

Council,
September 26, 1963.

In the letter, His Worship the Mayor suggested that officials of Volvo Canada Limited be invited to make representations before Council at its next meeting scheduled for October 17th and that the Deputy Minister of Municipal Affairs be so advised.

MOVED by Alderman Macdonald, seconded by Alderman DeWolf, that the suggestion of His Worship the Mayor be approved. Motion passed.

LETTER - MR. R. G. HATTIE RE: COURT HOUSE SITE

September 26, 1963.

Mr. R. H. Stoddard,
City Clerk,
City of Halifax,
City Hall,
Halifax, Nova Scotia.

Dear Mr. Stoddard:

I have for acknowledgment your letter of September 19th enquiring as to the decision taken by the Court House Commissioners with respect to the selection of a site for the proposed new Court House.

As you know, the members of the Commission met jointly with members of City Council recently, when the proposal was discussed at some length. As a result of the discussions at this joint meeting, the Commission has gone on record as approving the proposed site for the new Court House Building, in principle, providing that the City of Halifax approves the area between George and Buckingham Streets on the east side of Water Street as a redevelopment area and makes the land available to the Court House Commission at reasonable cost and provided that there can be some assurance that the whole development will be proceeded with within a reasonable time.

After the City Council has had an opportunity to consider the proposals now before it and if the area between George and Buckingham Streets on the east side of Water Street is approved as a re-development area by the Council, a Committee of the Court House Commission would like to meet with the representatives of the City to discuss the probable cost to the Commission of a site suitable to house the proposed new Court House Building.

Yours very truly,

R. G. Hattie,
SECRETARY,
COMMISSIONERS OF COURT HOUSE.

MOVED by Alderman O'Brien, seconded by Alderman Macdonald, that the matter be processed by staff and reported upon to a later meeting of the Town Planning Board. Motion passed.

Alderman Wyman referred to a minute of Council wherein it is stated that Council members were to visit the proposed court house site at the Ferry Plaza.

The City Clerk was directed to arrange for such a meeting and to advise the members accordingly.

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RE-APPOINTMENT - Mr. J. G. SIMPSON AS A MEMBER OF THE
HALIFAX INDUSTRIAL COMMISSION

September 11, 1963.

To: His Worship, the Mayor and
Members of City Council

Your Worship and Aldermen:

Some months ago, Mr. J. G. Simpson, chairman of your Industrial Commission for many years, resigned both as chairman and as a member of the Commission.

At a recent meeting of your Commission, Mr. C. E. Wayland, a member of the Commission, was elected to the Chair. In accepting his appointment:

"Mr. Wayland pointed out that he was a comparative newcomer to the Commission and it would be, he thought, desirable from a point of view of continuity, and also of great assistance to him personally, if Mr. Simpson could be re-appointed to the Commission. Mr. Wayland then made a motion to this effect. Alderman Macdonald, in seconding the motion, said he considered Mr. Simpson, during his term of office as chairman, had done an outstanding job for the Commission in following up leads, in co-operation with the Executive Secretary, frequently in Toronto and Montreal, requiring a considerable amount of his time..."

The motion that a recommendation be sent to City Council requesting that Mr. Simpson be re-appointed to the Commission was passed unanimously. (Extract from minutes of meeting of Halifax Industrial Development Commission held September 4th, 1963).

As it appears that in the circumstances Mr. Simpson is now prepared to accept re-appointment to your Commission, I now advise City Council of this motion for its consideration.

Respectfully submitted,

Ray March,
EXECUTIVE SECRETARY.

MOVED by Alderman Greenwood, seconded by Alderman Macdonald, that Mr. J. G. Simpson be re-appointed as a member of the Halifax Industrial Development Commission.

Alderman LeBlanc stated that some members of Council felt that the appointment should be deferred to review the proposed re-appointment in view of the unfair demands upon Mr. Simpson as a member of an organization with holdings in Dartmouth. He asked if it would be fair to ask him to promote industry in Halifax in view of the fact that he would have certain conflicting interests. He further stated that this was the reason why the matter was deferred to consider another appointee.

Alderman Greenwood, with the permission of his seconder, Alderman Macdonald, withdrew his motion.

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MOVED by Alderman Meagher, seconded by Alderman LeBlanc, that this matter be referred back to the Industrial Commission and that His Worship the Mayor or Deputy Mayor report to a later meeting of Council. Motion passed.

MODIFICATION OF SIDEYARD - NO. 6545 (125) EDINBURGH STREET

To His Worship the Mayor and
Members of the City Council.

The Town Planning Board, at a meeting held on September 3, 1963, considered a report from the City Manager recommending in favour of an alteration to sideyard requirements at No. 6545 Edinburgh Street, as shown on Drawing No. P200/1098, in accordance with Part XV, paragraph 1(f), of the Zoning By-Law.

The Report also recommended that a public hearing be waived if the applicant submits to City Council letters from the abutting property owners expressing their agreement to the proposal.

On motion of Alderman O'Brien, seconded by Alderman Macdonald, the Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

The City Clerk advised that the letters required from the abutting property owners have been received.

MOVED by Alderman O'Brien, seconded by Alderman Macdonald, that the report be approved. Motion passed.

Meeting adjourned.

10:30 P. M.

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J. E. Lloyd, M. P.,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
CITY CLERK.

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
October 17, 1963,
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.

There were present: Deputy Mayor F. J. Healy, Chairman; Aldermen DeWolf, Abbott, Breen, Lane, Macdonald, Meagher, LeBlanc, Wyman, O'Brien and Greenwood.

Also present were Messrs. R. H. Stoddard, G. F. West, L. Mitchell, W. J. Clancey, J. F. Thomson, V. W. Mitchell, J. L. Leitch, R. B. Grant, K. Munnich and Dr. E. M. Fogo.

MINUTES

The Minutes of the meetings held on September 12, 24, and 26, 1963, were approved on motion of Alderman Lane, seconded by Alderman Greenwood.

PUBLIC HEARING - REZONING LOTS 26 AND 27, CORNER OF DUDLEY
AND CONNOLLY STREETS FROM R-2 ZONE TO R-3 ZONE

A public hearing was held at this time in connection with an application to rezone lots #26 & #27 at the northeastern corner of Dudley and Connolly Streets from R-2 Zone to R-3 Zone.

The City Clerk reported that the hearing had been duly advertised and that a petition, signed by twenty property owners in the area affected, opposing the application had been received. The petition was endorsed by Alderman R. A. O'Brien.

The report of the Town Planning Board was submitted as follows:

The Town Planning Board, at a meeting held on August 20, 1963, considered a report from the City Manager recommending in favour of the rezoning of land at the corner of Dudley and Connolly Streets, as shown on drawing No. P200/1083, from R2 to R3.

The report stated that this recommendation is made on the understanding that the applicants undertake to develop the area in accordance with the proposals shown on drawings no. P200/1078-82, subject to satisfactory arrangements for the common right-of-way to the car parking area.

On motion of Alderman Trainor, seconded by Alderman Wyman, the Board approved the report and recommended to City Council that a date be set for a public hearing, Alderman O'Brien voting against.

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Mr. H. J. Langlois, one of the petitioners, appeared and asked that the Council protect the investment of the property owners in the area by rejecting the application for rezoning.

Mr. L. A. Kitz, Q. C., appeared on behalf of the applicant, and asked that Council follow the recommendation of the Town Planning Board and approve the application, contending that the proposed development of a five-unit row housing project, would present a pleasing appearance, and would be a proper use of the land.

He referred to a document submitted earlier by him to the Director of Planning signed by a number of residents in the area, which expressed no objection to the proposed development.

The City Clerk stated that the document, while addressed to him, had never been submitted to him; and the City Solicitor ruled that there is only one petition before the Council at this time; also, since the petition before Council contained the signatures of at least 20 percent of the property owners affected, approval of the rezoning would require a two-thirds vote of the Council.

MOVED by Alderman Wyman, seconded by Alderman Meagher, that the matter be deferred until the status of the petitions is clarified.

8:30 p. m. Council adjourned for a short recess.

8:37 p. m. Council re-convened, the same members being present.

The Chairman advised that a check of the document referred to by Mr. Kitz revealed that nine of the signatures on the document also appeared on the petition submitted in opposition to the rezoning.

Alderman Wyman with the consent of his seconder, withdrew his motion to defer.

MOVED by Alderman Wyman, seconded by Alderman DeWolf, that the recommendation of the Town Planning Board be approved.

The motion was put and lost, as follows:

FOR THE MOTION: Aldermen DeWolf, Lane and Wyman - 3 -

AGAINST THE MOTION: Aldermen Abbott, Breen, Macdonald,
Meagher, LeBlanc, O'Brien
and Greenwood - 7 -

PUBLIC HEARING - REZONING NORTH SIDE LIVINGSTONE STREET BETWEEN
ROBIE STREET AND KEMPT ROAD FROM R-2 ZONE TO C-2 ZONE

A public hearing was held at this time in connection with the

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proposal to rezone the property known as 109-123 Livingstone Street from R-2 Zone to C-2 Zone.

The City Clerk reported that the hearing had been duly advertised and that no written objections had been received.

The report of the Town Planning Board was submitted as follows:

To His Worship the Mayor and
Members of City Council.

This matter was referred back from the August 15th meeting of City Council for the Board to consider rezoning the property to C2 instead of C3 as applied for.

On motion of Alderman Wyman, seconded by Alderman Trainor, the Board recommended to City Council that the property at #109-123 Livingstone Street be rezoned from R2 to C2, and that a date for a public hearing be set.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

No person appeared in opposition to the proposed rezoning.

Mr. G. B. Robertson, Q. C., appearing on behalf of the Chrysler Corporation of Canada, owners of the land in question, stated that the proposed rezoning is satisfactory to his clients.

MOVED by Alderman Wyman, seconded by Alderman DeWolf, that the property at #109-123 Livingstone Street be rezoned from R-2 Zone to C-2 Zone. Motion passed.

A Zoning By-law, amending the Halifax Zoning By-Law, 1950, to give effect to the foregoing resolution of Council was submitted.

MOVED by Alderman Wyman, seconded by Alderman DeWolf, that the Zoning By-Law as submitted be approved. Motion passed.

PUBLIC HEARING - REZONING LAND, SOUTH SIDE OF STAIRS STREET BETWEEN
ROBIE STREET AND KEMPT ROAD FROM R-2 ZONE TO C-2 ZONE

A public hearing was held at this time in connection with the proposal to rezone a narrow strip of land between No. 118 Stairs Street and the existing C-2 Zone fronting on Kempt Road, from R-2 Zone to C-3 Zone.

The City Clerk reported that the hearing had been duly advertised and that no written objections had been received.

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The report of the Town Planning Board was submitted as follows:

To His Worship the Mayor and
Members of the City Council.

This matter was referred back from the August 15 meeting of City Council for the Board to consider rezoning the property to C2 instead of C3 as applied for.

On motion of Alderman Wyman, seconded by Alderman Trainor, the Board recommended to City Council that the property at #118 Stairs Street be rezoned from R2 to C2, and that a date for a public hearing be set.

On motion of Alderman Wyman, seconded by Alderman Trainor, the Board recommended to City Council that action be initiated from City Council for the rezoning of a narrow strip of land between #118 Stairs Street and the existing C3 Zone fronting Kempt Road from R2 to C3.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

No person appeared in opposition to the proposed rezoning.

Mr. Dean Salsman, representing Parker Brothers Limited, owners of the land in question, appeared and stated that the proposed rezoning was satisfactory to the owners.

MOVED by Alderman O'Brien, seconded by Alderman Greenwood, that the land known as #118 Stairs Street be rezoned from R-2 Zone to C-2 Zone. Motion passed.

A Zoning By-Law, amending the Halifax Zoning By-Law, 1950, to give effect to the foregoing resolution of Council was submitted.

MOVED by Alderman O'Brien, seconded by Alderman Greenwood, that the Zoning By-Law as submitted be approved. Motion passed unanimously.

PUBLIC HEARING - REZONING STRIP OF LAND, SOUTH SIDE OF STAIRS STREET BETWEEN
KEMPT ROAD AND ROBIE STREET FROM R-2 ZONE TO C-3 ZONE

A public hearing was held at this time in connection with the proposal to rezone a narrow strip of land between #118 Stairs Street and the existing C-3 Zone fronting on Kempt Road, as shown on plan no. SS-10-15758, from R-2 Zone to C-3 Zone.

The City Clerk reported that the hearing had been duly advertised and no written objections had been received.

No person appeared against or in favor of the proposal.

MOVED by Alderman Wyman, seconded by Alderman Abbott, that the strip of land lying between #118 Stairs Street and the land fronting on Kempt Road and zoned C-3 Zone, as shown on plan no. SS-10-15758 be rezoned from R-2 Zone to C-3 Zone. Motion passed unanimously.

A Zoning By-law amending the Halifax Zoning By-Law, 1950, to give effect to the foregoing resolution of Council was submitted.

MOVED by Alderman Wyman, seconded by Alderman Abbott, that the Zoning By-Law as submitted be approved. Motion passed unanimously.

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RECOMMENDATIONS - FINANCE AND EXECUTIVE COMMITTEE

The following recommendations were submitted from the Finance and Executive Committee at a meeting held on October 10, 1963:

Tax Concession - Dresden Arms Hotel

It is recommended that the City enter into an agreement with Dresden Arms Hotel Limited whereby the Company will pay real property taxes on the full assessed value of the land, and on 75% of the assessed value of the improvements thereon for the first year, with such assessment on the improvements to increase by 5% annually thereafter until full assessment is reached; and that such agreement become effective on January 1, 1964. The foregoing recommendation is subject to a report from the City Manager after consultation with the City Solicitor, and the Solicitor for the Company.

The City Clerk reported that the Finance and Executive Committee had met shortly before this meeting and in the absence of a report from the City Manager, recommend that the matter be deferred until the report of the City Manager has been submitted.

MOVED by Alderman Abbott, seconded by Alderman Lane, that the matter be deferred for consideration at the next regular meeting of Council. Motion passed.

Confirmatory Deed to Mr. Sydney Smith, No. 1590 Barrington Street.

It is recommended that a Confirmatory Deed be issued to Sydney H. Smith, covering the property situate at No. 1590 Barrington Street, sold to him by the City in 1950, to replace the original deed which was lost by Mr. Smith before being registered.

MOVED by Alderman Abbott, seconded by Alderman Greenwood, that the recommendation be approved. Motion passed.

Request for "Heart Sunday" Canvass, February 23, 1964.

It is recommended that permission be granted to the Canadian Heart Foundation to conduct their annual appeal for funds in February 1964, and to conduct a Heart Sunday Canvass on February 23, 1964.

MOVED by Alderman Greenwood, seconded by Alderman Lane, that the recommendation be approved. Motion passed.

Supplementary Appropriation and Budget for Consultant Services 1963 and 1964 - Section 316C of the City Charter

The following conclusions of the Sub-Committee of the Finance and Executive Committee respecting the appointment of a management consultant firm were approved:

(1) that the utilization of outside consultative services should only be initiated upon the recommendation of the City Manager;

(2) that the City Manager should have a budget appropriation sufficient to permit him, within reasonable scope, to engage consultants for the purpose of conducting general reviews and identifying and defining assignments which would require the retention of outside consultants in the

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best interests of the City;

and it is recommended that the sum of \$3,000.00 be appropriated for the balance of 1963, under the authority of Section 316^{7C} of the City Charter to make the above policy operational;

also, that the sum of \$6,000.00 should be included in the annual budget for consultant services and that the City Manager be empowered to commit these funds without reference to City Council on the understanding that any major assignment requiring an expenditure beyond the said sum would be first submitted to City Council for approval.

MOVED by Alderman Greenwood, seconded by Alderman O'Brien, that the recommendation be approved. Motion passed.

Supplementary Appropriation - Natal Day Committee - Section 316C of the City Charter - \$95.60

It is recommended that an additional appropriation in the amount of \$95.60 be approved under the authority of Section 316^{7C} of the City Charter to cover over-expenditures in the Halifax Natal Day Budget, originally approved in the amount of \$4,500.00.

MOVED by Alderman Abbott, seconded by Alderman Greenwood, that the recommendation be approved. Motion passed.

Tax Write-off - No.6918 Mumford Road for 1962 - \$24.20

It is recommended that taxes on the property, 6918 Mumford Road, in the amount of \$24.20 for a portion of the year 1962 be written off as the property was purchased by the City for street-widening purposes, and the portion of the property not required for such purpose was recently sold, and the taxes adjusted to November 5, 1962, with the new owner assuming the taxes for the year 1963.

MOVED by Alderman Abbott, seconded by Alderman Lane, that the recommendation be approved. Motion passed.

Supplementary Grants to Pensioners

It is recommended that authority be granted to pay Supplementary Grants to the pensioners listed below who receive less than \$1,100.00 per annum. Provision has been made in the current budget for such payment.

<u>NAME</u>	<u>FORMER OCCUPATION</u>	<u>INCREMENT</u>
Miss Frances Mullins	Nurse, Health Department	\$ 84.00
Arthur Mackenzie	Stableman	84.00
William Power	Employee, Works Department	84.00
Clifford Tanner	Employee, Works Department	84.00
Marjorie Colpitt	Secretary, Fire Alarm	84.00
Mrs. May Thompson	Employee, City Home	84.00
Mrs. Ellen Murphy	Employee, City Home	84.00
Eleanor M. Doyle	Employee, Finance Department	84.00
Dennis Thibodeau	Employee, Works Department	84.00
Desire (Leo) Sampson	Employee, Works Department	84.00
Albert Davie	Employee, Works Department	84.00
Mrs. Mary Cormier	Wife of Fireman killed while on duty	184.00
Mrs. Frances Shanks	Pension of Fireman paid to wife, result of illness	184.00
John L. Whalen	Fireman	84.00
Ernest Yeadon	Fireman	84.00

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<u>NAME</u>	<u>FORMER OCCUPATION</u>	<u>INCREMENT</u>
Charles H. McKay	Fireman	\$ 84.00
William Wells	Fireman	84.00
James D. Connolly	Fireman	84.00
Reginald Brushett	Fireman	84.00
Mrs. E. Spruin	Wife of Capt. Fire Department	84.00
Mrs. May Virtue	Policewoman	204.00
E. R. Knox	Policeman	84.00

MOVED by Alderman Abbott, seconded by Alderman Macdonald, that the recommendation be approved. Motion passed.

Supplementary Grants to Pensioners - Section 316"C" of the City Charter

It is recommended that an additional appropriation in the amount of \$187.72 be approved under the authority of Section 316C of the City Charter to pay supplementary grants for the balance of 1963 to the undermentioned employees who have been retired by the Retirement Committee.

<u>NAME</u>	<u>DEPARTMENT</u>	<u>DATE OF RETIREMENT</u>	<u>AMOUNT OF PENSION UNDER PLAN</u>	<u>SUPPLE- MENTARY GRANT</u>	<u>TOTAL ANNUAL PENSION</u>
James Flinn	Works Dept.	Nov. 1/63	\$1,662.90	\$549.59	\$2,212.49
George Oxley	Finance Dept.	Dec. 1/63	447.00	621.58	1,068.58
Fred Nagle	Police Dept.	Dec. 1/63	1,180.11	531.79	1,711.90

MOVED by Alderman Greenwood, seconded by Alderman DeWolf, that the recommendation be approved. Motion passed.

Collection - Rental Arrears - Pavilion and Glacis Barracks

It is recommended that the rental accounts in arrears of former emergency shelter tenants in the Pavilion Barracks and Glacis Barracks be placed in the hands of the Halifax-Dartmouth Credit Exchange Limited for collection on the same terms and conditions previously submitted.

MOVED by Alderman Lane, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

Extension of Employment of Employees Eligible for Pension

It is recommended that application for extension of employment received from employees otherwise eligible for pension be dealt with only under the provisions of Paragraph 7 of the Halifax Superannuation Plan, and that the present practice, whereby the desire for extension of service originates with the employee, which is contrary to the aforementioned provision, be discontinued.

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

Negotiations with Local Union No. 143 Re: Classification "Assessor"

It is recommended that the City Manager be authorized to hold discussions with the representatives of the Halifax Civic Employees Local Union 143, pertaining to the matter of salary scales for the classification of "Assessor" which had been unresolved during earlier discussions.

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MOVED by Alderman Greenwood, seconded by Alderman DeWolf, that the recommendation be approved. Motion passed.

Property Acquisition - No. 968 Barrington Street

It is recommended that the offer of Mr. Arnold Webber, owner of the property No. 968 Barrington Street located in the Uniacke Square Redevelopment Area, to sell his property to the City for the sum of \$2,850.00 be accepted.

MOVED by Alderman Abbott, seconded by Alderman Meagher, that the recommendation be approved. Motion passed.

REPORTS - COMMITTEE ON WORKS

Tenders - Sewer Construction

To His Worship the Mayor and
Members of City Council.

The Committee on Works, at a meeting held on October 10, 1963, considered a tabulation of tenders as submitted by the City Manager and Commissioner of Works, for storm sewer construction on Kempt Road and Sherwood Street.

Acceptance of the following tender was recommended:

Tidewater Construction Company - \$69,869.00 (lowest tender).

On motion of Alderman Lane, seconded by Alderman Greenwood, the Committee approved the report and recommended the same to City Council.

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Lane, seconded by Alderman Greenwood, that the tender of Tidewater Construction Company be accepted at the unit prices quoted therein. Motion passed.

9:00 p. m. Alderman O'Brien retires.

Tenders - Steel Stack (Incinerator)

To His Worship the Mayor and
Members of City Council.

The Committee on Works, at a meeting held on October 10, 1963, considered a tabulation of tenders, as submitted by the City Manager and Commissioner of Works, for the supply and installation of a steel stack at the new Incinerator.

Acceptance of the following tender was recommended:

T. Hogan and Company Limited - \$1,112.00 (Lowest tender).

On motion of Alderman Greenwood, seconded by Alderman Meagher, the Committee approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

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MOVED by Alderman Greenwood, seconded by Alderman Meagher, that the report be approved. Motion passed.

Tenders - Fuel Oil Tank - City Hall

To His Worship the Mayor and Members of City Council.

The Committee on Works, at a meeting held on October 10, 1963, considered a tabulation of tenders as submitted by the City Manager and Commissioner of Works, for the supply and installation of a fuel oil storage tank at City Hall.

Acceptance of the following tender was recommended:

T. Hogan & Company Limited - \$1,332.00 (lowest tender).

On motion of Alderman Lane, seconded by Alderman Meagher, the Committee approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN, CLERK OF WORKS.

MOVED by Alderman Lane, seconded by Alderman Meagher, that the report be approved. Motion passed.

Tenders - Equipment

To His Worship the Mayor and Members of City Council.

The Committee on Works, at a meeting held on October 10, 1963, considered a tabulation of tenders for equipment, as submitted by the City Manager and Commissioner of Works. The report recommended the lowest tender meeting specifications in each case, as follows:

1. Four (4) Bulk Salt Spreaders - Mussens Canada Ltd..... \$8,800.00
2. One (1) Dodge Car - Halifax-Chrysler-Dodge Ltd..... \$2,571.40
3. One (1) Four-Wheel Drive Vehicle - International - Haldart
International Ltd..... \$2,891.00
4. One (1) Backhoe Attachment - Industrial Machinery Co. Ltd..... \$5,994.00
5. One (1) Heavy Duty Industrial Arc Welder - Industrial Engineering
Co. Ltd..... \$ 652.68
7. One (1) Station Wagon - Dodge - Halifax-Chrysler-Dodge Ltd..... \$2,877.37
8. One (1) Hot Oil Heater Unit - Coastal Asphalt Products Ltd..... \$5,368.50

Alderman Greenwood referred to the tender tabulation for the oil heater unit and asked whether Nova Scotia firms had the privilege of tendering on equipment in municipalities in New Brunswick.

The Committee agreed that, before this tender was approved, the City Manager find out this information and that the Committee consider this item at a meeting to be held prior to the next City Council meeting.

On motion of Alderman Greenwood, seconded by Alderman Meagher, the Committee approved the tabulation of tenders, except for the oil heater unit, and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

To His Worship the Mayor and
Members of City Council.

On October 10, 1963 the Works Committee considered the attached tabulation of tenders for Works Department equipment as submitted by the City Manager and the Commissioner of Works.

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The lowest tender in each case was recommended by staff and approved by the Committee except the tender on a "Hot Oil Heater Unit". This item was deferred until a meeting prior to the October 17, 1963 meeting of Council to give staff an opportunity to find out if Nova Scotia firms "enjoyed the privilege of tendering on municipal equipment in New Brunswick".

The two Halifax firms bidding on this unit assured City staff that they are free to tender on municipal equipment in New Brunswick, without restrictions, provided specifications are met.

In view of the above, it is recommended that the tender for the Hot Oil Heater Unit be awarded to Coastal Asphalt Products Ltd., of Saint John, N. B. for \$5,368.50, as set out in the original tabulation of tenders.

(Sgd.) G. F. West,
for P. F. C. BYARS,
CITY MANAGER.

The City Clerk reported that the Committee on Works had met just prior to this meeting and after considering the report of the City Manager, recommended that the tender of Coastal Asphalt Products Ltd. in the amount of \$5,368.50 covering the supply of one Hot Oil Heater Unit, be accepted.

MOVED by Alderman Abbott, seconded by Alderman Greenwood, that the recommended tenders be accepted. Motion passed.

REPORTS - TOWN PLANNING BOARD

Nursing Home - No. 971 Gottingen Street

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963, considered an application for permission to establish a nursing home at No. 971 Gottingen Street.

On motion of Alderman O'Brien, seconded by Alderman DeWolf, the Board approved the application for the establishment of a nursing home at No. 971 Gottingen Street, and recommended the same to City Council, and also requested that staff consult with the applicant and the School Board to arrange for a satisfactory solution for a sidewalk and driveway over this right-of-way.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Wyman, seconded by Alderman Abbott, that the report be approved. Motion passed.

Modification of Frontyard - No. 6436 Summit Street

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963, considered a report from the City Manager informing them that this application was previously approved by the Town Planning Board on August 6, 1963, and deferred at City Council for further consideration.

Council,
October 17, 1963.

The report stated the application has been rechecked and found to be in order and that staff's recommendation in favour still stands.

On motion of Alderman O'Brien, seconded by Alderman DeWolf, the Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Greenwood, seconded by Alderman DeWolf, that the report be approved. Motion passed.

Alteration to a Subdivision and Modification of Sideyard - No.35 Memorial Drive

A letter was submitted from the applicant requesting deferment of this matter until further notice.

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the matter be deferred. Motion passed.

Modification of Front and Sideyards - No.2548 (290) Oxford Street

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963, considered a report from the City Manager recommending in favour of an application for a modification of front and side yard requirements at No.2548 (290) Oxford Street, as shown on drawing No. P200/1123, in accordance with Part XV, paragraph 1 (f), of the Zoning By-Law, and that no public hearing be held.

On motion of Alderman Macdonald, seconded by Alderman O'Brien, the Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Macdonald, seconded by Alderman Wyman, that the report be approved. Motion passed.

Modification of Sideyard - No.6563 (67) Berlin Street

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963, considered a report from the City Manager recommending in favour of an application for modification of side yard requirements at No.6563 (67) Berlin Street, as shown on drawing no. P200/1124 in accordance with Part XV, paragraph 1(f), of the Zoning By-Law, and that no public hearing be held.

On motion of Alderman DeWolf, seconded by Alderman Macdonald, the Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

Council,
October 17, 1963.

MOVED by Alderman DeWolf, seconded by Alderman Macdonald, that
the report be approved. Motion passed.

Modification of Frontyard - No.2654 (338) Oxford Street

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963,
considered a report from the City Manager recommending in favour of an
application for a modification of front yard requirements at No.2654 (338)
Oxford Street, as shown on drawing no. P200/1136, in accordance with Part XV,
paragraph 1(f), of the Zoning By-Law, and that no public hearing be held.

On motion of Alderman O'Brien, seconded by Alderman DeWolf, the
Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman DeWolf, seconded by Alderman Macdonald, that
the report be approved. Motion passed.

Modification of Lot Frontage and Sideyard - No.2511 (65) Quinn Street

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963,
considered a report from the City Manager recommending in favour of an
application for a modification of lot frontage and side yard requirements at
No.2511 (65) Quinn Street, for a duplex dwelling, as shown on drawing no.
P200/1131, in accordance with Part XV, paragraph 1(f), of the Zoning By-Law,
subject to the existing dwelling being demolished, and that no public hearing
be held.

On motion of Alderman DeWolf, seconded by Alderman Macdonald,
the Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman DeWolf, seconded by Alderman Macdonald, that
the report be approved. Motion passed.

Modification of Setbacks - South Street (Victoria General Hospital)

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963,
considered a report from the City Manager recommending in favour of a
modification of setbacks at the northwest corner of South Street and Tower
Road, in accordance with Part XV, paragraph 1(k), of the Zoning By-Law, and
that no public hearing be held.

Council,
October 17, 1963.

The report pointed out that the property, being Crown property, was exempt from Zoning By-Law provisions, however, Crown agents have, in the past, expressed the desire to conform with the City By-Law regulations.

On motion of Alderman O'Brien, seconded by Alderman Macdonald, the Board approved the report and recommended the same to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Wyman, seconded by Alderman Macdonald, that the report be approved. Motion passed.

Alteration to a Subdivision - No.309-311 Barrington Street

The Town Planning Board at a meeting held on October 17, 1963, considered a report from the City Manager recommending approval of an application to alter a subdivision whereby Lots 1, 2, 3 and 4 at No.309-311 Barrington Street would be combined into Block "A" as shown on plan no. P200/1130-00-9-15828 in accordance with Section 727C of the City Charter, subject to the existing semi-detached buildings being converted into one buildings; and that no public hearing be held.

MOVED by Alderman DeWolf, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

Rezoning - No.7145 (651) Quinpool Road from R-2 Zone to R-3 Zone

To His Worship the Mayor and
Members of City Council.

The Town Planning Board, at a meeting held on October 9, 1963, considered a report from the City Manager recommending that the land at No.7145(651) Quinpool Road, as shown on drawing No. P200/1139, be rezoned from R2 to R3, in accordance with the provisions of the Town Planning Act, on the understanding that the applicant undertakes to develop the property in accordance with the proposals shown on drawings No. P200/1139-1142.

On motion of Alderman O'Brien, seconded by Alderman DeWolf, the Board approved the report and recommended to City Council that a date be set for a public hearing.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman O'Brien, seconded by Alderman DeWolf, that the report be approved and that Council fix Thursday, November 28, 1963, at 8:00 p. m. in the Council Chamber, City Hall, Halifax, Nova Scotia, as the time and place for a public hearing on the matter. Motion passed.

Council,
October 17, 1963.

RECOMMENDATIONS - PUBLIC HEALTH AND WELFARE COMMITTEE

The following recommendations were submitted from the Public Health and Welfare Committee at a meeting held on October 10, 1963:

Tenders for Fish

It is recommended that the following tenders for the supply of fish to the Halifax Mental Hospital, Halifax Convalescent Hospital, City Prison and Basinview Home, for the period November 1, 1963 to January 31, 1964, be accepted:

7,000 lbs. fresh codfish.....	Burn's Fisheries.....	@.20
7,000 lbs. fresh haddock.....	Fisherman's Market.....	@.30
50 lbs. haddock fillets.....	Boutiliers Limited.....	@.45
200 lbs. cod fillets.....	Burn's Fisheries.....	@.37
500 lbs. haddock steak.....	Fisherman's Market.....	@.36
300 lbs. halibut steak.....	Boutiliers Limited.....	@.60
200 lbs. cod steak.....	Boutiliers Limited.....	@.25
100 lbs. sole fillets.....	Fisherman's Market.....	@.53
400 lbs. smoked cod fillets.....	Burn's Fisheries.....	@.39
200 lbs. smelts.....	Boutiliers Limited.....	@.42
100 lbs. salmon.....	Fisherman's Market.....	@.82
200 lbs. fresh herring.....	Burn's Fisheries.....	@.16
50 lbs. $\frac{1}{2}$ barrels salt herring.....	Boutiliers Limited.....	@\$9.45
600 lbs. mackerel.....	Burn's Fisheries.....	@.25
25 lbs. kippers.....	Fisherman's Market.....	@.27
400 lbs. finnan haddie.....	Fisherman's Market.....	@.39
3,000 lbs. boneless cod.....	Burn's Fisheries.....	@.48
3,500 lbs. salt cod.....	Boutiliers Limited.....	@.30
100 lbs. scallops.....	Fisherman's Market.....	@.62

MOVED by Alderman Greenwood, seconded by Alderman Meagher, that the recommendation be approved.

Alderman Macdonald stated that when the tenders for fish for the previous quarterly period were before Council he had commented on the increase in prices over those for the preceding period, and had asked that the City

Council,
October 17, 1963.

Manager be directed to look into the matter to determine where the increase had taken place, and submit a report of his findings.

He also noted that the tabulation of tenders did not show the prices paid for the various commodities in the preceding period; and he requested that this be done in future.

Alderman Wyman asked if the City is obligated to purchase the total quantity of each variety of fish shown in the tabulation; also, if amounts in excess of that shown on the tabulation are required, if they are purchased at the tender price or at the current market price.

The City Solicitor was directed to examine the tenders and submit a report at a subsequent meeting of Council.

The motion was then put and passed.

Tenders for Groceries

It is recommended that the following tenders for the supply of groceries to the Halifax Mental Hospital, Halifax Convalescent Hospital, City Prison and Basinview Home, for the period November 1, 1963 to January 31, 1964, be accepted:

Group 1. Baking Ingredients.....	Howards Limited.....	\$ 320.22
Group 2. Fruits - Dry & Canned.....	Halifax Wholesalers.....	\$1,289.27
Group 3. Spices, Seasoning, Dry & Prepared.....	Howards Limited.....	\$ 266.73
Group 4. Vegetables - Bulk & Canned....	Halifax Wholesalers.....	\$1,155.80
Group 5. Biscuits, Breakfast Foods, Desserts, Puddings and Pie Fillings.....	Howards Limited.....	\$ 759.38
Group 6. Beverages - Soups.....	Halifax Wholesalers.....	\$1,442.59
Group 7. Miscellaneous.....	Halifax Wholesalers.....	\$1,136.01
Group 8. Cleaning Material.....	Halifax Wholesalers.....	\$ 526.56
Group 9. Fruits for Diabetics.....	Howards Limited.....	\$ 250.25
Group 10. Juices.....	Halifax Wholesalers.....	\$ 759.80
Group 11. Fish - Canned.....	Howards Limited.....	\$ 485.00

MOVED by Alderman Abbott, seconded by Alderman DeWolf, that the recommendation be approved. Motion passed.

Attendance - Civil Defence Course - Arnprior

It is recommended that the action of the Commissioner of Health in permitting Miss Gwendolyn Hopkins, Supervisor of Nurses, and Mr. Cedric MacDonald, Sanitary Inspector, to attend a Civil Defence Course at Arnprior,

Council,
October 17, 1963.

Ontario, during the week of October 7th-11th, 1963, be ratified, the entire expenses for the course being borne by the Federal Government.

MOVED by Alderman Greenwood, seconded by Alderman Wyman, that the recommendation be approved. Motion passed.

REPORT - SAFETY COMMITTEE

Attendance at Police Course - Bloomington, Indiana

To His Worship the Mayor and
Members of City Council.

At a meeting of the Safety Committee held on October 8, 1963, consideration was given to a report from the Chief of Police recommending that Superintendent Roy M. Mitchell be authorized to attend a 10-day course in Advanced Criminal Investigation being held by the Department of Police Administration, Indiana University, Bloomington, Indiana, commencing on October 30, 1963, the cost not to exceed the sum of \$640.00, funds having been provided in the current budget.

Your Committee concurs in the recommendation of the Chief of Police.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the report be approved. Motion passed.

QUESTIONS

Question - Alderman DeWolf Re: "Walk" light - Corner Quinpool Road and Oxford Street

Alderman DeWolf asked when action will be taken to provide a "walk" light at the intersection of Quinpool Road and Oxford Street and other intersections, Council having approved of the installation earlier in the year.

The Acting City Manager (Mr. G. F. West) stated that the "walk" lights are being installed.

Question - Alderman Wyman Re: Fires on City Dump and Fly-ash Nuisance from Incinerator

Alderman Wyman asked that a progress report be submitted respecting installation of corrective measures to control fires on the City Dump and the emission of fly-ash from the Incinerator, for which provision was made in the Capital Budget. He referred to complaints which he had received recently from residents of the neighborhood.

The Acting City Manager stated that provision had been made in the Capital Budget for a burner for the City Dump, and a device for the control of fly-ash for the incinerator, but Council had deferred action respecting a

Council,
October 17, 1963.

borrowing authorization.

ELECTION RETURNS

MAYOR

To His Worship the Mayor and
Members of City Council.

In accordance with the provisions of the Halifax City Charter in
respect to the election of a Mayor for the City of Halifax, I submit the
following returns for the election held on October 16, 1963:

<u>MR. R. J. BUTLER</u>	<u>MR. J. L. CONNOLLY</u>	<u>MR. C. A. VAUGHAN</u>
4543	3430	5688
Majority for Mr. C. A. Vaughan over Mr. R. J. Butler.....1145		
Majority for Mr. C. A. Vaughan over Mr. J. L. Connolly.....2258		
Majority for Mr. R. J. Butler over Mr. J. L. Connolly.....1113		

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

I therefore declare Mr. C. A. Vaughan duly elected Mayor for the
City of Halifax for a term of three (3) years from November 1, 1963 to
October 31, 1966.

WARD #1

To His Worship the Mayor and
Members of City Council.

In accordance with the provisions of the Halifax City Charter in
respect to the election of an Alderman for Ward #1 of the City of Halifax, I
submit the following returns for the election held on October 16, 1963:

Ward #1

<u>MR. GORDON S. BLACK</u>	<u>MR. ANDREW MATHEWS</u>
1369	553
Majority for Mr. Gordon S. Black over Mr. Andrew Mathews.....816	

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

I therefore declare Mr. Gordon S. Black duly elected Alderman
for Ward #1 of the City of Halifax for a term of three (3) years from
November 1, 1963 to October 31, 1966.

WARD #3

To His Worship the Mayor and
Members of City Council.

In accordance with the provisions of the Halifax City Charter in
respect to the election of an Alderman for Ward #3 of the City of Halifax, I
submit the following returns for the election held on October 16, 1963:

Ward #3

<u>MR. A. M. BUTLER</u>	<u>DR. J. F. CANTWELL</u>
765	555

Council,
October 17, 1963.

Majority for Mr. A. M. Butler over J. F. Cantwell.....210

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

I therefore declare Mr. A. M. Butler duly elected Alderman for Ward #3 of the City of Halifax for a term of three (3) years from November 1, 1963 to October 31, 1966.

WARD #5

To His Worship the Mayor and
Members of City Council.

In accordance with the provisions of the Halifax City Charter in respect to the election of an Alderman for Ward #5 of the City of Halifax, I submit the following returns for the election held on October 16, 1963:

Ward #5

MR. A. H. MacMILLAN

MR. T. L. TRAINOR

446

864

Majority for Mr. T. L. Trainor over Mr. A. H. MacMillan.....418

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

I therefore declare Mr. T. L. Trainor duly elected Alderman for Ward #5 of the City of Halifax for a term of three (3) years from November 1, 1963 to October 31, 1966.

WARD #6

To His Worship the Mayor and
Members of City Council.

In accordance with the provisions of the Halifax City Charter in respect to the election of an Alderman for Ward #6 of the City of Halifax, I submit the following returns for the election held on October 16, 1963:

Ward #6

MR. GERALD DOYLE

MR. K. P. RICHARD

MR. M. D. SULLIVAN

729

1283

1113

Majority for Mr. K. P. Richard over Mr. M. D. Sullivan.....170

Majority for Mr. K. P. Richard over Mr. Gerald Doyle.....554

Majority for Mr. M. D. Sullivan over Mr. Gerald Doyle.....384

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

I therefore declare Mr. K. P. Richard duly elected Alderman for Ward #6 of the City of Halifax for a term of 3 years from November 1, 1963 to October 31, 1966.

Council,
October 17, 1963.

WARD #7

To His Worship the Mayor and
Members of City Council.

In accordance with the provisions of the Halifax City Charter in
respect to the election of an Alderman for Ward #7 of the City of Halifax, I
submit the following returns for the election held on October 16, 1963:

Ward #7

MR. HAROLD W. BUTLER

1274

MR. E. A. DRYDEN

789

MR. G. A. SMITH

625

MR. W. V. WYATT

440

Majority for Mr. Harold W. Butler over Mr. E. A. Dryden.....	485
Majority for Mr. Harold W. Butler over Mr. G. A. Smith.....	649
Majority for Mr. Harold W. Butler over Mr. W. V. Wyatt.....	834
Majority for Mr. E. A. Dryden over Mr. G. A. Smith.....	159
Majority for Mr. E. A. Dryden over Mr. W. V. Wyatt.....	344
Majority for Mr. G. A. Smith over Mr. W. V. Wyatt.....	185

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

I therefore declare Mr. Harold W. Butler duly elected Alderman
for Ward #7 of the City of Halifax for a term of three (3) years from
November 1, 1963 to October 31, 1966.

MOTION - ALDERMAN O'BRIEN RE: PROCEDURE ORDINANCE NO.102

Alderman Greenwood, on behalf of Alderman O'Brien, introduced
Ordinance No.102 entitled "The Procedure Ordinance". Copies of the Ordinance
were circulated to the members of Council prior to the meeting and a copy is
attached to the official copy of these minutes.

MOVED by Alderman Greenwood, seconded by Alderman Lane, that
Ordinance No.102 be read and passed a first time. Motion passed.

9:25 p. m. Council adjourned to meet as a Committee of the Whole
to consider Ordinance No. 102 for a second reading.

9:30 p. m. Council re-convened the following members being present:
Aldermen DeWolf, Abbott, Breen, Lane, Macdonald, Meagher, LeBlanc, Wyman and
Greenwood.

ACCOUNTS OVER \$500.00

The following accounts over \$500.00 were submitted and recom-
mended for approval by the City Manager:

<u>VENDOR</u>	<u>AMOUNT</u>
Office Specialty Ltd.	\$1,021.13
Morris Goldberg	2,332.44

Council,
October 17, 1963.

Con't

<u>Vendor</u>	<u>Amount</u>
Atlantic Air Survey Co.	\$1,981.35
Francis Hankin & Co. Ltd.	1,730.00
Industrial Machinery Co.	696.07
Public Service Commission	592.01

MOVED by Alderman LeBlanc, seconded by Alderman Abbott, that the accounts be approved for payment. Motion passed.

APPLICATION TO REZONE NO. 3461 DUTCH VILLAGE ROAD
FROM R-3 ZONE TO C-1 OR C-2 ZONE

MOVED by Alderman Abbott, seconded by Alderman Breen, that the application be referred to the Town Planning Board for consideration and report. Motion passed.

HALIFAX AREA BRIDGE STUDY, 1963 - STAFF REPORT NO. 2

The Staff Report No. 2 of the Halifax Area Bridge Study 1963 was submitted. Copies of the report were distributed to the members of Council prior to the meeting, and a copy is on file in the office of the City Clerk.

MOVED by Alderman Wyman, seconded by Alderman LeBlanc, that copies of the Staff Report No. 2 be forwarded to the Halifax-Dartmouth Bridge Commission, and that the report be referred to a meeting of the Committee of the Whole Council for consideration at the call of the newly elected Mayor sometime during November 1963. Motion passed.

JOINT STAFF REPORT - CENTRAL REDEVELOPMENT AREA

A report entitled "Joint Staff Report - Revised Cornwallis Centre" was submitted.

Copies of the report had been distributed to the members of Council prior to the meeting and a copy is on file in the office of the City Clerk.

MOVED by Alderman Greenwood, seconded by Alderman Wyman, that the report be tabled and that Council fix Wednesday, October 23, 1963, at 8:00 p.m. in the Council Chamber, City Hall, Halifax, Nova Scotia, as the time and place for a public hearing into the matter of the proposed Development of the Central Redevelopment Area. Motion passed.

AMENDMENT TO ORDINANCE NO. 13 RE: TAXIS

The City Clerk reported that in accordance with Council's instructions he had written to the Maritime Sales Manager of Volvo Canada Limited inviting representatives of that Company to appear before this

Council,
October 17, 1963.

meeting to make representations concerning the use of the Volvo car as a taxi.

No person appeared on behalf of the Company, and Council took no action on the matter.

ADDITIONAL APPROPRIATION FOR PAVEMENT MARKINGS -
SECTION 316C OF THE CITY CHARTER - \$3,000.00

A report was submitted from the Finance and Executive Committee recommending approval of an additional appropriation in the amount of \$3,000.00, under the authority of Section 316C of the City Charter, to supplement the funds estimated for the pavement marking program.

MOVED by Alderman Meagher, seconded by Alderman Abbott, that the report be approved. Motion passed.

10:00 P. M.

Meeting adjourned.

HEADLINES

Public Hearing - Rezoning Lots 26 and 27, Corner of Dudley and Connolly Streets from R-2 Zone to R-3 Zone	440
Public Hearing - Rezoning North side Livingstone Street between Robie Street and Kempt Road from R-2 Zone to C-2 Zone	441
Public Hearing - Rezoning Land, South side of Stairs Street between Robie Street and Kempt Road from R-2 Zone to C-2 Zone	442
Public Hearing - Rezoning Strip of land, South side of Stairs Street between Kempt Road and Robie Street from R-2 Zone to C-3 Zone	443
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Modification of Setbacks - South Street (Victoria General Hospital)	451
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Halifax Area Bridge Study, 1963 - Staff Report No.2	459
Joint Staff Report - Central Redevelopment Area	459
Amendment to Ordinance No.13 Re: Taxis	459
Additional Appropriation for Pavement Markings - Section 316C of City Charter - \$3,000.00	460

F. J. HEALY,
DEPUTY MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

**CITY COUNCIL
M I N U T E S**

14-8 West

Council Chamber,
City Hall,
Halifax, N. S.
October 23, 1963,
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.

There were present: His Worship the Mayor, Chairman, and Aldermen DeWolf, Abbott, Breen, Lane, Meagher, LeBlanc, Trainor, Healy, Wyman and O'Brien.

Also present were Messrs. P. F. C. Byars, L. Mitchell, R. H. Stoddard, W. J. Clancey, L. M. Romkey, G. F. West, R. B. Grant, K. M. Munnich, V. W. Mitchell and G. H. Brundige.

The meeting was called specially to consider:

1. Public Hearing on recommendation of Joint Staff Re: Proposal of Provinces and Central Properties Limited;
2. Council action on the matter.

His Worship the Mayor suggested that the following procedure be adopted in considering the proposal submitted by Provinces and Central Properties Limited:

1. That Council convene as a Committee of the Whole;
2. That Professor Johnson-Marshall, Consultant to Provinces and Central Properties Limited be invited to explain the proposal, with slides, so that the Council and the public could be made fully aware of the plans for the Central Redevelopment Area;
3. That Mr. Derrick Osborn, British representative of the developers be requested to provide factual information respecting the financial arrangements involved;
4. That the City Manager be requested to report to Council on the various considerations that resulted in the recommendations contained in the Joint Staff Report;
5. That Mr. J. A. Houston, Regional Supervisor of Central Mortgage and Housing Corporation be requested to confirm the report of the City Manager;

Council,
October 23, 1963.

6. That the Council reconvene and the public hearing be held.

MOVED by Alderman Abbott, seconded by Alderman Wyman, that the suggested procedure be followed. Motion passed.

8:05 p.m. Council adjourned to meet as a Committee of the Whole.

His Worship the Mayor introduced Professor Percy Johnson-Marshall and asked him to proceed with his presentation.

Professor Johnson-Marshall addressed the meeting at length and exhibited a series of colored slides to illustrate the treatment applied to projects in various cities in Canada, U. S. A. and Europe, as an indication of the possible treatment that could be applied to the proposed "Cornwallis Centre".

8:40 p.m. The meeting of the Committee of the Whole adjourned, and Council reconvened, the same members being present.

His Worship the Mayor then introduced Mr. Derrick Osborn and asked him to make a brief statement on the financial arrangements, in addition to his written report which follows:

Osborn and Hollis,
Chartered Surveyors, Architects,
Ryde House,
Chobham Road,
Woking, Surrey.

October 23, 1963.

His Worship the Mayor and Members of City Council,
City Hall,
Halifax, Nova Scotia.

Your Worship and Aldermen:

Re: Central Redevelopment Area

Thank you for your letter of October 11, 1963, enclosing the report of the Joint Staff Committee. I must first compliment you on the speed with which you and your colleagues have produced such a comprehensive document.

The points of significance within the report which appear to require further comment from us are as follows:

1. It is the intention of Provinces and Central Properties Limited that the consultants would advise throughout the whole of the programme so far as architectural and planning treatment is concerned. The proposition for a senior member of

Council,
October 23, 1963.

the consultant staff to work in the Woking Group offices is, at the moment, being considered to maintain a close liaison.

2. The points raised on Page 6 of the Report concerning value of land are noted and I can advise you that we have assessed the value of land comprising Phases I, II, III, and IV as being of the order of \$2,850,000. The preliminary calculations indicate the value of lands to be acquired, at present, outside the ownership of the City and Central Mortgage and Housing Corporation, as being \$1,300,000. On these preliminary figures the residual value, as forming the basis for ground rent, is \$1,550,000. This figure obviously could vary with a rise or fall in the acquisition costs of the adjoining lands.
3. I am able to confirm that the Company will require the City to take over as a public highway, the Cogswell Street Extension whether or not construction is undertaken by the Company or the City. The service roads within the development, although substantially public highways, are so much an integral part of the development that maintenance and servicing could be more effective in the Company's control. The cost sharing arrangements as set forth in the Report are acceptable.

Yours sincerely,

DERRICK J. OSBORN,
THE WOKING GROUP.

Mr. Osborn stated that preliminary calculations had been made, based on the scheme as outlined by Professor Johnson-Marshall, which indicate a total construction cost of approximately \$35,000,000.00, excluding the civic centre complex proposed for the waterfront. The construction cost estimate is based on a site value, for lands now owned by the Federal-City partnership, of approximately \$1.5 million, which is the residual value, after deducting from the value of the total land required (\$2.8 million) the value of land yet to be acquired on the east and west sides of Barrington Street (\$1.3 million).

He further stated that the ground rent would be based on the residual value (\$1.5 million) and determined according to the formula established, i.e., $6\frac{1}{2}\%$ of the capital value of the site.

Mr. Osborn referring to the Scheme as prepared by the architectural consultants, contended that it is a first-class effort and is superb in its planning concept; and, although it is not presented in great detail, it is an indication of the high

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standard of architectural treatment which can be expected as the Scheme develops.

He stated further that it is the intention of Provinces and Central Properties Limited that Sir Robert Mathew and Professor Johnson-Marshall will be working closely with them throughout the entire program, which is phased over four and one-half years.

At the request of His Worship the Mayor, the City Manager gave a short summary of the Joint Staff Report, and recommended acceptance of the proposal.

Mr. J. A. Houston addressed Council stating that the Staff members of Central Mortgage and Housing Corporation are in complete agreement with the statement made in the Report to Council. He pointed out that, as Staff representatives of the Corporation, they must report to their Board of Directors when Council has made its decision, but that once that decision is made the Head Office will be moving quickly to secure the approval of the Minister of Public Works.

MOVED by Alderman O'Brien, seconded by Alderman Lane, that the public hearing be now held. Motion passed.

Mr. Charles Sullivan, Maitland Street, speaking on behalf of the Uniacke Square Home Owners Association expressed opposition to the proposed development contending that many elderly people living in the north end of the City would be displaced and forced to live in housing projects at rents they cannot afford, and he asked that Council not proceed with the development so that these elderly people could remain where they are which is their wish.

No other person wished to speak in opposition to the proposal.

Mr. A. G. Archibald, 1st Vice-President of the Halifax Board of Trade, submitted and read a brief urging the Council to make a decision at this meeting to accept the proposal as submitted,

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subject to the conditions and recommendations outlined in the Joint Staff Report.

His Worship the Mayor read a letter received from the President of the Downtown Halifax Business Association which expressed whole-hearted endorsement of the Cornwallis Centre Revised Development Proposal, and supported the presentation made by the Halifax Board of Trade.

His Worship the Mayor also submitted and read a letter from Alderman W. B. Greenwood who was unable to attend the meeting due to business commitments, strongly endorsing the proposed Redevelopment Scheme and urging Council to pass the necessary resolution to enable the project to get under way.

No other person wished to be heard.

His Worship the Mayor stated that if Council were disposed to act upon the recommendations of the Joint Staff Committee, it would be necessary to approve a formal Resolution which had been prepared by the City Solicitor and which would, in effect, carry through in proper legal form the action of Council required to implement the proposal of Provinces and Central Properties Limited and to ensure the necessary safeguards so that the objectives expressed will be achieved.

Also, required is a resolution of Council approving the form of the Agreement to Lease. In this connection the following report has been submitted from the City Manager:

To: His Worship the Mayor & Members of the City Council
From: P. F. C. Byars, City Manager
Date: October 16, 1963
Subject: Central Redevelopment Area - Agreement to Lease

On October 11, 1963, the report of the Joint Staff Committee on the revised Cornwallis Centre proposals was forwarded to members of City Council. The Joint Staff Report dealt in part with the proposed Agreement to Lease between Provinces and Central Properties Limited and the Partnership of the City and Central Mortgage and Housing Corporation.

The report indicated that the proposed Agreement to Lease, which was prepared by a negotiating committee appointed

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by Council, had been discussed with an official of Provinces and Central Properties Limited, who indicated that it appeared to be acceptable. The City has now received the formal comments of Provinces and Central Properties Limited and these are dealt with below.

1. The Company has suggested that two additional sections should be added. The suggested additional sections are:-

- "(a) The provision in Paragraph 8 of Part IV of the said Call for Development Proposals relating to 90 days of grace prior to any forfeiture of the deposit shall be deemed to be incorporated in this agreement.
- (b) In the event of there being any delay on any Phase
 - (i) By reason of force majeure, or
 - (ii) By reason of any especially inclement weather, or
 - (iii) By reason of any loss or damage by fire, or
 - (iv) By reason of civil commotion, local combination of workmen, strike or lockout affecting any of the trades employed upon the works, or
 - (v) By reason of the Company or its Contractors being unable, for reasons beyond their control, to secure such labour and materials as may be essential to the proper carrying out of the works and such inability on the part of the Contractor shall result in the Phasing Programme being delayed.

Then in every such case a fair and reasonable extension of time shall be made in respect of the relevant dates in the Phasing Programme. Upon the happening of any such event causing delay the Company shall give notice thereof in writing to the City of Halifax but shall nevertheless use constantly its best endeavours to prevent delay and to do all that may reasonably be required to the satisfaction of the Partnership to proceed with the Phasing Programme."

There does not appear to be any objections, in principle, to the additional sections suggested by the Company. The principle of a 90 day grace period was contained in the original Call for Development Proposals. It would also seem reasonable that provisions should be made for delays beyond the control of the Company.

The 90 day grace period was not too carefully defined in the original Call for Development Proposals. If the suggestion is acceptable to the Partnership, the clause should read as follows:

"The Company shall have a 90 day period of grace

- (a) to prepare and submit any submissions as required under the provision of Sections 2, 4, 5, 10 and 17 herein; and
- (b) to commence construction of any Phase or Phases of the Final Phasing Programme as required under the provisions of Section 15 and 20 herein; and

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- (c) to complete construction of any Phase or Phases of the Final Phasing Programme as required under the provisions of Section 25 herein.

In the event that the Company requires any such period of grace as set out in this Section, the provisions for forfeiture of the Deposit or the Performance Deposits as provided in Section 7, 11, 18, and 25 herein shall not apply if such submission, commencement or completion is made within such a period of grace."

If Council agrees to this form of a grace period then Section 35 of the draft Agreement would have to be reworded as follows:

"It is agreed that time shall be of the very essence of this Agreement, but no extension of time for making any deposit or doing any act hereunder whether specifically set out in this Agreement or not, shall be deemed to be a waiver or modification of, or affect, this provision."

The Section dealing with extensions of time by reasons of circumstances beyond the control of the Company appears to be acceptable in principle. The wording suggested by the Company is not, however, in accordance with Canadian practice. The Section should read as follows:

"In the event of there being any delay on the part of the Company in the commencement or completion of any Phase or Phases as set out in the Final Phasing Programme by reason of an Act of God, vis major, strikes, lockouts, fire, unusual delay by common carriers or by reason of the Company or its Contractors being unable, for reasons beyond their control, to secure such labour and materials as may be essential to the proper carrying out of any Phase, then the Partnership shall grant a fair and reasonable extension of time for the commencement or completion of any such Phase or Phases. Upon the happening of any such event causing or liable to cause delay to the Company in the commencement or completion of any such Phase or Phases, the Company shall give notice thereof in writing to the City of Halifax on behalf of the Partnership of such event within 14 days following the termination of delaying event."

2. The Company has suggested a re-wording of the subsection dealing with evidence pertaining to the probable success of each phase of development. The sections in question are Sections 10(d) and 17(b). The revised wording suggested by the Company is as follows:

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- "10(d) (i) Evidence that such equity capital, mortgage or debenture capital and other financial arrangements necessary for the carrying through of Phase I of the Development will be available.
- (ii) A confidential list of the names of all tenants for space in excess of 4,000 square feet and a market analysis of the tenancies available for Phase I.

Such evidence, list and market analysis shall not be unreasonably rejected by the Partnership."

The Company in suggesting the revised wording states:-
"The expression, a reasonable possibility of successful completion, is vague and hardly capable of being precisely ascertained. It might, therefore, lead to disputes and delays prejudicial to the Development. We submit that the two headings of evidence provided for in this sub-section should offer the Partnership adequate security".

The revised wording suggested by the Company does not appear to improve on the wording of the subsection contained in the original draft. The suggested wording does in fact appear to slightly weaken the position of the Partnership. It is recommended that no change be made to this clause as set forth in the Agreement to Lease.

3. The Company has suggested that the Partnership should approve or reject the submissions required to be submitted before the commencement of construction of each Phase of the Development in a period of 14 days. The Agreement specifies that this shall be done in a period of 21 days. Sections 12 and 19 are affected by this suggestion.

Approval of the various submissions necessitate consideration by both the City and Central Mortgage and Housing Corporation. It would be a virtual impossibility to complete this consideration in less than 21 days and despite the restrictions on total time for development, it is suggested that the 21 day period, as set forth in the Agreement to Lease, remain.

4. The Company has suggested the addition of the following clause to Section 15 "... or on or before the expiration of 14 days from the said approval by the Partnership being communicated to the Company whichever date shall be the later".

There does not appear to be any reason why the Company's suggestion could not be accepted. If the principle of the 90 day grace period is not acceptable, the clause would only have a bearing in the event that the Partnership took more than 14 days to approve of the Company's submissions. In fact, the Company will have a full 14 days from the date of approval in which to commence construction.

In the event that the principle of the 90 day grace period is accepted, the May 15th date for submission of additional information and the June 16th date for commencement of construction could each be postponed by 90 days. The suggested change would regularize the situation if these acceptable delays occurred.

5. The Agreement defines a construction start for each Phase as being 5% of the total estimated cost of that Phase. The Agreement further provides that no Lease shall be entered into between the Company and the Partnership until this 5% of the