

AMENDED

ORDER OF BUSINESS

CITY COUNCIL

JULY 14, 1966

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: June 30, 1966
4. Approval of Order of Business - Additions or Deletions
5. Deferred Items:
 - (a) Appointments to Industrial Development Commission
 - (b) Applications for Lord's Day Permits of June 16, 1966
 - (c) Motion of Alderman LeBlanc to Rescind Resolution of Council dated March 17, 1966 Re: Arm Causeway
 - (d) Report - His Worship the Mayor Re: Arm Causeway
 - (e) Appointments to Advisory Committee Re: Beautification of City
 - (f) Report - Board of Directors Centennial Aquarium
 - (g) Motion Alderman Trainor Re: Amendment to Ordinance #111
"Early Closing" - First Reading
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings and Hearings: NONE
9. Petitions and Delegations:
10. Report - Finance and Executive Committee:
 - (a) Tax Agreement - Dover Mills Limited
 - (b) Supplementary Appropriation - 316C City Charter - Gratuity in Lieu of Pre-retirement Leave - Retired Employees of Point Pleasant Park
 - (c) Repairs Guard Rail Bicentennial Drive
 - (d) Tax Agreement - Volvo Canada Limited
 - (e) Authority to Expend in Excess of \$1,000.00
 - (f) Supplementary Appropriation - 316C City Charter - Tax Appeal Court
 - (g) Supplementary Appropriation - 316C City Charter - Acquisition #2432 Creighton Street
 - (h) Request for Increased Grant - Victorian Order of Nurses
 - (i) Appointment of Architects - Swimming Pool
 - (j) Property Settlements - #81-83, 85-87, 89-93 Argyle Street
 - (k) Elimination Smoke Nuisance
- Report - Committee on Works:
 - (a) Tenders Storm & Sanitary Sewers
 - (b) Closing Bell Street - Central Redevelopment Area (Date for Hearing)
 - (c) Expropriation of Central Redevelopment Area
 - (d) Easement Agreements National Harbours Board
 - (1) Belmont on the Arm
 - (2) Emscote Subdivision
 - (e) Conveyance of Land at City Field to Province of Nova Scotia
 - (f) Relocation of City Field.

12. Report - Safety Committee: NONE

13. Report - Public Health and Welfare Committee: NONE

14. Report - Committee of the Whole Council, Boards and Commissions:

(a) Administrative Order #6 - Second Reading

(b) Appointment Building Committee Centennial Aquarium

15. Report - Town Planning Board:

(a) Rezoning - 6066-6084 and Four Lots at Rear Lady Hammond Road from R-2 to C-2

(b) Extension to a Non-conforming Building and Modification of Side Yard Requirements - 6011 Leeds Street

(c) School and Church Development - Dartmouth and Devonshire Avenues

(d) Modification of Setback Requirements - Lord Nelson Hotel Extension

(e) Parking Authority Ordinance

16. Motions:

17. Miscellaneous Business:

(a) Accounts Over \$1,000

(b) Pratley-Dorton Report Re: Narrows and North West Arm Bridges

(c) Resolution - Municipality of the County of Halifax Re: Arm Causeway

(d) Appointment of Delegates - Union of Nova Scotia Municipalities Conference - Amherst - August 28 to 31, 1966 inclusive.

(e) Rental Premises - 1825 Barrington Street for Civic Election Preparation

18. Questions:

19. Notices of Motion:

20. Added Items:

8:00 P.M.

MAY 14 1966

CITY COUNCIL

ORDER OF - 2 -

UNENDED

CITY COUNCIL
MINUTES

Council,
July 14, 1966

Applications for Lord's Day Permits of June
MOVED by Alderman LeBlanc, seconded by
that permits to operate stores on the day

Council Chamber,
City Hall,
Halifax, N. S.,
July 14, 1966,
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 Abbott, Moir, Ivany, A. M. Butler, Doyle, Meagher, LeBlanc, Connolly, Richard, O'Brien and H. W. Butler.

Also present were: Messrs. G. F. West, J. C. MacKenzie, R. H. Stoddard, M. M. Latham, R. B. Grant, D. Large, J. F. Thomson, Dr. E. M. Fogo, V. W. Mitchell, C. Chang and R. G. Cormier, H. K. Randall and Miss J. Lamb.

MINUTES

Minutes of the meeting held on June 30, 1966 were approved on motion of Alderman Abbott, seconded by Alderman LeBlanc.

APPROVAL OF ORDER OF BUSINESS - ADDITIONS OR DELETIONS

MOVED by Alderman O'Brien, seconded by Alderman Abbott that the Order of Business, as prepared, be approved. Motion passed.

DEFERRED ITEMS

Appointments to Industrial Development Commission

Further deferred.

Council,
July 14, 1966

Applications for Lord's Day Permits of June 30, 1966

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that permits to operate stores on the Lord's Day be granted to the undernamed applicants, a report having been submitted from the City Manager as to the condition of the individual premises:

Karl Jebeli	2891 Oxford Street
William Crocker	5528 Kaye Street
Elva Dowdal	2358 Gottingen Street
Wilfred Mansour	6509 Chebucto Road
Ruth Murray	5802 South Street

Motion passed.

Motion of Alderman LeBlanc to Rescind Resolution of Council dated March 17, 1966 Re: Arm Causeway

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that the resolution approved by Council at a meeting held on March 17, 1966, relating to the proposed construction of the North West Arm Causeway, be rescinded. Motion passed.

Report - His Worship the Mayor Re: Arm Causeway

This item was deleted from the Order of Business.

Appointments to Advisory Committee Re: Beautification of City

Further deferred.

Report - Board of Directors Centennial Aquarium

No report from the Board of Directors Centennial Aquarium was submitted.

Motion Alderman Trainor Re: Amendment to Ordinance #111 "Early Closing" - First Reading

Further deferred.

MOTIONS OF RECONSIDERATION

No Motions of Reconsideration were heard at this time.

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MOTIONS OF RESCISSION

No Motions of Rescission were heard at this time.

PUBLIC HEARINGS AND HEARINGS

No Public Hearings or Hearings were held at this time.

PETITIONS AND DELEGATIONS

No Petitions were received or Delegations heard at this time.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the meeting of the Finance and Executive Committee held on July 7, 1966, with respect to the following matters:

Tax Agreement - Dover Mills Limited

MOVED by Alderman Abbott, seconded by Alderman Doyle that, as recommended by the Finance and Executive Committee, the Draft Agreement between the City of Halifax and Dover Mills Limited, which provides for payment of a fixed tax of \$22,500 per annum by Dover Mills Limited for a five-year period in lieu of all business occupancy and real property taxes assessable in respect of a flour mill to be constructed on lands leased by the said Company from the National Harbours Board in the City of Halifax, be approved and that His Worship the Mayor and the City Clerk be authorized to execute same on behalf of the City. Motion passed.

Supplementary Appropriation - 316C City Charter - Gratuity in Lieu of Pre-retirement Leave - Retired Employees of Point Pleasant Park

MOVED by Alderman Connolly, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, the sum of \$1,075.68 be provided under the authority

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of Section 316C of the City Charter to pay gratuity in lieu of pre-retirement leave to the following retired employees of the Point Pleasant Park Commission:

Mr. Harold Perks	\$690.56
Mr. Edgar Boutilier	\$385.12

subject to verification by the Finance Department that the amounts of such gratuity were calculated in light of the policy respecting pre-retirement leave in effect at the time of the retirement of the two employees. Motion passed.

Repairs Guard Rail Bicentennial Drive

This item was referred to the Committee on Works to consider an estimate of costs and sketch to be submitted by the Acting City Manager at the next meeting of the Committee.

Tax Agreement - Volvo Canada Limited

MOVED by Alderman Moir, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, the Draft Agreement between the City of Halifax and Volvo (Canada) Limited, respecting taxes to be paid by the said Company in respect of its occupancy of a building to be erected at Pier 9, Halifax, Nova Scotia, for the purpose of automotive assembly operations, be approved and that His Worship the Mayor and the City Clerk be authorized to execute same on behalf of the City. Motion passed.

Authority to Expend in Excess of \$1,000.00

MOVED by Alderman Meagher, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, the City Manager be authorized to expend funds in excess of

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\$1,000 for the following purposes:

(1) North Commons Revitalization and Development grading, sodding, shrubs, professional services - \$22,000

(2) North Commons - Fountain materials - equipment and work performed - R. Link & Associates - \$25,000

funds having been provided in Capital Account No. 57-14.

Motion passed.

Supplementary Appropriation - 316C City Charter - Tax Appeal Court

MOVED by Alderman LeBlanc, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, a supplementary appropriation in the amount of \$1,500 be provided under the authority of Section 316C of the City Charter to cover the cost of the outstanding accounts of the Court of Tax Appeals. Motion passed.

Supplementary Appropriation - 316C City Charter - Acquisition #2432 Creighton Street

MOVED by Alderman A. M. Butler, seconded by Alderman Richard that, as recommended by the Finance and Executive Committee, a supplementary appropriation in the amount of \$11,773.42 be approved under the authority of Section 316C of the City Charter to cover the cost of acquisition of the Symonds Property at 2432 Creighton Street, such approval to be given on the understanding that if the Creighton Street Housing Project is accepted by Central Mortgage and Housing Corporation as a partnership-cost-shared project, the acquisition cost of the property be made a charge against the capital funds of the said project. Motion passed.

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Request for Increased Grant - Victorian Order of Nurses

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, approval in principle be given to the request of the Victorian Order of Nurses for an increased grant in 1966 (from \$5,000 to \$10,000) in view of the fact that this organization is providing essential community services (bedside nursing and infant and maternal programs) which otherwise would have to be provided by the City Health Department; and that the appropriate staff members be directed to confer and report with their suggestions as to ways and means of providing the necessary assistance to the Victorian Order of Nurses utilizing all possible sources including Federal and Provincial Government Assistance Plans. Motion passed.

Appointment of Architects - Swimming Pool

This item was referred to the Recreation Commission for consideration and report to the Finance and Executive Committee.

Property Settlements - #81-83, 85-87, 89-93 Argyle Street

Deferred in Committee.

Elimination Smoke Nuisance

Referred to the Finance and Executive Committee for preparation of a resolution.

8:07 p.m. Alderman Matheson arrives.

REPORT - COMMITTEE ON WORKS

Council considered the report of the meetings of the Committee on Works held on July 5 and 13, 1966, with respect to the following matters:

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Tenders Storm and Sanitary Sewers

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Committee on Works, the tender of Fraser Construction Ltd., the lowest tender, be accepted in the amount of \$32,098.00, for the installation of storm and sanitary sewers in MacLeod Drive, Campbell Drive, Francklyn Street and Grant Street. Motion passed.

Closing Bell Street - Central Redevelopment Area

MOVED by Alderman Meagher, seconded by Alderman Moir that, as recommended by the Committee on Works, the closing of Bell Street, between Argyle and Barrington Streets, in the Central Redevelopment Area, be approved and that Council fix Thursday, August 25, 1966, 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. Motion passed.

Expropriation of Central Redevelopment Area

MOVED by Alderman Ivany, seconded by Alderman A. M. Butler that, as recommended by the Committee on Works, the City of Halifax expropriate the lands within the Central Redevelopment Area and that the necessary plan, description and resolution be prepared for submission to Council. Motion passed.

Easement Agreements National Harbours Board

- (1) Belmont on the Arm
- (2) Emscote Subdivision

MOVED by Alderman Abbott, seconded by Alderman O'Brien, that, as recommended by the Committee on Works:

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1. The City Solicitor approve the terms and conditions set out in the Sewer Easement Agreements with the National Harbours Board to provide storm sewer overflows to serve the above subdivisions from May 1, 1966 to April 30, 1986;
2. The Mayor and the City Clerk be authorized to sign these Agreements on behalf of the City;
3. A cheque in the amount of \$25.00 be forwarded to the National Harbours Board for the first year's rental for each Agreement.

Motion passed.

Conveyance of Land at City Field to Province of Nova Scotia

MOVED by Alderman Meagher, seconded by Alderman Abbott that, as recommended by the Committee on Works, the City of Halifax advise the Premier of Nova Scotia that the land at the City Field, required for a Nova Scotia Museum, will be made available to the Province for such a purpose and that the City will give vacant possession by July 1, 1967.

8:13 p.m. Alderman Black arrives.

Some discussion followed with regard to this item, during which time Alderman Moir stressed, as he had on previous occasions, that he was against the proposal and that he felt this land should be returned to common land.

It was then MOVED by Alderman O'Brien, seconded by Alderman Abbott that:

- (i) the City of Halifax advise the Premier of Nova Scotia that the land at the City Field, required for a Nova Scotia Museum, will be made available to the Province for such a purpose and that the City will give vacant possession by July 1, 1967;
- (ii) Council inform the Premier of the Province of Nova Scotia that the value for which the property would be transferred to the Province is \$386,000.00 and that the City of Halifax would welcome authority to pay a grant towards the Museum of \$286,000.00;

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(iii) in recognition of this contribution by the City of Halifax, the Province of Nova Scotia be requested to authorize the City Council to name one or more representatives to the Board of Directors of the Museum.

The motion was put and passed, twelve voting for the same and one against it as follows:-

For:	Aldermen Black, Abbott, Ivany, Matheson, A. M. Butler, Meagher, LeBlanc, Connolly, Doyle, Richard, O'Brien and H. W. Butler	12
Against:	Alderman Moir	1

Relocation of City Field

The following recommendation was submitted:

It is recommended that City-owned land at the northeast corner of MacIntosh and Forrester Streets be selected as a site for the relocation of the City Field.

The question was asked why the suggested site at the Exhibition Grounds was abandoned in favour of the Forrester Street site, to which His Worship the Mayor replied that if the Industrial Building were utilized, then another building would have to be constructed to provide space for the Atlantic Winter Fair.

Following a short discussion, Alderman O'Brien requested a Staff report on matters involving staff assessment of the advantages and disadvantages of any alternative sites as well as the cost factor.

In reply to a question, His Worship the Mayor advised that the Provincial Government had no plans for relocating the Department of Highways garage.

It was then MOVED by Alderman O'Brien, seconded by Alderman Black that the matter be referred to the Committee on

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Works for a sketch of the area and a Staff report with an assessment of the cost factors involved before Council takes action on the matter.

Alderman Connolly stated that other sites have already been discussed. He pointed out that the recommended site will not cost the City any money except for the development of the property and that it has three access points and is near the City Dump and Incinerator.

The motion to refer was put and passed, ten voting for the same and three against it as follows:

For: Aldermen Abbott, Moir, Ivany, Matheson, A. M. Butler, Meagher, LeBlanc, Richard, O'Brien and Black. 10

Against: Aldermen Connolly, Doyle and H. W. Butler. 3

REPORT - SAFETY COMMITTEE

No report was submitted at this time.

REPORT - PUBLIC HEALTH AND WELFARE

No report was submitted at this time.

ADMINISTRATIVE ORDER NO. 6 - SECOND READING

MOVED by Alderman Moir, seconded by Alderman Matheson, that Administrative Order No. 6, Respecting the Determination of Various Grants to be Paid by the City of Halifax, read and passed a first time at the meeting of City Council held June 30, 1966, be read and passed a second time. Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Appointment of Building Committee - Centennial Aquarium

Pursuant to the direction of City Council at a meeting held May 26, 1966, His Worship the Mayor nominated the following to a Building Committee to act during the design and construction of the Centennial Aquarium:

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Alderman H. G. Ivany, representing the City Council
Dr. Carl Boyd) representing the Board of Directors
Dr. E. G. Young) of the Centennial Aquarium

MOVED by Alderman Abbott, seconded by Alderman Matheson,
that the nominations be approved. Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the meeting of the Town
Planning Board held on July 5, 1966, with respect to the following
matters:

Rezoning - 6066-6084 Lady Hammond Road and four Lots
at the rear of said property from R-2 Zone
to C-2 Zone

MOVED by Alderman Connolly, seconded by Alderman Meagher,
that, as recommended by the Town Planning Board,

- (1) the rezoning of 6066-6084 Lady Hammond Road and
four lots at the rear of said property from
R-2 Residential Zone to C-2 Commercial Zone be
approved;
- (2) a date be set for a Public Hearing; and
- (3) the property owners to be notified of the Hearing
be those included within the boundaries of the
area outlined on the sketch prepared by staff,
and amended thereto.

Motion passed.

Extension to a Non-conforming Building and Modification
of SideYard Requirements - 6011 Leeds Street

MOVED by Alderman Ivany, seconded by Alderman H. W.
Butler, that, as recommended by the Town Planning Board, the extensio
to a non-conforming building and modification of side yard require -
ments at 6011 Leeds Street to permit a one storey addition at the
rear, as shown on Drawing Nos. P200/2090-91, be approved. Motion
passed.

School and Church Development - Dartmouth and Devonshire Avenues

MOVED by Alderman Connolly, seconded by Alderman

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H. W. Butler, that, as recommended by the Town Planning Board,

- (1) City-owned land bounded by Roome Street, Acadia Street, and Devonshire Avenue be sold to Knox Presbyterian Church;
- (2) Knox Presbyterian Church be permitted to build a church and church hall on the site in accordance with the designs already prepared; and
- (3) A Public Hearing be held to close a portion of Acadia Street.

Alderman A. M. Butler requested to be excused from voting on this matter.

Alderman A. M. Butler then pointed out that the land in question was conveyed free of charge to the City by the Halifax Relief Commission as open space for recreational purposes and should be maintained as such. He objected to the City's selling the land and suggested that the land be conveyed to the Knox Presbyterian Church free of charge.

The motion was put and passed, 12 members voting in favor of the motion and one member abstaining, as follows:

In favor of the Motion: Aldermen Moir, Ivany, Matheson, Meagher, LeBlanc, Connolly, Doyle, Richard, O'Brien, H. W. Butler, Black and Abbott

Abstaining: Alderman A. M. Butler.

Modification of Setback Requirements -
Lord Nelson Hotel Extension

MOVED by Alderman Connolly, seconded by Alderman Ivany, that, as recommended by the Town Planning Board, the modification of setback requirements be granted to permit a two storey extension of existing Lord Nelson Hotel building as shown on the plans accompanying the building permit application and that the public hearing be waived. Motion passed.

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Ordinance - "The Parking Authority of Halifax"

MOVED by Alderman Connolly, seconded by Alderman Ivany, that, as recommended by the Town Planning Board, Staff be instructed to prepare an Ordinance establishing, an Authority to be known as "The Parking Authority of Halifax", under the provisions of Section 20 of Chapter 58 of the Acts of the Province of Nova Scotia, 1959; such Ordinance to entrust to the Parking Authority the maintenance, control, operation and management of parking facilities within the City, owned or leased by the City.

Alderman LeBlanc suggested that Staff be instructed to consider for inclusion in the Ordinance the control of the allocation of taxi spaces to taxi companies and the use of same.

Alderman O'Brien questioned whether or not Chapter 58 of the Statutes of 1959 gives the City authority to delegate borrowing powers to the Parking Authority for the purpose of financing capital projects separately from the City's borrowing.

It was suggested that this question be considered by the City Solicitor and if, in his judgment, it is one that the Council ought to consider and the City lacks the legislative authority, Council could consider seeking the authority.

The City Solicitor was requested to submit a report on both matters prior to the draft ordinance being submitted.

The motion was put and passed.

MOTIONS

None.

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MISCELLANEOUS BUSINESS

Accounts Over \$1,000

The following accounts over \$1,000 were submitted and recommended for payment by the Acting City Manager:

<u>Dept.</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Police	Alfred J. Bell & Grant Ltd.	Police Fleet Ins.	\$ 3,642.
Works	R. K. Kelley & Co. Ltd.	Works Fleet Ins.	12,237.20
	N.S. Light & Power Co. Ltd.	*1964 St. lighting change-over program	8,614.56
			<u>\$24,493.76</u>

*This work was carried out in 1965 and billed to the City in June, 1966.

MOVED by Alderman Doyle, seconded by Alderman Black, that the accounts be approved for payment. Motion passed.

Pratley-Dorton Report Re: Narrows
and North West Arm Bridges

At this time the Pratley-Dorton Report was tabled along with a Resolution approved by the Halifax-Dartmouth Bridge Commission at a meeting held on July 8, 1966.

His Worship the Mayor suggested that no action be taken until a request is received from the Bridge Commission for the City of Halifax to guarantee its financial participation in the project.

Resolution - Municipality of the County of
Halifax Re: Arm Causeway

The following resolution was submitted from the Municipality of the County of Halifax:

"The Council of the Municipality of the County of Halifax respectfully requests that the Government of the Province of Nova Scotia, and the Corporation of the City of Halifax give further consideration to the indicated construction of a causeway at the Arm with a view to rescinding the present decision; and further consideration be given to improvement at the Rotary - taking into consideration the observations of the Halifax County Planning Board recommendations -- always having in view the early future construction of the Bridge across the Arm."

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Appointment of Delegates - Union of
Nova Scotia Municipalities Conference -
Amherst, August 28 to 31, 1966, inclusive

His Worship the Mayor nominated the following for appointment as voting delegates at the Annual Convention of the Union of Nova Scotia Municipalities to be held in Amherst from August 28 to 31, 1966, inclusive: Aldermen LeBlanc, O'Brien, Doyle, Matheson and Ivany; Non-voting: Alderman A. M. Butler.

MOVED by Alderman Black, seconded by Alderman Moir, that the appointments be approved. Motion passed.

Rental of Premises - 1825 Barrington Street
for Civic Election Preparation

A report was submitted from the City Clerk, Returning Officer for Civic Elections, requesting authority to rent premises suitable to carry out the preparation of the Election Lists and other routine in connection with the forthcoming Election.

MOVED by Alderman Meagher, seconded by Alderman O'Brien, that the Returning Officer be authorized to rent the premises, #1825 Barrington Street, owned by Mr. Gus Koskolos, at a monthly rental of \$175.00, including heat and lights, effective July 1, 1966.

Alderman LeBlanc felt that the rental was excessive and he suggested that attempts be made to negotiate a lower price.

The motion was passed.

QUESTIONS

Question - Alderman O'Brien Re Lands for new Mental Hospital

In answer to a question of Alderman O'Brien, His Worship the Mayor informed that during his recent Ottawa trip he was unable to make any progress respecting land on which to build

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a new mental hospital because both the Minister and Deputy Minister were absent from the City. His Worship said he had written to the Minister a few days ago repeating the City's concern of the delay and requesting action.

Question - Alderman O'Brien Re Site for new Court House

Alderman O'Brien referred to the recent press releases respecting the siting of a new Court House and he asked where the matter lies at the moment and what would be the procedure of any change in siting if one is deemed advisable.

His Worship pointed out that Council agreed to convey the land for a stated sum to the Court House Commission in March. He suggested that if the City wishes to express any change in view, the Council would have to advise the Court House Commission that they would like to reconsider the matter.

Alderman Black suggested that any change in siting should be initiated by the Court House Commission.

Question - Alderman Black Re: Trustees of Consolidated Sinking Fund

Alderman Black asked if the Trustees of the Consolidated Sinking Funds met recently and he was informed by His Worship that the Trustees met a few days ago.

Question - Alderman Matheson Re: Certain Atlantic City Mayors' approach for inclusion of their Cities in the Federal Government Plan for assistance for economic development in the Atlantic Provinces

Alderman Matheson referred to the recent meeting of Mayors of Halifax, Dartmouth, St. John and Fredericton respecting their approach to have their respective cities included in the Federal Government Plan for assistance for economic development in the Atlantic Provinces and he asked if the Council of the City of Halifax has endorsed the stand that His Worship has taken on the

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the matter as he felt that Council's approval may strengthen the Mayor's stand.

His Worship pointed out that a few months ago Council did agree to take every effort to have the City of Halifax included in the program following which the Mayors in question had a conference with the Chairman of the Atlantic Development Board and the group was made aware of the fact that comparable assistance through the Atlantic Development Board, either in dollars or any other measures, would not be available. He said that two other possible courses of action are being considered to give effect to the direction of Council.

Question - Alderman LeBlanc Re: Amalgamation Hearings
before Public Utilities Board

Alderman LeBlanc referred to the recent hearings on amalgamation held before the Public Utilities Board and he asked whether or not the matter would be considered by the respective Councils before further submissions to the Board.

The Deputy City Solicitor informed that there is no action to be taken at the moment, but Council endorsement of a brief, if one were to be prepared, may be favored.

Question - Alderman LeBlanc Re: Extension of Watershed Area

Alderman LeBlanc referred to the consideration by the Public Service Commission of extending the City's watershed area and he asked if Council were awaiting a report from the Public Service Commission.

The Alderman was informed by His Worship that the matter is being processed by the Public Service Commission, but no report to Council is anticipated because Council had conveyed its assets to the Public Service Commission and they have

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responsibilities under the Act to provide water supply to the City of Halifax.

Question - Alderman Doyle Re: Natal Day

Alderman Doyle referred to the decision of the Natal Day Committee not to have fireworks as part of the Natal Day Celebrations and he asked that consideration be given to an additional appropriation to the Committee to cover the cost of a fireworks display.

At this time, Alderman Ivany made a brief report on the plans of the Natal Day Committee. He said he was happy to report that Halifax Herald Limited are contributing \$1,000, the Halifax Shopping Centre, Gottingen Street Shopping Centre, Simpsons and the Junior Chamber of Commerce are contributing toward the cost of fireworks for Natal Day Celebrations.

His Worship then commended and thanked Alderman Ivany, Chairman of the Committee, on behalf of Council for his program arrangements, particularly his efforts in succeeding in arranging contributions toward the cost of fireworks. He cited the provision of a fireworks display as a "wonderful form of citizenship" and he expressed the appreciation of the Council.

Question - Alderman Doyle Re: Site for building - Halifax Police Boys' Club

Alderman Doyle requested that consideration be given to locating City-owned land on which the Halifax Police Boys' Club could erect a building to house the activities of the Club. He suggested that the land be either sold or donated to the Club.

His Worship said that several officers of the Club had met with the City Manager and himself to discuss their needs and they have very ambitious plans, including a swimming pool.

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In view of the fact that they are very short on funds and have no concrete plans for raising the funds, His Worship said that he suggested that the Club make plans for raising the money and then come back to the City to discuss the matter further and assistance in finding a site would be arranged.

Question - Alderman A. M. Butler Re: Urwick Currie Report
on Administration - Observation

Alderman A. M. Butler referred to the following clause in the Urwick Currie Report on Administration: "Opportunities for cost reductions have been identified, which, when implemented, could yield economies estimated at \$100,000 per year."

He requested that the Implementation Committee place the clause before the consultants for an explanation and when same is received that a report be submitted to Council.

Question - Alderman Black Re: Halifax not being included
in the Federal Government Plan for assistance for
economic development in the Atlantic Provinces

Alderman Black asked if, at the next meeting of the City Council, the matter of the City's request for inclusion in the Federal Government Plan for assistance for economic development in the Atlantic Provinces could appear on the agenda for discussion.

It was agreed that the matter appear on the agenda of the next regular meeting of Council.

Question - Alderman Moir Re: Name for Fountain on Commons

Alderman Moir asked if a name had been chosen for the fountain on the Commons and he was informed in the negative by His Worship.

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NOTICES OF MOTION

Alderman O'Brien Re: Court House Site

(1) Alderman O'Brien gave notice that at the next regular meeting of Council he would move that, notwithstanding previous decisions on the location of the Court House, Council give further consideration to the question of the most appropriate site and that Council request planning advice from staff on the matter; and that members of the Court House Commission Building Committee be invited to attend the meeting when the matter is discussed.

Meeting adjourned 9:30 p.m.

HEADLINES

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SPECIAL CITY COUNCIL
MINUTES

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

Before considering **CHARLES A. VAUGHAN** of business,
MAYOR AND CHAIRMAN

the members of Council attended, led by the City Clerk, joined in reciting the Lord's Prayer.

R. H. STODDARD,
CITY CLERK

Present were Mayor C. A. Vaughan, Chairman; Aldermen Black, Abbott, Moir, Neary, Neagher, Trainor, Richard and O'Brien.

Also present were Messrs. W. J. West, Acting City Manager; R. H. Stoddard, City Clerk; J. P. Thomson, S. A. Ward, Malcolm Lather and A. M. Grant.

Representatives of the Halifax Developments Limited present were Messrs. C. B. McCulloch, W. P. Bergman and H. P. Connor.

The meeting was called specially to consider proposed agreement between City of Halifax, Central Mortgage and Housing Corporation and the Halifax Developments Limited re: Scotia Square Project.

3:05 p.m. Council adjourned to meet as a Committee of the Whole to consider the various recitals in the agreement.

A draft agreement between the City of Halifax, Central Mortgage and Housing Corporation and the Halifax Developments Limited, dated July 5, 1966, relating to the Scotia Square Project, was submitted for consideration.

At this time, the Committee agreed that

Mr. McCulloch should submit and read the following letter:

SPECIAL CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
July 18, 1966,
3:00 p.m.

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

Before considering the regular Order of Business, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

There were present Mayor C. A. Vaughan, Chairman; Aldermen Black, Abbott, Moir, Ivany, Meagher, Trainor, Richard and O'Brien.

Also present were Messrs. G. F. West, Acting City Manager, R. H. Stoddard, Colin MacKenzie, J. F. Thomson, S. A. Ward, Malcolm Latham and R. B. Grant.

Representatives of the Halifax Developments Limited present were Messrs. C. E. MacCulloch, W. B. Hardman and H. P. Connor.

The meeting was called specially to consider proposed agreement between City of Halifax, Central Mortgage and Housing Corporation and the Halifax Developments Limited re: Scotia Square Project.

3:05 p.m. Council adjourned to meet as a Committee of the Whole to consider the various recitals in the agreement.

A draft agreement between the City of Halifax, Central Mortgage and Housing Corporation and the Halifax Developments Limited, dated July 6, 1966, relating to the Scotia Square Project, was submitted for consideration.

At this time, the Committee agreed that Mr. MacCulloch should submit and read the following letter:

Council,
July 18, 1966.

Halifax Developments Limited
5138 Prince Street
Halifax, N.S.

July 14, 1966.

His Worship the Mayor and
Members of the City Council,
City Hall,
Halifax, N. S.

Dear Sirs:

RE: SCOTIA SQUARE

The proposed agreement for the above project drafted by the City has been considered by the Directors of the Halifax Developments Limited. Some difficulty has been experienced due to certain of our personnel being away, and key persons of the City Staff have also been out of town during the past week.

Our Company wishes to press forward with the undertaking as quickly as possible, so we trust the Council will approve the agreement at this evening's meeting.

It is our wish to make comments on our understanding of the agreement and we think the comments should be a matter of record.

As all Aldermen are aware, the financial picture in Canada, the United States and abroad has deteriorated sharply from the time, about 12 months ago, when our Group became actively interested in the Central Redevelopment plan. Interest rates for prime lending have risen 3/4% to 1%. On Phase I anticipated costs of some \$20,000,000, the annual burden of interest charges will be up \$150,000 to \$200,000. For a proposed commercial borrowing of the size of Scotia Square, the interest rates will be fixed for much longer than the conventional five year term.

This should not be taken to indicate that there is any weakening in our resolve to carry the undertaking through; it does mean, however, that we need the utmost cooperation and assistance that may be legitimately requested from the Partnership.

Turning to the agreement, we have the following comments:

(1) Page 11, Section 26. We have agreed to an escalation clause on the purchase of the lands at 5% per annum. This is a sharp annual increase and we seek clarification that "the appropriate stage as set out in Appendix "C" be deemed to be stage 9. Some doubt exists whether stage 7 is contemplated. At stage 9 it

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will be much easier for the Company to determine whether it will continue the lease arrangement, or to purchase the land in fee simple.

(2) Page 12, Section 29. The performance deposit of \$150,000 is suggested to be in a form that would yield 4½% interest to the Company. This term was obviously drafted before interest rates went to their present level, and we request that we may deposit securities of approved trustee investments in Nova Scotia and subject of course to the Partnership approval.

(3) Page 15, Section 32. This envisages the possibility the City may in the future enter into large-scale parking complexes. It might be these would be operated with the primary intention of easing City traffic congestion and not necessarily be on an economic basis. This could prejudice the Company which has 2,300 parking spaces allocated in Scotia Square for this purpose. While Section 32 is general only in form, we think that if such a course were to be contemplated by the City the position of our Company would be considered.

(4) Pages 6, 14, 17, Sections 11, 31(a), (i), and 36. Delays might arise due to the failure of the Partnership to provide the location and elevation of Harbour Drive, Cogswell Street and Barrington Street inter-sections, or in clearing the Miner Rubber and City Market Land. The effect is that extra time would then be permitted for the Company's building programme.

Page 17, Section 37 excuses City delays for specified causes, but if delay arose from other causes it apparently would follow that the Partnership could be liable. We are anxious that the good relationship and cooperation we have enjoyed with the Partnership continue, and we are confident that the Partnership, once we get under way, will do its part to make roads and land available as required. We suggest it is fair, however, to provide a penalty where the Company suffers damages arising out of default on the part of the Partnership.

(5) Third recital on Page 2 and Appendix D. These parts of the agreement, while constituting a moral undertaking of the City, are clearly not of a binding nature. The City and its various agencies have a considerable amount of rented space in the City, some of it near City Hall. We believe that the City Staff can, without undue difficulty, now estimate its space requirements for 1968 and that the City should take the further step that is envisaged in Schedule D, and give a firm undertaking for its space needs. Several lengthy and protracted discussions have been held with lending institutions in Canada and the United States, and their requirements for prime tenancy commitments are of outstanding importance. The position of the Company would

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be greatly assisted by an agreement to lease to the City on a definitive basis. The support of the City shown to the Company in this tangible way would be most helpful, particularly during this present tight money market situation.

(6) Page 18, Paragraph 40. A hotel is contemplated for the project. The Nova Scotian Hotel enjoys wide City tax privileges and the Lord Nelson Hotel and the Dresden Arms Motor Hotel also have certain tax concessions. In our discussions with Partnership Officials prior to the Partnership accepting our Proposal, civic taxes were discussed at some length and, although at one time the size and risk of the project seemed to make it reasonable that certain general tax relief be granted, we agreed to limit our request to the pattern enjoyed by other hotels only.

In the City's acceptance of our proposal several weeks ago the following paragraph reflected this understanding:

"The City of Halifax indicates to Halifax Developments Limited that the taxes which will be assessed against the project during and after construction will be assessed in the same manner as would be applicable to other developments within the City."

Paragraph 40 as now drafted indicates comparisons will be drawn with future building programmes only.

(7) The pro forma Lease has several minor points to be considered. It is, however, only a model and we are satisfied that these matters can be arranged without difficulty. However, we particularly draw attention to Para. 4 (top of page 3) which calls for payment of rental a year in advance. The City will be holding \$150,000 of the Company's funds as a Performance Deposit and, rather than having rental payable a year in advance, we suggest it would be more reasonable to have it payable quarterly.

Yours very truly,

HALIFAX DEVELOPMENTS LIMITED

(Signed)

C. E. MacCulloch, Vice-President

The letter was considered item by item.

Section #26, Page 11

Alderman Black suggested that this Section be reworded by adding to it the various dates when the completion

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of various phases is intended and the option should start one year after.

His Worship the Mayor pointed out that Appednix "C" lists all stages with starting and finishing dates and it is one year after the finishing date that the escalation comes into effect.

Alderman Black was of the opinion that no option may be exercised until the phase is completed. He suggested that the option could be exercised anytime after any phase has been completed for a period of 12-1/2 years but no option should be in existence with respect to vacant land.

It was agreed that the various periods would be listed in an amended section 26 when the escalation clause would take effect. This to include that there would be no option to purchase until all phases are completed.

Section #32, Page 15

Alderman O'Brien asked if the Company were making a request to amend the agreement to which Mr. MacCulloch replied that the Company is only asking for the same consideration that the City would give someone else.

Alderman O'Brien pointed out that the circumstances might be such which would not make it clear. He cited the case where the City might subsidize parking in the Spring Garden Road Area but not Tex-Park Limited.

Mr. MacCulloch stated that the City is not obligated because it is not in the agreement. He again asked the City to be fair about the matter.

His Worship the Mayor stated that the City might

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evolve a policy within twelve months or two years and the Company was simply asking for the same kind of consideration. He felt it was a fair and reasonable request.

Alderman Trainor suggested that if some outside Company constructed several parking garages at an agreed tax rate, then the City would then have to make an arrangement with Halifax Developments Limited to which His Worship the Mayor replied in the affirmative.

Mr. MacCulloch pointed out that the City might be charging lower parking rates for an area which might adjoin the Company's shopping area.

It was then agreed to give the Company consideration if and when a situation should arise with respect to the City entering into large scale complexes.

Sections #11, #31 (a)- 1, #36 and #37, Pages 6, 14 & 17

Mr. MacCulloch stated that if the Company suffers due to delays caused by the City and would cost the Company a great deal of money, he felt that there should be a penalty on both sides.

The Development Officer pointed out that if the City were the cause of extra expense to the Company, the Company would have the right of action against the City for the damages incurred. He advised that the only place in which the City excluded itself from liability was in the case of an act of God.

It was agreed that no change be made in the above sections of the agreement.

Recital #3, Appendix "D", Page 2

Alderman Ivany stated he would like to see some way that the City could consider this matter. He felt the City

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should give some support where it could. He asked the members of Council to read Appendix "D" to see how the matter is covered; the City is not really committed but near enough.

Alderman Black stated that it would be bad faith on the part of Council if it were to enter into agreements with some other developer who wants to put up an office building on the available land in the Central Business District. He felt that under the terms of the agreement, the Halifax Developments Limited would have a very good cause for complaint.

After discussion, it was agreed that Staff prepare a report outlining space requirements.

Mr. MacCulloch pointed out that if the City could do anything for the Company in the matter of rental in 1968, it would do a lot towards obtaining mortgage money.

His Worship the Mayor suggested that Staff prepare a report showing what the City's needs are likely to be over the years.

Alderman Black suggested giving the Company a letter of intent later on.

Mr. MacCulloch then asked for a letter of intent as it would help them in raising the necessary finances.

It was then agreed that Staff prepare a report outlining space requirements for the City's needs over the years and that Council consider the report and come to a decision.

Alderman Abbott suggested that if the Company had a letter of intent from the City, this would be one way the City could help the Company without cost.

His Worship the Mayor pointed out the possibility that the City might want to construct its own building and

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therefore, the City should not tie its hands at the present time without examining all the implications. He suggested that the report be prepared but in no way would the City commit itself.

It was then agreed that the Staff Report be prepared for consideration by Council.

Section #39, Page 40

While considering tax concessions, Alderman Abbott suggested one similar to that in effect for the Dresden Arms Motor Hotel. He suggested that a section be included in the agreement.

Alderman Black suggested the inclusion of the following wording: "in the event that the Company applies for a tax concession similar to those granted other hotels in the area, fair consideration will be given to such a request".

It was suggested that Alderman Black's wording could be added to by the following: "but such concession shall not be less than that granted to the Dresden Arms Motor Hotel".

Alderman Richard suggested the following addition to that of Alderman Black's wording: "that such negotiations will be carried on in the light of the preferential treatment given with respect to the lease of the land".

Alderman O'Brien felt that the wording should not refer specifically to "preferential treatment on the land" but should imply that all factors of the relationship between the City and the Company; the City and other hotel companies, would be taken into account if considering any application for a tax concession.

It was then agreed to delete the following words from the second last line of Section #40 "now under construction or to be constructed".

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Section #4, Page 3 -"Indenture of Lease"

Mr. MacCulloch pointed out that the City will be holding \$150,000 of the Company's funds as a "Performance Deposit" and rather than having rental payable a year in advance, he suggested that it would be more reasonable to have it payable quarterly.

After a short discussion, it was agreed that while the City holds the \$150,000 Performance Deposit, the rent would be payable quarterly in arrears. When the \$150,000 is returned to the Company on completion of the project, the rent would be payable in advance.

Section #31(a)-2, Page 14

Alderman O'Brien drew attention to the above section which relates to the payment of normal betterment charges. He pointed out that the City might revise its rates for such charges and he felt that something should be inserted in the agreement to cover such an instance.

Alderman Trainor suggested the following be added to sections 31(a)-2: "during the construction period of the project and thereafter any betterment charges as may be in effect by the City".

His Worship the Mayor suggested the following: "also for such betterment charges which may be in effect from time to time".

Alderman O'Brien suggested the following clause: "the foregoing will not prevent the City from charging the betterment charges in existence after the completion of any given phase of the project".

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His Worship the Mayor stated that Council should make sure that the normal policy will apply. He therefore suggested the following clause: "at the rate or rates as Council may from time to time determine" be added after the word "charges" in the second last line. Alderman O'Brien pointed out that this same wording would have to be included in section 31(a)-3 as well.

This clause was agreed to by Council.

Mr. Hardman suggested the insertion of another clause to read as follows: "up and until 1973 the charges currently in force will apply".

His Worship the Mayor suggested the following wording: "the City undertakes to install services at rates in effect from 1966 up to 1973" but after conferring with the Commissioner of Works, he saw no reason why there should be extra-ordinary rates for betterment charges in this case. If the rates are increased, the Company should pay the same as any other developer.

Mr. Hardman's suggestion was not approved.

At the request of Alderman O'Brien, the Development Officer explained section 30 of the agreement as shown on page 13 for the information of the members of Council.

Alderman Black referred to page 3, section #3 and asked if the word "or" was an alternative to "A" and "B".

His Worship the Mayor replied that the "or" concerned "B" and "C".

Alderman Black then referred to page 4, section 5 and noted that the words "on behalf of the partnership" are used in the second, fourth and seventh lines thereof.