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The City Solicitor suggested the item appears on the agenda in the manner in which it does as a result of a request of the applicant saying he did not characterize the problem as an appeal of the decision of the Building Inspector as the applicant does in his letter.

Mr. Murphy said the applicant is asking that the door to the rear of the building on Quinpool Road remain open and suggested the logical consequence of the request is to use the abutting property on Pepperell Street in conjunction with the use of the door. Mr. Murphy informed Council that the Pepperell Street property is zoned R-2 whereas the Quinpool Road property is zoned C-2 saying the only way the property on Pepperell Street can be used in conjunction with the Quinpool Road property is for it to be rezoned to R-2.

Mr. Murphy noted that such a rezoning was recently refused by Council saying that under the law, a rezoning application should not come back before Council for a period of one year as the item was resolved in the negative.

MOVED by Deputy Mayor Connolly, seconded by Alderman Walker that the matter be referred to staff for the purpose of receiving a report and that the appellant be informed when the item is to be resubmitted.

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

REPORT - FINANCE & EXECUTIVE COMMITTEE

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

Issuance of the Call for Proposals -  
Uniacke Square Redevelopment Area

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, staff be authorized to proceed with the issuance of the Call for Proposals as attached to the staff report of August 23, 1976 in the manner indicated in the report, and, that a joint staff/citizen Committee be established to review the response to the Call for Proposals.

Motion passed.

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Daylight Saving Time

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

"That the Province of Nova Scotia be requested to assume responsibility for the designation of Daylight Saving Time."

Deputy Mayor Connolly questioned whether the City has a responsibility for setting a date with respect to Daylight Saving Time at this time even though he concurred with what the City is trying to accomplish.

The City Manager referred to a memo circulated by the City Clerk advising that in accordance with a resolution of Council passed on March 25, 1976, Daylight Saving Time will end at 12 Midnight, Saturday, October 30, 1976.

Alderman Moore, in referring to the concern of the community in attempting to conserve energy, questioned whether the City should not make the suggestion of remaining on Daylight Saving Time.

His Worship, for the information of Council, advised that this item was discussed at the recent meeting of the Union of Nova Scotia Municipalities saying it was determined there is a Provincial Statute called the Time Definition Act under which it states the Governor in Council shall Proclaim, saying the Union passed a resolution asking the Provincial Government to exercise the Governor in Council statutory obligation under the Act.

His Worship suggested deferring the item to the next meeting of the Committee of the Whole Council saying the item could be investigated in the meantime to determine if the Province is considering extending Daylight Saving Time.

A further short discussion ensued and Council agreed to defer the matter to the October 6th meeting of the Committee of the Whole Council in order to communicate with the Province on the matter.

Appointment - External Auditors 1976

MOVED by Alderman Meagher, seconded by Alderman Sullivan that Halifax City Council concur in the recommendation of its Finance and Executive Committee of September 22, 1976, to appoint H. R. Doane and Company as external auditors of the accounts of the City of Halifax for the fiscal period 1976.

Motion passed.

Encroachment Fees -

Halifax Cablevision Limited - Ordinance #112

MOVED by Alderman Walker, seconded by Alderman Stanbury that, as recommended by the Finance & Executive Committee, staff be requested to prepare the necessary legal agreement in accordance with the terms as outlined in the staff report of August 30, 1976, and authorize His Worship the Mayor and City Clerk to sign the Agreement.

Motion passed.

Prince's Lodge Preservation Area - Hemlock Ravine

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

"That City Council accept Alternative No. 1 as outlined on Page #5 of the Confidential staff report dated September 15, 1976."

A supplementary confidential staff report dated September 30, 1976, was submitted.

Following a discussion of the matter, it was MOVED by Alderman Lawrence, seconded by Alderman Moore that City Council accept Alternative No. 1 as shown on Page #5 of the Confidential staff report dated September 5, 1976, at a gross cost not to exceed the figure as shown in the staff report plus \$25,000, assuming Provincial cost sharing to the extent also shown in the report; and, with financial participation by the Nature Conservancy of Canada, which amount when received, to be applied in such a way as to have the effect of reducing the City's contribution to the gross cost by an equal amount.

Motion passed.

His Worship advised that staff will return with a detailed report and a potential agreement in draft form for signature.

Continuation of Funding - Halifax Police Boys' Club

MOVED by Alderman Sullivan, seconded by Alderman Lawrence that, as recommended by the Finance & Executive Committee, City Council approve of the continuance of the funding heretofore provided for the Halifax Police Boys' Club for the full term of the 1976 year.

Motion passed.

Tender 76-128 - Salt & Tender 76-132 - Cartage

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

"That City Council accept the following:

1. That authority be granted to enter into a contract with the Canadian Salt at the prices of \$16.90 and \$17.40/net ton F.O.B. delivered and agreed upon terms of payment provided Tender 76-132 for cartage does not reduce the transportation charge of \$5.00/ton offered by the Canadian Salt Company Limited; and
2. That cartage of salt be awarded to C & C Bulk Transport Ltd. at a cost of \$4.48/ton for the 1976/77 winter season on the basis of their tender as outlined in the staff report of September 21, 1976."

An information report dated September 30, 1976, was submitted relating to the subject matter.

MOVED by Alderman Lawrence, seconded by Alderman Moore that:

1. Authority be granted to enter into a contract with Canadian Salt at the prices of \$11.90/ton (summer) and \$12.40/ton (winter) F.O.B. mine and agreed upon terms of payment; and



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2. Cartage of salt be awarded to C & C Bulk Transport Ltd. at a cost of \$4.48/ton for the 1976/77 winter season on the basis of their tender as outlined in the staff report of September 21, 1976.

Motion passed.

Abbie J. Lane Memorial Hospital

The above noted item was forwarded to Council without recommendation.

His Worship noted Council is waiting for some written confirmation from the Provincial Government on the subject.

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan that the matter be deferred to the next Committee of the Whole meeting awaiting written confirmation from the Province.

A short questioning then ensued on the matter and Deputy Mayor Connolly noted that a motion to defer is on the floor saying he also has some questions to raise when the appropriate correspondence is received.

A further short discussion ensued and His Worship asked the Social Planner to communicate with the Province to the effect that Council action is awaiting Provincial communication.

The Motion to defer was put and passed.

Toll Increase - Halifax-Dartmouth Bridge Commission

The above noted item was forwarded to Council in order that members of Council could be supplied with written information respecting the subject matter.

His Worship noted that a memo dated September 23, 1976 has been distributed to members of Council saying he would accept the instructions of Council on the matter. His Worship said it would be helpful to the Commission members of Council if some indication were expressed which could be transported to the Commission at a meeting to be held tomorrow morning.

His Worship noted that Dartmouth City Council dealt with the issue and passed a resolution stressing a strong opposition against any increase in bridge tolls at this time.

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Alderman Meagher questioned what His Worship's feelings were on the matter and His Worship said he was opposed to any increase in the toll charges to the Halifax-Dartmouth bridges at this time. His Worship said the finances of the Commission recommend themselves not to reduce the tolls but felt the incline plane the Commission should be working toward is a reduction in tolls and ultimate elimination.

His Worship said it was his feeling that the tolls over time constitute an additional burden upon the Halifax-Dartmouth Metropolitan commuter.

Deputy Mayor Connolly indicated he agreed with this argument so long as the Province is subsidizing the operation and makes up the deficiency payments and His Worship said the only indication he has had is that the Province is not unhappy with the deficiency payment.

Deputy Mayor Connolly questioned whether Council should take any position on the matter suggesting the item is rightfully in the hands of the Commission to determine whether they should apply for a rate increase. The Deputy Mayor expressed the feeling that the Council members on the Commission should vote in accordance with their feelings on the issue.

Further discussion ensued and His Worship suggested that as no significant dissent has been expressed by Council on the position which he has taken, it would not be necessary to pass a motion on the item.

Possible Settlement - Parcel #114C  
(Northcliffe Community Recreational Centre)

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, compensation arising out of the expropriation of Parcel 114C of the lands of Halifax Young Men's Christian Association be approved in the amount of \$5,280.00 as settlement in full for all claims and that the balance of \$1,320 now be paid; funds being available in Account Number 806 425 HAJ01.

Following a discussion of the matter, the Motion was put and passed with Deputy Mayor Connolly, and Aldermen Shannon and Sullivan and Stanbury against.

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Approval of the Debenture between Historic Properties  
Limited & The Canadian Imperial Bank of Commerce

MOVED by Alderman Moore, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Council indicate its approval of the debenture between Historic Properties Limited and the Canadian Imperial Bank of Commerce in accordance with provisions of Clauses 7.6, 7.6.3.1, and 7.6.4 of the lease between the City and the Company.

Motion passed.

Possible Sale - City Property - 5203 Duffus Street

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the Finance and Executive Committee, the high tender in the amount of \$7,500 by Imperial Investments Limited be accepted and that His Worship the Mayor and the City Clerk be authorized to execute an Agreement of Purchase and Sale on the terms indicated in the staff report of September 20, 1976.

Motion passed.

REPORT - COMMITTEE ON WORKS

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

Encroachment - 5409 Rainnie Drive

A supplementary report dated September 28, 1976, was submitted.

MOVED by Alderman Walker, seconded by Alderman Sullivan that, as recommended by the Committee on Works, City Council authorize an encroachment to Rainnie Holdings Limited for the purpose of constructing a set of steps on the Northeast side of Rainnie Drive at Brunswick Street, as indicated on the sketch attached to the staff report of September 7, 1976.

Motion passed.

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REPORT - SAFETY COMMITTEE

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

Transportation Study - Downtown Halifax

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Safety Committee, the Downtown Halifax Transportation Study be referred to the Municipal Development Plan Committee (as well as to the Downtown Committee and to all City staff) for discussion and review, and to determine what public input will be required.

Motion passed.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on September 22, 1976, as follows:

Modification of Zoning By-law - 1576 Larch Street

MOVED by Alderman Shannon, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application to modify the lot frontage and lot area requirements of the Zoning Bylaw to permit a day nursery as shown on Plan No. P200/7543 of Case No. 3363 be refused by City Council.

Deputy Mayor Connolly stated that he would vote in favour of the motion because of his initiation of procedures to amend the R-2 zone.

Aldermen Stanbury and Downey indicated they would abstain from voting on the matter.

The motion was put and resulted in a tie vote, four voting for the same, four voting against and two abstaining: as follows:

FOR: Aldermen Shannon, Sullivan, Meagher and Deputy Mayor Connolly

AGAINST: Aldermen Walker, Hanson, Moore and Lawrence

ABSTAINED: Aldermen Stanbury and Downey

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

Modification of Lot Frontage & Lot Area - 5299 South St.

MOVED by Deputy Mayor Connolly, seconded by Alderman Stanbury that the application for the modification of lot frontage and lot area of 5299 South Street, as shown on Plan No. P200/7462 of Case No. 3344, be approved by City Council.

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The motion passed with Aldermen Shannon, Walker and Moore voting against.

Agreement - Cowie Hill Development

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

- (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:
  1. the design and specifications be approved by the Recreation Department (Block J only)
  2. the maintenance be the responsibility of the condominium groups as presently provided by the Agreement, and
  3. 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) That 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) That 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).



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- (4) That 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. P200/5787).
- (5) That 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.

Mr. R. B. Grant, Director of Development, responded to questions from Alderman Shannon re Recreation Department approval of Block J, excess funds referred to in section 1, subsection 3, and the relevancy of section 3.

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

Motion on Public Hearing to Consider Changes to R-2 Zone

MOVED by Deputy Mayor Connolly, seconded by Alderman Shannon that, as recommended by the City Planning Committee, City Council set November 3, 1976, at 8:00 p.m. in the Council Chamber as the date for a public hearing re the matter of:

(i) deleting Section 1(d) in the R-2 zone of the Peninsula By-law and Section 19 (e) in the R-1 zone of the Mainland By-law, and adding same to the respective Park and Institutional zones of the Peninsula and Mainland By-laws;

(ii) amending Section 55 (d) in the Park and Institutional zone of the Mainland By-law to delete the phrase ". . . if not operated for gain";

(iii) deleting Section 1 (e) in the R-2 zone of the Peninsula By-law and adding it to the Park and Institutional zone;

(iv) deleting Section 1 (f) in the R-2 zone of the Peninsula By-law.

Motion passed.

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

The City Manager suggested that items 1 to 5 of the City Planning Committee recommendation be dealt with individually.

1. MOVED by Alderman Meagher, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, 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, in the context, on the basis of, and in conformity with the Municipal Development Plan.

The City Clerk advised that Alderman Lawrence was not present at the public hearing held on the matter and therefore did not have a vote.

Motion passed with Aldermen Moore and Deputy Mayor Connolly voting against, Alderman Lawrence abstained.

2. MOVED by Alderman Meagher, seconded by Alderman Shannon that, as recommended by the City Planning Committee, 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, in the context, on the basis of, and in conformity with the Municipal Development Plan. Motion passed with Deputy Mayor Connolly and Alderman Moore voting against, Alderman Lawrence abstaining.

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

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3. MOVED by Alderman Meagher, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, 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, in the context, on the basis of, and in conformity with the Municipal Development Plan and, further, that 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 of the Municipal Development Plan. Motion passed with Aldermen Hanson, Moore and Deputy Mayor Connolly voting against.

4. MOVED by Alderman Meagher, seconded by Alderman Downey that the following words be included in motion #1 and motion #2 above: "and that 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 of the Municipal Development Plan. Motion passed with Deputy Mayor Connolly voting against.

Neighbourhood Improvement Program - Old Northern Suburb

MOVED by Alderman Downey, seconded by Alderman Moore that City Council accept the following amended Motion with respect to the Neighbourhood Improvement Program - Old Northern Suburb:

"WHEREAS Central Mortgage and Housing Corporation, the Province of Nova Scotia, and the City of Halifax have agreed to a Neighbourhood Improvement Program and a Residential Rehabilitation Assistance Program within the area bounded by Cogswell Street, North Park Street, Agricola Street, North Street, and Gottingen Street, and

WHEREAS the City has approved a gross capital expenditure of \$2,400,000 consisting of contributions of \$1,000,000

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from Central Mortgage and Housing Corporation, \$100,000 from the Province, and \$1,300,000 from the City of Halifax, and

WHEREAS planning for this program has been underway since June 12, 1975, and

WHEREAS this planning has been carried out in large measure by the residents of the declared area with assistance from consultants and City staff, and

WHEREAS there has been active citizen participation in this planning, and

WHEREAS the majority of the citizens at a duly advertised public meeting have approved the plan.

NOW THEREFORE BE IT RESOLVED that the City of Halifax having received the conceptual plan dated September, 1976, prepared by H. J. Porter & Associates Limited in conjunction with the Neighbourhood Improvement Program Area Core Committee, consisting of graphic and descriptive written material and twenty specific recommendations, now authorize staff under the objectives, priorities and needs as outlined in the attached conceptual plan, to apply for the Implementation Certificate from Central Mortgage and Housing Corporation and the Nova Scotia Housing Commission, PROVIDED, HOWEVER,

(a) that the sums budgeted for the Multi-cultural Centre, Health Centre, and Health Clinic, each of which is subject to a specific municipal agreement before detailed planning may proceed, may also be allocated in whole or in part for the acquisition and demolition of substandard housing; and

(b) that each specific recommendation for implementation in the Neighbourhood Improvement Program shall be approved in detail by City Council after consultation with the community following the detailed planning stage and prior to implementation.

Motion passed.

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MISCELLANEOUS BUSINESS

Appointments - Directors of Point Pleasant Park Commission

A memorandum dated September 24, 1976, was submitted by His Worship the Mayor.

MOVED by Alderman Moore, seconded by Alderman Hanson, that the matter be deferred. Motion passed.

Resolution - Metropolitan Toronto Council

A letter dated September 24, 1976, from the Metropolitan Toronto Clerk re Dominion Government financing for first-time home owners, was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Moore, that the matter be referred to staff for review and a report be submitted. Motion passed.

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QUESTIONS

Question Alderman Hanson Re: Traffic Violations at  
Armdale Rotary Between 4:00 p.m. and 6:00 p.m.

Alderman Hanson asked that the Armdale Rotary be monitored by staff and a report issued by the Police and Engineering and Works Departments to determine whether the signs are performing the function intended.

Question Alderman Stanbury Re: Parking on Young Street  
from Oxford Street to Connolly Street

Alderman Stanbury asked if a solution can be found for the parking problem on Young Street. She stated that the available parking is being used by the employees of a business establishment on Young Street and visitors to the area are unable to park their cars within a reasonable distance of their destination.

Alderman Stanbury further referred to the chip sealing recently done in the area and stated that the street cannot be cleaned because of the continuous parking on it.

Question Alderman Stanbury Re: Lighting on the A.  
Murray MacKay Bridge

Alderman Stanbury asked if the lighting on the A. Murray MacKay Bridge could be increased. His Worship suggested that the matter be raised at the next meeting of the Halifax-Dartmouth Bridge Commission.

Question Alderman Shannon Re: Bus Routes in the City

Alderman Shannon stated that it has been brought to her attention that tour buses and buses



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other than Halifax Transit are using residential streets to reach their destinations. She asked that staff look at this matter and pointed out that the City has truck routes but does not have bus routes.

Question Alderman Shannon Re: Minimum Standards for Housing

Alderman Shannon asked if the minimum standard of one bath for nine residents would apply to a dwelling in which there are two apartment units and roomers occupying the remaining portion or portions of the dwelling. The City Solicitor advised that he would consider the matter and submit a report.

Question Alderman Downey Re: Traffic Lights at Cogswell Street and North Park Street

Alderman Downey stated that since the installation of traffic lights at Cogswell Street and North Park Street traffic cannot turn down Rainnie Drive. He asked if traffic could be permitted to turn onto Rainnie Drive until traffic improvements are completed at Gottingen Street and Cogswell Street at which time he understood a median would be installed. His Worship advised that a staff report will be issued.

Question Alderman Moore Re: Deed Transfer Tax

Alderman Moore stated that some confusion exists regarding the deed transfer tax where an interspousal transaction is involved. He asked that the City Solicitor, in conjunction with the City Collector, submit a report on the ramifications of having interspousal transactions exempted from deed transfer tax.

Question Alderman Walker Re: Blasting

Alderman Walker referred to blasting taking place in the area of the Herring Cove Road and Glenora Avenue and stated that the warning being sounded is not

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sufficient to alert the neighbourhood. His Worship stated that the matter would be investigated immediately.

Question Alderman Meagher Re: Report from Retirement  
Committee re Pension Increases

Alderman Meagher requested that a verbal report be made by the Director of Finance at Committee of the Whole meeting to be held on October 6, 1976, re the proposed increases in pensions previously referred to the Retirement Committee.

Question Alderman Meagher Re: Chip Sealing

Alderman Meagher requested that a staff report be submitted re the amount of chip sealing that has been done this year and whether it is the same quality work as has taken place in other years.

Question Deputy Mayor Connolly Re: Quinpool Road Project

Deputy Mayor Connolly asked if staff could give a definite date when the Quinpool Road Project would be brought to City Council. His Worship advised that the target date for delivery is no later than October 15, 1976.

Question Deputy Mayor Connolly Re: Landscaping for  
Industrial Uses

Deputy Mayor Connolly referred to a staff information report dated September 20, 1976, re the above subject and requested that staff pursue the matter and submit a report outlining their recommendations and the ramifications of proceeding as recommended.

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Question Deputy Mayor Connolly Re: Ordinance No. 147  
Respecting The Licensing of Dogs

Deputy Mayor Connolly asked that staff consider amending Ordinance No. 147 in order to strengthen the requirements thereof.

Question Deputy Mayor Connolly Re: Garbage Regulations

Deputy Mayor Connolly asked that the Director of Engineering and Works review the Garbage Regulations and determine whether better enforcement of the regulation re garbage being left on the street can be obtained.

NOTICE OF MOTION

Notice of Motion - Alderman Hanson Re: Amendment to  
Ordinance Number 128, respecting Exemption  
from Real Property Tax on Property Used for  
Certain Purposes

Alderman Hanson gave notice that at the next regular meeting of the City Council of the City of Halifax to be held on the 14th day of October, A.D., 1976, he proposes to introduce amendment to Ordinance Number 128, respecting Exemption from Real Property Tax on Property Used for Certain Purposes. He stated the purpose of the amendment is to implement the provisions of the Assessment Act.

Notice of Motion - Alderman Hanson Re: Amendments to  
Various Ordinances

Alderman Hanson gave notice that at the next regular meeting of the City Council of the City of Halifax to be held on Thursday the 14th day of October, A.D., 1976, he proposes to introduce or cause to be introduced, amendments to various Ordinances of the City as set out on the sheet attached to his Notice of Motion. He advised that the purpose of the amendments will be to increase the penalties which may be imposed for failure

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to comply with any of the provisions of the Ordinances. Some of the increases have been made possible by amendments to Charter provisions obtained in 1976. He advised that the Ordinances to be amended are:

- Ordinance #3 - Streets
- Ordinance #10 - The Common
- Ordinance #12 - Camp Hill Cemetery
- Ordinance #19 - Bill Posters
- Ordinance #40 - Re Excavating and Quarrying
- Ordinance #55 - Re Tag Days
- Ordinance #131 - Building Code Ordinance
- Ordinance #142 - re Streams and Drains
- Ordinance #147 - Dog Ordinance
- Ordinance #157 - Minimum Standards for Housing Accommodation

ADDED ITEMS

Proclamation of Sections of Halifax City Charter

A staff report dated September 22, 1976, was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan that, pursuant to Section 599 of Chapter 52 of the Acts of 1963, the Halifax City Charter, the Governor in Council be requested to proclaim in force Sections 93A, 93B, 93C, 93D, 93E, 93F, 129A, 129B, 225A and 242A of the Halifax City Charter, 1963. Motion passed.

Replacement of 3-Ton Dump Truck - Point Pleasant Park

A report dated September 29, 1976, was submitted by G. E. Smith, Chairman, Directors of Point Pleasant Park.

The City Manager stated that at this time the only manner in which the request could be dealt with would be within Section 201(1) of the City Charter and she was prepared to so recommend.

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MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan, that City Council authorize the purchase of the 1975 model 3-ton dump truck for the price of \$11,017.00 complete with body and hoist, in accordance with Section 201(1) of the City Charter. Motion passed.

Cancellation of Balance of Grant - W. T. Smith Halfway House

MOVED by Alderman Meagher, seconded by Alderman Sullivan, that the balance of the grant approved for the W. T. Smith Halfway House for 1976 be cancelled.

Alderman Moore asked if the present operator of the establishment can apply to the Tax Concessions and Grants Committee for a grant. His Worship advised that this could be done.

The motion was put and passed.

Meeting adjourned - 11:00 p.m.

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MAYOR EDMUND MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)  
CITY CLERK

CITY COUNCIL  
SPECIAL MEETING  
M I N U T E S

Council Chamber  
City Hall  
Halifax, N. S.  
October 6, 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 Connolly, Chairman; Aldermen Shannon, Downey, Meagher, Sullivan, Stanbury, Hanson and Moore.

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

The meeting was called as a public hearing respecting the following item:

Application for Amendment to 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.

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

The Chairman introduced the subject, and asked Mr. Boyd Algee of the Development Department to address Council on the matter.

Mr. Algee said that staff have recommended against the proposed rezoning, and that controls on drug stores and other commercial uses should be maintained in the C-4 Zone as changes in the C-4 Zone result in a lessening of the intended restrictive nature of the zone. Mr. Algee said that when the Professional Zone was first introduced, its intent was to enable certain professional uses in close proximity to institutional and residential areas.

8.07 - Alderman Lawrence arrives.

Special Council  
October 6, 1976.

Mr. Algee said a drug store or pharmacy is permitted under Subsection (3) subject to certain conditions.

Mr. Algee was then questioned by members of Council with respect to the application.

The Chairman then called for those persons wishing to speak in the favour of the application, and Mr. R. Pugsley, Solicitor for Balcom-Chittick Limited addressed those present stating that in his view the proposed amendment will not make a significant change in the zoning by-law. There are already stores in the vicinity of the Professional Building, and Council had approved an amendment to the by-law to permit the inclusion of a Bank, which carried exterior signage. Mr. Pugsley said it would seem reasonable to perceive a dispensing chemist categorized as a professional.

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

MOVED by Alderman Shannon, seconded by Alderman Moore that the matter be forwarded to the Council meeting to be held on October 28, 1976, without recommendation.

Motion passed.

8:20 PM. Meeting adjourned.

HEADLINES

Public Hearing Re: Application for Amendment to 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.....477

DEPUTY MAYOR DENNIS CONNOLLY  
CHAIRMAN

G. I. BLENNERHASSETT.  
CITY CLERK.

*Record*

CITY COUNCIL  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.  
October 14, 1976  
8:00 p.m.

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

After the meeting was called to Order, Reverend Carl A. Price, Pastor of Mulgrave Park United Baptist Church, led the members of City Council in reciting the Lord's Prayer.

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

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

MINUTES

Minutes of City Council meetings held on September 30, and October 6, 1976, were approved on Motion of Alderman Sullivan, seconded by Alderman Walker.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 15(b) - Proposed Amendment to R-3 Zone - Open Space and Parking Requirements for Bachelor Units
- 15(c) - Subdivision of Lot 130 Main Avenue
- 16(a) - Motion - Alderman Hanson Re: Amendment to Ordinance No. 128, respecting "Exemption from Real Property Tax on Property Used for Certain Purposes" - FIRST READING

Council,  
October 14, 1976

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

9(a) - Petition Re Halfway House at 5660-5664 Macara St.

The Order of Business, as amended, was approved.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal Against the Development Officer's Decision to Grant  
a Minor Variance at 2538 Sherwood Street

A staff report dated September 10, 1976, was  
submitted.

Mr. B. Algee, Development Department, with the  
aid of a sketch, explained the proposal and stated that  
there is a 1.5 foot deficiency, which presently exists,  
along approximately 28% of the length of the existing  
structure at the south side of the lot. He advised that  
the only physical outside change proposed would be the  
addition of two car parking spaces and the present verandah  
would be enclosed.

Appeals were received from Mr. R. S. Lewis,  
2541 Phillip Street and Mr. Gordon B. Fader, 2537 Phillip  
Street.

Mr. Gordon B. Fader, 2537 Phillip Street,  
addressed Council in opposition to the granting of a  
minor variance at 2538 Sherwood Street. He stated that  
4.5' between the dwelling and the property boundary is  
insufficient for a four-unit dwelling. Mr. Fader  
suggested that a number of residents of the area supported  
his views.

Mr. John Sharples, 2531 Phillip Street,  
addressed Council in opposition to the granting of a  
minor variance at 2538 Sherwood Street and suggested that,  
due to the topography of the area, a paved parking area  
could lead to drainage problems which would affect his  
property.

Council,  
October 14, 1976

Mrs. Thelma Pond, 2538 Sherwood Street, applicant for the minor variance, addressed Council briefly clarifying some matters raised.

Alderman Lawrence entered the meeting at 8:30 p.m.

MOVED by Alderman Moore, seconded by Alderman Hanson, that the decision of the Development Officer to approve a minor variance at 2538-40 Sherwood Street be upheld and the appeal be denied. Motion passed.

Appeal Against the City Clerk's Refusal to issue a Lord's Day Permit to Metropolitan Refreshments

This item was deleted from the Order of Business.

PETITIONS & DELEGATIONS

Petition Re Halfway House at 5660-64 Macara Street

Alderman Sullivan presented a petition on behalf of residents on and around Macara Street against the establishment of a Halfway House at 5660-64 Macara Street.

MOVED by Alderman Sullivan, seconded by Alderman Meagher, that the petition be referred to staff for review and a report be submitted to City Council. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 6, 1976, as follows:

Parking Lot - Spring Garden Road Merchants

A supplementary report dated October 14, 1976, was submitted.



Council,  
October 14, 1976

MOVED by Alderman Meagher, seconded by Alderman Sullivan:

1. that Council approve the modified proposal of the Spring Garden Merchants' Association for improvements to the City parking lots under their management at an estimated cost of \$55,000.00, and
2. that the Minister of Municipal Affairs be approached with a request to reduce the borrowing authorization for the acquisition of land in the Spring Garden Road area by \$55,000.00 and that a borrowing of \$55,000.00 be authorized for paving in the area.

Motion passed with Deputy Mayor Connolly voting against.

A supplementary report dated October 14, 1976, was submitted.

MOVED by Alderman Walker, seconded by Alderman Stanbury, that Council approve:

1. the price quotation received from Ocean Contracting Limited, for paving each of the three parking areas at the unit prices quoted;
2. the additional cost of curbing the perimeter of each of the three (3) parking areas with 6" height concrete section curbing at the unit price quoted.

Motion passed with Deputy Mayor Connolly voting against.

Tender 76-22 - Storm Sewers - Lacewood Drive Extension

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, Tender 76-22 be awarded to G. A. Smith Ltd. on the basis of the unit bid prices and required funds be approved from Capital Account No. 808-193-DAA58.  
Motion passed.

Council,  
October 14, 1976

Change in Council Date - November 11, 1976

MOVED by Alderman Sullivan, seconded by Alderman Walker that, as recommend by the Finance and Executive Committee, the regular meeting of City Council scheduled to be held on November 11, 1976, Remembrance Day, a statutory holiday, be advanced to November 10, 1976, at 8:00 p.m. Motion passed.

Possible Leasing - 2574 Barrington Street - SEAWAY TAVERN

A private and confidential report dated October 12, 1976, was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Meagher, that the present tenant of the premises at 2574 Barrington Street be offered a lease under the terms previously set forth by staff for a period to expire January 15, 1977, and that competitive public tenders be called for the rental of the building for any lawful purpose. Motion passed.

Daylight Saving Time

His Worship stated that no response had been received from the Province of Nova Scotia re this matter.

Sale of Wrecked 1976 Ford Police Car - Cost New \$4800.  
- Mileage 17,000

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, authority be granted to sell the wrecked 1976 Ford Police Car to the high bidder, Covey Auto Salvage, for \$1050.00. Motion passed.

Council,  
October 14, 1976

Tenders 76-133 to 139 Incl. - Disposal of Surplus  
Equipment

MOVED by Alderman Lawrence, seconded by Alderman  
Moore that, as recommended by the Finance and Executive  
Committee, authority be granted to sell each vehicle to the  
highest bidder as indicated below and in the event that the  
successful bidders fail to take possession, their bid  
deposit be forfeited and the vehicle be offered to the next  
highest bidder:

Tender 76-133 One Surplus 1968 Harley Davidson Motorcycle  
M/C77

Robert D. Creaser \$ 800.00

Tender 76-134 One Surplus 1970 Harley Davidson Motorcycle  
M/C78

P. C. Kimmerly \$1,487.00

Tender 76-135 One Surplus 1970 Harley Davidson Motorcycle  
M/C79

Gilles Lariviere \$1,818.00

Tender 76-136 One Surplus 1973 Harley Davidson Motorcycle  
M/C92

David A. Smith \$1,712.00

Tender 76-137 One Surplus 1960 Hough 90D Rubber Tired  
Front End Loader Vehicle Number - EL114

W. D. Lawrence Auto Salvage Limited \$4,181.00

Tender 76-138 One Surplus 1960 Hough 90D Rubber Tired  
Front End Loader - Vehicle Number - EL115

Ledwidge Lumber Company Limited \$7,600.00

Council,  
October 14, 1976

Tender 76-139 One Surplus 1972 International Truck With  
2-Way Dump Body & Plow Vehicle Number EV149

Edmonds Brothers Enterprises Limited \$2,000.00

Motion passed.

Insurance - Halifax Housing Authority

MOVED by Alderman Sullivan, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, the City's equity in the structures operated by the Halifax Housing Authority be self-insured and, until such time as 100 percent City-owned properties are considered for self-insurance, a self-insurance fund in an amount equal to approximately 50% of the premium be set aside annually to provide funds for possible losses, thus an amount of \$4,000. be provided in 1976. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on October 6, 1976, as follows:

Sewer Design - Grosvenor Park

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Committee on Works, City Council approve the estimated payment of \$2,600. from Account No. DAA51 to Wallace-MacDonald Surveys Ltd. for the additional survey work required to facilitate the Grosvenor Park Sewer Design. Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on October 6, 1976, as follows:

Council,  
October 14, 1976

Amendment to City Ordinance No. 155 Respecting "Truck  
Routes"

MOVED by Alderman Stanbury, seconded by Alderman Sullivan that, as recommended by the Safety Committee, an amendment be made to the provisions of City Ordinance No. 155 whereby the following roadways be included in the schedule of full time truck routes:

- a) Kempt Road between Robie Street and Fairview Overpass;
- b) Commission Street between Kempt Road and Lady Hammond Road; and
- c) Lady Hammond Road between Commission Street and Kempt Road.

Motion passed.

Laying Down of Street Lines - Oriole Street at Pioneer  
Avenue - DATE FOR HEARING

MOVED by Alderman Lawrence, seconded by Alderman Hanson that, as recommended by the Safety Committee, a date be set for a public hearing for the purpose of laying down street lines for Oriole Street between Robin Street and Pioneer Avenue. Motion passed.

The City Clerk advised that the public hearing is scheduled to be held on Wednesday, November 17, 1976, at 8:00 p.m.

Closing Isleville Street Playground

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the Safety Committee, the Isleville Street playground be closed at 5:30 p.m. during the months from September to June, at 7:00 p.m. during the months of July and August, the adult programs presently taking place in the playground building be moved to the schools in the area, and that staff give consideration to moving the playground building to a more suitable location on the lot, away from the homes in the area, the City Manager to report to Council on the costs involved or include funds in the budget, or both. Motion passed.

Council  
October 14, 1976

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on October 6, 1976, as follows:

Application for Rezoning from R-2 Zone to C-1 Zone -  
Lot J, Lands of Allen F. & Catherine Bryden -  
253-7 Herring Cove Road - DATE FOR HEARING

MOVED by Alderman Walker, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone Lot J (portions of Lot 16 and 18 Ferguson Farm), lands of Allen F. and Catherine Bryden, 253-7 Herring Cove Road, from R-2 Two-Family Dwelling Zone to C-1 Local Business Zone, as shown on Plan No. P200/7527 of Case No. 3268.

The City Clerk advised the public hearing has been scheduled for Wednesday, December 8, 1976, at 8:00 p.m.

Motion passed.

Proposed Amendment to R-3 Zone - Open Space and  
Parking Requirements for Bachelor Units

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

Subdivision of Lot 130 Main Avenue

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

Application for Lot Consolidation - Lands of Barrington  
Commercial Centre Limited - Barrington Street

MOVED by Alderman Downey, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, the application for consolidation of Lots 1A and D to create Lot X, as shown on Plan No. P200/7098 of Case No. 3206, be granted.

Motion passed.

MOTIONS

Motion - Alderman Hanson Re: Amendment to Ordinance No. 128,  
respecting "Exemption from Real Property Tax on  
Property Used for Certain Purposes" - FIRST READING

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

Motion - Alderman Hanson Re: Amendment to Ordinance Nos.  
3, 10, 12, 19, 40, 55, 131, 142, 147 & 157 - FIRST READING

MOVED by Alderman Hanson, seconded by Alderman Lawrence that the amendments to Ordinance Nos. 3, 10, 12, 19, 40, 55, 131, 142, 147, & 157, as submitted, be read and passed a First Time.

Deputy Mayor Connolly said it was his understanding there would be an explanation with respect to each of the amendments at the next meeting of the Committee of the Whole Council meeting, and the City Manager indicated this would be done.

Motion passed.

MISCELLANEOUS BUSINESS

Resolution - Yarmouth County Tourist Association

A letter dated October 6, 1976, was submitted from Mr. Fern Allen, President of the Yarmouth County Tourist Association which had attached a resolution which the Association was requesting be endorsed by Halifax City Council.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that the submitted correspondence from the Yarmouth County Tourist Association be tabled and referred to the Halifax Visitors and Convention Bureau for review and recommendation to City Council.

Motion passed.



Council  
October 14, 1976

QUESTIONS

Question Alderman Lawrence Re: Check of Council Chamber  
Sound System

Alderman Lawrence said he would like to have the Company that installed the new sound system in the Council Chamber to check it.

Question Alderman Moore Re: Information Report, Armdale Rotary

Alderman Moore referred to an information report circulated to Council respecting the number of violations which have occurred at the Armdale Rotary saying he has received representations with respect to violations taking place between the 4 - 6 p.m. period as well.

Alderman Moore said he was not aware that in addition to the \$25.00 fine, motorists were assessed two points against their drivers license suggesting this was too stringent for what in most cases, is an innocent offence. Alderman Moore suggested the two policemen who are on duty at the Rotary during these hours should be directing the motorists rather than waiting until they enter the wrong lane and then give them a ticket.

Discussion ensued on the matter and Deputy Mayor Connolly suggested the point that is trying to be stressed is if the policemen are to be situated at the Rotary, it may be possible for them to direct motorists up Quinpool Road by positioning themselves at a different location.

His Worship said representations will be made to the Police Department tomorrow to see if motorists can be assisted to use Quinpool Road.

Question Alderman Walker Re: Cowie Hill, Margaret Road Area

Alderman Walker said a similar situation exists in the Cowie Hill/Margaret Road area between 7 and 9 a.m. saying there is only a small sign posted in this area. Alderman Walker said there are times when the policemen do ticket motorists as soon as they enter Margate Drive during these hours suggesting the sign should be larger.

His Worship advised this matter would be brought to the attention of the Traffic Authority.

Question Alderman Sullivan Re: Crosswalks, Devonshire Avenue

Alderman Sullivan advised that he previously asked for some crosswalks to be installed on Devonshire Avenue saying nothing has been done in this regard. Alderman Sullivan requested he receive a report on the situation.

Question Alderman Sullivan Re: A. Murray MacKay Bridge Signs

Alderman Sullivan said there are times when motorists travel up Gottingen Street looking for access to the A. Murray MacKay Bridge only to find that no such access exists. Alderman Sullivan said some motorists expect to find a ramp in the area of Northridge Road. Alderman Sullivan requested staff to give consideration to the signs on Gottingen Street in terms of whether they are adequate.

Question Alderman Stanbury Re: Cancellation of Meeting

Alderman Stanbury noted the private Safety Committee meeting **scheduled** for next Wednesday has been cancelled because of another meeting and expressed the feeling that the Private Safety meetings being held with the Police and Fire Departments were important.

Alderman Stanbury questioned whether it would not be possible to hold the private Safety meeting as scheduled and to arrange the other meeting for the following Friday.

Discussion ensued and Council was informed that invitations have been forwarded to certain parties to attend the meeting which was originally scheduled as a private Safety meeting on Wednesday.

Council agreed that the private Safety Committee meeting to be held with the Chief of Police, be rescheduled for Friday, October 22, 1976 at 12:30 p.m.

Question Alderman Downey Re: Paving - Agricola Street

Alderman Downey questioned when the paving work on Agricola Street between West and Cunard Streets will be completed.

The Director of Works said the Telephone Company has not completed working in the area saying once they are finished, staff will attempt to have the repaving completed.

Question Alderman Downey Re: Fire Department Pumper

Alderman Downey said he was of the understanding problems were being encountered with the new Fire Department Pumper and questioned whether the old one has been sold.

His Worship advised that a report would be submitted.

Question Alderman Walker Re: Hilden Heights

Alderman Walker noted that when this item was discussed in early summer, it was necessary to have a resolution submitted to the House of Assembly in order for the buildings to be demolished. Alderman Walker questioned whether staff is prepared to present the matter at the next session, and staff advised that such was the case.

NOTICE OF MOTION

Notice of Motion Alderman Stanbury Re: Amendment to Ordinance #155

Alderman Stanbury gave notice that at the next regular meeting of City Council to be held on October 28, 1976, she proposes to introduce a Motion the effect of which will amend Ordinance No. 155 by adding portions of Kempt Road, Commission Street, and Lady Hammond Road as Truck Routes.

9:45 P. M. - Meeting adjourned.

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Council  
October 14, 1976

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MAYOR EDMUND L. MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)  
CITY CLERK

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, N. S.  
October 28, 1976  
8:00 P. M.

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

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

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

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

MINUTES

Minutes of the previous meeting were approved on Motion of Alderman Walker, seconded by Alderman Hanson.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

The City Clerk advised that the petitioner with respect to item 9(a) has requested the matter be deleted from tonight's agenda and forwarded to the next meeting of Council.

His Worship suggested that all Council was going to be asked to do was to refer the matter to staff saying it would be brought to a subsequent meeting of Council. His Worship said the item was not placed on the agenda for debate purposes but for referral to staff suggesting Council could deal with the matter as it comes up on the agenda.

Deputy Mayor Connolly suggested the residents be informed of this action in order that they do not all appear before Council, to which Council agreed.



Council  
October 29, 1976

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

- 20(a) (i) - Oriole Street - Laying Down Street Lines -  
Change in Date for Hearing
- (ii) - Oriole Street - Barricade

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

DEFERRED ITEMS

Appeal Against the City Clerk's Refusal to Issue a Lord's  
Day Permit to Metropolitan Refreshments

A letter dated October 7, 1976, was submitted from Thompson & Johnson, Barristers & Solicitors, appealing the decision of the City Clerk in refusing to grant a Lord's Day permit to Metropolitan Refreshments, 31 Bedford Highway.

A report dated October 8, 1976, was submitted on the item recommending the decision of the City Clerk be upheld.

Mr. Harry Thomson representing Metropolitan Refreshments, addressed Council saying his client operates the Pop Shop outlet at 31 Bedford Highway which, he said also sells confectionery products. Mr. Thomson said the City Clerk really had no choice but to refuse to grant the permit due to the terms of Ordinance #109 saying it restricts the granting of a permit to businesses with an occupancy assessment of \$12,500 or less suggesting this is what is really being appealed.

Mr. Thomson noted the last time this section of the Ordinance was amended was in 1971 suggesting that inflation has doubled since that time and felt that unless adjustments are made to this section of the Ordinance, it results in a decrease in the number of shops that can remain open under the Ordinance as a result of increased assessments.

Mr. Thomson said it would be his suggestion that this section of the Ordinance be examined and amended and reviewed on a periodic basis.



Council  
October 28, 1976

His Worship said that what Mr. Thomson is suggesting is that Council initiate a review of the Ordinance and also recognizes that under the existing Ordinance, there is no alternative but to refuse the permit, and Mr. Thomson replied in the affirmative.

Deputy Mayor Connolly said he raised this issue some months ago with respect to Ordinance #109 saying the City Solicitor's Department was asked to come forth with recommendations. Deputy Mayor Connolly noted that a report has not been submitted saying Council should receive updated information as to the present situation and possible action that can be taken.

His Worship said the City Solicitor will be asked again to review the Ordinance in light of representations made this evening and heretofore and to advise Council.

Further discussion ensued and it was MOVED by Alderman Meagher, seconded by Alderman Sullivan that the appeal be deferred pending the anticipated report from the City Solicitor to include the observations made this evening.

Motion passed.

Street Closure & Official Street Lines - Kempt Road

A public hearing was held on the above noted matter on June 23, 1976. At the June 29, 1976 meeting of City Council, the item was deferred pending receipt of a staff report relating to negotiations which were taking place respecting a proposed re-arrangement of lands in the area.

A staff report dated October 14, 1976, was submitted.

Mr. C. L. Dodge of the Development Department, with the aid of maps, outlined the latest proposal as contained in the submitted report and responded to questions put forth. His Worship noted that the present proposal is less than the totality of the public hearing.

Council  
October 28, 1976

MOVED by Alderman Meagher, seconded by Alderman Stanbury that Council approve the street closures of Parcels N, Q-1A, and J-1, Kempt Road, as shown on Plan No. TT-12-21839 and the removal of the existing south street line and laying down of a new street line on Kempt Road east of Hood Street and as shown on Official Plan 7Q.

It was advised that His Worship the Mayor and Aldermen Walker, Hanson, and Lawrence had no vote as they were not in attendance at the public hearing.

The Motion was put and passed.

Application for Amendment to 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

A public hearing was held on the above noted matter on October 6, 1976.

Alderman Shannon spoke to the matter and MOVED, seconded by Alderman Moore that the proposed amendment to the C-4 Professional Zone (Peninsula Zoning By-law) of the City of Halifax, as follows:

- (1) Part X, C-4 Professional Zone, is amended by inserting the following clause under Section 1, Subsection (1):
  - (n) Pharmacy or drug store
- (2) Part X, C-4 Professional Zone, is amended by deleting the following clause under Section 1, Subsection (3):
  - (d) medical dispensary

be refused by City Council.

Alderman Moore indicated it was his recollection that staff had proposed another way of dealing with the matter in that the results of what the applicant was seeking could be achieved.

Mr. Algee of the Development Department, said staff did submit a report indicating that if the hanging signs were removed from the windows and some type of drapery were used, it would satisfy the By-law, but advised the applicant indicated this was not acceptable.

Council  
October 28, 1976

Deputy Mayor Connolly questioned whether exterior advertisting is permitted under Section 1 of the By-law and His Worship replied that it was. Deputy Mayor Connolly suggested that perhaps the way to deal with the matter is to have another public hearing to determine whether exterior advertising is to be allowed on C-4 buildings other than the name of the building.

Alderman Meagher questioned whether a situation exists where the drug stores would be permitted and the nature of the business could be viewed from the exterior, but where signage is restircted.

His Worship advised this would require an amendment to the By-law and another public hearing.

The City Clerk advised that His Worship the Mayor and Alderman Walker had no vote on the item as they were not present at the public hearing.

Further discussion ensued and it was MOVED by Alderman Sullivan, seconded by Alderman Lawrence that the matter be deferred in order that another public hearing can be held on the subject matter.

The Motion to defer was then put and passed.

His Worship directed that the item be placed on the agenda of the next Committee of the Whole agenda in order that Council may discuss the action which is necessary.

Efficiency Unit Apartment Buildings - Apartment Hotels  
(Amendment to R-3 Zoning By-law - Bachelor Units)

At the City Planning Committee meeting held on October 6, 1976, it was agreed that the above noted matter be made the subject of a report before Council votes on the item.

A private and confidential staff report dated October 19, 1976, was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that City Council approve of the proposed amendments to the R-3 Zone resulting from the public hearing on the subject May 21, 1976, which are as follows:

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1. Creation of an inner area to be known as Schedule "B" which includes the lands within the area bounded by the Harbour and the centre lines of Cogswell Street, Robie Street, and Inglis Street;
2. Reduced parking requirement of one space per four bachelor units within Schedule "B";
3. Landscaped open space requirement for bachelor units within Schedule "B" reduced to 50 square feet per person; and
4. Amended commercial uses to include as permissible uses (a) a grocery store of 600 square feet and (b) a restaurant of 900 square feet exclusive of kitchen, staff, and washroom facilities within buildings containing 100 dwelling units or more erected in Schedule "B".

MOVED in Amendment by Alderman Moore,  
seconded by Alderman Lawrence that the opinion of the  
City Solicitor, as found on Page #3 of the confidential  
staff report, be added to the definition section of the  
Zoning By-law.

Alderman Moore suggested this was an item  
which the City Solicitor was directed to tighten up in  
keeping with the spirit of the new By-law.

Deputy Mayor Connolly suggested the subject  
of the public hearing was not advertised in that light  
saying it was his understanding a public hearing would have  
to be held in order to do what is being suggested in the  
amendment.

Discussion ensued on the matter and His  
Worship said that if the question is on the propriety of  
moving the amendment without a public hearing, Council  
should be informed on this point.

Further discussion ensued, and it was MOVED  
by Alderman Meagher, seconded by Alderman Shannon that the  
matter be deferred to the next regular Council meeting.

His Worship said the City Solicitor is being  
asked whether an apartment hotel unit can be defined without  
holding another public hearing.

The Motion to defer was put and passed.

Alderman Shannon noted that at the bottom of Page #2 of the staff report, there is a definition of a hotel under the Provincial Statute saying she assumed there were more categories to the definition than presented. Alderman Shannon said she questioned why the Legal Department had chosen the Provincial definition rather than the one contained in the Zoning By-law suggesting the one in the By-law is much more specific. Alderman Shannon questioned whether there was more to the Provincial definition than is presented in the report.

Mr. Allen said he would look into this matter as well.

PETITIONS & DELEGATIONS

Petition Re Dakin Drive Homeowners Against Sewer & Water Installation - Dakin Drive

The above noted item was briefly discussed during the 'Approval of the Order of Business, Additions and Deletions' section of these minutes.

A letter dated September 27, 1976 and attached petition against sewer and water installation on Dakin Drive, was submitted from Mrs. R. McCluskey on behalf of the Dakin Drive Homeowners.

MOVED by Alderman Lawrence, seconded by Alderman Moore that the petition be referred to City staff.

Motion passed.

Appeal Against Establishment of Tow-Away Zones - M.G. Warrington

A petition dated October 25, 1976, was submitted from Mr. M. G. Warrington relating to the above noted matter.

Mr. M. Warrington addressed Council and outlined the points made in the submitted petition saying the notice appearing in the newspaper did not indicate which areas would be affected by tow-away zones. Mr. Warrington suggested that if Gottingen Street is to be designated as a tow-away zone, it would be detrimental to the actions of the Ward #3 Core Committee in its efforts to upgrade the area.



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Mr. Warrington also spoke against the practice of ticketing taxis etc. when they are picking up or dropping off passengers in front of apartment buildings where No Parking signs are posted. He suggested that such vehicles were not parking but making pick-ups or deliveries.

Following a short discussion, His Worship suggested placing an item on the next Committee of the Whole agenda entitled "Traffic Control - Gottingen Street", and to ask the Traffic Authority to indicate what his intentions are with respect to tow-away zone areas, to which Council agreed.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance & Executive Committee from its meeting held on October 20, 1976, as follows:

Sale of City-owned Land - Kempt Road - To Burgess  
Transfer & Storage Limited

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

"That City Council approve the sale of Parcel A-1, referred to on the plan attached to the staff report of October 12, 1976, to Burgess Transfer & Storage Limited at a price of \$2,700.00 with proceeds of the sale to be credited to the Sale of Land Account."

A supplementary report dated October 25, 1976, was submitted.

MOVED by Deputy Mayor Connolly, seconded by Alderman Stanbury that Council approve the sale of Parcels A-1 and A-2 to Burgess Transfer and Storage Limited at a price of \$2,700.00 with proceeds of the sale to be credited to the Sale of Land Account.

Motion passed.

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Possible Acquisition - Storm Sewer Pipe Crossing -  
Kearney Lake Road Services

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, Council authorize the Mayor and City Clerk to sign the License on behalf of the City of Halifax; funds to be made available from Current Account Number 110-083 (Sewer Rentals).

Motion passed.

Possible Acquisition - 2560 Brunswick Street -  
Dr. I. K. Lubetsky

MOVED by Alderman Downey, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the property of Dr. I. K. Lubetsky, known as Civic No. 2560-62 Brunswick Street, be purchased for \$30,000 as settlement in full; funds available from Account No. 806-449 HAA02 (Uniacke Square).

Motion passed with Deputy Mayor Connolly and Aldermen Shannon, Meagher, and Walker against.

Appointment - Returning Officer

MOVED by Alderman Walker, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Council appoint Mrs. G. Blennerhassett as Returning Officer, pursuant to Section 49(1) of the Halifax City Charter.

Motion passed.

Proposed New Tax Agreement (Volve Canada & City of Halifax)

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

"That City Council authorize the drawing up of an appropriate agreement for Council's approval on the basis outlined in the staff report of October 4, 1976, and authorize the submission of such agreement to the Province of Nova Scotia for approval."



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His Worship questioned whether it would be satisfactory if the agreement were conditional upon the signing of a document between the National Harbours Board and Volvo, and the Director of Finance indicated this would be satisfactory.

MOVED by Alderman Walker, seconded by Alderman Lawrence that Council authorize the preparation of a proposed agreement between the City of Halifax and Volvo Canada Ltd., in the form and terms as set out in the staff report of October 4, 1976; the said agreement to be submitted to the Province of Nova Scotia for its approval and to be signed and become operative simultaneously with an agreement between the National Harbours Board and Volvo in the terms indicated in the staff report.

Motion passed with Deputy Mayor Connolly against.

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Expropriation Compensation - Park Projects Limited

A supplementary confidential staff report dated October 21, 1976, and a confidential memorandum dated October 27, 1976, from the City Manager, were submitted.

MOVED by Alderman Lawrence, seconded by Alderman Moore, that the City Manager be authorized to advise Park Projects Limited that Halifax City Council refuses the claim in their letter dated October 22, 1976.

After a brief discussion, the motion was put and passed.

Pre-Retirement Leave - Non-Union Employees

Deputy Mayor Connolly stated that he cannot accept the concept of having a pre-retirement leave and then allowing the employee to work through what would be the pre-retirement leave period and receive a lump sum payment.

The City Manager, in response to questions, advised that some employees would rather work through the pre-retirement leave period as the lump sum payment would be more beneficial to them. She stated that the proposal applies only to the non-union employees and is presented in the manner in which the group requested.

MOVED by Alderman Lawrence, seconded by Alderman Moore:

1. that the three months (or less as applicable) pre-retirement leave be granted Non-Union Employees as in the past but the employee has the option to work all or a part of the pre-retirement leave period and receive a lump sum payment for the pre-retirement period worked. If the lump sum payment is chosen by the employee, this amount would not be computed as part of the person's pension and would be paid at the time of actual retirement;