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HALIFAX, NOVA SCOTIA

CITY COUNCIL
MINUTES

Dr. E. M. Fogo
Council Chamber,
City Hall,
Halifax, N. S.,
January 14, 1965,
8:10 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 Black, Abbott, Moir, A. M. Butler, Matheson, Meagher, LeBlanc, Trainor, Connolly, Richard, Doyle, O'Brien and H. W. Butler.

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

MINUTES

Minutes of the meeting held on December 17, 1964 were approved on motion of Alderman Trainor, seconded by Alderman Abbott.

CONGRATULATIONS TO ALDERMEN BLACK AND MATHESON

MOVED by Alderman LeBlanc, seconded by Alderman O'Brien, that Council extend congratulations to Alderman G. S. Black and Alderman G. R. Matheson on their recent appointments as Queen's Counsel.. Motion passed unanimously.

Public Hearing Re: Closing Portion of Lundy's Lane
Public Hearing Re: Laying Down Official Street Lines Portion of Lundy's Lane and Portion of Wellington Street.
Public Hearing Re: Modification of Setback and Sideyard Requirements #1090-1106 Wellington Street and #5825-5835 Lundy's Lane

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

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- (a) a proposal to close a portion of Lundy's Lane to public use;
- (b) Laying down official street lines, portion of Lundy's Lane and portion of Wellington Street; and
- (c) Modification of setback and sideyard requirements #1090-1106 Wellington Street and #5825-5835 Lundy's Lane.

It was agreed that persons wishing to be heard would be permitted to make their presentations on the three matters at the one time, but that individual votes be taken by Council on each of the items.

The City Clerk advised that the matters had been duly advertised and that no written objections had been received on any of the three matters. He reported that the Town Planning Board had made no recommendation other than that Public Hearings be held; and that the City Staff had indication that the proposed development is acceptable on planning grounds.

Mr. David Fraser addressed the Council on behalf of forty-two residents of Wellington Street, forty of whom are property owners - who expressed objection to the partial closure of Lundy's Lane, and to the construction of the proposed apartment building at 1090-1106 Wellington Street.

He contended that if Lundy's Lane were narrowed to twenty feet as proposed, the owner of the property at the South west corner of Wellington Street and Lundy's Lane would be denied the right of access to his garage which he now enjoys; also, an injury would be caused to a large number of property owners in the area.

He further contended that if closure of a portion of the street is not effected, the developer will not be able to meet the requirements of the existing or proposed by-law. He

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also referred to the added strain which the proposed development would place on public services such as schools and sewers; and the additional traffic which would be engendered and the resultant increase in safety hazards.

He requested, on behalf of the residents, that Council take no action to close a portion of Lundy's Lane and reject the application for modification of setback and sideyard requirements to permit construction of the proposed apartment building at 1090-1106 Wellington Street.

Mr. A. D. Williston of 6060 South Street addressed the Council in opposition to the proposal to close a portion of Lundy's Lane and the erection of the proposed apartment building on the grounds that the increased traffic would create added hazards to the safety of the children in the area.

Mr. Hedley Ivany of 881 Tower Road addressed the Council in opposition to the proposed apartment building contending that Council should give very serious consideration to any application for sideyard modifications to ensure that adequate sideyards are provided so that the rights of abutting property owners are safeguarded.

No other persons wished to be heard in opposition to the proposals.

At the request of Alderman Matheson, the Director of Planning displayed a plan of the area and explained the proposal to close a portion of Lundy's Lane and to incorporate such in the plan of development of the land at 1090-1106 Wellington Street.

Mr. Hector MacInnes, representing J. H. Vaughan and Associates, asked that Council give approval to the closing of a portion of Lundy's Lane and his client's application for modification of setback and sideyard requirements to permit the

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erection of a 20-storey, 123-unit apartment building at 1090-1106 Wellington Street.

He contended that the proposed development would greatly enhance the area, with a subsequent increase in property value to the neighbouring properties, by removing the present unsightly appearance of Lundy's Lane; and the reduction in width of Lundy's Lane would still leave access to the Gorsebrook area for pedestrians.

He pointed out that the proposed building, which is estimated to cost \$2,000,000.00, will produce annual taxes of \$23,000.00 as opposed to the present revenue of \$1,200.00.

In answer to a question by Alderman Connolly, Mr. MacInnes stated that he understood that it had been suggested to the developer by the City Planning Staff that a portion of Lundy's Lane be acquired for the proposed development.

No other person wished to be heard.

Alderman Matheson referred to the drainage problem in the area and he asked if any additional sewer installations would be required in this area by reason of the proposed development.

The Commissioner of Works stated that a new storm sewer will have to be installed in the area, notwithstanding the proposed development, and the cost of the Lundy's Lane portion is estimated at \$8,000.00, but he was unable to estimate the cost of the installation on Wellington Street. He further stated that there is no recovery from abutters toward the cost of such installations.

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Public Hearing Re: Closing Portion of Lundy's Lane

MOVED by Alderman O'Brien, seconded by Alderman Abbott, that the proposal to close a portion of Lundy's Lane, as shown on Plan No. TT-2-16125, be rejected.

The motion was put and passed, as follows:

For the Motion: Aldermen Abbott, Matheson, Meagher, LeBlanc, Trainor, Connolly, Doyle, O'Brien and H. W. Butler. -9-

Against: Aldermen Black, Moir, A. M. Butler and Richard. -4-

Public Hearing Re: Laying Down Official Street Lines, Portion of Lundy's Lane and Portion of Wellington Street

MOVED by Alderman Trainor, seconded by Alderman Matheson, that this item be deleted from the agenda. Motion passed.

Public Hearing Re: Modification of Setback and Sideyard Requirements #1090-1106 Wellington Street and #5825-5835 Lundy's Lane

MOVED by Alderman Trainor, seconded by Alderman Matheson, that this item be deleted from the agenda. Motion passed.

SITE - PROPOSED NEW COURT HOUSE

At the request of Alderman A. M. Butler, it was agreed to permit representatives of the Court House Commission and the Nova Scotia Barristers' Society to address the Council.

Mr. Lyndon Smith, Chairman of the Court House Commission, referred to the numerous discussions which have been held over the past several years respecting the matter of a site for the proposed new Court House, selection of which has been delayed pending the finalization of the development plan for the downtown area.

He said that the Court House Commission has reached the decision that the need for a new structure is so great that

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selection of a site can no longer be delayed to suit the plans of the downtown development; and unless the City is prepared to make a site immediately available to the Commission in the downtown area, the Commission will seek an alternate site. He asked that Council make known its views on the matter of a site for the new Court House to the Commission.

Alderman Matheson said that it might be helpful if the Court House Commission could indicate the approximate area which would be acceptable as a site.

Mr. Smith said that the Court House Commission have given approval to the site at the north-west corner of Barrington and Buckingham Streets.

Alderman O'Brien asked if the Commission has given any thought to the waterfront site proposed in a City Staff report within the last year or two.

Mr. Smith said that the waterfront site has been rejected by the Commission on the grounds that the area has not yet been declared a redevelopment area; and as a site is urgently required for the Court House, further delays cannot be considered.

MOVED by Alderman A. M. Butler, seconded by Alderman Richard, that Council declare the area bounded by Barrington, Buckingham and Argyle Streets and Bell Lane to be the site for the proposed new Court House subject to the concurrence of Central Mortgage and Housing Corporation.

10:00 p.m. Alderman Abbott retires.

After further discussion the motion was put and passed as follows:

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For the Motion: Aldermen Black, Moir, Matheson, A. M. Butler,
Meagher, LeBlanc, Trainor, Connolly,
parking will be provided Doyle, Richard and H. W. Butler. -11-

Against: Alderman O'Brien. -1-

MODIFICATION OF SETBACK REQUIREMENTS - MEDICAL SCIENCE BUILDING -
COLLEGE STREET

It was agreed to hear Dr. C. B. Stewart, Dean of
Medicine of Dalhousie University, in connection with the ap-
plication of the University for a modification of setback re-
quirements of the Halifax Zoning By-Law to allow the erection of
a 16-storey tower and a two-storey Medical Science building on
the south side of College Street between Robie and Summer Streets.

Dr. Stewart said that the proposed new building is
very important to the University as it is urgently needed to
supply the necessary facilities for the training of medical and
dental practitioners of which there is a serious shortage in the
Atlantic Provinces; and he asked that Council give approval to
the application.

His Worship the Mayor referred to the fact that
opposition had been expressed to certain aspects of the proposed
development by the Board of the Grace Maternity Hospital when
the matter was discussed at the Town Planning Board.

The City Clerk submitted and read a letter from
Lieut.-Colonel Stanley G. Gennery, Chairman of the Board of
Management of the Grace Maternity Hospital, in which he stated
that the Board's chief concern relates to the driveway between
the Hospital and the new building which would encourage excess
parking with its attendant noise, and requested that parking in
this area be restricted, if not prohibited.

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Dr. Stewart said that in the area in question, parking will be provided for only three or four cars as the area will be used for deliveries to the main building and traffic in the area will not be any different from what it is now.

Lieut.-Colonel Gennery addressed Council and stated that while the Board of Management of the Grace Maternity Hospital would have preferred to have the new building farther from the Hospital, they feel they have no grounds for objecting to its construction.

MOVED by Alderman Matheson, seconded by Alderman Trainor, that as recommended by the Town Planning Board at a meeting held on January 5, 1965, the application of Dalhousie University for a modification of the sideyard requirement of the Halifax Zoning By-Law to allow the erection of a sixteen-storey tower and a two-storey Medical Science building at 5898 College Street, as shown on Drawing No. P200/1631-42, be approved. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the meetings of the Finance and Executive Committee held on January 7 and January 14, 1965, with respect to the following matters:

Appropriation for Furniture - Port and Industrial Commission

MOVED by Alderman Trainor, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee, the sum of \$885.00 be added to the Budget Estimates of the Halifax Port and Industrial Commission to cover the cost of office furniture and that the expenditure of such amount be authorized. Motion passed.

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Tenders, Sound System - Council Chamber

MOVED by Alderman Trainor, seconded by Alderman A. M. Butler that, as recommended by the Finance and Executive Committee, that the tender of Arvan Industrial Electronic Sales Limited in the amount of \$403.70 for the supply and installation of two (2) column speakers and six (6) head sets for use by the representatives of the News Media in the Council Chamber, which installation tender includes installation, test, and guarantee for one year, be accepted. Motion passed.

Letter - School Board Re: School Transportation Costs Crippled and Retarded Children

MOVED by Alderman Moir, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, the proposed Budget for 1965, submitted from the Board of School Commissioners, be amended to include an amount of \$8,000.00 to cover the cost of transporting crippled and retarded children to and from City Schools, the School Board having assumed the responsibility for these costs in 1965 by Agreement with the Crippled Children's Association and the Retarded Children's Association. Motion passed.

SCHOOL CONSTRUCTION PROGRAMME

At the request of Alderman O'Brien, it was agreed to consider the request of the Board of School Commissioners as contained in a letter dated December 15, 1964, consideration of which had been deferred in the Finance and Executive Committee pending receipt of a report from the City Manager as to what amount should be provided in the Capital Budget annually for school construction purposes.

Dr. E.M. 2090

Amended Sheet

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Alderman O'Brien stated that it is the intention of the School Board to have a school building designed which will meet the special needs of the district in which it is to be located and the request is for authority to engage architects to draw plans and specifications for the construction of a suitable school.

MOVED by Alderman Black, seconded by Alderman Meagher, that the Board of School Commissioners be authorized to appoint architects to draw plans and specifications for the construction of a suitable school to replace Joseph Howe School and the construction of an addition to the Oxford Junior High School building. Motion passed.

At this point it was agreed to dispense with the Order of Business and to consider the item listed on the agenda as 12 (1).

COLLECTIVE AGREEMENT - I.A.F.F. LOCAL UNION 268
AND THE CITY OF HALIFAX

A report was submitted from the City Manager dated January 12, 1965, and a subsequent report dated January 14, 1965, containing recommendations, arising out of his negotiations with representatives of the International Association of Fire Fighters, Local Union No. 268, for a new collective bargaining agreement.

MOVED by Alderman A. M. Butler, seconded by Alderman Doyle, that:

- (a) a Collective Bargaining Agreement covering the period January 1, 1965 to December 31, 1966, be entered into with Local Union 268 of the International Fire Fighters Association, in accordance with the draft agreement submitted and attached to the report of the City Manager, dated January 12, 1965, as amended by his subsequent report, dated January 14, 1965;

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(b) The Mayor and City Clerk be authorized to execute the said agreement on behalf of the City. Motion passed.

A report was submitted from the City Solicitor to which was attached suggested amendments to the Halifax City Charter, 1963, as follows:

1. Subsection (5) of Section 450 of said Chapter 52 is repealed.

(1) Section 451 of said Chapter 52 is further amended by striking out the word "and" in the second line thereof and substituting therefor the word "or".

(2) Clause (f) of Section 451 of said Chapter 52 is amended by striking out the symbols and letter "(f)" in the first line thereof, and substituting therefor the symbols and letter "(h)".

(3) Section 451 of said Chapter 52 is further amended by adding thereto immediately following clause (e) the following clauses:

(f) the suits of uniform and items of equipment to be provided for all members of the Police Force;

(g) the rules and regulations applicable to all members of the Police Force; .

3. Subsection (3) of Section 469 of said Chapter 52 is repealed.

(1) Clause (d) of Section 470 of said Chapter 52 is amended by striking out the symbols and letter "(d)" in the first line thereof and substituting therefor the symbols and letter "(f)".

(2) Section 470 of said Chapter 52 is further amended by adding thereto immediately following clause (c) the following clauses:

(d) the suits of uniform and items of equipment to be provided for all members of the Fire Department;

(e) the rules and regulations applicable to all members of the Fire Department; .

MOVED by Alderman A. M. Butler, seconded by Alderman Doyle, that legislation be sought to amend the Halifax City Charter, 1963, accordingly. Motion passed.

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Administrative Order No. 2 entitled "The Halifax Fire Department -
"Second Reading"

Administrative Order Number 2 entitled the Halifax
Fire Department, which was read and passed the first time at the
meeting of City Council, held on December 17, 1964, was submitted
for second reading.

MOVED by Alderman LeBlanc that the matter be deferred
due to the absence of the Chief of the Fire Department. There
was no seconder to the motion to defer.

MOVED by Alderman Black, seconded by Alderman O'Brien,
that Administrative Order Number 2 entitled as submitted, be read
and passed a second time. The motion was put and resulted in a
tie vote as follows:

For the Motion: Aldermen Black, Moir, Matheson, A. M. Butler,
Trainor and O'Brien. -6-

Against: Aldermen Meagher, LeBlanc, Connolly, Doyle,
Richard, and H. W. Butler. -6-

His Worship the Mayor voted in favour of the motion
and declared the same passed. (A copy of Administrative Order
Number 2, entitled the Halifax Fire Department, is attached to the
official copy of these minutes.)

COMPENSATION PROPERTY OWNERS - BICENTENNIAL DRIVE AREA

A report was submitted from the Finance and Executive
Committee recommending that no compensation be paid to the
property owners in the area of the Bicentennial Drive Entrance;
and that if a claim for injurious affection is filed by any of
the affected property owners, Council give no consideration to
such claim until same is fully substantiated.

Alderman O'Brien referred to the minutes of Council
meetings held on February 9, 1961 and October 26, 1961 wherein

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the matter of compensation to affected properties in the area of the Bicentennial Drive entrance was considered; and he contended that while no legal commitment had been made to grant compensation, Council acknowledged that it had a moral obligation to the small number of owners affected by the elevated structure in front of these houses and had undertaken to obtain appraisals before and after completion of the construction of the project.

MOVED by Alderman O'Brien, seconded by Alderman H. W. Butler, that the City Solicitor be directed to present draft legislation at the next meeting of Council which would make possible the payment of the proven devaluation of the properties allegedly affected by reason of the construction of the Bicentennial Drive Entrance, based on the evidence which the City now has at its disposal, subject to agreement by the Province of Nova Scotia to share in the cost of any such compensation; and that the names of such property owners and the amounts of compensation in each case be spelled out in the draft legislation. Motion passed.

Letter - Board of Trade Re: Expropriation Proceedings Cornwallis
Centre Area

MOVED by Alderman Black, seconded by Alderman Trainor, that as recommended by the Finance and Executive Committee, the Halifax Board of Trade be advised that the suggestion contained in their letter dated October 26, 1964, namely "that no additional expropriation proceedings be initiated to further reduce the assessable commercial property until the redevelopment of the Cornwallis Centre Project is well under way", has been and still is the policy of the City Council and that any delay with respect to the start of the Cornwallis Centre Project is not the

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fault of the City of Halifax, but the inability of the developer to produce the necessary financing, important information and data. Motion passed.

Letter - Board of Trade Re: Industrial Promotion Film

MOVED by Alderman Black, seconded by Alderman Moir, that as recommended by the Finance and Executive Committee, in response to a letter from the Board of Trade requesting participation by the City of Halifax in the production of an industrial promotional film to be used as a device to attract industry to the metropolitan area, the Board be advised that at the present time the City of Halifax has no industrial land to sell, and that production of such a film should await the results of the industrial survey presently being undertaken. Motion passed.

Appointments - Tax Appeal Court

His Worship the Mayor nominated the following to be the members of the Tax Appeal Court: John Hutton, Chairman; J. G. DeWolf, member; and R. L. Stailing, member.

MOVED by Alderman Trainor, seconded by Alderman Connolly, that the appointments be confirmed. Motion passed.

EXTENSION TO NON-CONFORMING BUILDING - 6170-72 CEDAR STREET

MOVED by Alderman O'Brien, seconded by Alderman H. W. Butler, that as recommended by the Town Planning Board, an application for an extension to a non-conforming building at 6170-72 Cedar Street to allow the construction of a second storey addition to the existing building as shown on Drawing No. P200/1645 and P200/1661 be approved, subject to the applicant submitting a letter from the adjoining property owner at 6168 Cedar Street stating that he has no objection to the proposal.

A letter was submitted from G. A. MacKay from 168 Cedar

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Street offering no objection to the proposed extension to the non-conforming building at 6170-72 Cedar Street.

The motion was put and passed.

Rezoning - 6305-7 (25-27) Edinburgh Street - R2-R3

A report was submitted from the Town Planning Board recommending approval of an application for the rezoning of 6305-6307 (25-27) Edinburgh Street from R2 to R3 to allow the demolition of the existing building and the erection of a four-storey, eighteen-unit apartment building, as shown on Drawings No. P200/1622-25, and requested that a date be set for a public hearing.

MOVED by Alderman Trainor, seconded by Alderman Meagher, that no action be taken on the application at this time.

The motion was put and lost.

MOVED by Alderman Black, seconded by Alderman Richard, that Council fix Thursday, February 25, 1965, at 8 p.m. in the Council Chamber, City Hall, Halifax, Nova Scotia as the time and place for a Public Hearing in connection with the application to rezone the property No. 6305-6307 Edinburgh Street from R2 to R3 zone. Motion passed.

Brief - Nova Scotia Motorcycle Association

MOVED by Alderman Meagher, seconded by Alderman Trainor, that the order of business be dispensed with and that Mr. Howard Salton, Secretary-Treasurer of the Nova Scotia Motorcycle Association be permitted to address Council. Motion passed.

11:20 p.m. His Worship the Mayor retires and the Deputy Mayor resumes the Chair.

Mr. Salton addressed Council at some length, requesting that the Council endorse the brief prepared by the Nova Scotia Motorcycle Association for submission to the Nova Scotia Legislature, opposing the regulation requiring motorcycle drivers to wear helmets

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and the Chairman advised Mr. Salton that the City Solicitor had ruled that the matter is beyond the scope of the City Council as the Council has no power to take any action on the matter.

11:35 p.m. His Worship the Mayor returns to resume the Chair.

PRESERVATION OF HISTORIC BUILDINGS - APPOINTMENT ADVISORY COMMITTEE

MOVED by Alderman Matheson, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, His Worship the Mayor be authorized to appoint an Advisory Committee composed of two Aldermen and including citizens possessing skills in the field of business, architecture and engineering to carry out a study of the matter of the preservation of historic buildings and report its findings to the City. Motion passed.

His Worship the Mayor said that he would present his nominations for appeals to the committee at the next meeting.

Widow's Pension - Mrs. Sadie McKay

MOVED by Alderman Moir, seconded by Alderman Doyle that, as recommended by the Finance and Executive Committee, an annual allowance of \$464.22 be granted to Mrs. Sadie McKay, widow of the late Charles H. McKay, retired fireman, payment of such allowance to be effective as of June 1, 1964. Motion passed.

Possible Acquisition - #838-840 Barrington Street

MOVED by Alderman Trainor, seconded by Alderman A. M. Butler that, as recommended by the Finance and Executive Committee, the sum of \$4,000.00 be paid to Mrs. Ella M. Barkhouse as settlement in full for all claims arising from the acquisition of her property at #838-840 Barrington Street located within the Uniacke

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Square Redevelopment Area; and that the City Staff be authorized to demolish the building as soon as alternate accomodation can be obtained for the present occupants. Motion passed.

Possible Acquisition - #379-381 Brunswick Street

MOVED by Alderman Trainor, seconded by Alderman Richard that, as recommended by the Finance and Executive Committee, the sum of \$30,800.00 be paid to Bayer Construction Company as settlement in full for all claims resulting from the acquisition by the City of their property at #2467-2475 (#379-381) Brunswick Street located within the Uniacke Square Redevelopment Project. Motion passed.

Acquisition of Africville Buildings

MOVED by Alderman Richard, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee;

(a) Buildings #110 and #111 - City Plan #P500/46

1. the City of Halifax agree to settle with Mrs. Florence Anderson for the sum of \$1,495.46; \$1,000.00 of this amount to be paid to Mrs. Anderson for her share plus the one-half share which was assigned to her by her nephew, Mr. Joseph Sealey, and \$495.46 applied against the outstanding taxes;
2. the City of Halifax agree to pay Miss Hazel Cassidy \$1,616.30; and \$1,000.00 of this amount to be paid to Miss Cassidy in return for a Quit Claim Deed in respect of building #110 and \$616.30 applied against Miss Cassidy's outstanding Victoria General Hospital Account.

(b) Buildings #63 and #64 - City Plan #P500/46

- (a) the City of Halifax recognize Mrs. Sara MacLean as the alleged owner of Buildings #63 and #64;
- (b) A Quit Claim Deed for structures #63 and

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- (c) #64 be signed by Mrs. MacLean in favour of the City of Halifax upon the payment of \$506.14, \$500 of this amount should be paid to Mrs. MacLean and \$6.14 applied against the 1964 taxes;

(c) Mr. Dunsworth and son be offered alternative accomodation;

(d) Buildings #63 and #64 be demolished as soon as Mr. Dunsworth and son have been relocated.

A letter has been forwarded to Mr. Dunsworth explaining that Mrs. MacLean is in the process of negotiating the sale of her property and that the City of Halifax will offer him suitable accommodation within the City.

(c) Building #91 - City Plan No. P500/46

(a) the City of Halifax consider the purchase of the Dixon property, identified as Property No. 91, City Plan No. P500/46, for the sum of \$6,022.50; \$6,000.00 of this amount to be paid to Mrs. Theresa Dixon upon the receipt of a Quit Claim Deed plus the signed agreement for their interest in the property from the family, and \$22.50 be applied against the outstanding Victoria General Hospital Account.

(b) Building #91 be demolished as soon as it can be conveniently vacated by Mrs. Dixon.

Motion passed.

Property Settlement - Mr. and Mrs. Leon Steede - Residents of Africville

At the request of Alderman O'Brien, it was agreed to consider the matter of the settlement with Mr. and Mrs. Leon Steede, residents of Africville.

MOVED by Alderman Richard, seconded by Alderman Moir,

(a) that the settlement with Mr. and Mrs. Leon Steede be in the amount of \$10,000. for the property owned by them at Africville, such amount to be applied to the purchase of the property at 2522 Gottingen Street, upon which Mr. Steede will place a first mortgage for the balance of the purchase price;

(b) Mr. Steede will receive a life interest or an interest for a term certain in such property with the City having a reversionary interest in such property;

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- (c) the final terms of such settlement to be negotiated with Mr. and Mrs. Leon Steede and submitted to City Council for final approval.
Motion passed.

Final Closing Date - Mulgrave Park Housing Project

MOVED by Alderman Matheson, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, the City Manager be authorized to sign on behalf of the City a revised Final Closing Out Statement of the Mulgrave Park Housing Project, showing a total project cost to the Federal-Provincial Partnership of \$5,320,194.44. Motion passed.

Sale of Land to Children's Hospital

MOVED by Alderman Trainor, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee,

1. the arrangements for the exchange of land between the Children's Hospital and the City as approved on December 27, 1962, be cancelled;
2. the City agree to sell Block "K", being the block between the Mental Hospital and the site of the Nurses' Residence of the Children's Hospital to the Children's Hospital. This site consists of approximately 33,000 square feet of land and it is suggested that the selling price be at the rate of \$1.50 per square foot.
3. as a condition of sale in accordance with 1. above the Children's Hospital will be required to construct and maintain an emergency entrance right-of-way immediately adjacent to the site of the present Mental Hospital. This right-of-way would be primarily for use by the Children's Hospital but should be capable of being used on an occasional basis by City equipment. As a further condition of the sale in accordance with 2. above, the Children's Hospital should agree to the conveyance of sufficient Children's Hospital land to permit the City to construct and maintain a connecting right-of-way from the rear of the proposed new Children's Hospital building to University Avenue. This right-of-way would run between the present Convalescent Hospital and the existing Children's Hospital.

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4. land for expansion of the Pathological Institute should be a matter between the Province and the Children's Hospital. Under the arrangements approved in 1962, it was anticipated that the City would ultimately provide a portion of the site of the Children's Hospital to the Province to permit expansion of the Pathological Institute facilities. Under the new arrangements, the City does not, of course, obtain this site so that any arrangements would have to be made directly between the Children's Hospital and the Province. Motion passed.

Lease of Land by Convent of the Sacred Heart to the Children's
Hospital - Legislation

MOVED by Alderman Black, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, legislation be sought to nullify the effect of Chapter 61 of the Acts of Nova Scotia 1886, to permit the Convent of the Sacred Heart to lease a portion of its land to the Children's Hospital for a term of five years. Motion passed.

Borrowing \$6,000,000.00 from Royal Bank of Canada

MOVED by Alderman Trainor, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the sum of \$6,000,000.00 be borrowed from the Royal Bank of Canada under the authority of Section 351 of the City Charter in anticipation of the fixing of the tax rate, and the Mayor and City Clerk be authorized to execute the necessary documents on behalf of the City. Motion passed.

Remuneration of Radiologist - Halifax Convalescent Hospital

MOVED by Alderman A. M. Butler, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the salary of the part-time radiologist at the Halifax Convalescent Hospital be set at \$6,000.00 per annum effective December 21, 1964. Motion passed.

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Accounts - Board of Arbitration - International Association of
Fire Fighters

MOVED by Alderman A. M. Butler, seconded by Alderman Trainor that, as recommended by the Finance and Executive Committee, the following accounts, submitted in connection with the Board of Arbitration relating to the matter of retroactive salary payments to four retired firemen, be approved for payment, funds to be provided under the authority of Section 316C of the City Charter:

Mr. Nathan Green, Q.C. - \$360.00 - City Share	\$180.00
Mr. H. B. Rhude	300.00
	<u>\$480.00</u>

Motion passed.

Conference with Federal Government Officials -
Write-downs on Property Acquisitions

MOVED by Alderman Matheson, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, His Worship the Mayor be authorized to approach the proper authorities of the Government of Canada to have their policy changed with regard to write-downs on property acquired by the City from Federal Government Departments for redevelopment or property acquired by Federal Government Departments for their purposes.

Motion passed.

Land Use Planning Course - Mr. Colin MacKenzie - Legal Department

MOVED by Alderman Matheson, seconded by Alderman A. M. Butler that, as recommended by the Finance and Executive Committee, Mr. Colin MacKenzie, Solicitor in the City Solicitor's Department, be permitted to attend a Land Use Planning Course at Dalhousie University, consisting of fourteen 2-hour sessions from 2:00 p.m. to 4:00 p.m. on Thursdays, beginning on January 7, 1965, at a tuition fee of \$45.00. Motion passed.

Council,
January 14, 1965.

Permission to Expend in Excess of \$500.00

MOVED by Alderman Trainor, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City Manager be authorized to expend the sum of \$643.75 to cover the cost of relocating the Water Hydrant Branch on North Park Street, south of Cornwallis Street, to north of Cornwallis Street, funds having been provided in the 1964 Capital Budget. Motion passed.

PURCHASE OF PAINTINGS OF BUILDINGS
FORMERLY LOCATED IN CENTRAL REDEVELOPMENT AREA

At the request of Alderman LeBlanc, it was agreed to consider the matter of the purchase of one or more of the paintings by John Cook of buildings formerly located in the Central Redevelopment Area, which paintings have been on display in the second floor corridor of City Hall.

MOVED by Alderman Meagher, seconded by Alderman A. M. Butler, that the matter be referred to the Finance and Executive Committee for consideration and report. Motion passed.

Tenders for Purchase and Installation of Micro-filming Equipment -
Works Department

A report was considered from the Finance and Executive Committee recommending that the sum of \$13,000.00 be provided in the 1965 Budget to cover the purchase of Micro-filming Equipment for use in the Works Department, and that the City Manager be authorized to call for tenders for the purchase and installation of such equipment.

MOVED by Alderman Richard, seconded by Alderman Connolly, that the City Manager be directed to submit a report after completely investigating the feasibility of renting micro-filming equipment. Motion passed.

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Tax Concession - Halifax Longshoremen's Association -
#59 Hollis Street

MOVED by Alderman Meagher, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, legislation be sought to grant a tax concession to the Halifax Longshoremen's Association at 59 Hollis Street whereby the tax payable for the year 1965 will not exceed \$300.00 and that any tax assessed in excess of \$300.00 (excluding Fire Protection Rates) will be written off. Motion passed.

Tax Concession - Halifax Labor Temple Association -
#5410 Cogswell Street

MOVED by Alderman Meagher, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, legislation be sought to grant a tax concession to the Halifax Labor Temple Association whereby the tax payable on its property at #5410 Cogswell Street for the year 1965 will not exceed \$500.00, and that any tax assessed in excess of \$500.00 (excluding Fire Protection Rates) will be written off. Motion passed.

Report Re: Special Committee to meet with Developers

Deferred.

REPORT - COMMITTEE ON WORKS

Thursday Council considered the report of the Meeting of the Committee on Works held on January 7, 1965, respecting the following matters:

Tenders for Salt

MOVED by Alderman H. W. Butler, seconded by Alderman Doyle that, as recommended by the Committee on Works, that the Tabulation of Tenders for salt as approved by the Committee on Works on December 10, 1964 and by City Council on December 17, 1964, be amended to show that the tenderers A. M. Smith and

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Company Limited and Burns Fisheries Limited, submitted even bids of 88¢ per hundred for unused salt in bulk, and that the purchase of such salt be made on an equitable basis. Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the meeting of the Town Planning Board held on January 5, 1965, respecting the following matters:

Modification of Front and Sideyards - 6155 Lawrence Street

MOVED by Alderman Richard, seconded by Alderman O'Brien, that an application for a modification of front and sideyard requirements of the Halifax Zoning By-law to allow the conversion of the existing two-family dwelling at 6155 Lawrence Street into a four-unit apartment building, as shown on Drawings No. P200/1657-60, be rejected. The motion was put and lost, as follows:

For the Motion: Aldermen Black, Matheson, Trainor, Richard and O'Brien. - 5 -

Against: Aldermen Moir, A. M. Butler, Meagher, LeBlanc, Connolly, Doyle and H. W. Butler. -7-

MOVED by Alderman Black, seconded by Alderman O'Brien, that, as recommended by the Town Planning Board, Council fix Thursday, February 11, 1965, at 8:00 p.m. in the Council Chamber, City Hall, Halifax, Nova Scotia, as the time and place for a public hearing in connection with an application for a modification of front and sideyard requirements of the Halifax Zoning By-law to allow the conversion of the existing two-family dwelling at 6155 Lawrence Street into a four-unit apartment building. Motion passed.

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Revised Scheme, 39 Unit Apartment Building - 5778 (170) South Street

MOVED by Alderman O'Brien, seconded by Alderman H. W. Butler that, as recommended by the Town Planning Board, a revised scheme for the erection of a 39-unit, 5-storey apartment building at 5778 South Street, as shown on Drawings No. P200/1626-28, be approved. Motion passed.

Alteration to a Subdivision - Lot B - Prescott Street

MOVED by Alderman Connolly, seconded by Alderman Doyle that, as recommended by the Town Planning Board, an alteration to a subdivision of Lot B, Prescott Street, as shown on Drawing No. P200/1561, 00-9-16131, be approved and that the public hearing be waived. Motion passed.

County Subdivisions

MOVED by Alderman O'Brien, seconded by Alderman Connolly that, as recommended by the Town Planning Board, legislation be sought to have the Town Planning Act amended to obviate the requirement that County Subdivisions be approved by the Town Planning Board of the City of Halifax in view of the existence of the Halifax-Dartmouth and County Regional Planning Commission. Motion passed.

REPORT - PUBLIC HEALTH AND WELFARE COMMITTEE

Council considered the report of the Meeting of the Public Health and Welfare Committee held on January 5, 1965, respecting the following matter:

Change of Name - Halifax Convalescent Hospital

MOVED by Alderman Richard, seconded by Alderman O'Brien that, as recommended by the Public Health and Welfare Committee, legislation be sought to change the name of the Halifax

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Convalescent Hospital to "The Halifax Civic Hospital".

Motion passed.

MOVED by Alderman O'Brien, seconded by Alderman Black,
that this meeting adjourn until Saturday, January 16, 1965, at
10:00 a.m. Motion passed.

12:00 Midnight - Meeting adjourned.

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CITY COUNCIL
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Also present were Messrs. ...

C. C. ... Stoddard, W. G. ...

G. E. West, V. W. Mitchell, J. L. ...

Council presided by
**CHARLES A. VAUGHAN,
MAYOR AND CHAIRMAN**

**R. H. STODDARD,
CITY CLERK**

Agenda for the meeting of January 14, 1965, which had
closed at 12:00 midnight on January 14, 1965.

It was agreed to now consider the item - Report Re:
Special Committee to meet with Developers, which had been deferred
earlier on the agenda.

Report Re: Special Committee to meet with Developers

MOVED by Alderman Abbott, seconded by Alderman
A. M. Butler that, as recommended by the Finance and
Committee, at a meeting held on January 14, 1965, the following
resolution be adopted:

RESOLUTION

WHEREAS the City Council of the City of Halifax is
desirous of having certain parts of the downtown area of the City
redeveloped by private developers;

AND WHEREAS it has become apparent that preliminary
negotiations with any private developer or developers for the de-
velopment of all or any part of the downtown redevelopment area can-
not be conducted during open meetings of City Council, due to the
confidential nature of preliminary negotiations, particularly
with respect to the feasibility of any such proposed development;

CITY COUNCIL
ADJOURNED MEETING
MINUTES



Council Chamber,
City Hall,
Halifax, N. S.,
January 16, 1965,
10:00 a.m.

An adjourned meeting of the City Council was held on the above date; Council having adjourned at 12:00 midnight on January 14, 1965, to meet at this time to consider the balance of items on the agenda.

There were present His Worship the Mayor, Chairman, and Aldermen Black, Abbott, Moir, A. M. Butler, Meagher, LeBlanc, Doyle, Richard, O'Brien and H. W. Butler.

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

Council proceeded to consider the balance of the items on the agenda for the meeting of January 14, 1965, which had adjourned at 12:00 midnight on January 14, 1965.

It was agreed to now consider the item - Report Re: Special Committee to meet with Developers, which had been deferred earlier on the agenda.

Report Re: Special Committee to meet with Developers

MOVED by Alderman Abbott, seconded by Alderman A. M. Butler that, as recommended by the Finance and Executive Committee, at a meeting held on January 14, 1965, the following resolution be adopted:

RESOLUTION

WHEREAS the City Council of the City of Halifax is desirous of having certain parts of the downtown area of the City redeveloped by private developers;

AND WHEREAS it has become apparent that preliminary negotiations with any private developer or developers for the development of all or any part of the downtown redevelopment area cannot be conducted during open meetings of City Council, due to the confidential nature of such preliminary negotiations, particularly with respect to the financing of any such proposed development;

Council,
January 16, 1965.

NOW THEREFORE BE IT RESOLVED that a Committee consisting of His Worship the Mayor and members of the Development Committee and the City Manager is hereby formed and authorized to meet privately with any developer or developers in order to consider any development proposal or proposals by such developer or developers for the development of all or any part of the downtown redevelopment area; such meeting or meetings to take the form of preliminary negotiations for the purpose of enabling such developer or developers to make a firm development proposal or proposals to the City for the development of all or any part of the downtown development area. Insofar as any portion of the area for development involves land in which Central Mortgage and Housing Corporation is in partnership with the City, that it (the Corporation) be requested to appoint two members to the Committee to discuss any development proposals for that Area.

AND BE IT FURTHER RESOLVED that the foregoing resolution does not in any manner whatsoever abrogate, delegate, infringe upon, or replace the authority of the City Council to approve, disapprove, accept or reject any such development proposal or proposals, nor is any action, commitment, undertaking or recommendation of such Committee binding upon City Council which has the absolute right to approve, disapprove, accept or reject any such development proposal or proposals.

Alderman LeBlanc asked if the mover or seconder of the motion would give his reasons for proposing adoption of the resolution.

His Worship the Mayor said that since he had proposed the resolution in the Finance and Executive Committee, he felt he should be granted the right to explain the reasons why Council should adopt the resolution.

He continued and said that in the City Charter there is no barrier to the Mayor and City Manager meeting with developers; also, he felt that for the purpose of better discussion and for the benefit of the City, such discussions might be better carried on by the members of the Development Committee with the pertinent senior officials present.

Furthermore, it is also necessary to indicate to private developers that the City is interested in redeveloping several other areas in the downtown section of Halifax, in addition to the Central Redevelopment Area.

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10:10 a.m. Aldermen Connolly, Trainor and Matheson arrive and assume their seats.

A very lengthy discussion of over one and one-half hours duration ensued, during which the following members of Council expressed their views:

Alderman Black spoke at length opposing the adoption of the resolution.

The Deputy Mayor assumes the Chair while the Mayor addressed Council from the floor.

Alderman Matheson spoke in favour of the resolution.

Alderman Richard spoke expressing dissatisfaction with the resolution in its present form.

Alderman Connolly spoke in opposition to the resolution.

The Deputy Mayor assumes the Chair to permit the Mayor to again address the Council from the floor.

Alderman O'Brien spoke at length in opposition to the resolution contending that the suggested Committee does not represent the balance that is in the Council.

Alderman Black expressed the opinion that he and a number of other Aldermen would be happier if the Development Committee were re-constituted to consist of two members of the Finance and Executive Committee and two members of the Town Planning Board, which he contended would be the proper basis for a sub-committee to be involved with development.

Alderman Trainor favoured adoption of the original resolution contending that, the former method of having negotiations carried on by Staff having failed, Council should take advantage of the opportunity now available to have the development of the vacant land commenced.