

Council,
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2. the previous policy as established on May 26, 1966 and amended October 15, 1969 by Halifax City Council be amended for Non-Union employees by adding the above to be effective in 1977.

Motion passed with Deputy Mayor Connolly voting against.

Report - Possible Pension Escalation

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the matter of pension escalation be again examined in December 1976 at which time staff is to submit a report on the possibility of any surplus funds which may exist being used for escalation in pensions for those retired prior to December 31, 1973, and also on the matter of the possibility of making an escalation payment to such pensioners for 1976 with future consideration being given to the matter from year to year. Motion passed.

Tender 76-126 - Four-wheel Drive Truck - Halifax Fire Dept.

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, authority be granted to purchase one 4 x 4 Crew Cab vehicle from Scotia Chev-Olds Ltd., at a cost of \$7,995.00 with City staff to make the most diligent effort to retrieve the Federal sales tax included in this price on the grounds that the unit is a true fire fighting vehicle. Motion passed.

Contract - 1976 - C.U.P.E. local No. 143

A confidential staff report dated October 22, 1976, was submitted.

Deputy Mayor Connolly asked if consideration has been given to an arrangement whereby the President of Local No. 143 would be a full-time union president under the same terms presently enjoyed by the President of Local No. 108.

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The City Manager advised that such an arrangement has been requested by the Union but has been refused up to this time.

Alderman Moore stated that the manner of lay-off should be a decision reserved for management.

His Worship suggested that, as Council members are somewhat inhibited due to the confidential nature of the matter, it be referred to a further meeting to be held at 1:00 p.m. on Wednesday, November 3, 1976. It was so agreed.

Tender 76-141 - Sale of 1957 Fargo Pumper, Ser. #94877564

MOVED by Alderman Lawrence, seconded by Alderman Stanbury that, as recommended by the Finance and Executive Committee, authority be granted to sell the 1957 Fargo Pumper to the Town of Lockeport on the basis of their \$6,000.00 offer. Motion passed.

REPORT - COMMITTEE ON WORKS

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

Status Report - Appointment of Consultant for Subsurface Work - Cost of Local Service - Rockingham North

MOVED by Alderman Lawrence, seconded by Deputy Mayor Connolly that, as recommended by the Committee on Works:

1. Jacques, Whitford and Associates be appointed to undertake the subsurface investigation as outlined in the terms of reference as attached to the staff report of September 29, 1976, at an estimated cost of \$50,000. with funds to be provided equally from Accounts 808 DAA48 (Sherwood Park/Heights) and 808 DDA51 (Wedgewood Park); and

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2. The City Manager be authorized to approach other levels of government for cost sharing of the Storm Sewer Study.

Motion passed.

Bus Routes within the City

MOVED by Deputy Mayor Connolly, seconded by Alderman Lawrence that, as recommended by the Committee on Works, staff request the assistance and co-operation of the Public Utilities Board and the Visitors and Convention Bureau in reducing the use of residential streets by tour buses and buses other than Halifax Transit Corporation vehicles.

Alderman Shannon stated she felt the motion would not solve the problem and she would much prefer that tour buses be included under the Truck Route Ordinance, an obvious exception being Halifax Transit Corporation tour buses.

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

It was requested that the City Manager advise Council within twelve months as to the type of co-operation being received.

Alderman Shannon requested that staff submit a report indicating what the Public Utilities Board routes are.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendments to Ordinances Numbers 3, 19, 40, 55, 131, 142, 147 and 157 - SECOND READING

Formal amendments were submitted relating to the above noted Ordinances.

MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly, that the amendment to Ordinance No. 3 be read and passed a Second Time.

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MOVED by Alderman Meagher, seconded by Alderman Stanbury, that the motion be amended to permit the penalty clause re snow removal to remain at the present amount. The amendment was put and lost with Deputy Mayor Connolly, Aldermen Shannon, Sullivan, Hanson, Moore and Lawrence voting against.

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

MOVED by Alderman Meagher, seconded by Alderman Hanson, that the amendment to Ordinance No. 19 be read and passed a Second Time. Motion passed.

MOVED by Alderman Meagher, seconded by Alderman Stanbury, that the amendment to Ordinance No. 40 be read and passed a Second Time. Motion passed.

MOVED by Alderman Meagher, seconded by Alderman Sullivan, that the amendment to Ordinance No. 55 be read and passed a Second Time. Motion passed.

MOVED by Alderman Meagher, seconded by Alderman Hanson, that the amendment to Ordinance No. 131 be read and passed a Second Time. Motion passed.

MOVED by Alderman Hanson, seconded by Alderman Sullivan, that the amendment to Ordinance No. 142 be read and passed a Second Time. Motion passed.

MOVED by Alderman Lawrence, seconded by Alderman Hanson, that the amendment to Ordinance No. 147 be read and passed a Second Time. Motion passed with Aldermen Stanbury, Downey, Walker and Meagher voting against.

MOVED by Alderman Hanson, seconded by Deputy Mayor Connolly, that the amendment to Ordinance No. 157, permitting a penalty of \$2,000 or 60 days under Section 48(1), be read and passed a Second Time.

Alderman Shannon stated that she would prefer if the penalty was increased to \$5,000. or six months. His Worship advised that the penalty proposed is the maximum allowed under the provisions of the City Charter.

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Alderman Shannon requested that staff consider increasing the maximum penalty now permitted under the Halifax City Charter.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on October 20, 1976, as follows:

Property 5661-71 Cunard Street

A supplementary staff report dated October 26, 1976, was submitted.

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

Stage IX - Scotia Square - Halifax Developments Limited

Private and confidential reports dated October 26, 1976, and October 27, 1976, respectively were submitted.

Deputy Mayor Connolly stated that he was disappointed with the staff report of October 26, 1976, as the recommendation remains the same although an alternative was put forth and agreed to by the developer. The City Manager stated that staff feel that there is a strong possibility that by selling the property at this particular time, the City will lose control of the development that will occur there.

After further discussion, it was MOVED by Alderman Lawrence, seconded by Alderman Moore, that the master agreement be amended to permit the company to submit preliminary drawings for the development of the site not later than December 15, 1978, with working drawings to be completed and construction commenced within 90 days of

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submission of the preliminary drawings, and that staff seek authority from Central Mortgage and Housing Corporation for the change.

Alderman Shannon asked if an option to vary the price for the land could be included when amending the agreement. The City Manager stated that this was not part of what had been requested or negotiated by the developer. Mr. Grant, Director of Development, stated that the City is not widening the options for the use of the land at this time, it is only lengthening the time period in which construction must commence.

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

Recreation Department Master Plan

MOVED by Alderman Lawrence, seconded by Alderman Hanson that, as recommended by the City Planning Committee, City Council forward the Recreation Master Plan to the Municipal Development Plan Committee for their consideration in the overall plan for the City of Halifax. Motion passed.

Application for Building Permit - 2437-41 Agricola St.
NIP Area - Bluenose Furniture Limited

MOVED by Alderman Downey, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, City Council approve the building permit application of Bluenose Furniture Limited for renovation and enlargement of their business at 2437-41 Agricola Street. Motion passed.

Modification of Zoning Bylaw Requirements - 2103 Oxford St.

MOVED by Deputy Mayor Connolly, seconded by Alderman Sullivan that, as recommended by the City Planning

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Committee, the application for modification of Zoning Bylaw requirements, to allow the construction of a single-family dwelling at 2103 Oxford Street be approved by City Council. Motion passed.

Subdivision and Lot Consolidation - Lot "Z", 599 Purcell's
Cove Road

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

1. the subdivision of lands of William Shano to form Lot A-1 and residual land, and
2. the consolidation of Lot A-1 and Civic No. 599 Purcell's Cove Road to form Lot Z,

as shown on Plan No. P200/7550 of Case No. 3377, be approved by City Council. Motion passed.

Alderman Moore advised that he would abstain from voting on the matter.

The motion was put and passed with Alderman Moore abstaining.

Subdivision of Lands - Kempt Road - To Create Lots B-1A
and B-2A - Burgess Transfer Limited

MOVED by Alderman Stanbury, seconded by Deputy Mayor Connolly that, as recommended by the City Planning Committee, City Council approve:

1. the subdivision of Lot B into Lots B-1 and B-2;
2. the subdivision of Parcel A into Parcels A-1 and A-2;
3. the consolidation of B-1 and A-1 to form Lot B-1A; and
4. the consolidation of B-2 and A-2 to form Lot B-2A

Kempt Road, as shown on Plan No. P200/7559 of Case No. 3339. Motion passed.

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Agreement - Waterfront Development Area Plan - Detailed
Criteria - Waterfront Development Corporation
and City

MOVED by Deputy Mayor Connolly, seconded by
Alderman Sullivan that, as recommended by the City Planning
Committee:

1. the City respond to the request from the Waterfront Development Corporation for the work as outlined in the staff report of October 15, 1976, by indicating its willingness to proceed in the manner as is also outlined in the report of October 15, 1976, and that a formal agreement be negotiated between the two parties which will subsequently be brought before Council for ratification; and
2. the City Manager be asked to arrange an early informal meeting with the Waterfront Development Corporation for the purposes of updating and mutual conversation.

Motion passed.

MOTIONS

Motion - Alderman Stanbury Re Amendment to Ordinance No.
155 - FIRST READING

MOVED by Alderman Stanbury, seconded by Alderman
Sullivan, that the amendment to Ordinance No. 155 adding
portions of Kempt Road, Commission Street, and Lady Hammond
Road as truck routes, be now read and passed a first time.
Motion passed.

MISCELLANEOUS BUSINESS

Appointment - Deputy Mayor

MOVED by Alderman Walker, seconded by Alderman
Meagher, that Alderman Wilfred P. Moore be appointed as
Deputy Mayor of the City of Halifax for the period
November 1, 1976 to October 31, 1977. Motion passed
unanimously.

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Alderman Moore thanked the members of City Council for their expression of confidence and for the honor bestowed upon him for the next year. He commended Deputy Mayor Connolly for the services he has rendered in the past year and his valuable influence on Council. Alderman Moore stated that he thought this was the first time a Deputy Mayor has been appointed from Ward 9 and therefore felt doubly honored and looked forward to assisting His Worship in the next year.

His Worship stated that all members of Council joined him in thanking Deputy Mayor Connolly for his services.

Resolution - City of Sydney, Nova Scotia Re "Electricity"

A memorandum dated October 21, 1976, re the above subject was submitted by Paul J. Roach, City Clerk, Sydney, Nova Scotia.

His Worship suggested that generally all such resolutions be sent to the Union of Nova Scotia Municipalities.

It was agreed that the matter be tabled and a copy of the resolution be forwarded to the Union of Nova Scotia Municipalities.

Report - Tax Concessions & Grants Committee

A report dated October 28, 1976, was submitted.

M.O.V.E. .

MOVED by Alderman Meagher, seconded by Alderman Shannon that a grant in the amount of \$750.00 be approved for M.O.V.E. Motion passed.

Trinity Church - Cogswell Street

MOVED by Alderman Meagher, seconded by Alderman Stanbury, that a grant in the amount of \$5,224.80 be approved for Trinity Church, Cogswell Street, for local improvement charges.

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Deputy Mayor Connolly suggested that City Council, by approving the motion, would be setting a very dangerous precedent. He stated that if Churches are to be exempt from local improvement charges, the Ordinance should be changed to provide for same.

In response to a question, the City Manager stated that the matter is being considered in the overall policy being looked at by staff at the present time.

The motion was put and passed with Deputy Mayor Connolly and Alderman Shannon voting against.

North End Rink

A staff report dated October 26, 1976, was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Stanbury, that Council authorize the City Manager to appoint four representatives of City staff to serve on the Board of Management of the North End Rink. Motion passed with Alderman Shannon voting against.

Bedford Highway Interceptor Sewer

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

MOVED by Alderman Lawrence, seconded by Deputy Mayor Connolly that the consulting firm of Beasy, Nicoll Engineering Co. be retained to provide inspection services on the Bedford Highway Interceptor Sewer. Motion passed.

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QUESTIONS

Question Alderman Shannon Re: Powers of the Building
Inspector

Alderman Shannon asked that staff review the powers of the Building Inspector with respect to illegal occupancy, abandoned cars, unsightly premises, etc. and a report be submitted.

Question Alderman Lawrence Re: Fall Clean-Up Week

Alderman Lawrence asked that staff look at the possibility of having a fall clean-up week. His Worship advised that Council had previously removed this item from the budget.

Mr. Calda, Director of Engineering and Works, advised that there would be difficulties scheduling a fall clean-up week for this year and suggested that it would be more appropriate for next year.

Question Deputy Mayor Connolly Re: Lighting at the
South End of Marlborough Avenue

Deputy Mayor Connolly stated that he had previously asked for a report from staff re the lighting at the south end of Marlborough Avenue. He asked if staff had an opportunity to investigate the matter and what remedy is suggested.

Question Alderman Downey Re: New Fire Pumper

Alderman Downey referred to an information report dated October 22, 1976, re the new fire pumper and asked when the pumper will be in working order.

Deputy Chief Swan advised that they are awaiting the arrival of a small part from the United States and it is expected the fire pumper will be in operation by Monday of next week.

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NOTICE OF MOTION

Notice of Motion Alderman Moore Re: Amendment to
Ordinance No. 106, the Election Ordinance

Alderman Moore gave notice that at the next regular meeting of City Council of the City of Halifax to be held on Wednesday, the 10th day of November, A.D., 1976, he proposes to introduce an amendment to Ordinance Number 106, the Election Ordinance. The purpose of the amendment is to change the voting hours for the Advance Poll from Friday and Saturday between the hours of 8:00 a.m. and 7:00 p.m. to Friday and Saturday between the hours of 1:00 p.m. and 7:00 p.m. as directed by Council Resolution of December 11, 1975.

Notice of Motion Alderman Walker Re: Ordinance No. 166,
Respecting Signs, Billboards and Advertising Structures

Alderman Walker gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on Wednesday, the 10th day of November, A.D., 1976, he proposes to introduce Ordinance Number 166, respecting Signs, Billboards and Advertising Structures. The purpose of the ordinance is to update and repeal existing ordinance Number 21 re Illuminated Signs which was passed in 1936 and has not been amended since the year 1956.

ADDED ITEMS

Oriole Street - Laying Down Street Lines - Change in
Date for Hearing

A staff report dated October 26, 1976, was submitted.

Alderman Lawrence stated that he was disappointed that the meeting had to be rescheduled to a later date.

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MOVED by Alderman Lawrence, seconded by Alderman Moore, that City Council revise the date for a public hearing on the matter of official street lines on Oriole Street from November 17, 1976 to December 8, 1976. Motion passed.

Oriole Street - Barricade

A report dated October 28, 1976, was submitted by Fire Chief Ronald M. Horrocks re the above matter.

Alderman Lawrence requested that staff negotiate immediately with the legal counsel of the assessed owner to have the barricade removed, regardless of the outcome of the public hearing, for the winter months so that vehicles could have access to the homes on the upper portion of Pioneer Avenue. Alderman Lawrence stated that this has to be done immediately because there is no way fire vehicles can respond to a call from the upper portion of Pioneer Avenue with snow or ice on the ground because of the grade of the land.

The City Manager stated that staff will initiate negotiations as requested.

Alderman Lawrence further requested that the information contained in the Fire Chief's report be conveyed to the counsel for the assessed owner.

12:10 p.m. - Meeting adjourned.

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MAYOR EDMUND MORRIS
CHAIRMAN

G. I. BLENNERHASSETT
CITY CLERK

CITY COUNCIL
SPECIAL MEETING
M I N U T E S

Council Chamber
City Hall
Halifax, N. S.
November 3, 1976.
8.15 PM.

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

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

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

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

Alderman Sullivan requested permission to add :

The Ratification of Halifax Civic Employees' Federal Union No. 143 Collective Agreement.

There being unanimous consent by those present, the item was added to the Agenda.

A letter, dated November 2, 1976 signed by the President of Local 143 C.U.P.E., Chairman of the Negotiating Committee was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that the Collective Agreement as amended according to the correspondence dated November 2, 1976 from the Halifax Civic Employees' Federal Union No.143 be approved. Secondly that the appropriate signing officers be empowered to sign the Agreement, and thirdly, that the retroactive pay be paid out immediately upon the initialling of the Agreement by both parties.

Motion passed.

Changes to the R-2 Zone.

The Chairman advised that the meeting was called as a public hearing to consider the following changes to the R-2 Zone of the Peninsula By-law:

- (1) to delete 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;
- (2) amending Section 55(d) in the Park and Institutional zone of the Mainland By-law to delete the phrase ".....if not operated for gain";
- (3) deleting Section 1(e) in the R-2 zone of the Peninsula By-law and adding it to the Park and Institutional Zone;
- (4) deleting Section 1(f) in the R-2 zone on the Peninsula By-law.

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

The Acting City Clerk advised that the matter was duly advertised.

Mr. Richard Matthews, Director of Planning, answered questions put to him by Members of Council.

His Worship then called for those persons wishing to speak in favour of the staff recommendation.

Ms. Bernice Jones, 1621 Walnut Street, read a letter on behalf of the Ward 2 Residents' Council, and spoke in support of the proposed changes. A copy of this communication is on file in the City Clerk's office.

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Mrs. Annie Fraser, 1648 Chestnut Street then addressed Council in support of the proposed amendment.

Mrs. Margaret Johns, 1130 Studley Avenue spoke in support of the proposed amendment.

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

Mr. R. A. Cluney, O.C., representing Dalhousie University read a Brief on behalf of Dalhousie University on the proposed changes in the Peninsular R-2 Zoning By-law.

Mr. Cluney advised Members of Council that there was an error in the brief. References made to the R-2 Zoning By-law should be amended to read "R-2 and R-3" throughout the document.

Mr. Cluney answered questions put to him by those present.

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

MOVED by Alderman Connolly, seconded by Alderman Walker that this matter be referred to City Council without recommendation.

Motion passed.

The following written communications in support of the proposed amendment were received and copies were circulated to members of City Council:

Letter dated November 3, 1976 from A. W. Linton, Chairman, Committee of Concerned Dalhousie Area Residents.
Letter dated November 3, 1976 from Bernice Jones, President, Ward 2 Residents' Council.

The following written brief opposed to the proposed amendment was received:

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Brief dated November 3, 1976 from R. A. Cluney, Q.C.,
Solicitor for Dalhousie University.

Meeting adjourned - 9:30 PM.

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MAYOR EDMUND MORRIS
CHAIRMAN

C. MACNEIL,
ACTING CITY CLERK.

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.
November 10, 1976
8:10 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 Moore, Aldermen Shannon, Downey, Meagher, Sullivan, Walker and Lawrence.

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

HONOURABLE GERALD A. REGAN - PREMIER OF NOVA SCOTIA

His Worship welcomed the Honourable Gerald A. Regan, Q.C., Premier of the Province of Nova Scotia, and expressed the pleasure of the members of Council in having him address them.

Premier Regan stated he was very pleased to accept the kind and thoughtful invitation to address City Council as Premier of the Province of Nova Scotia and, as well, as the representative in the Legislature representing a portion of the City of Halifax.

Premier Regan stated that the City of Halifax has the admiration of a great many citizens beyond the City itself for the manner in which the affairs of the Council are being managed by the elected group and the efficiency of the distinguished bureaucrats is admired and envied in many circles. He stated that seldom in the history of the City has there been a time when there has been a stronger City Council.

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Premier Regan stated that in these days of complex government there are many occasions and many projects that require co-operation of sometimes two and three levels of government and the Province of Nova Scotia is experiencing splendid co-operation from the City of Halifax in those areas where concerted efforts are required for the public good. He felt that this will continue and hoped that, in working together, the welfare of the people of the Province and the improvement of our way of life, as well as the standard of living, will continue to occur.

Alderman Connolly entered the meeting at 8:20 p.m.

Premier Regan responded to questions from His Worship and members of City Council re rising unemployment and the future of the Port of Halifax.

His Worship, on behalf of the members of City Council, presented Premier Regan with his own personal copy of Dr. Aikens' History of Halifax City inscribed by the members of City Council.

MINUTES

Minutes of meetings of City Council held on October 28 and November 3, 1976, were approved on Motion of Alderman Walker, seconded by Alderman Lawrence.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 16(c) - Motion - Amendment to Ordinance No. 128 respecting "Exemption from Real Property Tax on Property Used for Certain Purposes" -- FIRST READING
- 20(a) - Application for Final Approval of Lots B-3 and B-4, Lands of Bayers Apartment Park Limited, 6969 Bayers Road

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

20(b) - Block Parent Program

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

DEFERRED ITEMS

Amendments to Zoning By-law Re: Bachelor Unit Apartment Buildings

This matter was discussed at the last regular meeting of City Council at which time it was deferred.

A staff report from the City Solicitor dated November 1, 1976, was submitted.

MOVED by Alderman Connolly, seconded by Alderman Walker, that the proposed amendments to the R-3 zone be approved by City Council as follows:

- (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;
- (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".

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Deputy Mayor Moore requested that the definition of "apartment house", as outlined in the City Solicitor's private and confidential memorandum dated October 19, 1976, be included in the motion.

In accordance with Deputy Mayor Moore's request, the mover and seconder of the motion agreed that the following words be added to the motion:

"and (g) "Apartment house" means a dwelling other than a double duplex dwelling house erected or converted for the purpose of providing three or more self-contained dwelling units but does not include a dwelling that qualifies as an "hotel" as that term is defined in the Hotel Regulations Act, being Chapter 127 of the Revised Statutes of Nova Scotia, 1967."

Alderman Shannon stated that she could not support the motion as the commercial facilities permitted within the zone would result in higher rents and she felt the area in which the zone is permitted is too wide. She suggested that the area should end at South Street and activity should not be encouraged in the area until the detailed area plans have been completed.

MOVED by Alderman Shannon, seconded by Alderman Downey that the motion be amended by replacing the words "Inglis Street" therein with the words "South Street".

The amendment was put and lost, with Deputy Mayor Moore, Aldermen Connolly, Sullivan, Walker and Lawrence voting against.

Discussion ensued re the definition of apartment house during which the City Solicitor reviewed the chronology of events leading to the suggested amendment to the definition. In response to a question, the City Solicitor advised that it would appear from the definition that furnishing six or more units would probably be in violation of the bylaw.

The motion was withdrawn at the request of the mover and agreement of the seconder.

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MOVED by Alderman Connolly, seconded by Alderman Sullivan, that the proposed amendments to the R-3 zone be approved by City Council as follows:

- (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;
- (4) Amendment 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 by Deputy Mayor Moore, seconded by Alderman Meagher that the motion be amended to include the following definition in the bylaw:

"(g) "Apartment house" means a dwelling other than a double duplex dwelling house erected or converted for the purpose of providing three or more self-contained dwelling units but does not include a dwelling that qualifies as an "hotel" as that term is defined in the Hotel Regulations Act, being Chapter 127 of the Revised Statutes of Nova Scotia, 1967."

The amendment was put and lost, with Aldermen Connolly, Shannon, Downey, Sullivan and Walker voting against.

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

FOR: Aldermen Connolly, Downey, Sullivan and Walker

AGAINST: Deputy Mayor Moore, Shannon, Meagher and Lawrence.

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

It was agreed that the Formal Resolution be approved.

Amendments to the R-2 Zone

A public hearing re the above matter was held on November 3, 1976.

MOVED by Alderman Connolly, seconded by Alderman Shannon, that the following amendments to the R-2 zone be approved by City Council:

- (1) delete 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 bylaws;
- (2) amend Section 55(d) in the Park and Institutional zone of the Mainland By-law to delete the phrase ". . . if not operated for gain";
- (3) delete Section 1(e) in the R-2 zone of the Peninsula By-law and adding it to the Park and Institutional Zone;
- (4) delete Section 1(f) in the R-2 zone of the Peninsula By-law.

Deputy Mayor Moore stated that the ramifications of the motion, if passed, are very broad and he felt that City staff should sit down with representatives of Dalhousie University with a view to attempting to work out an arrangement which would provide whatever safeguards Council is attempting to achieve with respect to this proposed amendment to the R-2 zone.

His Worship expressed concern re the possible affect the amendment would have on all Universities in the City and suggested that the vote be deferred so that the City Planning staff may meet with representatives of Dalhousie University which he suggested is not to be

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judged by the public as being for or against the amendment.

MOVED by Deputy Mayor Moore, seconded by Alderman Lawrence that this matter be deferred until such time as City staff has had an opportunity to meet with the representatives of Dalhousie University, and any other Universities who wish to make representation with respect to the University use in the R-2 zone, and a staff report be submitted to Council on such a meeting.

Alderman Connolly requested that the matter be included in the Order of Business for the City Council meeting to be held on November 25, 1976.

Alderman Shannon requested that representatives of the Ward 1 and Ward 2 Residents' Associations be included in the meeting with representatives of Dalhousie University and staff.

The mover and seconder of the motion to defer agreed to withdraw their motion to permit debate.

Alderman Shannon suggested that this is a long standing matter and the time has come when the City has to do something about ordering this use of land. She stated that the public hearing was duly advertised and Dalhousie was the only University to respond.

Alderman Connolly stated that as Dalhousie University was the only protestor at the public hearing, the representative was questioned by him at that time but no more thoroughly than any other protestor would have been. He stated that for a number of years he has endeavoured to have the suggested changed made to the R-2 zone chiefly because there is a uniqueness in the R-2 zone which is not available to every citizen in the community which he felt is most discriminatory. He suggested that for orderly planning there must be a control on where institutional type buildings can be constructed.

MOVED by Deputy Mayor Moore, seconded by Alderman Lawrence, that the matter be deferred to the next regular

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meeting of City Council to be held on November 25, 1976, to provide an opportunity for staff of the Planning Department, and whatever other departments necessary, to meet with representatives of Dalhousie University, and any other interested groups, with a view to trying to reach some other mutually satisfactory solution.

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

FOR: Deputy Mayor Moore, Aldermen Lawrence, Downey and Meagher

AGAINST: Aldermen Connolly, Shannon, Sullivan and Walker

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

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance & Executive Committee from its meeting held on November 3, 1976, as follows:

Supplementary Budget - Halifax Housing Authority

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, an additional appropriation be made under Section 201 of the Halifax City Charter for funds in the amount of \$13,416.00 as an additional allocation to the City's contribution to the operating costs of the Halifax Housing Authority during 1976; this amount only to be released to the Authority concurrently with the support from the other two levels of government and, further, that the Mayor and City Clerk be authorized to sign the Supplementary Budget, as submitted.

Motion passed.

Revocations - Capital Borrowings

MOVED by Alderman Sullivan, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, the Minister of Municipal Affairs be requested to revoke the capital borrowing authorizations as per the list attached to the staff report dated October 21, 1976 in the amount of \$7,280,986.34.

Motion passed.

Resolution - Metropolitan Toronto Council

MOVED by Alderman Sullivan, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the resolution of Metropolitan Toronto Council be forwarded to the Union of Nova Scotia Municipalities.

Motion passed.

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Damage Settlement - 79 Saskatoon Drive

MOVED by Alderman Lawrence, seconded by Deputy Mayor Moore that, as recommended by the Finance and Executive Committee, a settlement in the amount of \$500.00 be approved for a property damage claim by Shirley and Finley Evong of 79 Saskatoon Drive, Halifax, N. S.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance No. 10, respecting "The Common" -
SECOND READING

MOVED by Alderman Walker, seconded by Deputy Mayor Moore that the following amendment to Ordinance No. 10 respecting The Common, be read and passed a Second Time:

"Section 6 of said Ordinance Number 10 is amended by striking out the words "ten dollars" in the third line thereof and substituting therefor the words "twenty dollars".

Motion passed.

Amendment to Ordinance No. 12, respecting "Camp Hill Cemetery" - SECOND READING

MOVED by Alderman Walker, seconded by Deputy Mayor Moore that the following amendment to Ordinance No. 12 respecting Camp Hill Cemetery, be read and passed a Second Time.

"Section 28 of said Ordinance Number 12 is amended by striking out the words, symbols, and figures "five dollars (\$5.00)" and substituting therefor the words "twenty dollars"."

Motion passed.

REPORT - CITY PLANNING COMMITTEE

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

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Application for Building Permit - Royal Canadian Legion -
"Vimy Branch"

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the City Planning Committee, Council authorize staff to issue a building permit to Royal Canadian Legion - Vimy Branch for the reconstruction of a new legion hall as per the previously approved plans submitted to the Inspection Services Division in application for a building permit.

Motion passed.

Property 5661-71 Cunard Street

The following is the recommendation of the City Planning Committee:

"That an individual be allowed to come before Council with preliminary sketches of proposed buildings within a moratorium area and that Council may give approval for the construction of such buildings as presented on a conceptual basis to City Council."

The City Manager said she was concerned about the recommendation of the City Planning Committee suggesting it defeats the purpose of the moratorium area.

Discussion ensued on the matter and Alderman Meagher questioned if Council were to refer to a particular property in its motion, if this would represent less of a problem.

The City Manager said it would change the context of the motion entirely. The City Manager later said that any application coming before staff has to be considered from the point of view of traffic problems and services etc., and expressed some doubt as to whether staff would be able to present their views based upon a set of preliminary plans.

Further discussion ensued and it was MOVED by Alderman Shannon, seconded by Alderman Meagher that City staff meet with the NIP Core Committee with a view to resolving the problem in accordance with the tentative plans the Committee has drawn up and to bring back a recommendation to Council.

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Alderman Shannon suggested a recommendation should be made to Council which will fit into the conceptual plans which the Core Committee now have.

Council agreed the item should be placed on the agenda of the November 25, 1976 meeting of Council.

The Motion was put and passed.

Approval of Corrected Subdivision Plans of Apollo Court & Subdivision of Lot 165 Apollo Court

MOVED by Alderman Lawrence, seconded by Deputy Mayor Moore that, as recommended by the City Planning Committee;

1. The correction of Plan No. P200/4030 showing lots 149 to 173 inclusive Apollo Court, and Lot 174P (Park area) as shown on Plan No. P200/7548 of Case No. 2044, be approved by City Council, and
2. The application to subdivide Lot 165 to create Lots 165A and 165B Apollo Court, as shown on Plan No. 3358, be approved by City Council.

Motion passed.

Application for Resubdivision, Lands Chebucto & Quinpool Roads - Nova Scotia Power Corporation & Michael Banks

An information report dated November 10, 1976 was submitted.

MOVED by Deputy Mayor Moore, seconded by Alderman Lawrence that, as recommended by the City Planning Committee, Council grant the following as shown on Plan No. P200/7545:

1. Resubdivision of the Michael Banks property into Lots 1A and 1B;
2. Resubdivision of the Nova Scotia Power Corporation property into Lots 2A and 2B;
3. Consolidation of Lots 1A and 2A to create Lot 4A;
4. Consolidation of Lots 1B and 2B to create Lot 4B;

AND, that staff continue to enquire into the question of the obstruction and the possible sale of the land as referred to in the information report of November 10, 1976.

Motion passed.

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Rezoning from R-4 to C-1 - 16 (Lot 7B) Titus Street
DATE FOR HEARING

Council agreed that the date of December 8, 1976 at 8:00 p.m. be set for a public hearing to consider the application to rezone Civic No. 16 (Lot 7-B) Titus Street from R-4 Multiple-Dwelling Zone to C-1 Local Business Zone, as shown on Plan No. P200/7579 of Case No. 3366.

Application for Resubdivision - Lands Herring
Cove Road - Hamid JeBailey

The above noted item was forwarded to Council without recommendation with a report to be submitted indicating when staff will be prepared to set down street lines on Aldergrove Drive.

An information report dated November 10, 1976 was submitted indicating a report regarding the laying down of official street lines along the subject street would be forwarded to Council at the end of December, 1976.

MOVED by Alderman Walker, seconded by Alderman Sullivan the application for resubdivision, lands on Herring Cove Road - Hamid JeBailey - be deferred until the matter of street lines on Aldergrove Drive is resolved.

His Worship suggested that staff should communicate with the applicant advising efforts are being made to work the matter out.

Motion passed.

Notification of Property Owners for Modification Requests

MOVED by Alderman Meagher, seconded by Alderman Walker that, as recommended by the City Planning Committee, in the case of applications for modifications to the Zoning Bylaw, the abutting property owners be notified by mail of the application and date of Council consideration.

Motion passed.

Rezoning from R-2 to R-4, Block A-1 - Bedford Highway -
DATE FOR HEARING

MOVED by Alderman Connolly, seconded by Alderman Meagher that the date of December 8, 1976 at 8:00 p.m. be set for a public hearing to consider the rezoning of Lot A-1 Bedford Highway from R-2, Two Family Dwelling Zone to R-4, Multiple Family Dwelling Zone as shown on Plan No. P200/7564 of Case No. 3381.

Motion passed.

MOTIONS

Motion - Deputy Mayor Moore Re: Amendment to Ordinance No. 106, respecting "The Election Ordinance",
FIRST READING

MOVED by Alderman Moore, seconded by Alderman Meagher that the amendment to Ordinance No. 106 respecting "the Election Ordinance", as submitted, be read and passed a First Time.

Motion passed.

Motion - Alderman Walker Re: Ordinance No. 166 (New),
respecting "Signs, Billboards & Advertising Structures"
FIRST READING

MOVED by Alderman Walker, seconded by Alderman Sullivan that the new Ordinance No. 166 respecting "Signs, Billboards & Advertising Structures", be read and passed a First Time as submitted.

Motion passed.

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

The above noted item was added to the agenda at the request of the City Clerk.

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At the September 30, 1976 meeting of Council, a Notice of Motion was given with respect to an amendment to Ordinance Number 128. Since that meeting, a new Ordinance No. 167 was prepared as the way of dealing with the intent of the proposed amendment.

MOVED by Alderman Lawrence, seconded by Alderman Walker that Ordinance No. 167 (formerly Ordinance No. 128) respecting Tax Exemptions for Property Used for Charitable Purposes (a section of which repeals former Ordinance #128) be read and passed a First Time and the matter be referred to the Tax Concessions & Grants Committee for report.

Motion passed.

MISCELLANEOUS BUSINESS

Appointments

A report dated November 8, 1976, was submitted from His Worship the Mayor which made nominations for appointments to various Committees, Boards, and Commissions.

His Worship also requested that Council give consideration to the re-appointment of the present members of the Board of Health until December 31, 1976.

MOVED by Alderman Connolly, seconded by Alderman Meagher that the present members of the Board of Health be re-appointed until December 31, 1976, and that the following appointments, be approved:

Arbitration Committee

His Worship the Mayor
Alderman Terrence Sullivan
Alderman J. Albert Walker

Reappointed for a further term to
expire October 31, 1977.

Civic Hospital Board

His Worship the Mayor
Mr. David Joudry
Mr. Donald Grant

Mr. William Brooks
Mr. Edward Fitzpatrick

Reappointed for a further term to
expire October 31, 1977.

Court House Commission

Deputy Mayor Wilfred P. Moore
Mr. Barry Allen

Mr. H. W. Butler
Mr. Lawrence J. Hayes

Reappointed for a further term to
expire October 31, 1977.

Halifax City Regional Library Board

Alderman Margaret Stanbury

Reappointed for a further term to
expire on October 31, 1977.

Motion passed.

Transfer of Funds - Renewal of Curb and Gutter on
Argyle Street - Herald Building

A staff report dated November 2, 1976
was submitted relating to the above noted matter.

MOVED by Alderman Connolly, seconded by
Alderman Shannon that:

1. Curb and gutter on the west side of Argyle Street,
from Sackville Street to approximately 225 feet
north, be renewed in conjunction with sidewalk
renewal, at an estimated cost of \$4,000.00;
2. \$4,000.00 for this project be transferred from
Account No. CA563, Sidewalk Renewals Account, to
cover the cost of this project; and
3. Council approve the selection of Clarke & Smithers
to carry out this project.

Following a questioning of staff, the
Motion was put and passed with Alderman Walker against.

Additional Funds - Hollis Street - Sidewalk Renewal

A staff report dated November 5, 1976,
was submitted relating to the above noted item.

MOVED by Alderman Connolly, seconded by Alderman Lawrence that a transfer of funds in the amount of \$8,000.00 be made to CA530 from surplus funds (\$20,000) available in sidewalk renewal Account No. CA562 for Quinpool Road.

Motion passed.

QUESTIONS

Question Alderman Walker Re: Signs - Entrance to City

Alderman Walker said he would like to receive a report on the proposed signage at the entrance to the City on the St. Margaret's Bay Road which Council asked about some time ago.

The Director of Works advised an enquiry would be made of the Department of Highways and a report will be submitted.

Question Alderman Shannon Re: Sewer Pipe, Vernon Street

Alderman Shannon advised that 8½ lengths of sewer pipe were left on Vernon Street and asked if these will be picked up. Alderman Shannon also questioned whether Council will receive a report as to what will be happening at the spot in question.

The Director of Works advised as to what the problems are saying staff will report as soon as some conclusions are reached.

Question Alderman Downey Re: Damage Claim, 5659 Cogswell St.

Alderman Downey said he would like a full report with respect to a damage claim against the property 5659 Cogswell Street. Alderman Downey said the owner was told the house was to be painted saying the claim was later turned down.

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Question Alderman Walker Re: Report - Hilden Heights

Alderman Walker questioned when he could receive the report on Hilden Heights which he requested at the October 14th meeting.

The City Solicitor advised that the report would be supplied next week.

NOTICE OF MOTION

Notice of Motion - Deputy Mayor Moore Re: Reconsideration of Motion of City Council of November 10, 1976 respecting Amendments to Zoning By-law relating to Bachelor Unit Apartment Buildings

Deputy Mayor Moore gave notice that at the next regular meeting of City Council to be held on November 25, 1976, he proposes to introduce a Motion of reconsideration with respect to the amendment to the Zoning By-law Re: Bachelor Unit Apartment Buildings, passed by City Council on today's date.

MOVED by Deputy Mayor Moore, seconded by Alderman Lawrence that all proceedings under the Motion resolved in the affirmative earlier in this meeting with respect to the Amendments to the Zoning By-law Re: Bachelor Unit Apartment Buildings, be stayed.

Motion passed with Aldermen Walker, Sullivan, and Connolly against.

Notice of Motion - Alderman Meagher Re: Amendment to Ordinance No. 105 The Committee Ordinance.

Alderman Meagher gave notice that at the next regular meeting of City Council to be held on Thursday, the 25th day of November, A.D., 1976, he proposes to introduce an amendment to Ordinance Number 105, the Committee Ordinance.

Alderman Meagher advised that the purpose of the amendment is to amend Section 15 of the Ordinance relating to the Visitors and Convention Committee by increasing the membership of the Committee from the Mayor and four Aldermen and five members who are not members of Council, to the Mayor and four Aldermen and eight members who are not members of Council.

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November 10, 1976

Alderman Meagher said the Section will be further amended to provide that seven (7) members, including the Chairman, shall constitute a quorum.

ADDED ITEMS

Application for Final Approval of Lots B-3 and B-4, Lands of Bayers Apartment Park Limited, Civic No. 6969, Bayers Road

A staff report dated November 8, 1976, was submitted.

MOVED by Alderman Connolly, seconded by Alderman Sullivan that the application for subdivision of the property known as Civic No. 6969 Bayers Road to create Lots B-3 and B-4, as shown on Plan No. P200/7597 of Case No. 3367, be granted by City Council.

Deputy Mayor Moore advised that he had requested a report from staff last week on the subject matter saying he has not, as yet, received a response.

MOVED by Deputy Mayor Moore, seconded by Alderman Lawrence that the item be deferred to the next regular meeting of the Committee of the Whole in order that he may receive the information requested.

The Motion to Defer was put and passed.

Block Parent Program

The above noted item was added at the request of Alderman Lawrence. Alderman Lawrence noted the Block Parent Program has started in Ward #1 saying there have been problems in setting it up in other areas of the City.

Alderman Lawrence said he would like to see a Committee consisting of approximately two Aldermen and a representative of Mainland North and South to co-ordinate the efforts of everyone to get the program going on a City wide basis.

Discussion ensued and His Worship suggested placing the item on the agenda of the next Committee of the Whole meeting.

Alderman Lawrence suggested that perhaps Mrs. Thomson from Ward #1, Mrs. Harrison, and the Chief of Police could be invited to attend the meeting.

Alderman Shannon suggested that staff should find out exactly what it was Council approved with respect to the subject matter for next week's meeting saying all members should have the background information.

Council agreed that the item be placed on the agenda of the next Committee of the Whole Council meeting.

11:40 P. M. - Meeting adjourned.

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G. I. BLENNERHASSETT
CITY CLERK

MAYOR EDMUND MORRIS
CHAIRMAN

CITY COUNCIL
SPECIAL MEETING
MINUTES

Council Chamber
City Hall
Halifax, N.S.
November 17, 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: Deputy Mayor Moore, Chairman; Aldermen Connolly, Downey, Meagher, Sullivan, Stanbury, Walker, Hanson and Lawrence.

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

The meeting was called especially to consider the following:

- (1) PUBLIC HEARING: To lay down and confirm the southern and northern official street lines of Lacewood Connector in Rockingham from Dunbrack Street to the Bedford Highway as shown on section 59A of the Official City Plan.
- (2) PUBLIC HEARING: Application to rezone lot L-4-B from R-4 (Multiple Dwelling Zone and P, Park & Institutional Zone) to C-2 (General Business Zone,) and to rezone lot L-5 from G (General Building Zone) to R-4 (Multiple Dwelling Zone), lands owned by the Sisters of Charity and Clayton Developments Limited,; Willett Street, Dunbrack Street and Lacewood Drive.

Alderman Lawrence noted that at today's meeting of the Committee of the Whole it was agreed that two items be added to tonight's agenda

It was MOVED by Alderman Lawrence, seconded by Alderman Connolly that the following items be added to the agenda:

Special Council
November 17 1976

- (1) Modification of Zoning Bylaw - 3168 Union Street.
- (2) Application for Final Approval of Lots B-3 and B-4 Lands of Bayers Apartment Park Limited, Civic No. 6969 Bayers Road.

Motion passed unanimously.

Modification of Zoning Bylaw - 3168 Union Street.

A staff report dated November 8, 1976 was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Hanson that the application for modification of the Zoning Bylaw to allow the construction of a duplex at 3168 Union Street, as shown on Plan No. P200/7589 of Case No. 3390, be approved by City Council.

Motion passed.

Application for Final Approval of Lots B-3 and B-4 Lands of Bayers Apartment Park Limited, Civic No. 6969 Bayers Road.

A staff report dated November 15, 1976 was submitted.

MOVED by Alderman Connolly, seconded by Alderman Sullivan that the application for subdivision of the property known as Civic No. 6969 Bayers Road to create Lots B-3 and B-4 as shown on Plan No. P200/7595 of Case No. 3367, be granted by City Council.

Motion passed.

PUBLIC HEARING #1.

To lay down and confirm the southern and northern official street lines of Lacewood Connector in Rockingham from Dunbrack Street to the Bedford Highway as shown on section 59A of the Official City Plan.

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. Dodge of the Development department to address Council on the matter.

Mr. Dodge, with the aid of a map and overlays spoke to the matter, stating that the two subjects of tonight's meeting are, in the opinion of staff, somewhat interdependent.