

SPECIAL COUNCIL
MINUTES

Special Council,
January 6, 1971

Council Chamber,
City Hall,
Halifax, N.S.
January 6, 1971

A Special 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: Deputy Mayor Ivany, Chairman; and Aldermen Abbott, MacKeen, Hogan, McGuire, Meagher, and Allen.

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

The City Clerk advised that the meeting had been called to consider the recommendation of the Finance and Executive Committee in regard to St. Patrick's School.

ST. PATRICK'S SCHOOL

MOVED by Alderman MacKeen, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, Council approve the School Board's entering into a contract with Dineen Construction (Atlantic) Ltd. For Phase I of the St. Patrick's School, in the amount of \$1,729,953 for the completion of the new facilities, as set forth in the plans and specifications prepared by Mr. Robert J. Flinn, with revisions thereto to December 31st, 1970, and that such approval be conditional on:

1. The Liaison Committee's approval.
2. The obtaining of adequate financial assistance from the Provincial Government.

Motion Passed.

SERVICE STATION & CAR WASH FACILITY - 231-233 HERRING COVE ROAD

MOVED by Alderman McGuire, seconded by Alderman MacKeen, that Council also consider at this special Council meeting, the recommendation of the Committee on Works concerning the installation of a service station and car wash facility at 231-233 Herring Cove Road. Motion passed with Alderman Allen abstaining.

MOVED by Alderman McGuire, seconded by Alderman Abbott that, as recommended by the Committee on Works, the installation of a service station and associated fuel storage and pumping installations on the property at Civic No. 231 and 233 Herring Cove Road, as indicated in Sketch

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No. 1039, dated December 16, 1970, and as sited on Drawing No. 1, Job No. 70-47 prepared by D.B. Dorey, P.Eng. dated November 4, 1970, be approved, conditional upon combination of the lands involved into one lot. Motion passed with Alderman Allen abstaining.

5:30 P.M. - Meeting adjourned.

HEADLINES

St. Patrick's School	A
Service Station & Car-Wash Facility - 231-233 Herring Cove Road	B

H.G. IVANY
DEPUTY MAYOR AND CHAIRMAN

R.H. STODDARD,
CITY CLERK

WRITE BELOW THIS LINE

ORDER OF BUSINESS

CITY COUNCIL

JANUARY 14, 1971

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: December 17, 23, 30, 1970 and January 6, 1971
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
 - (a) Motion - Alderman LeBlanc Re: Amendment to Ordinance Number 125 - Membership - Court of Assessment Appeal
 - (b) Motion - Alderman Allen Re: Amendment to Ordinance Number 141 - Widows Exemption Increase
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings: NONE
9. Petitions & Delegations:
 - (a) Petition Re: Snow Ploughing and "Loop Road"
10. Report - Finance & Executive Committee:
 - (a) Possible Acquisition - 2555 Gottingen Street - Estate of Joseph Resk
 - (b) Possible Acquisition - Vacant Land at Herring Cove Road and Idlwyld Road - Rockcliffe Heights Land Company Limited
 - (c) Possible Expropriation Settlement - 17 Margaret Road - Kline Heights
 - (d) Bill Poster's License
 - (e) Amendments to Administrative Order Number 10 - FIRST READING
11. Report - Committee on Works:
 - (a) Service Stations - Number and Locations
12. Report - Safety Committee: NONE
13. Report - Board of Health: NONE
14. Report - Committee of the Whole Council, Boards & Commissions: NONE
15. Report - City Planning Committee:
 - (a) Rezoning - 3559 Robie Street from C-1 Zone Local Business to C-2 Zone General Business - DATE FOR HEARING
 - (b) Extension to a Non-Conforming Building - 6 Athlone Avenue
 - (c) Alteration to a Subdivision - Lots 15A and 15B, Hollahan Subdiv. 48 and 50 Hartlen Avenue
 - (d) Modification of Lot Area, Lot Frontage Requirements - 102 Williams Lake Road
16. Motions:
 - (a) Motion - Alderman LeBlanc Re: Official Appreciation by City for Participants and Organizers of 1970 Christmas Lighting

Council Chamber,
City Hall,
Halifax, N.S.
January 14, 1971
8:00 P.M.

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

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

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

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

MINUTES

Minutes of Council meetings held December 17, 23, 30, 1970 and January 6, 1971, were approved on motion of Alderman MacKeen, seconded by Alderman LeBlanc.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

Council agreed to the City Clerk's request to add the following items:

20 (a) - Letter dated January 11 from The Premier of Nova Scotia to His Worship the Mayor, concerning the Metropolitan Area Planning Committee.

20 (b) - Tenders - Spryfield Fire Station.

Council agreed to Alderman Hogan's request to add:

20 (c) - Additions to Duc D'Anville and other Schools.

Council agreed to Alderman McGuire's request to add:

20 (d) - Sections 202 and 203 of the City Charter concerning "Grants".

Council agreed to Alderman Ivany's request to add:

20 (e) - Snow removal program.

Council agreed to Alderman Sullivan's request to add:

20 (f) - Port Commission.

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

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DEFERRED ITEMS

Motion - Alderman LeBlanc Re: Amendment to Ordinance Number 125,
Respecting "Membership - Court of Assessment Appeal"

MOVED by Alderman LeBlanc, seconded by Alderman Abbott, that an amendment to Ordinance No. 125 respecting the "Court of Assessment Appeal" and Section 268 of the City Charter, to provide for an increase in the membership from three to four persons, and that members operate as a 3-man Board on an alternating basis, be approved and the necessary legislation obtained. Motion passed.

Motion - Alderman Allen Re: Amendment to Ordinance Number 141 -
Respecting - "Tax Exemption for Widows".

Alderman McGuire advised that he had been asked by Alderman Allen, who was not present at the meeting, to move first reading of the above-noted amendment.

MOVED by Alderman McGuire, seconded by Alderman Hogan, that an Amendment to Ordinance Number 141 - Respecting "Tax Exemptions for Widows", Section 3, by striking out the words "Two thousand five hundred dollars" in the fifth line thereof and substituting therefor the words "three thousand five hundred dollars" be read and passed a First Time. Motion passed.

PETITIONS & DELEGATIONS

Petition Re: Snow Ploughing and "Loop Road"

Mr. James Keenan, whose residence is located on the Loop Road which runs off the Dingle Road in Armdale, addressed the Council, concerning the City's position that it was not its responsibility to remove snow from the portion of the Loop Road on which Mr. Keenan's home was situated. Mr. Keenan said there were two homes located on this particular piece of road with a total of ten children and that without snow removal these homes were cut off from oil deliveries, fire protection, etc. He said that when the area was under the County's jurisdiction, the snow had been removed upon request at times when it was considered safety was involved.

The Director of Works and Engineering said the matter had been checked out with the City Solicitor's office and the City was under no legal obligation to maintain the portion of road under discussion since it was not City property. He said the road was on private property and could be used or disposed of according to the wishes of the owner.

The City Manager said that there were a number of other roads in the annexed areas which would fall under the same category and which presently the City was not maintaining.

Alderman LeBlanc said that although the City might not be technically responsible to maintain the road under discussion, the residents on it did pay taxes and were

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entitled to the usual services provided to tax-paying citizens.

After further discussion it was MOVED by Alderman McGuire, seconded by Alderman Ivany, that the City Manager examine the approximately 25 roads in the annexed area of the City, comparable to and including the one under discussion, with a view to maintaining a standard of access that would accommodate emergency equipment, and consider the possibility of dealing with such roads on the basis of the safety of the people living on them.

Alderman Ivany said there were rights of way in Ward 2 which although private, had previously been maintained by the City, but were not receiving snow removal service this year. Although not arguing the City's legal right to cut off service to these rights of way, he felt the residents should receive some advance notice of the City's intentions in this regard.

Mr. Sheflin said the City felt that where public funds were being used to maintain roads and rights of way, such should be open to public use, and this did not apply to the right of ways to which Alderman Ivany was referring in Ward 2.

MOVED in amendment by Alderman LeBlanc, seconded by Alderman Meagher, that the portion of the Loop Road which runs off the Dingle Road in Armdale, on which there are two homes located, be ploughed this winter by the City, notwithstanding the fact that the road is situated on private property.

The Amendment was put and passed with two against.

The motion, as amended, was put and passed unanimously.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Acquisition - 2555 Gottingen Street - Estate of Joseph Resk

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the property of the Estate of Joseph Resk, known as 2555 Gottingen Street, required for the future development of Uniacke Square, be purchased for \$17,500 in settlement in full for all claims. Motion passed.

Acquisition - Vacant Land at Herring Cove Road and Idlywylde Road - Rockcliffe Heights Land Company Limited

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the land of Rockcliffe Heights Land Company Limited, located on Herring Cove Road, which is required for the installation of sewer lines in Kline Heights, be purchased for \$1,000 in settlement in full for all claims, funds to be made available from Account No. 54-32. Motion passed.

Expropriation Settlement - 17 Margaret Road - Kline Heights

MOVED by Alderman Meagher, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, the property of Joseph F. and Roberta L. McCarthy, known as 17 Margaret Road be purchased for \$10,700 in settlement in full for all claims arising out of the expropriation, funds to be made available from Account No. 54-32, the property being required for the installation of sewer and water services and road work in Kline Heights. Motion passed.

Bill Poster's License

MOVED by Alderman McGuire, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, approval be given to the issuance of a license to distribute advertising material and printed matter to Wayne Promotions Limited, for a fee of \$50.00, in accordance with the provisions of Section 3 of Ordinance Number 19. Motion passed.

Amendments to Administrative Order No. 10 - First Reading

MOVED by Alderman Ivany, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, amendments to Administrative Order Number 10, respecting "The Functions, Duties and Responsibilities of the Finance Department and City Treasurer", as submitted, be read and passed a First Time. Motion passed.

REPORT - COMMITTEE ON WORKS

Service Stations - Number and Locations

MOVED by Alderman McGuire, seconded by Alderman Sullivan that, as recommended by the Committee on Works, staff prepare an in-depth report on the question of how many service stations should be allowed, and their locations, from the point of view of good planning. Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on January 6, 1971 with respect to the following matters:

Rezoning from C-1 Local Business to C-2 General Business - Civic
No. 3559 Robie Street

MOVED by Alderman LeBlanc, seconded by Alderman MacKeen that, as recommended by the City Planning Committee:

1. The rezoning of the property at Civic No. 3559 Robie Street from C-1 Local Business to C-2 General Business be approved by City Council; subject to public hearing;
2. A date be set for a Public Hearing;
3. The area outlined on the Plan attached to the staff

report dated December 29, 1970 be designated as the area within which persons will be notified of the public hearing.

Motion passed.

The City Clerk advised that the public hearing would be held on the evening of February 17, 1971.

Extension to a Non-Conforming Building - Civic No. 6 Athlone Ave.

MOVED by Alderman MacKeen, seconded by Alderman Hogan that, as recommended by the City Planning Committee, the application for an extension to a non-conforming building at Civic No. 6 Athlone Avenue to permit the construction of a 36.88 ft. by 24.88 ft. second-storey addition, as shown in Case No. 2304 on Plans Nos. P200/4236-37, be approved by the Council. Motion passed.

Alteration to a Subdivision - Lots 15A and 15B, Hollahan Subdivision
48 and 50 Hartlen Avenue

MOVED by Alderman Hogan, seconded by Alderman Ivany that, as recommended by the City Planning Committee, the application for an alteration to a subdivision, subdividing Lot No. 15, creating new Lots 15A and 15B of the Hollahan Subdivision, Civic Nos. 48 and 50 Hartlen Avenue, as shown on Plan No. P200/4249 of Case No. 2306, be approved, and a public hearing waived. Motion passed.

Modification of Lot Area, Lot Frontage Requirements - 102 Williams
Lake Road

MOVED by Alderman Ivany, seconded by Alderman Abbott that, as recommended by the City Planning Committee, the application for modification of the lot area and lot frontage requirements at Civic No. 102 Williams Lake Road, to permit the construction of an attached garage, as shown on Plan No. P200/4270, of Case No. 2314, be approved. Motion passed.

MOTIONS

Motion - Alderman LeBlanc Re: Official Appreciation by City for
Organizers and Participants of 1970 Christmas Lighting
Contest

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that the Halifax City Council extend officially its appreciation and congratulations to the Halifax Herald Ltd. for its sponsorship, the Judges, all Home-owners who participated in the 1970 Christmas Lighting Contest, as well as the Canadian Navy and all others who participated in this fine community effort which made the City of Halifax so attractive and pleasing during the Christmas Season. Motion passed.

MISCELLANEOUS BUSINESS

Formal Resolution - \$100,000.00 Debenture

A staff report was submitted reading in part as follows:

"Due to a legal technicality it is necessary for City Council to pass a Resolution to amend the borrowing Resolution passed in early 1970 for the issuance of \$5,000,000 in Sinking Fund Debentures. We have had a request to replace one hundred \$1,000 bonds with one bond of \$100,000, at the holder's expense."

MOVED by Alderman Abbott, seconded by Alderman McGuire that Council authorize the cancellation of one hundred \$1,000 bonds, and replace them with one bond of \$100,000, to be printed, the expense for the change-over to be borne by the holder of the bonds. Motion passed.

A formal resolution, giving effect to the foregoing motion of City Council, was submitted.

MOVED by Alderman Abbott, seconded by Alderman McGuire, that the formal resolution, as submitted, be approved. Motion passed.

Report - Halifax Housing Authority 1970 (For Tabling)

A report entitled "Year-End Report - 1970" which was presented by the Chairman of the Halifax Housing Authority at a dinner meeting on December 16, 1970, was tabled by the Council.

His Worship the Mayor asked the City Clerk to have copies of the report made available to the Aldermen.

Date for By-Election - Ward 6 - April 21, 1971

Council was advised that the By-election to fill the vacancy in Ward 6 caused by Alderman Connolly's resignation, would be held on April 21, 1971.

Alderman Sullivan asked if it would be possible to hold the election any sooner. In reply, the City Clerk outlined the procedure necessary under the City Charter which would prohibit the election being held any earlier than April 21.

Alderman LeBlanc asked if there was any way to have the successful candidate in the Ward 6 by-election continue to hold office until completion of the next regular Council, to avoid another election in Ward 6 six months after the by-election.

His Worship the Mayor suggested that Alderman LeBlanc present his suggestion as a Notice of Motion at the appropriate time in the meeting, and in the meantime asked the City Solicitor to determine if legislation were sought to make such a suggestion effective, would it interfere with the timing of the by-election in Ward 6 as outlined by the City Clerk.

MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that approval be given to the date of April 21, 1971 for holding the by-election in Ward 6. Motion passed.

Report - Tax Concessions and Grants Committee - Re: Y.M.C.A.

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Tax Concessions and Grants Committee, no decision be made at this time concerning the request from the Y.M.C.A. for a capital grant, but that the request be reviewed during this year's budget deliberations. Motion passed.

Billboards

The following staff report was submitted:

"In the Works Committee on December 23rd, the application to construct two double-faced billboards at 315 Herring Cove Road (Dominion Store property) as shown in Case No. 2279 and on Plan No. P200/4181, was approved. In light of the restrictions contained in the Zoning By-Law - prohibiting the erection of billboards in local business zones, it would be necessary to amend the Zoning By-law to delete that prohibition in order to give effect to the Works Committee's approval. This would, of course, have to be a blanket amendment that would permit billboards in all business zones, subject to Council's approval pursuant to the City Charter."

Alderman LeBlanc asked if this meant that the two motions placed at the December 23, 1970 Committee on Works meeting, one moving refusal, and one moving approval, of the above-noted billboards, had been out of order.

The City Solicitor said he did not have the sequence of events on hand at the moment and would have to review the matter to answer Alderman LeBlanc's question.

MOVED by Alderman LeBlanc, seconded by Alderman Abbott, that Council seek an amendment to the Zoning By-law to delete the restrictions prohibiting the erection of billboards in local business zones, approval of same to be subject to the outcome of a public hearing in the matter. Motion passed with Alderman McGuire against.

QUESTIONS

Question: Alderman Ivany Re - 5527 Cornwallis Street

Alderman Ivany asked if staff would prepare a report on the present situation with respect to the house on Cornwallis Street which the City was to repair and then bill the owner. He asked if the report could include information as to the amount of money spent on the house and if anyone was still living there.

Question - Alderman Ivany Re: Internal Audit Department

Alderman Ivany asked if a report could be prepared by the Internal Audit Department before budget time outlining the work that has been done and will be done by that Department.

The City Manager reported that such a report will be prepared and that discussions have been proceeding to that end.

Question - Alderman Sullivan Re: Conversion to Oil, Stadacona and Mulgrave Park

Alderman Sullivan asked if it would be possible to have an up-to-date report on the conversion of the heating plants at Stadacona and Mulgrave Park to oil.

Question - Alderman LeBlanc Re: Kline Heights

Alderman LeBlanc asked if it would be possible to have a report on the Kline Heights project, first phase.

The City Manager said that it was his understanding that the contractor has been on the site but due to the conditions existing has not been able to do very much work.

The Director of Engineering and Works said that the first phase was the water installation and the contractor had started on some clearing work.

Question - Alderman McGuire Re: 1971 Budget

Alderman McGuire asked if the City Manager could indicate to the Aldermen when they can expect the 1971 Budget.

The City Manager said that he expected it would be distributed by the end of the month.

Question - Alderman MacKeen Re: Snow Removal

Alderman MacKeen asked if the Director of Engineering and Works could inform Council of the difference in costs of the removal of snow from the sides of the streets during the first week after a snow storm and those for the removal of ice walls some weeks after a snow storm.

The Director of Engineering and Works replied that he could not give the information at this time, but would advise at a later date.

Question - Alderman Sullivan Re: Cancellation of Swimming - Centennial Pool

Alderman Sullivan asked for a report on the reasons why the swimming pool program had been cancelled.

The Director of Works and Engineering stated that some leaks had been found in the pipes and that it was possible the closure might be for one week. He said the experts who installed the pool were presently working on the problem.

Alderman Sullivan asked that a written report be prepared.

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NOTICES OF MOTION

Notion of Motion - Alderman Abbott Re: A 7% Tax on Hotel and Motel Accommodation:

Alderman Abbott gave notice that at the next regular Council meeting to be held on Thursday, January 28th, he will move that the City Council of the City of Halifax approach the Provincial Government and request them to introduce a 7% Tax on Hotel and Motel accommodation within the City limits, and that all of the proceeds from same be passed over to the City of Halifax.

Notice of Motion - Alderman LeBlanc Re: Length of Office for a Successful candidate in a By-election:

Alderman LeBlanc gave notice that at the next regular Council meeting to be held on Thursday, January 28th, he will move that City Council seek whatever legislation is necessary to enable it to change the tenure of office of the successful candidate of the April 21 By-election in Ward 6, to allow such person to serve for a period of three years and six months, and that such legislation be made general to cover future cases.

His Worship the Mayor suggested that Alderman LeBlanc give some thought to a time-limit of how far in advance a by-election would have to be held to a regular election for such a ruling to apply.

ADDED ITEMS

Letter - Premier Re: Phasing Out of the Office of the Secretariat to the Cabinet Committee on Planning and Programmes

A letter was submitted for the information of City Council from the Premier of Nova Scotia dated January 11, 1971 relating to his statement with respect to the phasing out of the Office of the Secretariat to the Cabinet Committee on Planning and Programmes.

Some discussion ensued with respect to the availability to the Aldermen of the reports presented to the various public meetings arranged by the Metropolitan Area Planning Committee.

The City Manager advised of the locations where complete sets of written reports could be read.

Alderman McGuire felt that all members of City Council and other Municipal Councils should receive complete sets of all written reports so that they could be read and studied at home.

After some discussion, it was agreed that the report written by Mr. Plunkett and that containing the Core Committee's recommendation to the Metropolitan Area Planning Committee should be duplicated and circulated to all members of City Council.

Tenders - Spryfield Fire Station

A report was submitted from Staff relating to the above matter.

MOVED by Alderman Abbott, seconded by Alderman Ivany that L. B. Stevens Construction Limited, 65 Main Avenue, Fairview, N. S. be awarded the contract to construct the Spryfield Fire Station, L. B. Stevens Construction Limited being the low bidder (\$146,000) at the tender opening held January 14, 1971 at 12:00 Noon in Scotia Square. Motion passed.

School Construction

Alderman Hogan referred to the promises that have been made over the last few months to persons living in the Clayton Park area with respect to the additions to the Duc D'Anville School and he asked what is presently delaying the calling for tenders and what should one say to the citizens who constantly are asking about the school project.

The City Manager reported on the present situation with respect to the St. Patrick's School project, the Duc D'Anville School additions and the Gorsebrook School additions.

General discussion ensued with respect to the priorities for school construction, the DREE program relating to schools and the requests that have been made of the Province for participation.

After further discussion, it was MOVED by Alderman MacKeen, seconded by Alderman Ivany:

1. that City Council at the next regular meeting make a decision either to proceed or not to proceed with the St. Patrick's, Duc D'Anville, and Gorsebrook Schools;
2. that Council make a separate decision on each of the three but deal with St. Patrick's first;
3. that Council press the Provincial Government for an answer on St. Patrick's and on the general question as it affects what will be done with Duc D'Anville and Gorsebrook.

Motion passed.

Sections 202 and 203, City Charter, 1963

Alderman McGuire referred to the above mentioned sections of the City Charter and said that they allow the City to make Administrative Orders to make grants to various organizations. He said that in considering

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various requests for grants there have been many problems with respect to the principle involved.

It was MOVED by Alderman McGuire, seconded by Alderman LeBlanc that the City Manager initiate a report presenting to Council the implications of repealing Sections 202 and 203 of the Charter, and in so doing, outline a manner in which those things now covered under grants which are accepted as Council's responsibility could be carried out through the appropriate City Department.

Motion passed with Alderman MacKeen voting against.

Snow Programme

Alderman Ivany expressed the view that on the whole the Department of Engineering and Works were doing a good job on the snow clearing programme but then listed certain problems and difficulties encountered by citizens, of which he had received complaints, and commented on the high piles of snow, which has now turned to ice, at the sides of City streets. He also referred to a situation where fire apparatus could not proceed up Chestnut Street.

The Director of Engineering and Works outlined the programme that his department has been following and explained that he has been trying to keep costs down as much as possible. He said that the fire apparatus could not proceed along Chestnut Street because a car was stuck on the ice between two other cars and was blocking the roadway.

Alderman LeBlanc said that he had never seen the snow out so far from the curb and he asked if all the equipment that was ordered had been received.

The Director of Engineering and Works said that all the equipment ordered had been delivered.

Alderman Ivany said that the snow clearing programme in his Ward had never been worse.

Considerable discussion ensued with respect to the costs of the snow programme and the unusual amounts of snow in back to back storms.

The Director of Engineering and Works explained that snow plows had kept clear of the curbs to save on repair work that might be necessary in the Spring.

His Worship the Mayor said that it was apparent that the unusual sequence of cold temperatures following the two snow storms caused considerable problems but he did not consider that the streets were in a worse state than in past years.

Alderman Hogan said that he was quite happy with

the snow programme in Ward 10, no-one was stranded and no-one lost a day's work.

Port Commission

Alderman Sullivan referred to the great amount of publicity that has been given to the Port Commission's work and he also referred to a new group which has been formed named the Port Progress and Guidance Association. He felt that this new group should be informed of the work that the Port Commission is doing and a close liaison between the two groups should be attained.

It was MOVED by Alderman Sullivan, seconded by Alderman MacKeen that a meeting be arranged between the City Council, the Port Commission and the Port Progress and Guidance Association.

His Worship the Mayor reported on meetings held with representatives of the Shipping Federation.

Alderman Meagher reported on the meeting of the Port Commission held last Tuesday evening and said that discussions have been held with all the groups involved in Port activities and he considered that it would be a good idea for members of Council to meet with the Port Commission to be brought up to date on the latest developments.

After considerable further discussion, the motion was put and passed.

It was suggested that such a meeting should be timed for 3:30 p.m. or 4:00 p.m.

His Worship the Mayor, at this time, asked all members of Council to meet with him in his office after the adjournment of the meeting.

10:05 p.m. Council adjourned.

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

CITY COUNCIL
SPECIAL MEETING
M I N U T E S

Council Chamber,
City Hall,
Halifax, N. S.,
January 20, 1971,
8:00 p.m.

A Special Meeting of the City Council was held on the above date.

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

Present: Deputy Mayor, Chairman, Aldermen MacKeen, Hogan, LeBlanc, McGuire, Meagher, Allen and Sullivan.

Also Present: City Manager, City Solicitor, City Clerk, City Engineer, Director of Planning and other Staff members.

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

1. Public Hearing Re: Official Street Lines:
"to confirm the northern official street line of University Avenue across the former Carlton Street; to confirm the southern official street line of College Street across the former Carlton Street."
"to confirm the northern and southern official street line of Clyde Street between Dresden Row and Brenton Street."
2. Public Hearing Re: Rezoning:
"Land on the east side of Purcell's Cove Road between Pinehaven Drive and the Dingle Road from R-1 Residential Zone to R-4 Residential Zone."

Public Hearing Re: Official Street Lines:

"to confirm the northern official street line of University Avenue across the former Carlton Street; to confirm the southern official street line of College Street across the former Carlton Street."

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

The City Clerk advised that the matter had been duly advertised and that no letters of objection had been received.

At the request of Council, the City Engineer briefly explained the purpose of the hearing.

No persons wished to be heard on the matter.

MOVED by Alderman McGuire, seconded by Alderman Sullivan that the northern official street line of University Avenue across the former Carlton Street and the southern official street line of College Street across the former Carlton Street, as shown on Section 17F of the Official City Plan, be confirmed. Motion passed.

A Formal Resolution was submitted, giving effect to the foregoing motion of Council.

MOVED by Alderman McGuire, seconded by Alderman Sullivan that the Formal Resolution, as submitted, be approved. Motion passed.

Public Hearing Re: Official Street Lines:

"to confirm the northern and southern official street line of Clyde Street between Dresden Row and Brenton Street."

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

The City Clerk advised that the matter had been duly advertised and that no letters of objection had been received.

At the request of Council, the City Engineer briefly explained the purpose of the hearing.

No persons wished to be heard on the matter.

MOVED by Alderman McGuire, seconded by Alderman LeBlanc that the northern and southern official street lines of Clyde Street between Dresden Row and Brenton Street, as shown on Section 17C of the Official City Plan, be confirmed. Motion passed.

A Formal Resolution was submitted giving effect to the foregoing motion of Council.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that the Formal Resolution, as submitted, be approved. Motion passed.

8:08 p.m. At this time City Council adjourned until 8:15 p.m. when the next public hearing was scheduled.

8:15 p.m. Council reconvened, the same persons being present.

Public Hearing Re: Rezoning:

"Land on the east side of Purcell's Cove Road between Pinehaven Drive and the Dingle Road from R-1 Residential to R-4 Residential."

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

The City Clerk advised that the matter had been duly advertised in the Chronicle-Herald and Mail-Star on January 8 and 15, 1971 and copies of the advertisement had been sent to persons living within an area designated as the one within which persons should be notified of the public hearing. He further advised that one letter had been received with respect to the matter, not objecting to the rezoning, but recommending that the whole area North of the Dingle Road be rezoned to R-4 Residential Zone.

At the request of Council, the Director of Planning explained the request and indicated the area for which rezoning is requested on a map displayed. He indicated the location of the properties closest to the area in question and indicated the line of an access road which might be constructed some time in the future to serve the Pinehaven subdivision area.

Mr. George C. Piercey, solicitor for the applicant, addressed Council in favour of the application and said that the applicant was alarmed and shocked upon learning that the City Planning Department proposes a roadway through his property to connect up with Pinehaven Drive. He said that the applicant is quite willing to Deed a portion of land some 12' or more from the water line to permit public access to the shore of the North West Arm. He outlined some of the landscaping that is proposed and displayed the architects conception of the finished look of the building. He indicated that the access is proposed by a driveway from Purcell's Cove Road. He requested City Council to consider the application favourably since there is a great need for this type of extended care facility in the City of Halifax.

It was ascertained that no person in the gallery wished to speak against the rezoning but several persons wished to ask questions of clarification.

Council agreed to permit these persons to address Council and ask questions.

Mr. Sebatus questioned City Staff on the proposed roadway parallel to the Purcell's Cove Road and asked where such roadway would proceed as it appeared that it would cut completely through his property.

It was pointed out that such a roadway would only be constructed if and when the land became available or when further residential properties were built in the area or the land subdivided.

Mr. Lawrence Kidd was concerned that if the property was rezoned, it might be possible for the owner to construct a high rise apartment building rather than the extended care facility presently proposed.

It was explained that this is possible and would be of concern to all members of Council.

Special Council,
January 20, 1971

Mr. Alan Findlay addressed Council and expressed the same concern as Mr. Kidd.

Mrs. Keenan addressed Council and asked if the Loop Road would be cut off, since it was the only access to her house. She asked if it would be possible for her property to be connected with sewer and water since it would be necessary for the extended care facility to have same, and whether she would be able to continue to use the 16' right-of-way to her property and that of Dr. Marshall which runs along the side of the Newman Property.

Dr. Marshall addressed Council and asked questions about possible access to his property which is presently only reached from the Loop Road, although he advised that no-one is living on the property.

At this time, Mr. Herman Newman addressed Council and said that he would not cut off the Loop Road and that he would never develop the property for high rise apartments. He said that his one intention is to develop an extended care facility.

In reply to a question, Mr. Newman advised that the estimated cost of the building is \$1,500,000.00. He further advised that he expects to deed to the City a strip of land approximately 100' in depth from the water line, along the shore of the North West Arm for public use. He said that a per diem rate of \$12.75 per day is expected to be charged.

Alderman Meagher felt that the two main questions to be answered were:

1. the possibility of improving the Loop Road as access to the Keenan and Marshall properties;
2. the grave reservations that Mr. Kidd expressed about the use of the parcel of land after it has been rezoned to R-4 use.

He questioned whether a more appropriate zoning could be found for the land to permit the construction of the proposed extended care facility.

Considerable discussion ensued and Alderman MacKeen felt that a decision should be made at this meeting so that the proposal could proceed.

After further discussion, it was MOVED by Alderman LeBlanc, seconded by Alderman Allen that a decision on the matter be deferred for two weeks.

Alderman LeBlanc said that a Special Council meeting could be called for, say, 4:00 p.m. on the day of the next Committee of the Whole meeting.

Alderman Allen spoke to the motion and gave his reasons for seconding same.

SPECIAL CITY COUNCIL

Alderman McGuire requested Staff to consider:

1. If there is any possibility of establishing the Loop Road as an adequate access for the Keenan and Marshall families?
2. Noting the emphasis people have expressed about rezoning to R-4, he pointed out that the property could change hands. He asked if the land could be rezoned to Park and Institutional on the basis that the zoning show a hospital or similar uses.

It was pointed out that a motion to defer could only be debated as to time.

The motion was then put and passed with Aldermen MacKeen and Hogan voting against.

The Chairman suggested that some public discussion take place with respect to a policy that Council not make a decision on any matter at the time of a public hearing but defer it until a later date.

It was generally felt that the descretion of Council should be used and it was pointed out that decisions had been taken this evening on two matters.

10:00 P.M. - Council adjourned.

HEADLINES

Public Hearing Re: Official Street Lines: "to confirm the northern official street line of University Avenue across the former Carlton Street; to confirm the southern official street line of College Street across the former Carlton Street."	14
Public Hearing Re: Official Street Lines: "to confirm the northern and southern official street line of Clyde Street between Dresden Row and Brenton Street."	15
Public Hearing Re: Rezoning: "Land on the east side of Purcell's Cove Road between Pinehaven Drive and the Dingle Road from R-1 Residential to R-4 Residential."	15

DEPUTY MAYOR H. G. IVANY
CHAIRMAN

R. H. STODDARD
CITY CLERK

SPECIAL CITY COUNCIL
MEETING

Special Council,
January 22, 1971

Council Chamber,
City Hall,
Halifax, N.S.
January 22, 1971
11:00 P.M.

A Special Meeting of the City Council was held on the above date.

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

Present: Deputy Mayor Ivany, Chairman; and Aldermen Abbott, MacKeen, Hogan, McGuire, Allen, and Sullivan.

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

The meeting was called to consider the following matters:

1. Amendment to Section (5) of Ordinance Number 145 Respecting The Payment and Collection of Taxes, concerning interest on outstanding taxes;
2. Amendment to Ordinance Number 145 Respecting the Payment and Collection of Taxes - Section (3) (a) as it relates to the half-payment for the 1971 Tax Liability.

AMENDMENT TO SECTION (5) OF ORDINANCE NUMBER 145 - RESPECTING THE PAYMENT AND COLLECTION OF TAXES, CONCERNING INTEREST ON OUTSTANDING TAXES

Alderman Abbott said that the Committee appointed by Council to consider the interest charge to be assessed on outstanding taxes, had met the previous afternoon and decided that in view of the large increase in tax assessment it was felt that something should be done to relieve the tax burden on those who cannot meet their payment on time by way of an interest decrease on outstanding taxes. Alderman Abbott said the Committee had arrived at a figure of 9% which was based on 2% above the prime rate which the bank gave to special customers, or $\frac{1}{2}$ of 1% above the 8 $\frac{1}{2}$ % rate which the bank would give to the average borrower with a good credit rating.

MOVED by Alderman Abbott, seconded by Alderman Allen, that the interest charge on 1971 overdue tax accounts be 9%, effective as of March 1, 1971.

In seconding the motion, Alderman Allen said he was doing so mainly to get the matter on the floor for discussion.

Alderman Sullivan MOVED in amendment

that the interest rate on 1971 overdue taxes be set at 8½%, but there was no Seconderer for this amendment.

Alderman McGuire said that the objective of an interest rate on unpaid taxes is to minimize tax delinquency, and he questioned whether the prime interest rate asked by banks was the one to be used as a basis in setting the interest rate for unpaid taxes.

The Director of Finance said he questioned whether 9% was high enough to discourage non-payment of taxes on time, especially in cases where such people might be using the money for second and third mortgage purposes where interest rates could reach as high as 12 and 13 percent.

Alderman McGuire said thought should be given to those persons who pay their taxes on time, and suggested that the interest rate on unpaid taxes should relate to the interest on second mortgages.

After further discussion it was MOVED in Amendment by Alderman McGuire, seconded by Alderman Hogan, that the interest on outstanding taxes be set each year at 2½% above the prime bank interest rate as it stands at February 28th in that year.

The motion to Amend was put and passed, four voting for the same and two against it, as follows:

For	- Aldermen MacKeen, Hogan, McGuire, Allen	4
Against	- Aldermen Abbott and Sullivan	2

The motion, as amended was put and passed, Aldermen Abbott and Sullivan against.

NOTICE OF MOTION - ALDERMAN ALLEN - REGARDING AMENDMENT TO SECTION (3) (a) OF ORDINANCE NUMBER 145 RESPECTING THE PAYMENT AND COLLECTION OF TAXES AS IT RELATES TO THE HALF-PAYMENT FOR THE 1971 TAX LIABILITY

Alderman Allen said that the application of Section 3 (a) of Ordinance Number 145 in this year of re-assessment would amount to the first billing in 1971 being around 70% of the previous year's total taxes, whilst the idea at the time the Ordinance was amended was that the first billing would represent 50% of the previous year's taxes. He said this would present a problem for many tax-payers, especially this winter when fuel bills have been exceedingly high.

Alderman Allen gave notice that at the regular meeting of City Council to be held on February 11, 1971, he would introduce an Amendment to Ordinance No. 145 "Respecting the Payment and Collection of Taxes" so that taxpayers in the City of Halifax will only be required to pay approximately one-half the 1970 tax liability on March 31, 1971.

DELAY IN MAILING INTERIM TAX BILLS

MOVED by Alderman Allen, seconded by Alderman Abbott, that staff be instructed to withhold the mailing of the interim tax bills until such time as Council has reached a decision respecting the proposed amendment to Ordinance No. 145, or as otherwise directed by Council.

It was suggested that the Aldermen be allowed a few hours to think the matter over before making a decision and it was MOVED by Alderman McGuire, seconded by Alderman MacKeen, that the meeting adjourn until 2:30 in the afternoon. Motion passed with Aldermen Allen and Abbott against.

12:00 Noon - Meeting adjourned until 2:30 P.M.

2:30 P.M. - Meeting reconvened, the following being present: Deputy Mayor Ivany, Chairman; and Aldermen Abbott, MacKeen, Hogan, LeBlanc, McGuire, Meagher, Allen, and Sullivan.

There was a discussion on what the delay in sending out the interim bills would mean to the City money-wise, and the City Manager said it worked out to about \$2900 per day.

After further discussion the motion was put and passed, with Alderman MacKeen against.

HEADLINES

Amendment to Section (5) of Ordinance Number 145 "Respecting the Payment and Collection of Taxes", concerning interest on outstanding taxes	19
Notice of Motion - Alderman Allen - Regarding Amendment to Section (3)(a) of Ordinance Number 145 Respecting "The Payment and Collection of Taxes" as it relates to the Interim payment for the 1971 tax liability	20
Delay in Mailing Interim Tax Bills	21

MOVED by Alderman Allen that the
H.G. IVANY
DEPUTY MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee - 21 - respect to the following items.

CITY COUNCIL MEETING
MINUTES

Council,
January 28, 1971

Expropriation - 10 Idavida Road, Kings Heights, East-Tarboro:

Council Chamber,
City Hall,
Halifax, N.S.
January 28, 1971
8:00 P.M.

There was no recommendation
Finance and Executive Committee on this matter.

MOVED by Alderman Sullivan,
Alderman MacKeen, that:

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, Hogan, LeBlanc, McGuire Meagher, Allen, and Sullivan.

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

Motion passed.

MINUTES

Minutes of Council meetings held on January 14, 20, and 22, 1971 were approved on motion of Alderman Abbott, seconded by Alderman MacKeen.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

Council agreed to the City Clerk's request to add:

- 20 (a) - Planning and Development Functions - Administrative Orders Nos. 13 and 14.

Council agreed to Alderman Sullivan's request to add:

- 20 (b) - Unemployment in the City of Halifax.

MOVED by Alderman McGuire, seconded by Alderman Allen that the following be added to the agenda:

- 20 (c) - Snow removal in City.

Motion passed and the item added on a two-thirds majority vote, Aldermen Abbott and Sullivan against.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee with respect to the following items:

Council,
January 28, 1971

Expropriation - 10 Idlwyld Road, Kline Heights, Part-Taking:

There was no recommendation from the Finance and Executive Committee on this matter.

MOVED by Alderman Sullivan, seconded by Alderman MacKeen, that:

1. The land of Reginald F. and Laura J. Dockrill, measuring 911 square feet, as shown on Plan No. TT-14-18911 as 8A, be expropriated for the amount of \$230.00.
2. That in accordance with the requirements of the new Provincial Act respecting Expropriation of Land Procedure, Council authorize the payment of an amount equal to one-half of the recommended compensation.
3. That the Real Estate Division of the City meet with Mr. & Mrs. Dockrill to discuss the subject matter of their letter to the City under date of January 27, 1971.

Motion passed.

Amendment - Ordinance Number 141 Respecting Widows Exemption Increase - Second Reading:

MOVED by Alderman Allen, seconded by Alderman Sullivan that, in accordance with the recommendation of the Finance and Executive Committee, the Amendment to Ordinance Number 141 "Respecting Tax Exemption for Widows" as submitted, which would increase the exemption provided under the Ordinance, be read and passed a Second Time. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the Report of the Committee on Works from its meeting held on January 20, 1971 with respect to the following item:

Charges for Private Commercial Refuse Vehicles - City Incinerator and City Dump

The City Clerk submitted two further submissions on this matter from the Urban Development Institute of Nova Scotia, dated January 27, 1971, and the Retail Gasoline Dealers Association of Nova Scotia, dated January 28, 1971 protesting the suggested fee schedule for dumping garbage at the incinerator.

The staff recommendation in the matter was presented to the Council without a recommendation from the Committee on Works.

Council,
January 28, 1971

Alderman LeBlanc said that in view of the increased assessments this year, and other difficulties which the business community were experiencing, he did not feel it was an opportune time to introduce such additional charges.

MOVED by Alderman LeBlanc, seconded by Alderman McGuire, that the staff report dated December 18, 1970 concerning Charges for Private Commercial Refuse Vehicles at the City Incinerator and Dump, be tabled and no action taken at this time.

Alderman McGuire said he felt the City should concentrate its efforts to broaden the tax base by adding present tax-exempt properties of universities, hospitals, etc. to the tax roll. He said he did not think the charges recommended in the staff report concerning disposal of refuse at the City incinerator and dump could be justified.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on January 20, 1971 with respect to the following items:

Modification Lot Frontage, Lot Area, Rear Yard, and North Side-Yard Requirements - 202 Bedford Highway

MOVED by Alderman LeBlanc, seconded by Alderman McGuire that, as recommended by the City Planning Committee, the application for modification of the lot frontage, lot area, rear yard and north side-yard requirements of the zoning by-law for the conversion of the existing single-family dwelling to a duplex dwelling at 202 Bedford Highway as shown on Plan No. P200/4130 of Case No. 2256 be approved. Motion passed.

Final Approval Lots RC-1 and RC-2 - Subdivision Lands of Mr. R. Cook, River Road

MOVED by Alderman MacKeen, seconded by Alderman Hogan that, as recommended by the City Planning Committee, final approval for Lots RC-1 and RC-2 as shown on Plan No. P200/4218 of Case No. 2294, be granted by City Council, subject to the condition that the densities proposed for the two lots be in accordance with the sewer Policy of the City of Halifax. Motion passed.

MOTIONS

Motion - Alderman Abbot Re: 7% Tax on Hotel and Motel Accommodation

MOVED by Alderman Abbott, seconded by Alderman Hogan, that a small Committee be appointed to approach the Provincial Government and request them to introduce a 7% Tax on Hotel and Motel accommodation within the City limits

Council,
January 28, 1971

to be collected by the Province and all proceeds from same pass over to the City of Halifax.

Council agreed to hear from Mr. A. Beresford Thompson, Executive Secretary of the Innkeepers Guild of Nova Scotia.

Mr. Thompson covered the points raised in his letter to the Council members dated January 28th, 1971, arguing that such a tax would have an unfavourable effect on the tourist and convention business in Halifax, and the loss of revenue would more than outweigh any gain to the community through the proposed tax.

Alderman Abbott, however, disagreed that the imposition of such a tax would have any effect on the number of tourists or conventions visiting the City, since such a tax was common practice in most places.

Alderman McGuire quoted from the Smith report dealing with the Province of Ontario, which recommended against the imposition of such a tax.

MOVED in Amendment by Alderman Allen,
seconded by Alderman LeBlanc:

1. That a committee of Council be formed to study the feasibility of applying a 7% tax on hotel and motel accommodation within the City limits.
2. That the Committee report back to Council, hopefully in two week's time, before approaching the Province on the matter.

The motion to Amend was put and passed.

The motion as amended was put and passed.

Motion-Ald. LeBlanc - Length of Office for a Successful Candidate in a By-Election

Alderman LeBlanc said that the reason for presenting this motion was that where a by-election was being held within a fairly short period of a regular election, it would discourage persons from contesting such an election if it only involved holding office for a matter of months.

MOVED by Alderman LeBlanc, seconded by Alderman Abbott, that City Council seek the necessary legislation to enable it to change the tenure of office of a successful candidate in a by-election to continue for a further period of three years, after the period for which the by-election is held is completed, when such a by-election is held within six months of the regularly scheduled election.

The City Solicitor suggested that the stipulation should be "when the vacancy occurs within one year of the regularly scheduled election", since the actual date of a by-election was variable and the motives of Council could be questioned where the date was postponed for some reason or other. On the other hand, he said, Council would have no control

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over the date when the actual vacancy occurred through resignation, etc. and therefore could not be accused of deliberately arranging dates so that a candidate could fall under the ruling which would allow him to continue office for a further three years.

There was a further discussion concerning possible implications of such a ruling, following which it was MOVED by Alderman Allen, seconded by Alderman McGuire, that the matter be deferred to allow the City Solicitor to offer his comments in light of some of the problems discussed at tonight's meeting which it was felt could arise if the motion were approved.

The motion to defer was put and passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000

There were no accounts over \$5,000.

Amendment - Administrative Order Number 10 - Second Reading

Amendments to Administrative Order No. 10 relating to the functions, duties, and responsibilities of the Finance Department and City Treasurer which were read and passed a First Time at the last regular meeting of Council on January 14, 1971 were again submitted.

MOVED by Alderman Abbott, seconded by Alderman Allen, that the Amendments be read and passed a Second Time. Motion passed.

Provincial/Municipal DREE Agreement; and
Proposed Construction - St. Patrick's, Duc D'Anville & Gorsebrook
Schools:

These two items were discussed together.

His Worship the Mayor read a letter from the Honorable Peter Nicholson, Minister of Finance and Economics advising that the Provincial Government had approved a policy with respect to special grants for capital school programs in DREE areas where no Provincial proportion is available. The letter advised that as an interim measure, for projects included in the current DREE agreement, only and in those cases where no Provincial grants are payable under the Education Act in respect of Capital Debt Service Charges relating to school construction, the Province, under the Public Finance Act, will make a grant in an amount not in excess of 50% of the non-repayable grants under the DREE Program. As a result of this

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policy, the letter further advised that a grant amounting to \$827,500.00 would be made to the City of Halifax.

Motion passed. The above noted letter is attached to the official copy of these minutes.

His Worship the Mayor commented at some length on what the above-noted policy of the Province would mean with respect to the combination of St. Patrick's, Bloomfield, Duc D'Anville and Gorsebrook schools. He said the Province's grant of \$827,500 would come to 25% of the original estimates for these school projects, but if one took the anticipated present total costs, it would come to something in the neighbourhood of 19%, which would leave the City with 31% to pay, providing the Federal Government paid 50% on all of the projects mentioned. He stressed that the Province's \$827,500 grant was conditional upon the City proceeding with the whole four projects.

He said this policy of the Provincial Government indicated that the Province understood that they should share in the cost of new schools and were not taking the mistaken view that the City property tax-payer could pay enormous costs without the use of some of his own money which had been paid to the Province in taxes. At this point he said he would like to congratulate Premier Regan and Finance Minister Nicholson and the new Liberal Government on this important decision.

Motion passed. The City Clerk was requested to provide a copy of the letter from the Honorable Peter Nicholson, together with a copy of the Mayor's comments on the letter, to each of the Aldermen.

After further questioning, the following motions were put and passed unanimously.

MOVED by Alderman MacKeen, seconded by Alderman McGuire that Council proceed with the balance of the school capital projects in this year's DREE Agreement, based on the information received from the Province of Nova Scotia. Motion passed unanimously.

MOVED by Alderman Meagher, seconded by Alderman McGuire, that Council express its gratitude to Premier Gerald Regan and Finance Minister Nicholson for recognizing the general financial need which existed and taking positive action. Motion passed unanimously.

MOVED by Alderman Abbott, seconded by Alderman Meagher:

1. THAT the Provincial/Municipal DREE Agreement between Her Majesty the Queen in the Right of the Province of Nova Scotia and the City of Halifax, be approved, subject to Schedule "B" being amended in accordance with the amended form of the Federal/Provincial Agreement;

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2. THAT the Mayor and City Clerk be authorized to sign on behalf of the City of Halifax.

Motion passed unanimously.

South Armdale Storm & Sanitary Sewer Services - Project #22 (a), (b), (c), and (e):

A staff report dated January 27, 1971, was submitted listing tenders received for the above-noted job.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that a contract be awarded to Cameron Contracting Limited, the low bidder, in the amount of \$380,556.25, subject to the following conditions and agreements:

- (1) The Liaison Committee recommends Ministerial approval for revised funding and the award of contract of this project and that the Ministerial approval is received from DREE;
- (2) That CMHC agrees to the award of tender and to an increase in its participation to cover the additional costs;
- (3) That DREE and CMHC agree to the extension of the completion date to December 31, 1971.

Motion passed.

Question Alderman McGuire Re: School Avenue, Fairview

Alderman McGuire asked if the City has any plans or if plans could be visualized to connect School Avenue to the rest of Fairview. He said that it is isolated except for one access. He explained that the children in the area have to walk a long distance to school and he asked if Staff would look at the possibility of the connection of School Avenue to Melrose Avenue, even for pedestrian access only.

Question Alderman Sullivan Re: Meeting with Port Commission and Port Progress and Guidance Group

Alderman Sullivan asked if His Worship the Mayor has arranged a meeting of City Council with the Port Commission and the Port Progress and Guidance Group.

His Worship the Mayor replied in the negative.

Alderman Sullivan urged that a meeting be called as soon as possible and he asked if His Worship the Mayor would inform him immediately the date has been set.

NOTICES OF MOTION

No Notices of Motion were presented at this time.

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January 28, 1971

QUESTIONS

Question Alderman Meagher Re: Waterfront Historic Buildings

Alderman Meagher asked whether the rumour that one of the universities is attempting to acquire some of the waterfront historic buildings is true.

His Worship the Mayor replied that it is true that an interest has been expressed in the buildings by the Nova Scotia College of Art and Design.

Alderman Meagher asked how the proposal fits in with what the City plans to do with the buildings.

His Worship the Mayor said that City Staff are presently reviewing a Call for Proposals which had been prepared for the rehabilitation and restoration of the buildings but the Call for Proposals would cause some difficulties with respect to the proposals and interest of the College. He advised that he had received a letter from the College relating to the waterfront buildings and that he had forwarded a copy of the letter to the City Manager with a request that Staff prepare a report on the matter for submission to Council.

Alderman Meagher expressed concern about the long delay in getting anything done with respect to the buildings and hoped that Staff would have a report prepared as quickly as possible.

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His Worship the Mayor replied in the negative.

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NOTICES OF MOTION

No Notices of Motion were presented at this time.

Council,
January 28, 1971

ADDED ITEMS

Planning and Development Functions - Administrative
Orders #13 and #14

A Staff Report was submitted relating to the above matter and to which was attached a draft of Administrative Order Number 13 Respecting The Functions, Duties and Responsibilities of the Planning Department and of Administrative Order Number 14 Respecting The Functions, Duties and Responsibilities of the Development Department.

MOVED by Alderman MacKeen, seconded by Alderman LeBlanc that Administrative Orders Nos. 13 and 14 be read and passed a First Time. Motion passed.

(Copies of Administrative Orders Nos. 13 and 14 are attached to the Official Minutes of this meeting).

Unemployment in the City of Halifax

Alderman Sullivan referred to news reports that unemployment in Atlantic Canada is close to the high point and that in British Columbia some 1200 University graduates are out of work. He was concerned that after graduation from the universities in the Halifax area there might be many graduates unable to find work. He also understood that the City has hired on three people recently who are receiving pensions and he felt that the positions perhaps should have been open to those who are unemployed and not receiving an income. He suggested that the City's hiring practices should be reviewed in view of the concern that he has expressed.

After a short discussion on the matter, it was MOVED by Alderman Sullivan, seconded by Alderman McGuire that His Worship the Mayor appoint a committee to study ways and means of improving the City's hiring practices in view of the increasing unemployment situation.

Alderman McGuire, in seconding the motion, asked if Council could receive a statement of the City's Hiring Policy. He felt that such a statement would be useful to the committee in its deliberations.

The motion was then put and passed.

Appointment of Committee to Study Proposed 7% Tax on Hotel
and Motel Accommodation

His Worship the Mayor appointed Aldermen Abbott, McGuire and LeBlanc to the committee who will study the implications of the imposition of a 7% tax on hotel and motel accommodations.

Council,
January 28, 1971

Appointment of Committee to Review the City's Hiring Practices

His Worship the Mayor appointed Aldermen Sullivan, Allen and Hogan to the committee who will review the City's present hiring practices as they relate to the increased unemployment situation.

Snow Removal

Alderman McGuire asked if it would be possible for the Council to have a short presentation from the Director of Engineering and Works with respect to the present situation regarding snow removal.

The Director of Engineering and Works made a presentation and quoted some figures for costs of removing snow from some 1500 intersections in the City. With the aid of a map displayed he indicated those streets from which snow is being removed and the intersections from which the snow has been removed approximately 35' back from the corner. He advised that some \$260,000 has already been spent this month on the snow programme.

Several questions were answered by the Director of Works and Engineering at this time.

Some discussion ensued with respect to the possibility of imposing a City-wide no parking on one side of a street to facilitate snow clearance.

Alderman Allen referred to the remarks of the Deputy Mayor which were reported on the front page of yesterday's Mail Star and rebutted them at some length. He expressed his sorrow at the absence of the Deputy Mayor at this meeting, but suggested that he be invited to listen to the tape recording of this section of the Council meeting.

9:55 p.m. Council adjourned.

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RESPECTING

THE FUNCTIONS, POWERS AND RESPONSIBILITIES

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(2) Without limiting the generality of the foregoing, the functions shall include:

ALLAN O'BRIEN
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(i) Organizing research objectives and policies for the City's growth;

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CITY CLERK

(iii) Precising the general development plan and exemplifying neighborhood plans in relation to topography and ownership patterns;

(iv) Organizing research and formulating lasting standards for development of the City;

(v) Outlining legislative requirements to implement approved objectives, policies and standards;

(vi) Developing data bank related to City growth to serve as information source for departments and agencies of the City;

(vii) Preparing, with agencies concerned, plans for community facilities;

(viii) Securing the public's approval of such plans.

ADMINISTRATIVE ORDER NUMBER 13

RESPECTING

THE FUNCTIONS, DUTIES AND RESPONSIBILITIES

OF THE PLANNING DEPARTMENT

Be it enacted by the City Council of the City of Halifax, under the authority of Section 169 of the Halifax City Charter, 1963, as follows: --

NAME

1. This Administrative Order shall be known as Administrative Order Number 13 and may be cited as the Planning Department Administrative Order.

DEFINITIONS

2. In this Administrative Order: "City" means the City of Halifax; "Department" means the Planning Department; "Manager" means the City Manager.

DIRECTOR

3. The Head of the Department shall be known as the Director of Planning and shall be a Director within the meaning of Section 169 of the City Charter.

FUNCTIONS

4. (1) The function of the Department shall be to assist the City Manager in the effective discharge of his responsibilities by developing and proposing appropriate objectives, policies and standards for the overall growth and development of the City;

(2) Without limiting the generality of the foregoing, the functions shall include:

(i) Organizing research and formulating lasting objectives and policies for the City's growth;

(ii) Preparing of general development plan and neighborhood plans within framework of approved objectives and policies;

(iii) Precising the general development plan and exemplifying neighborhood plans in relation to topography and ownership patterns;

(iv) Organizing research and formulating lasting standards for development of the City;

(v) Outlining legislative requirements to implement approved objectives, policies and standards;

(vi) Developing data bank related to City growth, to serve as information source for departments and agencies of the City;

(vii) Preparing, with agencies concerned, general plans for community facilities;

(viii) Securing the public's advice during the preparation of such plans.

DIVISIONS OF DEPARTMENT

5. (i) The Director of Planning shall divide the Planning Department into divisions, approved by the Manager, as deemed necessary for the proper allocation of functions;

(ii) All divisions report to and are subject to

ADMINISTRATION

6. The Director of Planning will be responsible for the administration of the Department which shall include: --

(i) Proposing objectives and goals for the Department and setting objectives and goals for divisions within the Department;

(ii) Formulating Departmental policies and procedures as required;

(iii) Adjusting Departmental organization as appropriate to carry out approved programs;

(iv) Developing annual expenditure estimates for the Department;

(v) Assessing and reporting Departmental progress;

(vi) Maintaining discipline and developing personnel within the Department.

ADMINISTRATIVE ORDER NUMBER 14

RESPECTING

THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES
OF THE DEVELOPMENT DEPARTMENT

Be it enacted by the City Council of the City of Halifax, under the authority of Section 169 of the Halifax City Charter, 1963, as follows:

- ME
1. This Administrative Order shall be known as Administrative Order Number 14 and may be cited as the Development Department Administrative Order.
- DEFINITIONS
2. In this Administrative Order: -- "City" means the City of Halifax; "Department" means the Development Department; "Manager" means the City Manager.
- DIRECTOR
3. The Head of the Department shall be known as the Director of Development, who shall be a Director within the meaning of Section 169 of the City Charter.
- ACTIONS
4. (1) the Director of Development through the Development Department, and within the framework of objectives, guidelines, and policies adopted by City Council, shall be responsible to the City Manager for: --
- (i) Maintaining close liaison and serving as prime contact with Federal and Provincial departments or agencies;
 - (ii) Maintaining contact and serving as prime liaison with developers, Boards and Commission, and other governmental agencies concerned with implementation of Community Development Programs;
 - (iii) Acquiring and managing or disposing of the City's land assets and real estate;
 - (iv) Enforcing Ordinances, By-Laws, and Regulations relating to the use of buildings, land, and air pollution;
 - (v) Precising neighborhood development plans and proposing and implementing development programs;
 - (vi) seeking conditions and climate suitable for encouraging development, including housing to meet needs of low-income families;
 - (vii) Determination of terms of reference in conjunction with appropriate Departments, Boards and Commissions, for the design of all City buildings (including schools) and the coordination and direction of contract supervision and administration.

DIVISIONS
OF DEPARTMENT

5. (i) The Director of Development shall divide the Development Department into Divisions, approved by the Manager, as deemed necessary for the proper allocation of functions;

(ii) All divisions report to and are subject to the control of the Director of Development.

ADMINISTRATION

6. The Director of Development will be responsible for the administration of the Department which shall include: --

(i) Proposing objectives and goals for the Department and setting objectives and goals for divisions within the Department;

(ii) Formulating Departmental policies and procedures as required;

(iii) Adjusting Departmental organization as appropriate to carry out approved programs;

(iv) Developing annual expenditure estimates for the Department;

(v) Assessing and reporting Departmental progress;

(vi) Maintaining discipline and developing personnel within the Department

Recad

SPECIAL CITY COUNCIL MEETING
MINUTES

Council Chamber,
City Hall, Halifax,
February 3, 1971
4:05 P.M.

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

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

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

REZONING FROM R-1 RESIDENTIAL TO R-4 RESIDENTIAL - LANDS OF
HERMAN NEWMAN - PURCELL'S COVE ROAD

A Public Hearing was held into the matter of rezoning the above-noted property on January 20, 1971. Following completion of the Public Hearing, Council deferred the matter for two weeks before making a decision.

The City Clerk advised that additional letters protesting the rezoning were received from the following persons: R. Allen Finley, Margaret and Philip Rowlings, Wm. L. Lord, Mrs. F. Monsarrat, Phillis E. and Andrew King, Elizabeth Huxtable, Rolf Hanemann, and M.A. North on behalf of Edith M. Hope Estate. In addition, a petition endorsed by Alderman Allen and signed by 191 residents on or near the western shore of the North West Arm, was submitted, protesting the rezoning.

Since the Public Hearing was held on January 20th, staff had prepared a further report dated February 1, 1971 and the City Clerk was requested to read the full report for the benefit of all persons present at the Hearing. The report was in response to questions raised by Council members at the January 20th meeting.

Alderman McGuire asked if there was any new information concerning an arrangement other than through the rezoning process which would guarantee that only an extended care centre could be constructed and operated on the site, and as well that no apartment could be constructed and occupied thereon.

The City Solicitor said he had discussed this matter with the Solicitor for the developer and it had been agreed the deed for the property could carry a restriction which would limit the use of the property to a nursing home. He said agreement had already been reached on the wording of the document and it would just be a matter of days before it could be executed and filed.

Alderman McGuire said that in view of the offer of the developer to dedicate a 100-ft strip of land for park purposes, and the statement of the City Solicitor that a restriction could be placed on the property regarding its use

Council,
February 3, 1971

he would MOVE, seconded by Alderman Abbott, that approval be given to the rezoning from R-1 Residential Zone to R-4 Residential Zone of the land lying on the eastern side of the Purcell's Cove Road between Pinehaven Drive and Dingle Road, as shown on Plan No. TT-13-18882.

A discussion followed on the statement in the staff report that:

"In the event the application for approval of the subdivision were to be advanced, then it would be prudent to require that there be reserved a 50' right of way for a roadway so that access to the Marshall property could be effected."

Alderman McGuire said he did not feel the above should be accomplished at the expense of the owner of the property now under discussion. It was true, he said, that it would cost someone something to develop this access at a future time, but he did not think this was part of the question presently before the Council.

The City Solicitor was again questioned on the effectiveness of a restriction placed on the deed, and he repeated that a caveat would bind the present owner and any subsequent purchaser of the property to such restriction.

Following further discussion, the motion was put and passed, four voting for the same and three against it as follows:

For - Aldermen Abbott, Hogan, McGuire, Meagher .. 4
Against . - LeBlanc, Sullivan, Allen 3

4:50 P.M. - Meeting adjourned.

HEADLINES

Rezoning from R-1 Residential to R-4 Residential - Lands of Herman Newman - Purcell's Cove Road 33

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MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK