the City Planning Committee:

- "1. That the Development Agreement be amended to change the use of Block J from that of a commercial/community centre to that of an outdoor recreation area as chosen by the representatives of Condominium Corporations 2, 5, 9, and 10 subject to the following conditions:
  - (a) the design and specifications be approved by the Recreation Department (Block J only),
  - (b) the maintenance be the responsibility of the condominium groups as presently provided by the Agreement, and
  - (c) any excess funds left over from the account allocated for this phase of the Agreement to be turned over to the condominium groups for maintenance of the facility.
2. Staff further evaluate the matter of additional day care facilities in this development, in light of the provincial subsidy restraints on such facilities and, also, the recent construction of apartment buildings on Blocks E and H.
3. A formal amendment be made to the Development Agreement to confirm Council's decision of March 14, 1974, that Block C, due to its rough topography, not be accepted by the City as public open space. Block C referred to in this decision is as shown on previous survey Plan No. TT-14-19181 and bearing latest revision date of April 25, 1973 (Also known as Plan No. P200/5787).
4. The Development Agreement be amended such that Block D, due to its rough topography, also not be accepted by the City as public open space. This Block D is also shown on Plan No. TT-14-19181, revised to April 25, 1973 (Plan No. P200/5758).
5. Staff further evaluate the desirability of accepting a portion of Block B as public open space and, also, investigate the possibility of obtaining all of Block B or other alternative open space dedications for this development."

Alderman Walker said he would like to move the recommendation of the Finance & Executive Committee with a slight amendment; that being by inserting the words "and cost of estimates" after the word "specifications" in 1(a), and also by adding "Block C" which is also outlined in recommendation 1(a).

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Alderman Walker said this change was in accordance with a request from the Condominium Groups saying there was an amount of \$100,000.00 set aside for the development of the commercial centre which has now been changed to an outdoor recreational area.

The City Manager suggested that the matter of cost is between the developer and C.M.H.C. but said she did not see why the Condominium Groups could not find out the information as requested by Alderman Walker's proposed amendment. The City Manager noted that the staff report indicates that if the costs are less than allocated, the additional monies will go towards operational costs. With respect to Block C, the City Manager said it staff's recommendation that the City not accept Block C and suggested this makes it difficult to dictate what should be done with the Block.

Deputy Mayor Connolly questioned whether Alderman Walker was referring to the total of Block C or just the portion on which the tennis courts are located and Alderman Walker suggested it was only the tennis court section.

Alderman Shannon noted that the Agreement states that Blocks A,C,D, and a portion of B are to be given to the City provided the developer develops both C and that portion of B to be conveyed, to a standard acceptable to the City. Alderman Shannon requested clarification from the City Solicitor saying that this section of the Agreement seems to say that the City was to receive the land but that it would be developed to an acceptable standard.

Mr. Dodge of the Development Department, noted that Alderman Shannon was reading from the Agreement between the Developer, C.M.H.C., and the City and suggested that what staff had said previously was that the area of B and C would only be acceptable to the City if they were properly landscaped, saying the only area that had to be done in this manner was Block D. Mr. Dodge suggested this was the ruling which was previously made but noted that the staff report is now recommending that Block D not be accepted because of its topography.

Alderman Shannon also referred to Block J saying it was to be owned by a group to be set up by the developer including condominium, cooperative, and private land owners. Alderman Shannon questioned why it is that the four condominium groups have now been given responsibility for Block J when, presumably, someone will end up owning the apartment Blocks etc. whether cooperatively or privately.

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Alderman Shannon questioned why the four condominium groups now have responsibility for the Block when there are many more land owners to be considered. The Alderman requested that the City Solicitor also give consideration to this matter.

MOVED by Alderman Walker, seconded by Alderman Lawrence that the matter be referred to the next regular meeting of the Committee of the Whole Council and that the Presidents of the four Condominium Groups be advised of same.

Motion passed.

Policy Re: Lot Consolidation

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, City Council adopt as policy the requirement that lot consolidation approval must be granted by the City Council prior to a building permit being issued in cases where a building and/or any appurtenance thereto would occupy a site made up of more than one lot. Motion passed.

Lot Consolidation - Lots 5 and 6, Rufus Avenue

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that, as recommended by the City Planning Committee, City Council approve the consolidation of Lots 5 and 6 to form Lot A, Rufus Avenue, as shown on Plan No. P200/7393 of Case No. 3314. Motion passed.

Resubdivision Approval Lots P & 76B Union Street  
(Civic No. 3129)

MOVED by Alderman Sullivan, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, Council approve the resubdivision of Lots 76 and 77 Union Street to form Lots P and 76-B as shown on Plan No. P200/7478 of Case No. 3350. Motion passed.

Application for Resubdivision & Lot Consolidation - 144 & 148  
Old Sambro Road, Lands of Leval A. Lambert & R. F. Brown

MOVED by Alderman Walker, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, the application to resubdivide Lots A and B, lands of Leval A. Lambert to create Lots S-1 and S-2 and the application to consolidate Lots S-1 with Lot Y-1, lands



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of Roy F. Brown, to create Lot S-1A, as shown on Plan No. P200/7491 of Case No. 3354, be approved by City Council.

Motion passed.

Proposed North End Fire Station

The following is the recommendation of the City Planning Committee:

- "1. That Council approve the enlargement of the Emergency Lighting System to comprise an Emergency Power Supply System until such time that the results of the tender call are known; and
2. That the proposed North End Fire Station detailed design drawings be forwarded to City Council without recommendation."

Following a short questioning of staff, it was MOVED by Alderman Sullivan, seconded by Alderman Lawrence that:

1. City Council approve the detailed design drawings for the proposed North End Fire Station, and
2. City Council approve the enlargement of the Emergency Lighting System to comprise an Emergency Power Supply System until such time that the results of the tender call are known.

Motion passed.

MISCELLANEOUS BUSINESS

Award of Tender #76-27, Construction of Various Capital Budget Projects

A staff report dated August 4, 1976 was submitted relating to the above noted matter.

Alderman Lawrence, in referring to the matter of sidewalk replacements, requested that staff give consideration as to whether the contractor should be replacing sods in the abutting green areas or whether this should be carried out by a landscape company. Alderman Lawrence said the problem is that inexperienced persons are involved in the positioning of sods which results in a poor job being done.

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Deputy Mayor Connolly referred to a recent sodding project carried out between Gottingen Street through to the Cogswell Street Interchange overpass saying he did not see how the City could accept the work which was done.

His Worship advised that staff would take a look at these matters.

Alderman Sullivan noted that the tenders for the Allen Property came in at a price slightly less than that budgeted and said he would like staff to give consideration to the sodding of a small piece of land on the Gottingen Street side of the Allen property, across from the fence.

Alderman Sullivan said there is also a problem with the fence on a property on Glebe Street which has dropped below the property levels of the abutting properties, and said he would like staff to give consideration to a retaining wall in this area and to reposition the fence at the same level as the other properties. Alderman Sullivan suggested that staff could submit a report on these items.

MOVED by Alderman Lawrence, seconded by Alderman Shannon that Tender #76-27 be awarded on the basis of the lowest individual bid price to the following:

1. Standard Paving Maritime Limited be awarded Jubilee Road - sidewalk renewal, Quarry Road and Mumford Road - traffic improvement;
2. G. W. Mills Ltd. be awarded Palmer Hill Road - traffic improvement; and
3. Terra Nova Landscaping Ltd. be awarded Allen Property - Recreation - Sod;

AND, That Council authorize a transfer of funds in the amount of \$2,300 from Traffic Improvement Account #CEA67 Palmer Hill Road (surplus fund) to Traffic Improvement Account #CEA69 Mumford Road as outlined in Appendix "A" of the staff report dated August 4, 1976.

Motion passed.

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Tender 76-116 Sale of Surplus 1973 Chev Car #41

A staff report dated August 9, 1976, was submitted relating to the above noted matter.

MOVED by Deputy Mayor Connolly, seconded by Alderman Meagher that the 1973 Chevrolet Car #41 be sold to the high bidder, W. Dickson for the amount of \$1,071.00.

Motion passed.

QUESTIONS

Question Alderman Walker Re: Bridge Signs

Alderman Walker questioned whether the signs directing motorists to the Angus L. MacDonald Bridge, could be posted with a Closed sign while the bridge is under repairs.

Question Alderman Walker Re: Sodding - Police Station

Alderman Walker suggested there is an area in front of the police station which has never been sodded and questioned whether any monies were included in the budget for this project.

Question Deputy Mayor Connolly Re: Liquor Store, Young Street

Deputy Mayor Connolly said that some time ago, he requested that staff investigate the above noted store in terms of possible uses. Deputy Mayor Connolly questioned whether staff have had an opportunity to look at it.

Question Deputy Mayor Connolly Re: Sodding, Cogswell Street

Deputy Mayor Connolly referred to an item which he mentioned earlier in the meeting respecting the poor job of sodding between Gottingen Street and the Cogswell Street Interchange overpass, and asked that staff report on the matter.

Question Alderman Lawrence Re: Zoning, Property corner of Old Sambro Road and Dentith Road, Southeast side

Alderman Lawrence said he would like to receive a report from staff as to the zoning of the above noted property. Alderman Lawrence suggested this was one of the most unsightly premises in the City.

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Question Alderman Lawrence Re: Police Cars

Alderman Lawrence said he would like staff to evaluate the adequacy of the police cars which are presently being used. Alderman Lawrence said that many of the present vehicles are out of service quite frequently and felt that when tenders are received for such vehicles, it may be that the lowest tender should not always be accepted. Alderman Lawrence said he would like the situation monitored for the next few months.

Question Alderman Meagher Re: Canteen Facilities - Central Commons

Alderman Meagher said that at the last Council meeting, he put forth a question regarding canteen facilities at the central commons. Alderman Meagher said he was informed there was to be a mobile canteen at this location.

Alderman Meagher said he has been informed that the person in question is not supplying the canteen facilities as indicated and asked that staff check into the matter.

Question Alderman Walker Re: Additional Street Light - Ivylea Crescent

Alderman Walker said he has received a request for an additional street light on Ivylea Crescent in the area of Civic Nos. 20-22, and requested that staff look into the matter.

Question Alderman Walker Re: Lights - Punch Bowl & Cowie Hill

Alderman Walker asked if staff could carry out a traffic check in the area of Punch Bowl and the Herring Cove Road as it comes down from Cowie Hill in consideration of the possibility of installing lights at this location.

His Worship the Mayor - Operation of Waterfront

His Worship noted that members of Council are aware that on Monday, August 2nd., a tentative agreement was reached between the Maritime Employers Association and the Longshoremen's Association. His Worship said that upon presentation to the general membership of the Union, the tentative agreement was rejected.

His Worship said that when he became aware of the possibility of a lockout, he communicated with the Maritime Employers Association suggesting that the Association not impose a lockout at least for a short period of time. His Worship said the Association advised the Mayor that they took a decision in Montreal they would lockout effective midnight Sunday.

His Worship said the Mayor of the City has no mandate in collective bargaining law to be conciliating but expressed the opinion that such action by the Association will be disastrous for the future of the Port. His Worship said that he has had conversations with both associations but suggested the positions of the two parties have not substantially altered since the lockout commenced.

His Worship said that as Mayor, he wished to use this occasion of the meeting of the government of the City to appeal on behalf of all citizens to both parties to review their positions with the closest care and consideration and bring about the speediest resumption of employment in the Port.

His Worship said that failure of either party to do so, may become the occasion for the Mayor to make requests for other levels of government for preemptive action to resume action in the port.

10:45 P. M. - Meeting adjourned.

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MAYOR EDMUND L. MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT  
CITY CLERK

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
August 18, 1976  
8:00 P. M.

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

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

Present: Deputy Mayor Dennis Connolly, Chairman; Aldermen Shannon, Downey, Sullivan, Stanbury, Walker, and Hanson.

Also Present: City Manager; City Clerk; Mr. B. Allen, Solicitor; and other staff members.

The Chairman advised that the meeting was called as a public hearing to give consideration to the following:

1. Rezoning of Civic No. 287 Herring Cove Road from R-2 Two Family Residential Zone to C-2 General Business Zone; and
2. (a) Rezoning of Parcel M-E1 from C-1 Commercial (Local Business Zone) to R-1 Residential (Single-Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway;  
  
(b) Rezoning of Parcel M-E2 from P Zone (Park and Institutional) to R-1 Residential (Single-Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway; and  
  
(c) Repeal of the Subdivision approved by City Council August 28, 1975 which subdivision created parcels M-E1, M-E2, and M-E3, Lands of Maritime Estates Limited, Bedford Highway.

Public Hearing Re: Rezoning of Civic No. 287 Herring Cove Road from R-2 Two-Family Residential Zone to C-2 General Business Zone

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



Mr. Boyd Algee of the Development, addressed Council and, with the aid of a map, outlined the property in question. Mr. Algee advised that the property presently has a single family dwelling on the site as well as a small garage which, he said, staff understands is to be removed.

Mr. Algee advised that the rezoning is being requested to permit a veterinary clinic saying that staff have recommended against the rezoning on the same grounds as they have recommended against other such rezoning applications in the subject area. Mr. Algee indicated the main reason for staff's recommendation was due to traffic congestion saying it is also a spot rezoning and represents a further intrusion into the residential area.

8:06 P. M. - Alderman Lawrence arrives.

Mr. Algee then responded to questions put forth by members of Council with respect to the application.

8:10 - Alderman Meagher arrives.

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

Dr. Hilliard, the applicant, addressed Council saying that he previously spoke at a Committee of the Whole meeting suggesting that Council is familiar with the details. Dr. Hilliard advised that the building will remain essentially as it is with some minor changes taking place on the interior.

With respect to the matter of traffic, Dr. Hilliard suggested that access to the site could be made from Bradford Street rather than from the Herring Cove Road. He also suggested that the removal of the garage would be an improvement to the site.

Dr. Hilliard then responded to a brief questioning from Council.

There being no further persons wishing to speak either in favour of the application or against, the Chairman declared the matter to be before Council.

MOVED by Alderman Walker, seconded by Alderman Sullivan that the matter be forwarded to the September 16, 1976 meeting of City Council without recommendation.

Motion passed.

Public Hearing Re:

- (a) Rezoning of Parcel M-E1 from C-1 Commercial (Local Business Zone) to R-1 Residential (Single-Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway;
  - (b) Rezoning of Parcel M-E2 from P Zone (Park & Institutional) to R-1 Residential (Single-Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway; and
  - (c) Repeal of the Subdivision approved by City Council August 28, 1975 which subdivision created Parcels M-E1, M-E2, and M-E3, Lands of Maritime Estates Limited, Bedford Highway
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A public hearing was held at this time into the above noted matter which was duly advertised.

Mr. Boyd Algee of the Development Department, addressed Council and, with the aid of a map, proceeded to outline the proposal. Mr. Algee said that the property was the subject of a rezoning in July of last year saying that when the matter was submitted to Council at that time, the property which is located north of Lodge Drive, on the Bedford Highway, consisted of two lots; lot M-1 and a triangular parcel called M-2.

Mr. Algee said that at that time, the proposal was to combine the two lots to form one lot called "M", and to rezone a portion of that new lot which he proceeded to outline on a map. He advised that the proposal was to permit an antique store on the site saying the rezoning did take place after a subdivision was approved.

Mr. Algee said the subdivision split the lot into three parcels of land known as ME-1, ME-2, and ME-3. He informed Council that the rezoning which took place rezoned ME-1 from R-1 to C-1, ME-2 from R-1 to P & I, and ME-3 remained as P & I as it previously was zoned.

Mr. Algee went on to explain that after the rezoning and subdivision had been completed, it was learned that the antique store was not to be placed on the site saying that Council therefore decided that it would like to look at the possibility of changing the rezoning back to its original state and to rescind the subdivision. He advised that this would change ME-1 back to R-1, ME-2 would also revert back to R-1, and ME-3 would remain as P & I, and the subdivision would revert back to its original state with the area in question consisting of Lots M-1 and M-2.

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

Deputy Mayor Connolly noted that a letter under date of August 16, 1976, has been received signed by a number of residents living in the area of the rezoning saying it was difficult to ascertain whether they are in favour of or opposed to the proposal.

The Chairman then called for those persons wishing to speak in favour of the matter.

Mr. Robin Calder of 15 Lodge Drive, addressed Council saying that he is one of the persons who signed the letter of August 16, 1976 as referred to by the Chairman. Mr. Calder noted there are actually two rezonings before Council this evening and suggested it was difficult to be totally in favour of or opposed to either one. He said he was in favour of one and against the other.

Mr. Calder said he was concerned about commercial development taking place behind their properties saying there are presently two motels between his property and the Hemlock Ravine. He said that as a citizen of the City, it seems a shame that the forest could be spoiled by these two motels one of which, he said, is at the foot of the Ravine.

Mr. Calder said there is also a question of municipal services saying the area in which he lives is one of the last areas in the City where septic tanks and wells are used. Mr. Calder expressed concern that the same thing may happen in his area as took place in Wedgewood Park in terms of contamination of wells.

Mr. Calder expressed the feeling that he would prefer to see the whole area zoned P & I saying the house which exists on the lot has never been lived in since he has been a resident of the area and suggested it is likely a fire hazard. Mr. Calder said he would prefer to see the land revert back to its original state than to remain as it presently is.

Mr. Lionel Brandon also addressed Council and advised that his wife's signature appears on the letter of August 16, 1976 which was previously referred to in the meeting. Mr. Brandon said his family moved to Halifax less than one year ago and it was his understanding that the area behind his property was zoned P & I.

Mr. Brandon said he would be concerned if Parcel ME-2 were to be developed because of the wells and septic tanks in the area saying that any construction in this area would affect the properties below. Mr. Brandon said he recognized that ME-2 was formerly residential but expressed the feeling that it should be zoned P & I.

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

8:45 P. M. - Alderman Moore arrives.

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

Mr. B. Covert, Solicitor for Maritime Estates Limited, addressed Council and in referring to portion of land abutting the Bedford Highway, said that from visiting the site it appears that this area is at a lower grade than the area where the homes are located on Lodge Drive.

Mr. Covert said it was his understanding that the first time the matter came to Council subsequent to the rezoning was on November 14th when it was indicated the property had been publicly advertised for sale. Mr. Covert said that as he recalled, the discussions at subsequent meetings which he attended related to the veracity of statements made by either Maritime Estates, the principals of Maritime Estates, or the Solicitors of Maritime Estates regarding the possibility of building an antique store. He said that as he understood the process of events, the matter was referred to staff to check this matter out.

Mr. Covert said Maritime Estates then undertook to obtain certain written material and to make it available to staff relating to the statements made during the original rezoning and said it was in March of this year that his office delivered that documentation to City staff.

Mr. Covert said that he was prepared, at a Committee of the Whole meeting, to make representations on behalf of his clients with regard to this question but said he was not permitted to speak. He said that tonight is the first time which his clients have had an opportunity to raise the matter suggesting it has been established, by third party documentation, that Maritime Estates did have a purchase and sale agreement at the time they made application and that the purchaser was contacted when the rezoning of ME-1 was approved and the purchaser refused to complete the transaction.

Mr. Covert suggested Maritime Estates could have sold the property privately but said they did not do this. Mr. Covert said the first time Maritime Estates became aware the item was coming before Council, he attended and indicated that Maritime Estates would take no action on the land until staff was satisfied as to veracity of statements made. He said that to this day, nothing has been done with the land and said the dwelling located thereon has depreciated to such an extent that his client was required to spend a considerable amount to have the building boarded up.

Mr. Covert then turned to the merits of the application and suggested that one of the points Council should be considering is the immediate adjacent uses and went on to outline the many commercial establishments existing in the area. Mr. Covert also pointed out that, with respect to Parcel ME-1, only one side of the Bedford Highway can be developed in this area as there is a C.N.R. right-of-way existing on the other side of the highway. He said he would therefore have to disagree with staff's original approach relating to traffic congestion.

Mr. Covert also referred to original representations made relating to a wall existing on the property which would visually impede vehicles entering or leaving the property, and said he personally could not see that such is the case. He said that his clients have always indicated a willingness, should City staff require it, to remove the wall if it creates any problems.

Mr. Covert advised that his clients have made no applications to staff or suggested any use for the property because of their undertaking to Council that nothing would be done until the matter was straightened out. Mr. Covert suggested his clients have acted in good faith and will sit down and talk with staff as they have done in the past.

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

For clarification purposes, the City Manager advised that she forwarded two information reports to Council relating to the sale of the property. Mrs. Glube advised that one was forwarded in November which incorrectly advised Council that the property was listed in July. The City Manager advised that on December 1, 1976, another memo was circulated which corrected the previous information which advised Council that the property was first listed on October 24, 1975 rather than in July following the rezoning. Mrs. Glube advised that this information was received as a result of actual contact with the Company the property was listed with.

There being no further persons wishing to speak against the proposed rezoning, the Chairman declared the matter to be before Council.

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

Motion passed.

9:30 P. M. - Meeting adjourned.

HEADLINES

Public Hearing Re: Rezoning of Civic No. 287 Herring Cove  
Road from R-2 Two-Family Residential Zone to C-2  
General Business Zone ..... 393

Public Hearing Re:  
(a) Rezoning of Parcel M-E1 from C-1 Commercial (Local  
Business Zone) to R-1 Residential (Single-Family  
Dwelling Zone), lands of Maritime Estates Limited,  
Bedford Highway;

- (b) Rezoning of Parcel ME-2 from P Zone (Park & Institutional) to R-1 Residential (Single-Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway; AND
- (c) Repeal of the Subdivision approved by City Council August 28, 1975 which subdivision created Parcels M-E1, M-E2, and M-E3, Lands of Maritime Estates Limited, Bedford Highway ..... 395

DEPUTY MAYOR DENNIS CONNOLLY  
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)  
CITY CLERK

CITY COUNCIL  
MINUTES

*Record*

Council Chamber  
City Hall  
Halifax, N. S.  
August 26, 1976  
8:00 P. M.

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

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

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

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

MINUTES

Minutes of City Council meetings held on August 12 & 18, 1976, were approved on Motion of Alderman Lawrence, seconded by Alderman Moore.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of the City Clerk, the following additions and Deletions were approved:

Add: 20(a) - Tender 76-92, Sidewalk Renewal  
20(b) - Purchase of Pierreville 1750 IGPM Pumper  
20(c) - MOVE - Request for Reconsideration for funds by Tax Concessions & Grants Committee

DELETE: 5(c) - Rezoning - Lands in area of Chebucto Road, Allen Street, Chebucto Lane, & Robie Street (Request of City Solicitor pending legal opinion)

The City Clerk also pointed out that a supplementary report entitled "Allocation of Funds - Halifax Transit Corporation 1976 Wage Settlement" has been submitted with respect to item 10(a) on the agenda.

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



DEFERRED ITEMS

Rockingham "Y" - Citizen Committee Proposal

At the August 12, 1976, meeting of Council the above noted item was placed on the agenda of tonight's meeting for the purpose of receiving a proposal for the operation of the Rockingham "Y" until the end of the year.

A staff report dated August 25, 1976, was submitted entitled "Northcliffe Community Recreation Center (Rockingham "Y")".

His Worship advised that the Director of Works wished to present information to Council on the subject matter.

Mr. Calda, Director of Works, addressed Council and advised that staff was concerned about the safety of the equipment room where the chlorine is added to the water system in the swimming pool at the "Y". Mr. Calda advised that staff contacted the Department of the Environment for the Province of Nova Scotia with the request that they undertake an inspection of the system. He advised that the Department commenced the inspection today and will advise staff tomorrow morning on their findings.

His Worship questioned whether there may be a hazard to human health, and Mr. Calda said staff believes there is such a hazard.

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

Motion passed.

Rezoning - Lot 95 from R-2 Second Density Residential Zone  
to R-3 Multiple Dwelling Zone - 3391-95 Gottingen Street

The above noted item was referred to tonight's meeting from the August 12, 1976 meeting of City Council.

The City Clerk advised that Aldermen Stanbury, Hanson, Lawrence, Walker, and Shannon could not vote on the matter as they were not present at the public hearing.

MOVED by Alderman Sullivan, seconded by Alderman Downey that 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, be refused by City Council.

The Motion was put and passed with Aldermen Moore and Meagher against.

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

The above noted item was deleted from the agenda during the approval of the Order of Business.

Rezoning - Lands and Repeal of Subdivision -  
Lands of Maritime Estates Ltd., Bedford Highway

A public hearing was held on the above noted matter on August 18, 1976.

The City Clerk advised that His Worship was not present at the public hearing and therefore, could not vote on the matter. The City Clerk also advised that Alderman Moore arrived at 8:45 p.m. which was about one-half way through the public hearing.

Alderman Moore indicated that he would abstain from voting.

MOVED by Alderman Lawrence, seconded by Alderman Shannon that the following be approved:

- (a) The rezoning of Parcel M-E1 from C-1 Commercial (Local Business Zone) to R-1 Residential (Single-Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway;
- (b) The rezoning of Parcel M-E2 from P Zone (Park and Institutional) to R-1 Residential (Single Family Dwelling Zone), Lands of Maritime Estates Limited, Bedford Highway; and
- (c) The repeal of the Subdivision approved by City Council August 28, 1975, which subdivision created Parcels M-E1, M-E2, and M-E3, Lands of Maritime Estates Limited, Bedford Highway, all of which as shown on Plan No. P200/7084 of Case No. 3151.

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A discussion ensued on the matter and Deputy Mayor Connolly, in referring to the Motion, questioned whether the owner would have to wait 12 months to make another application for a specific use, if the Motion were approved.

The City Solicitor advised that such an application could be dealt with at the next meeting.

Following a further short debate, the Motion was put and passed with Deputy Mayor Connolly, and Aldermen Downey and Stanbury against.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal Against the Refusal of the City Clerk to issue a Lord's Day Permit to Ms. Susan Petursson, Capt. Susan's

The City Clerk advised that she personally visited the business in question and refused to grant the permit as she did not feel the business complied with Ordinance #109.

A short discussion ensued with respect to the adequacy of the provisions of Ordinance #109, and Deputy Mayor Connolly said he had no difficulty with the decision arrived at by the City Clerk in this matter. Deputy Mayor Connolly noted that he previously asked for information from staff as to how the Ordinance could be amended in order to permit Council to deal with some of the applications which have been appearing lately.

Mr. Michael King addressed Council on behalf of the appellant and advised that the subject matter is an appeal of the decision of the City Clerk not to grant a Lord's Day Permit to Ms. Susan Petursson for the operation of her business located at Historic Properties.

Mr. King said his client makes the submission that her business falls within Section 3(1) (c) of Ordinance No. 109 part of which reads as follows:

"The Council may, upon the application of the owner of a store in which the principal business is the sale of handcrafts, novelties, souvenirs, and similar articles, principally to tourists or travellers, issue a permit with respect to such store from eight o'clock in the forenoon until twelve o'clock in the afternoon of the Lord's Day."

Mr. King said the submission is that the business at Historic Properties deals in handcrafts and hand made woollens and advised that Ms. Petursson will show Council that she deals principally with tourists and travellers.

Mr. King then responded to questions put forth by His Worship and the City Solicitor.

Ms. Petursson, the appellant, then addressed Council saying that her store sells handcrafts in that the garments are mostly hand woven or knit and which display labels to that effect. She also advised that her store sells hand carved souvenir spoons.

Ms. Petursson then proceeded to advise Council of the percentage of her sales, as a percent of 100%, for the months from November 1975 until August of 1976 which indicated that the bulk of the business took place during the summer months. Ms. Petursson suggested that the figures should indicate to Council that her business is done mainly with tourists as sales were highest from May until August. She also suggested that local residents do not purchase wool garments during these months and submitted that tourists are not able to purchase the same quality of goods at the same price elsewhere.

Ms. Petursson submitted that her business does fall within the Ordinance and felt the figures which she submitted indicate the type of clientele that visit the store.

Mr. King again addressed Council and urged that Council interpret the Ordinance in such a way as to allow Ms. Petursson to remain open on Sundays. Mr. King suggested that with a liberal interpretation of the words "handcrafts and similar articles", it can be argued that handmade woollens and handmade goods fall within the definition of handcrafts. He suggested that if not within that definition, the goods could fall within the "similar articles" section of the Ordinance.

Mr. King also asked that Council interpret the type of business as applying principally to tourists and travellers and suggested that the majority of people who visit the stores in Historic Properties are tourists and travellers.

His Worship suggested that Council should obtain an opinion from the City Solicitor as to the questions of law which have been raised this evening.

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His Worship expressed the feeling that Council should have the City Solicitor's views on this matter either now or by written opinion before judging the item.

The City Solicitor said he would like to give consideration to the views expressed by Mr. King saying he would attempt to have a report prepared for the next meeting of the Committee of the Whole Council.

Council then agreed that the item be deferred to the September 8, 1976, meeting of the Committee of the Whole Council.

Appeal Against the Refusal of the City Clerk to Issue a Lord's Day Permit to Mr. Geoffrey Jarrett - Heirloom Ltd.

The City Clerk advised that she personally visited the business in question and as she did not feel it fell within the provisions of Ordinance No. 109, refused the permit.

His Worship questioned whether Mr. Jarrett or a representative wished to speak on the matter but there was no response from the gallery.

Alderman Shannon made the suggestion that perhaps Council should be giving consideration to all the stores within Historic Properties in terms of allowing them to remain open on Sundays during the tourist season. Alderman Shannon questioned whether it is possible to grant a permit for the months from May to August or whether permits were issued for the entire year, and the City Solicitor advised that permits are issued for the year.

MOVED by Alderman Moore, seconded by Alderman Lawrence that this matter also be deferred to the next meeting of the Committee of the Whole Council in order that Council may consider the subject.

In reply to a question, His Worship suggested that Council is trying to be guided by the possibility of a favourable opinion saying the item is being forwarded to the Committee of the Whole to see what takes place.

The Motion to defer was put and passed.

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REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on August 18, 1976, as follows:

Tentative Agreement - Halifax Transit Corporation

A supplementary report dated August 18, 1976 entitled "Allocation of Funds - Halifax Transit Corporation 1976 Wage Settlement", was submitted.

MOVED by Alderman Shannon, seconded by Alderman Lawrence that, as recommended by the Finance & Executive Committee, Halifax City Council concur in the principles expressed by the recommendations contained in the tentative agreement with Halifax Transit Corporation as attached to the memorandum from that body dated August 17, 1976.

Motion passed with Deputy Mayor Connolly and Alderman Moore against.

MOVED by Alderman Shannon, seconded by Alderman Lawrence that the budgeted sum of \$236,000 be transferred to the Halifax Transit Corporation budget from the General Government Salary Adjustment Account.

Motion passed with Alderman Moore against.

MOVED by Alderman Shannon, seconded by Alderman Lawrence that the sum of \$199,040 be approved as a supplementary appropriation to the Halifax Transit Corporation budget under Section 201 of the Halifax City Charter.

Motion passed with Alderman Moore against.

MOVED by Deputy Mayor Connolly, seconded by Alderman Shannon that the Halifax Transit Corporation be requested to separately recommend any required raises for the Non-Union staff, and at that time, make application for a further supplementary appropriation to their budget to cover the cost of the raises.

Motion passed.

Resolution Re: Assessment Appeals

MOVED by Alderman Sullivan, seconded by Deputy Mayor Connolly that, as recommended by the Finance & Executive Committee;

1. City Council support the intent of the M.F.O.A. Resolution as attached to their letter of April 9, 1976 and that the matter be directed to the Union of Nova Scotia Municipalities; and
2. City Council attempt to prosper through the Union of Nova Scotia Municipalities, the proposition that the Assessment Appeal Court be a board consisting of not less than three members.

Motion passed.

1976 Vehicle Replacement - Halifax Fire Department

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, the proposal of the Fire Department to purchase one station wagon, one sedan, and one 3/4 ton 4-wheel drive truck and, to trade in one station wagon, one 1/2 ton truck, and one 4-wheel drive Jeep, be approved by City Council.

Motion passed.

Atlantic Winter Fair - Tri-Partite Committee Report

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that Paragraph No. 2 as outlined on the first page of the staff report dated August 12, 1976, entitled "Atlantic Winter Fair Site Committee Report", be approved by City Council. Motion passed.

Possible Expansion - N. S. Liquor Commission Head Office and Warehouse

MOVED by Deputy Mayor Connolly, seconded by Alderman Stanbury that, as recommended by the Finance & Executive Committee, staff be authorized to communicate to the Nova Scotia Liquor Commission that the City is not prepared to entertain a proposal to sell or lease any further lands at the forum site at this time, and to assist the Commission in any appropriate way it can with respect to the Commission's space requirements, and to ascertain the best conditions under which the Liquor Commission would make its premises on Young Street available to the City of Halifax.

Motion passed.

Proposed Day Care Operations - Armdale Civic Centre

Deputy Mayor Connolly said it is his understanding that a license has not, as yet, been granted to the Armdale Co-operative and suggested that perhaps Council should approve the recommendation of the Finance Committee subject to the license being granted by the Department responsible.

Deputy Mayor Connolly said he was also of the understanding the Co-operative Day Care facilities have operated in the past and questioned whether staff have received any feed back on their operation.

Mr. H. Crowell, the Social Planner, said he did not see any problem with passing the Motion conditional upon a license being granted saying the group would not be granted a license until they had the required space.

With respect to Co-operatives which have operated in the past, Mr. Crowell suggested the ones which he was familiar with worked very well saying the per diem rate was lower than most day care operations because of the participation of those involved.

Further discussion ensued and it was MOVED by Alderman Hanson, seconded by Alderman Lawrence that, as recommended by the Finance & Executive Committee, the Armdale Co-operative Group be permitted to rent space within the Armdale Civic Centre until the end of 1977 for an amount of \$25.00 per month assuming revenue does not exceed that which is projected, keeping in mind that the facility is to be an educational undertaking whereby City staff and the Co-operative group will be working closely together, and, that City staff be permitted every access to the total operational experience of the facility.

Motion passed with Deputy Mayor Connolly against.

Tender 76-20 - Storm Sewer - Bridget Avenue

MOVED by Alderman Moore, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, Tender 76-20, Bridget Avenue Storm Sewer, be awarded to Seaport Contractors Ltd., based on the tendered unit prices. Motion passed.

9:20 P. M. - Alderman Lawrence leaves the meeting.



Tender 76-121 - Sewer Renewal - Vernon Street

MOVED by Alderman Shannon, seconded by Deputy Mayor Connolly that, as recommended by the Finance & Executive Committee, Tender 76-121 be awarded to Cyril C. Lively Excavation based on the tendered unit prices.  
Motion passed.

Award of Tender 76-123 - Construction of Lawn Bowling Green -  
St. Mary's Boat Club

MOVED by Alderman Shannon, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, Tender #76-123 be awarded to Edmonds Bros. Enterprises Ltd.  
Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on August 18, 1976, as follows:

Staff Report - Street Acceptance - Reed Court

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that Reed Court in Clayton Park be accepted as part of the official street system as it fulfills the minimum standards required by the City. Motion passed.

Petition - Crown Drive - Multi-surface Treatment

MOVED by Alderman Hanson, seconded by Alderman Sullivan that, as recommended by the Committee on Works, City Council accept the petitions relating to Multi-Surface Treatment on Crown Drive and delete the Crown Drive project from the 1976 Multiple Surface Treatment Program.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on August 18, 1976, as follows:

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Helicopter Service in Metro Area

MOVED by Alderman Moore, seconded by Alderman Hanson that, as recommended by the Safety Committee, City Council, in view of the factors contained in the staff report dated August 5, 1976, not consider the use of a helicopter service by the Police and Fire Departments at this time, and that staff submit a report on the matter in 6 months time.

Motion passed.

His Worship suggested that perhaps the matter could be forwarded to MAPC with the request that consideration be given to metropolitan response to the subject. His Worship suggested that the Council representatives on MAPC could raise the item at a future meeting.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on August 18, 1976, as follows:

Case 3284 - Application for Amendment to the C-4 Professional Zone (Peninsula Zoning By-law) DATE FOR HEARING

The City Clerk advised that the public hearing has been scheduled for October 6, 1976 at 8:00 P. M.

Council then agreed that October 6, 1976, be set as the date for a public hearing to consider the application to amend the C-4 Professional Zone (Peninsula Zoning By-law) to include pharmacy or drug store as a permissible use under Section 1, Subsection (1) of Part X, C-4 Zone, being case No. 3284.

Application for Lot Consolidation, Civic No. 5750, 5770 South Street, Lands of Halifax Professional Centre Ltd.

MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, the application to consolidate Lots A-1 and A-2 (Civic No. 5750, 5770) South Street, lands of Halifax Professional Centre Ltd., to form Lot A, as shown on Plan No. P200/7266 of Case No. 3270, be approved by City Council.

Motion passed.

Rezoning - All University Land Holdings to Park & Institutional  
DATE FOR HEARING

The following is the recommendation of the City Planning Committee:

"That the City Clerk set a date for a public hearing at the next meeting of City Council on the matter of changing the R-2 Zoning to delete from said Zoning Sections 1(d), (e), (f), (g), (h), and (i), and that these sections be included in Park & Institutional."

A staff report dated August 23, 1976, entitled "Motion on Public Hearing to Consider Changes to the R-2 Zone", was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Shannon that action on the motion be deferred until the next regular meeting of Halifax City Council to allow staff the opportunity to draft a more complete report which would accomplish the clear intent of Council in this matter.

Motion passed.

MISCELLANEOUS BUSINESS

Report - Kempt Road Overpass - Capital Project CDA17

A staff report dated July 29, 1976, was submitted relating to the above noted matter.

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that City Council concur in the procedure for the funding of the Kempt Road Overpass (Capital Project CDA17), as is outlined in the staff report of July 29, 1976.

Motion passed.

Report - City of Halifax Superannuation Fund

A report was submitted relating to the above noted matter from Mayor Edmund Morris, Chairman of the Retirement Committee.

Deputy Mayor Connolly questioned whether there is any action that should be taken at this time suggesting that the report should be tabled and dealt with at a future time. Deputy Mayor Connolly said he is concerned with the unfunded liability saying that Council will have to take a hard look at how this is to be funded.

Deputy Mayor Connolly suggested that any improvement in the stock market or a slow down in the rapid rate of inflation may well put the fund back on its feet saying he is therefore a bit hesitant to put money in the Plan at this time to fund the liability. Deputy Mayor Connolly said it is his understanding that the unfunded liability has come about during last one to two years and there is the possibility of some recovery in the future suggesting that a commitment should not be made at this time.

His Worship noted that the City Solicitor has been asked to clarify the relative position of the City and its employees with regard to responsibility for payments towards the unfunded liability suggesting that perhaps Council should ask the Retirement Committee to advise Council further in this matter upon receipt of the report.

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan that the report from the Chairman of the Retirement Committee dated August 16, 1976, entitled "City of Halifax Superannuation Fund", be tabled and that the Retirement Committee be asked to advise Council further on the matter upon receipt of the City Solicitor's report as referred to in the report of August 16, 1976.

His Worship also drew Council's attention to numeral 3 on Page #2 of the report from the Chairman of the Retirement Committee which reads as follows:

"The Committee believes and recommends that it would be prudent to take appropriate steps to restore and maintain the integrity of the Fund so that the liability of the Fund for pension payments is shielded against decline in market values. At the Committee meeting referred to above, chaired by Deputy Mayor Connolly, the Committee also decided, upon examination of the most recent annual actuarial report, that it must regretfully inform Council that it cannot recommend improvement of benefits for present pensioners from the Fund unless the value of any such improvement is made available to the Fund by special appropriation or levy."

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His Worship said the report is in response to a direct request by Council of the Retirement Committee to advise Council in this matter.

The Motion was then put and passed.

Transfer of Funds (Herring Cove Road Project)

A staff report dated August 11, 1976, was submitted relating to the above noted matter.

MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly that the amounts of \$20,000 and \$23,000 be transferred from accounts CDA 07 and CDA 08 respectively and entered into account CDA 24. Motion passed.

Amendment to Ordinance #116, The Taxi Ordinance

A report dated August 17, 1976, was submitted.

Following a questioning of staff, it was MOVED by Alderman Sullivan, seconded by Alderman Meagher that the Third Schedule to Ordinance Number 116, as approved by the Minister of Municipal Affairs on August 2, 1976, be adopted by City Council. Motion passed.

Audited Financial Statements City of Halifax - Year  
ended December 31, 1975

The audited financial statements of the City of Halifax for the year ended December 31, 1975, were submitted.

His Worship said that the normal action of Council is to table the statements but noted that Council has not really had an opportunity to review them.

Alderman Meagher also noted that in past years, a meeting has been arranged with the Director of Finance and the Auditors for the purpose of reviewing the statements.

Following a short discussion, Council agreed that the Director of Finance confer with the Auditors for the City of Halifax and arrange to convene a meeting with members of City Council who are interested in the document and that the Financial Statements then be brought back to Council for whatever decision is to be taken.

Motion passed.

QUESTIONS

Question Alderman Moore Re: Fence along CNR Right-of-way  
fronting on Pennington Avenue

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Alderman Moore referred to the recently approved tender for the installation of a fence along the CNR right-of-way fronting on Pennington Avenue, and questioned whether the fence is to carry on through to Mumford Road. Alderman Moore felt it should run along the right-of-way in order to be effective.

The Director of Works advised that it was his understanding that the fence did run along the right-of-way but said he would check into the matter.

Question Alderman Moore Re: Percentage Increase of 1976  
Capital Budget over the 1975 Capital Budget

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Alderman Moore asked what percentage increase the 1976 Capital Budget was over that of 1975.

The Director of Finance advised that he did not have the figures with him but said the net impact of the budget was held at the same level as the 1975 budget.

Alderman Moore noted that members of Council have been circulated with a memo requesting that Council members submit any items which they may wish to be included in the 1977 budget, and questioned whether it is attempted to keep the 1977 budget at the same level as that of 1976, and the Director of Finance expressed the feeling that this is what Council should work towards.

Alderman Moore referred to projects which the City was able to complete for less funds than were budgeted, and asked if Council could receive a report indicating the amount which has been expended as compared to the amount budgeted on various projects.

The City Manager noted there are a number of projects underway at this time and a number are being tendered. Mrs. Glube advised that such a report would be incomplete as it is not known at this point in the year, what the balances are. The City Manager advised that the memo, as referred to by Alderman Moore, was circulated to members of Council so that staff would be aware of any priorities which may have shifted so that these could be incorporated in the budget document.

Question Alderman Hanson Re: Walkway between Quinn Street and  
Armstrong West

Alderman Hanson requested a status report on the above noted project.

Question Alderman Stanbury Re: Incinerator, Young Street

Alderman Stanbury referred to the above noted incinerator operation which is the cause of many problems to the residents of the area, saying she would like to receive a report on the matter containing an explanation as to why the incinerator is permitted to continue in operation.

Question Alderman Stanbury Re: Connolly Street Playground

Alderman Stanbury said that some time ago, she requested a report on the matter of the Department of National Defence cost sharing in the operation of the Connolly Street Playground.

The City Manager advised that an information report was circulated to members of Council on the subject.

Mr. Murray of the Recreation Department briefly outlined the contents of the report and advised that additional information was received within the last week.

His Worship then requested that Mr. Murray supply Council with an updated version of the information report.

Question Alderman Stanbury Re: Transfer Trucks blocking  
Young Street

Alderman Stanbury referred to the operation of Hoyt's Transfer located on Young Street and said the Company is now using large Diesel trucks which block the entire street. Alderman Stanbury requested that staff look into the matter.

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

ADDED ITEMS

Tender 76-92, Sidewalk Renewals

A staff report dated August 24, 1976 was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore that:

1. Tender 76-92 for projects listed as Items 2, 3, 4, and 5 in Appendix 'A' as shown in the staff report of August 24, 1976, be awarded to the lowest bidder, Clark and Smithers Ltd., for the unit prices quoted; and
2. The tender for Barrington Street project listed as Item 1 in Appendix 'A' as attached to the staff report of August 24, 1976, be awarded to the lowest bidder, Steed & Evans Ltd., for the unit prices quoted.

Motion passed.

Purchase of Pierreville 1750 IGPM Pumper

A private and confidential staff report dated August 26, 1976, was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Stanbury that:

1. City staff be authorized to negotiate the purchase of one 1750 IGPM Pumper from Pierreville Fire Truck Ltd., up to a maximum amount as shown in the staff report of August 26, 1976 bearing in mind that the unit is subject to prior sale; and, delivery of another unit from start would run five to twelve months;
2. Pierreville Fire Truck Ltd complete all alterations to unit outlined by City staff and deliver unit to Halifax fully inspected and certified at no additional cost; and
3. Authority be granted for a transfer of funds from the vehicle replacement account (in which sufficient funds are available) sufficient to pay for this vehicle on the above basis.

Motion passed.

MOVE - Request for Reconsideration for Funds by  
Tax Concessions and Grants Committee

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



A letter dated August 26, 1976 was submitted from MOVEMENT for Citizens Voice & Action relating to the subject matter.

MOVED by Alderman Meagher, seconded by Alderman Stanbury that the request of MOVE be referred to the Tax Concessions & Grants Committee for a report back to Council.

The Motion was put and passed.

10:10 P. M. - Meeting adjourned.

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MAYOR EDMUND L. MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)  
CITY CLERK

Record

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.  
September 8, 1976  
8:05 p.m.

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

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

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

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

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

Amendment to the R-3 Zone of the Zoning By-law for the Peninsula Area - (Western Boundary of Schedule "A" as it exists between Cunard Street and Coburg Road)

Aldermen Meagher and Moore entered the meeting at 8:10 p.m.

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

The City Clerk advised that the matter was duly advertised.

Mr. Robinson, Development Department, with the aid of a sketch, explained the proposal and stated that in order to promote a more livable and enjoyable City at a scale which preserves and enhances the quality of life, efforts should be made to eliminate such potential hazards as a massive wall of high-rise apartment buildings. Mr. Robinson then responded to questions from members of Council.