

Adjourned Council,
March 17, 1970

2. the existing garage being relocated if the driveway from Robie Street is used.

Motion passed.

MOTIONS

Motion - Alderman Ivany Re: Amendment to Section 8N of Ordinance No. 103

At the request of Alderman Ivany, this matter was deferred to the next regular meeting of City Council.

Motion - Alderman Allen Re: Annexation of Watershed Lands to the City of Halifax

MOVED by Alderman Allen, seconded by Alderman Meagher that the City formally request the Board of Commissioners of Public Utilities to order the annexation of the watershed lands of Chain Lake, Long Lake and other lands adjacent to these presently owned by the Public Service Commission, to the City of Halifax.

Alderman Allen spoke to his motion and said that a great many people were of the opinion that the Board of Commissioners of Public Utilities were not conveying sufficient acreage of land to the City to enable it to properly develop and properly exercise controls over certain parts of the land. He briefly referred to the report presented by the C.N.R. relating to the need for industrial lands in that area and suggesting that certain of the watershed lands be used for such purpose.

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

MISCELLANEOUS BUSINESS

Changes in Social Assistance

The following report was submitted from Staff:

"Demands on the Social Assistance offices during January and February indicate that reductions will have to be made in the scale of payments if expenditures are to be kept within the 1970 budget.

While recognizing that increasing costs have made the present scale barely adequate, it is the opinion of staff that any cuts that have to be made should be made in areas that will cause the least hardship.

After careful study, it has been suggested that one way in which our policy might be revised is by placing some restriction on the length of time for which assistance will be granted to single males and females under 30 years of age, without dependents. This is not to indicate that such a policy will not create difficulties, but recognizes that youth may be able to function on their own easier than families or older citizens. In considering this change in policy the committee should be aware that an increase in the unemployment rate is forecast to be highest in the younger age bracket.

The other two items considered for reductions were rent and clothing. Since the present housing situation and rental structure precludes cuts in rent, it is recommended that reductions be made in the clothing budget until expenditures are brought into line with the 1970 budget allotment.

Staff has also studied the reasons for the increase in the number of people requiring assistance and they would appear to be as follows:

- (1) An increase in the unemployment rate. Because of delays in receiving unemployment insurance some people are forced to apply for assistance who otherwise would not require it.
- (2) An increase in the number of desertions.
- (3) An increase in the need to supplement the income of those over the age of 65.
- (4) An increase in the need to supplement families who are receiving Provincial Assistance.
- (5) A 24% increase in the number of people being discharged from mental hospitals who must be maintained in foster homes or institutions.

The supplementation of Provincial Assistance, in most instances, is a duplication of effort and would not be necessary if Provincial Assistance was paid on the basis of budgetary need rather than having a maximum of \$175 per month. This policy has an especially adverse effect on recipients living within the City of Halifax. In a rural community or small town where rents are relatively low it is possible for a widow with dependents to survive on \$175 per month. In Halifax, where the rent is likely to be at least \$110 per month, fuel \$30.00, and electricity \$12.00, it is obvious that \$175 is inadequate for even the smallest family and must be supplemented. Approximately 30% of our current caseload is made up of families where Provincial Assistance is being supplemented. It is recommended that a committee be established to negotiate with the Province on the possibility of eliminating this duplication of effort within the City.

Such a committee should also have the authority to discuss the problem being created by the increased number of mentally disabled patients being discharged from the mental hospitals. The philosophy behind the discharge policy should be commended, but the method of financing needs to be questioned. While in hospital all costs are paid by the Hospital Insurance Commission. When discharged, the responsibility falls on the municipality and the cost is usually \$9.50 per day. Such patients usually require years of care and this represents the area of the greatest cost increases. While the City receives 75% reimbursement for assistance to people in their own homes, it only receives 66 2/3% of the cost of maintaining the mentally disabled in institutions.

These facts would seem to point to the need of a reassessment of the overall structure of Welfare payments in Nova Scotia. Obviously there are programs presently being carried by the City which could more effectively be administered by the Federal and Provincial governments, leaving the City free to develop preventive and rehabilitative social programs designed to combat poverty as it is evidenced in Halifax City. It is recognized that the Provincial Department of Public Welfare is limited in scope by their budget allotment. This department, however, has been most cooperative in the past and open to the provision of new programs and it is recommended that a presentation as suggested above be made to them at this time.

The Social Planner elaborated on his report to members of Council and answered various questions relating to the possibility of finding work for those able bodied men, now receiving welfare assistance. Alderman Hogan suggested some programme of work clearing the forests of underbrush or other such useful manual labour which would not require high edu-

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cational levels.

The Social Planner said that his Department has been working closely with the Board of Trade and the Department of Manpower respecting possible work for those able bodied unemployed with on-the-job training.

Considerable discussion ensued on the matter and His Worship the Mayor briefly explained the difficulties, as he understood them, in the present discussions and agreements between the Provincial and Federal Governments.

After further discussion, it was MOVED by Alderman Ivany, seconded by Alderman Meagher that, as recommended in the Staff Report, a small committee of three be established to negotiate with the Province on the possibility of eliminating this duplication of effort within the City; such committee to consist of Alderman MacKeen, the Social Planner and one other person to be selected by them.

Alderman Allen spoke in support of the motion and felt that the situation could become even more serious if further cut-backs in the area are forthcoming.

The motion was then put and passed.

Discussion ensued with respect to the other two recommendations contained in the Staff report as follows:

1. by placing some restriction on the length of time for which assistance will be granted to single males and females under 30 years of age, without dependents.
2. reductions be made in the clothing budget until expenditures are brought into line with the 1970 budget allotment.

The following report was submitted from Staff:

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It was the general feeling of Council that a decision on these two recommendations should be delayed until the committee had had an opportunity to discuss and negotiate with the Provincial Department of Welfare on the other matter.

After a short discussion, it was agreed that action on the two other recommendations be deferred until the committee had talked with the Province and be considered at the next regular meeting of City Council to be held on March 26, 1970.

Draft Legislation - Halifax Industrial Commission

A draft Bill entitled "An Act to Incorporate the Halifax Industrial Commission" was submitted.

The City Manager advised that the intent of the legislation was to achieve the maximum flexibility for the Industrial Commission while giving City Council control of the funds and City Council will decide on how much capital funds will be allowed the Commission.

It was then MOVED by Alderman Abbott, seconded by Alderman Allen that the draft legislation submitted entitled "An Act to Incorporate the Halifax Industrial Commission" be approved. Motion passed.

1970 Draft Legislation

The City Solicitor advised that the legislation relating to the Transit Corporation will be revised and the necessary changes made and submitted to the next regular meeting of City Council for approval.

Agreement - Fire Fighting Assistance

The following report was submitted from Staff:

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Sometime ago an Agreement was signed between the City of Halifax and the Department of National Defence respecting fire protection service on a reciprocal basis, this Agreement to remain in force until either party gives a written notice naming therein a date at least three months from the giving of such notice when the Agreement will terminate. The City Solicitor has affixed his stamp of approval to the Agreement.

The Department of National Defence now requires the formal Resolution of Council authorizing the Mayor and City Clerk to sign the same.

MOVED by Alderman Allen, seconded by Alderman Meagher that City Council ratify the signing of the Agreement between the City of Halifax and the Department of National Defence respecting fire protection service on a reciprocal basis by His Worship the Mayor and the City Clerk. Motion passed.

Motion - Alderman MacKeen Re: Appointment of Committee - City Government

At the request of Alderman MacKeen, Council agreed to defer this item to the next regular meeting of City Council.

QUESTIONS

No questions were asked at this time.

NOTICES OF MOTION

No Notices of Motion were given at this time.

ADDED ITEMS

No items were added to the Order of Business.

3:20 p.m. Council adjourned.

HEADLINES

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SPECIAL CITY COUNCIL
MINUTE

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

SUBDIVISION - STAGE 2 - SCOTIA SQUARE

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board at a meeting held on March 18, 1970, approval be given to a subdivision of the portions of Stage II of Scotia Square for purposes of mortgage financing, having no effect on the physical form of the development. Motion passed.

EXPROPRIATION SETTLEMENT LEASEHOLD - 1894
BARRINGTON STREET

MOVED by Alderman Allen, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee

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Fire Chief

SPECIAL CITY COUNCIL
M I N U T E S

Special Council,
March 20, 1970
Council Chamber,
City Hall,
Halifax, N. S.,
March 20, 1970,
12:10 p.m.

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

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

Present: His Worship the Mayor, Chairman; Aldermen Ivany, Abbott, LeBlanc, McGuire, Allen and Hogan.

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

The City Clerk advised that the meeting was called especially to consider the following items:

1. Subdivision - Stage 2 - Scotia Square
2. Expropriation - 1894 Barrington Street

SUBDIVISION - STAGE 2 - SCOTIA SQUARE

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board at a meeting held on March 18, 1970, approval be given to a subdivision of the portions of Stage II of Scotia Square for purposes of mortgage financing, having no effect on the physical form of the development. Motion passed.

EXPROPRIATION SETTLEMENT LEASEHOLD - 1894
BARRINGTON STREET

MOVED by Alderman Allen, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee

Final Copy

Special Council,
March 20, 1970

at a meeting held on March 18, 1970, the amount of \$4,000.00 be approved in full settlement for all claims by Mr. Nick Zoulas for his leasehold interest in the property 1894 Barrington Street. Motion passed.

12:13 p.m. meeting adjourned.

HEADLINES

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Expropriation Settlement Leasehold - 1894 Barrington Street	179

Present: His Worship the Mayor, Chairman; and Aldermen Abbott, Mackeen, Connolly, Ivany, LeBlanc, Sullivan, and Allen.

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD,
CITY CLERK

Before commencing with the agenda, His Worship the Mayor said he would like to welcome Alderman Sullivan back after his illness, and especially so since he was looking so well.

In reply Alderman Sullivan thanked all members of the Council, especially Alderman Connolly, for the assistance they had given to him in matters concerning his ward.

MINUTES

Minutes of Council meetings of February 24, March 11, 12, 17 and 20, 1970 were approved on motion of Alderman Connolly, seconded by Alderman Mackeen.

8:10 P.M. - Alderman McGuire arrived.

CITY COUNCIL MEETING
MINUTES

True Chief

Council Chamber,
City Hall,
Halifax, N.S.
March 26, 1970
8:00 p.m.

A meeting of the 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; and Aldermen Abbott, MacKeen, Connolly, Ivany, LeBlanc, Sullivan, and Allen.

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

Before commencing with the agenda, His Worship the Mayor said he would like to welcome Alderman Sullivan back after his illness, and especially so since he was looking so well.

In reply Alderman Sullivan thanked all members of the Council, especially Alderman Connolly, for the assistance they had given to him in matters concerning his Ward.

MINUTES

Minutes of Council meetings of February 28, March 11, 12, 17 and 20, 1970 were approved on motion of Alderman Connolly, seconded by Alderman MacKeen.

8:10 P.M. - Alderman McGuire arrived.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

In view of Alderman Sullivan's attendance at this meeting of the Council, it was agreed to delete item 17 (b) - Leave of Absence, Deputy Mayor M.D. Sullivan.

Council also agreed to the addition of the following items:

- 20 (a) - Collective Bargaining between International Association of Firefighters, Local 268 (Fire Alarm)
- 20 (b) - Letter- Mr. Robert Oldland - dated March 18, 1970
- 20 (c) - Appointment.

MOVED by Alderman LeBlanc, seconded by Alderman Abbott that the agenda, as amended, be approved. Motion passed.

DEFERRED ITEMS

MOTION - ALDERMAN MACKEEEN RE: POLICY RECOMMENDATION TO TRANSIT CORPORATION - REDUCED FARES FOR SENIOR CITIZENS

At the February 12th, 1970 meeting of City Council Alderman MacKeen gave Notice of Motion that he would introduce at the next regular meeting of City Council, a motion recommending to the Halifax Transit Corporation that consideration be given to a policy of providing transportation and reduced fares for Senior Citizens on buses in the City of Halifax. At the following Council meeting of February 26th, the motion was deferred for a period of 28 days.

Alderman MacKeen said that since giving his Notice of Motion he had discussed the matter on several occasions with Mr. McKim, Manager of the Transit Corporation, and he realized the problems faced by the Corporation with regard to an operating deficit. However, he continued,

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there were many old people in the City living on limited incomes who, in these times of inflation, were finding it difficult to get about the City by transit, even to their Churches. He therefore felt it only right that the matter be investigated.

MOVED by Alderman MacKeen, seconded by Alderman Connolly, that the Halifax Transit Commission prepare for Council prior to the completion of one year's operation, an estimated cost of giving reduced fares to senior citizens in the City of Halifax.

Alderman LeBlanc asked if the mover of the motion would state whether it was his intention that there would be a variety of reductions, and Alderman MacKeen replied "yes".

Alderman McGuire touched on the subject of who would bear the burden of the expense for any such reductions, the City or the Corporation, in so far as a proper accounting of it was concerned, and Alderman MacKeen replied that his motion for the moment only called for an estimate of the cost involved to be determined, and that matters such as Alderman McGuire had brought up would be dealt with after that.

The motion was put and passed.

ORDINANCE NUMBER 141 RESPECTING "TAX RELIEF FOR WIDOWS" - SECOND
READING

This Ordinance was presented for Second Reading at the February 26, 1970 meeting of City Council, and during that meeting it was Moved by Alderman McGuire, seconded by Alderman Allen, that consideration be given to amending Ordinance No. 141 to provide that in 1970, the final date for receipt of applications be July 31, 1970.

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March 26, 1970

The July 31, 1970 date would apply for the year 1970 only,
and it would revert to January 31 in following years.

However, that meeting ended with the matter being deferred
for 28 days for further consideration.

MOVED by Alderman McGuire, seconded by
Alderman Allen, that Ordinance No. 141 respecting "Tax Relief
for Widows" be read and passed a Second Time.

A discussion followed on the amount of
money which it would cost the City to provide the tax relief
provided by the Ordinance, and Alderman McGuire replied it
was impossible to get a more accurate estimate than of
around \$100,000, which figure was based on some actual
statistics; however, he added, it was impossible to know the
exact number of persons in the City who would be eligible and
would apply for the exemption. He felt that before any
exemption is granted, the application should be cleared with
the Social Planning Department to determine whether or not
the person involved could apply for some relief from that
Department; however, he stated, he did not know whether this
stipulation had been added to the Ordinance, at the time
the Ordinance was amended to provide a final date for receipt
of applications of July 31, for 1970 only.

Alderman LeBlanc asked if it was intended
for an applicant for the tax relief to undergo a means test,
and Alderman McGuire answered "Yes - the Ordinance does cover
the question you raise in a section which reads: 'that her income
during the preceding year was less than three thousand dollars'".

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Alderman LeBlanc pursued the point asking what method there was to insure the \$3,000 stipulation would be adhered to. Again Alderman McGuire stated that it was covered in the draft Ordinance.

The motion was put and passed.

Motion - Alderman MacKeen Re: Appointment of Committee to Study
Form of City

Alderman MacKeen repeated the motion which he had moved and Alderman Ivany had seconded at the February 12, 1970 meeting of City Council:

"WHEREAS annexation which increased the area and population of the City of Halifax has been an accomplished fact for more than one year;

"WHEREAS it is in the interest of all citizens of the City of Halifax that the Government of the City of Halifax should operate in such a manner as to ensure progress, effective representation and administration plus communication between all levels of the City-Government and the Public;

"BE IT RESOLVED, that a Committee giving equal representation to City Council, the employees of the City of Halifax and taxpayers other than members of Council and City employees be appointed to review and, as it deems desirable recommend procedures of City Government and administration to ensure the City of Halifax obtains the most effective, economical and democratic government and administration."

At that meeting action on the motion was deferred.

The foregoing motion setting up a Committee was again MOVED by Alderman MacKeen, seconded by Alderman LeBlanc, and passed.

MOVED by Alderman MacKeen, seconded by Alderman LeBlanc, that the following persons be appointed to the Committee set up for the purpose of reviewing and recommending on procedures of City Government and administration, to ensure that the City of Halifax obtains the most effective, economical and democratic government and administration:

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Representing City Staff : the present City Manager, and should report not be completed before his departure, the succeeding City Manager take his place.

Representing Council: Alderman Ivany.

Representing Tax Payers: Mr. G.S. Hawkins

Motion passed.

It was also agreed that Alderman Ivany would convene the first meeting of the Committee.

Motion - Alderman Ivany Re: Amendment Section 8N Ordinance #103 -
"Questions and Answers"

Alderman Ivany gave Notice of Motion at the February 26th, 1970 meeting of City Council that he would move an amendment at the next regular meeting of City Council to amend Ordinance No. 3, Section 8 (n), which would permit the "Questions" item on the Order of Business to be amended to "Questions and Answers". Due to his absence from the City, the First Reading was deferred until this evening's meeting.

The City Clerk read the following proposed amendment:

"BE IT ENACTED by the City Council of the City of Halifax as follows:

"1. Clause (n) of Section 8 of Ordinance Number 103, Respecting the Rules of Order of Council, as that Ordinance was approved by the Minister of Municipal Affairs on the 30th day of March, 1965, and subsequently amended and approved by the Minister of Municipal Affairs on the 20th day of February, 1969, is amended by inserting immediately following the word "Questions" the words "and Answers".

Alderman Ivany said that in moving the foregoing amendment, it was not his intention to cast any reflection on staff, but he did feel that very often the questions raised by the Aldermen

were not handled as quickly as they might be. He displayed a sample "Answers" sheet of the Dartmouth Council. He felt there should be something worked out whereby requests of the Council could be passed along to the Department concerned so that the answers could be supplied within a reasonable time.

MOVED by Alderman Ivany, seconded by Alderman Abbott that the proposed amendment to Clause (n) Section 8 of Ordinance Number 103, as submitted, be read and passed a first time. Motion passed.

Staff Recommendation Re: Welfare Assistance

A report was submitted by the members of the Committee which had been appointed to meet with the Minister of Welfare and the staff of his Department, concerning Welfare Payments. Members of that Committee were: Alderman MacKeen, Alderman McGuire, Mr. Hyndman, Director of Finance, and Mr. Crowell, Social Planner.

Mr. Crowell presented the report and stated that while the Minister and his staff had been very sympathetic to the requests made by the Committee, it had been stressed that because of the budget limitations of the Provincial Department, the amount that the Province could share with the City of Halifax for general assistance would have to be held at the level expended in 1969.

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Mr. Crowell set forth the many ways that had been considered as a means of reducing the welfare budget, and felt the following represented the only two opportunities to achieve a reduction, although even these were not considered favourably:

1. By placing some restrictions on the length of time for which assistance will be granted to single males and females under 30 years of age, without dependents.
2. Reductions be made in the clothing budget until expenditures are brought into line with the 1970 budget allotment.

Alderman Ivany said that the welfare problem affected all municipalities and asked that the Committee prepare a Resolution for Council to present to the meetings of the Canadian Federation of Mayors and Municipalities, and the Union of Nova Scotia Municipalities Convention..

MOVED by Alderman Allen, seconded by Alderman MacKeen, that action on the matter be deferred until the next regular Council meeting. Motion passed.

PUBLIC HEARING AND HEARINGS

Public Hearing Re: Stone Crusher Operation - Kearney Lake:

A public hearing was held at this time into the matter of stone crusher operations at Kearney Lake, a petition signed by approximately 300 persons having been submitted to the February 26, 1970 meeting of Council against "the establishment of another stone crusher at Kearney Lake, the existing stone crusher on the property of Standard Paving Maritime Limited and others in the area, and also future stone crushers in our area".

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His Worship the Mayor said that Council would hear first from any persons present who supported the petition.

A Mr. Gordon Harding came forward and said that he had been a resident and property owner at Kearney Lake for the past 18 years. Mr. Harding stated that the area was a great natural asset to the City of Halifax, being used by thousands of people seeking recreation, picnicing, swimming, fishing, boating, skating, etc., but that unfortunately the water and shore line was being destroyed because of the establishment of asphalt plants, stone crushers, rock quarries and concrete plants. He then referred back to 1967 when Standard Paving (Maritimes Ltd.) had located their asphalt plant at Kearney Lake, at which time the firm assured the residents there would be no smoke, dirt or dust from their plant, and that approximately \$50,000 would be spent on landscaping and beautifying the site. Also, he said, the County had assured the residents at that time, that there were no applications from any company for crushing operations, commercial quarrying and that two or three such applications had been turned down in the past. However, he continued, Standard Paving did state that due to a sub-contract they had with Atlantic Sand and Gravel which allowed them to stock-pile the material taken out and crush same, but that this would cease in about three months. Standard Paving, he said, further assured the County Board and the Kearney Lake representatives at that time there there would be no crushing operations at their plant, and, in fact, they have not applied for such an operation.

Part of Mr. Harding's submission read as follows:

"I would like to point out that after a great many complaints by the residents to the City Building Inspector, the Health Department, and the Company itself, the residents have been faced with since 1967:

1. Stone crushers operating night and day on the property of Standard Paving from 7 a.m. to sometimes as late as 11 p.m. at night.
2. A portable asphalt that was installed in addition to the one already there that continually bellows out heavy black smoke and dust.
3. The heavy blasting, and noise from the machinery; the blasting has already damaged some homes in the area.
4. The unsightly mess of equipment, machinery, trucks and mobiles homes located on this property that is degrading the entire area for residential purposes, resulting in the drastic devaluation of our homes.
5. The increased truck traffic that must drive on the Kearney Lake Road, before it reaches the interchange on the Bicentennial highway."

Mr. Harding then referred to the noise and pollution also being caused by Gateway Materials Limited and Martell Construction. The residents, he said, were alarmed with regard to the recent purchase by Martell Construction of a large block of land on the Kearney Lake Shore, immediately adjacent to and north of Standard Paving, and within hundreds of feet of the residents and property owners in the area, in fear it might mean another stone crushing operation to further degrade the area and make life intolerable for the residents.

In summing up, Mr. Harding stated:

"We are asking as residents of this City, which are reasonable requests, that you:

- "(1) Stop the stone crushing operations at Atlantic Sand and Gravel Company on the property of Standard Paving and take steps to stop other crusher operations from coming to the area. If properties are to be excavated for commercial business or otherwise, the rock should be removed in large pieces and not crushed, which is causing the health hazard,

"and polluting the water and air in which we live.

"2. Prohibit the operation of any portable asphalt plants which is adding to this pollution problem.

"3. Prohibit the establishment of any additional industrial type industries in the Kearney Lake Area.

"4. If you have a Master Plan for this City, then you give careful consideration to the development of Ward 10, especially at Kearney Lake, where the damage has already been done by air polluting industries.

"We, the residents of the area, ask you to preserve Kearney Lake and its surrounding areas by acting now before it is too late. All we ask is a better place to live."

to the City Council Mr. W.J. Nugent, President of Ward Ten

Community Association, spoke next. He outlined the nature of

his Association, which he said was representative of all

people in the Ward, and added that the Association had

supported unanimously the petition by the residents of the

Kearney Lake area. He said that the people of the area had

located at Kearney Lake, because it was a nice place to live,

and had worked hard to improve their properties and community,

only to see much of their effort nullified by pollutions,

hazards, and nuisances caused by the introduction of industry

to the area. His submission read in part as follows:

"We request that the Mayor and City Council take action on behalf of the citizens, to protect Kearney Lake from further degradation by industry. We ask for early action to rezone the entire area adjacent to the Lake, except for presently established legitimate industries. We suggest the area be rezoned for "parkland" and "residential" use only. If this cannot be done we request that no additional industry be permitted to locate at Kearney Lake until after the new City Master Plan is adopted. We also request that City staff be directed to take action to correct violations now occurring in the Kearney Lake Area. Some of these violations are:

"1. Blasting, quarrying and rock crushing without permits;

2. The operation of asphalt plants without proper combustion and dust controls;

- "3. Failure to restore the disfigured landscape to an acceptable appearance, after quarrying and excavating is done;
- "4. The creation of unsightly premises by the indiscriminate accumulation of shacks, trailers, lean-tos, equipment and junk.

"Finally, we ask that City Council intercede on behalf of the citizens with the County of Halifax -- and request that they take similar action to preserve that portion of Kearney Lake which lies outside the City boundary."

A report dated March 20, 1970 addressed to the City Council was also submitted by Mr. Nugent on behalf of the Ward Ten Community Association, which provided some background information on the problem at Kearney Lake. Attached to the report as Appendix "B" was a description of the work being carried out by the Companies involved, together with the objections of the residents.

Mr. Donald Goodwin spoke next, stating he had owned a home in the area under discussion for over twelve years. He spoke of the great pleasures of living in Kearney Lake area, and the necessity of action being taken to preserve its beauties before the problems became too great. He said the problem at Kearney Lake had been developing for ten or more years and was now reaching a critical stage.

No one else came forward to speak in support of the petition, so His Worship the Mayor asked to hear from those who were opposed to any of the actions requested in the petition.

Mr. L. Kitz, Barrister, came forward and said he wished to speak on behalf of Standard Paving (Maritime) Limited. He said there were very few houses within the immediate vicinity, and said that the previous speaker's home

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must be at least a half-mile from his client's operation. The operation of his client, he said, was two-fold, as in conjunction with Atlantic Sand and Gravel it was levelling to the grade of the highway an area which would be utilized for parking of the company's numerous equipment in an orderly fashion; in addition to which there was an asphalt plant powered by Bunker fuel. He suggested that the smoke emitted by the asphalt operation was not that great, but stated that unless a community was sterile it was impossible to eliminate all noise and smoke nuisance. All blasting operations, he said, were under the scrutiny of the Department of Mines, whose rigorous regulations were adhered to, as well as supervision of the R.C.M.P. The records kept, he said, indicated that the blasts were well within the safety tolerances called for.

Mr. Kitz said that the amount of money his client had invested in its operation was a large one and in addition to the people they employed, they made extensive purchases from local distributors. Furthermore, he said, Standard Paving (Maritime) Limited wanted, and did everything in its power, to be a good citizen and neighbour, and were prepared to abide by any reasonable requests, but it could not turn back from its present plant which it had so expensively set up.

Mr. A.L. Caldwell, Barrister, spoke next on behalf of Atlantic Sand and Gravel. He said his client had been in business at its present location on the east side of Kearney Lake, since 1967, where it conducted quarrying and crushing operations. He also made reference to the arrange-

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ment his client had with Standard Paving (Maritime) Ltd, whereby that Company was to quarry and remove gravel products, initially from the portion of the property where Standard was to construct and now has constructed its plants and buildings. Following this, he said, it was to quarry and remove rock and gravel from the remainder of the property, which it was presently doing. He referred to the actual lack of industrial land in the City, and stated that the rock conditions prevailing in most areas of the City results in very high costs for construction of buildings. Furthermore, he said, there were obvious advantages to the City because of the operations carried out by his client:

- (a) increasing the quantity of land fit for either industrial or residential use. In its natural state, land in this area can be so used only at a cost for excavation and material moving which would make it uneconomic for most purposes.
- (b) providing a supply of materials to contractors, and owners, including the City of Halifax, at a cost which is competitive, and ensures the best value available.

With regard to the complaint of extreme dust pollution, Mr. Caldwell said it could be established as a fact that such dust was not created by the operations carried out by Atlantic Sand & Gravel, since it never reached the waters of Kearney Lake. Regarding complaints of damage caused by blasting, Mr. Caldwell said that through the use of seismology equipment, the intensity of every blast was recorded and analyzed, and it was a matter of record that to date no blast had exceeded ten per cent of the safety factor. Concerning pollution of the Lake, Mr. Caldwell stated "there are factors other than

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stone crushing at work here". His submission concluded:

"In summary, Your Worship and Gentlemen, once again you are faced with a number of alternatives, none of which are completely desirable. The residents are entitled to the assurance that this existing operation will be conducted with the least possible harmful effects of their properties. My client submits that the effects reported in this petition are exaggerated or non-existent insofar as its operations are concerned. It records its willingness to adopt any reasonable measure to reduce or eliminate those results which do exist. It has been operating successfully and meeting a need for this whole area. It submits that interference with this will result in a loss to the City as a whole."

Alderman Connolly referred to a recorded statement by Mr. Titus, President of Standard Paving (Maritimes) Limited, in the minutes of meeting of the County Planning Board held on August 7, 1967 "that there would be no crushing operation at their plant and they have not applied for such an operation". He asked Mr. Caldwell if he could confirm that such a statement was made by Mr. Titus. Mr. Caldwell said he could not confirm the statement one way or another, but he would personally be surprised if in fact Mr. Titus had made it.

Alderman Ivany asked how much rock had to be removed from Standard's thirty acres of land, and Mr. Caldwell said there was at least several more years of work involved. He then asked Mr. Caldwell if there had been any claims from residents in the area because of blasting, and Mr. Caldwell said "I think there have been".

Alderman McGuire asked if there had been any reduction in the cost of Atlantic Sand & Gravel's product since it moved its operations from Lower Sackville. Mr. Caldwell said he did not know but "would find out".

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following point in Mr. Peter McDonough spoke next on behalf of Martell Construction Limited. Mr. McDonough said that his client had set up its operations at Kearney Lake in 1959, at which time there were no houses that far up the Lake. In 1964, he said, they were granted permission to erect office facilities on their site, which they proceeded to do. Martell, he continued, had cleared a large area of land, which, at one time was 42 feet above the road and was now levelled off flush with Kearney Lake and suitable for residential development. However, he said, that land was leased by his client and due to recent problems encountered in that regard, Martell had purchased land further down the road, to which it was their intention to move. He believed it was the intention of the owner of the land where Martell were now located to develop it for residential purposes. At their new location, he said, it was Martell's intention to again level the site to road grade, at which time they would move further back on the lot and sell lots close to the road for residential use.

allowed this was so, Mr. McDonough then outlined some statistics of Martell Construction Limited concerning number of employees, payroll figure, tax payments, etc. With regard to the dust problem, Mr. McDonough said his client was aware of the situation and did everything possible, such as introducing water into the machinery, to minimize this nuisance. Furthermore, he said, Martell's machinery was portable, and only operated at the Kearney Lake site during the Spring and Fall. The rest of the time, he said, the machines were taken to the actual construction sites. He suggested that the land under discussion was not suitable for any other type of industry. He then set forth the

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following point in favour of his client's continuing its operations in the Kearney Lake area:

1. Martell were operating in the area before a large number of the homes were located there.
2. Its present plans of relocation did not involve the introduction of a new industry, but was simply a move one-half mile down the road.
3. Rather than hinder residential development, the Company intended to provide land suitable for such development.
4. Martell did not feel that any dust was created by its operations, and therefore they did not feel they were contributing to any pollution of the Lake.

At this point, Alderman McGuire questioned statements made from time to time that the land in question was "unsuitable for residential purposes in its present state". He suggested it was more a question of development possibly being more expensive, and that there were other areas of the City which had overcome the problems involved. Mr. McDonough allowed this was so, but added it would mean very expensive homes. In any event, Alderman McGuire continued, he felt the statement that the land was unsuitable for residential purposes was unsubstantiated.

A Mr. Martin Bushell was allowed to speak next, and he stated he was one of the signers of the petition. He questioned a statement made by Mr. Kitz that the nearest home was one-half mile away from any crusher operation and thereby not affected. He said that if the wind were blowing towards his home from the Lake, a deposit of dust would accumulate on anything outside his home, and inside, if the windows were open, which of

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course they were on warm summer evenings. The rumble of the operation, he said, could also be heard. He said it was not unusual to find his face coated with dust in the morning if his bedroom window were open all night. He suggested that with the abundance of rock in Halifax County, the firms in question should have no problems in relocating to locations where they would not prove a nuisance to residences, and that such a move would not prove financially ruinous to them.

A Mr. B. Kelly came forward next, and said he lived at 13 Broadholme Lane. He said his name did not appear on the petition, simply because he had not been aware of its preparation, but that he was certainly in favour with it. With regard to the blasting, he said that recently a picture had fallen to the floor during a blast, and that a few cracks had appeared in his home over the past year. He said he was an Engineer and had been connected with similar quarrying operations all over the world, and it was his opinion there was always a place to find rock and ways to make it cheaper. With regard to the 300 names which appeared on the petition, Mr. Kelly said there were many others like himself who had not been approached, and that he was sure they could find another 300 signatures in support of it. He cited his experience of subdivision being developed in rocky areas, and refuted the statement that the land was unsuitable for such development. He concluded by saying that he strongly felt the industries concerned should relocate, and that he personally was prepared to take up another petition if the residents did not gain satisfaction this time.

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Mr. Titus, President of Standard Paving, spoke next. He referred to statements that blasting operations were causing damage to homes one-half mile and more away, and said that his office, complete with pictures on the wall, was only 200 feet from the blasting, and that he had not witnessed any damage to his office building. Mr. Titus said he had sent a copy of the seismology report to the Building Inspector only the other day, and these had been running at 0.006, far below the accepted maximum. He made reference to pollution of the Lake, stating that his firm have had samples taken by the Provincial Department of Public Health, which shows the bacteria count never less than 15, and this pollution, he said, could only be caused by human waste. That condition, he said, existed before his firm ever located in the area, and this was a matter of record.

Mr. Titus declined responsibility for any statements said to be made by him in the minutes of the August 7, 1967 meeting of the County Planning Board. He allowed that at the moment parking facilities did not allow everything to be as tidy as one might want, but this was the purpose of the clearing job, but unfortunately it took time.

Mr. Alderman McGuire asked if it was essential to have the asphalt plant at its present location - or if it would be possible to have the office and equipment one place and the asphalt operation another. Mr. Titus said this question had been given consideration at one time, but it was found to be uneconomical. He said there were a lot of people who had to go from one place to the other, so it would not be wise to separate them.

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Mr. Titus said that his firm had on order, in fact it was in transit now, a dust collector, which would be installed at Kearney Lake, which was guaranteed to provide 98% dust removal. He felt this indicated to what extent the Company was prepared to go to minimize any pollution its operations might create.

A discussion followed on costs in hauling from other locations and Alderman Allen asked Mr. Titus if his Company were engaged in present contracts which could be adversely affected by any change in the Company's operating location, and Mr. Titus replied "yes, they definitely were".

10:10 P.M. - Alderman Sullivan leaves meeting.

A Mrs. Harding spoke next, and submitted some photographs which showed the Kearney Lake area before and after industry had located there. She stated the Companies were minimizing the nuisance their operations created since at times the smoke and noise were "unbearable" Mrs. Harding also showed Council a map which depicted the operations of the various companies and where houses were located.

Mr. A. Letson of 3 Laurentian Drive was heard from next. Mr. Letson asked the following questions:

1. When the lease referred to by Martell Construction terminated.
2. How many squatters are living in Martell's "junkyard", and what sewage facilities exist there. He said the previous summer he had counted five trailers.
3. Who the actual owner of the property is, which Martell has under lease.

His Worship the Mayor asked if Mr. Letson wanted the questions referred to Mr. Macdonough for answering. Alderman McGuire