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meeting with respect to the Regulations, and he explained his difficulties in parking his trailer as he has a basement garage.

After a short discussion, it was MOVED by Alderman Meagher, seconded by Alderman LeBlanc that the Regulations be referred back to the Town Planning Board with a recommendation that persons with basement garages can park their trailers in side yards and that the whole matter be reconsidered. Motion passed with Alderman Black voting against.

MOTIONS

No Motions were heard at this time.

MISCELLANEOUS BUSINESS

Accounts Over \$1,000.00

MOVED by Alderman Black, seconded by Alderman A. M. Butler that the City Manager be authorized to pay the following accounts over \$1,000.00:

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
N. S. Light & Power Co.	Street light installation Uniacke Square	\$ 7,400.00
Nova Scotia Housing Commission	Construction costs - Uniacke Square	166,544.38
		<u>\$173,944.38</u>

Motion passed.

Lord's Day Permits

MOVED by Alderman Ahern, seconded by Alderman Connolly that permits to operate a business on the Lord's Day be granted to the undernoted applicants:

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<u>APPLICANT</u>	<u>BUSINESS ADDRESS</u>	<u>TYPE OF BUSINESS</u>
Hyman Wagner	6105-7 Charles Street	Grocery Store
Jean Henderson	3461 Dutch Village Road	Grocery Store
E. G. Nelson	2322-24 Hunter Street	Grocery Store
Leo Francis	3619 Gottingen Street	Food Shop
Victor Kenefick	5534 North Street	Grocery Store
Donald P. Langille	1310 Birmingham Street	Grocery Store
Joseph & Elie Salah	2622 Agricola Street	Grocery Store
Mrs. Mary Irene Pelrine	2103 Maitland Street	Grocery Store
William Vlahos	6516 Chebucto Road	Grocery Store
Elliot Fineberg	5595 Fenwick Street	Billiard Hall
Kenny Toy	2390 Creighton Street	Grocery Store
Michael Kharma	2274 Gottingen Street	Grocery Store
William Crocker	5528 Kaye Street	Grocery Store
Nicholas A. Melitides	5481 Victoria Road	Grocery Store
Anne Lonar	3520-22 Lynch Street	Grocery Store
Gordon K. Lonar	3530 Lynch Street	Fish & Chip Store
John W. Helpard	5869 Cunard Street	Grocery Store
Michael Cummings	2445 Agricola Street	Grocery and Confectionery
Buddy Chater	2608-10-12 Windsor St.	Grocery Store
Ronald A. Sabiston	7071 Bayers Road	Coin-Op Laundry & Dry Cleaning

Motion passed.

#### Tabulation Tenders for Sewers - Scotia Square

A tabulation of tenders was submitted for the installation of sewers for Scotia Square as follows:

1. Duke Street between Argyle Street and Brunswick Street - Storm Sewer - \$8,045.00
2. Market Street between Duke Street and Cogswell Street Extension - Storm and Sanitary Sewer - \$20,665.00
3. Cogswell Street Extension between Market Street and Brunswick Street - Storm and Sanitary Sewer - \$6,800.00
4. Brunswick Street - Jacob Street and Cogswell Street Extension - Storm and Sanitary Sewer - \$4,125.00

MOVED by Alderman Fitzgerald, seconded by Alderman Ivany that the tender of Fraser Construction Ltd., being the lowest tender submitted, for the construction of sewers under items 1, 2, 3 and 4 above, be accepted in the total amount of \$39,635.00. Motion passed.

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Preliminary Capital Budget 1968 and Changes in 1967 Budget

A report was submitted from the City Manager dealing with the Preliminary Capital Budget 1968 and Changes in 1967 Budget.

A full discussion ensued on this matter and reference was made to the City's commitments with respect to Scotia Square, the Lane Memorial Hospital and Queen Elizabeth and St. Patrick's High School extensions. It was also mentioned that the City is unable at the present time to afford such Capital projects as the relocation of City Field, the Canadian Summer Games and any new street widening or paving, amongst other things, unless approval is given by the Minister of Municipal Affairs to certain requested borrowings.

His Worship the Mayor suggested:

1. The City should add as a footnote to the Brief to the Province of Nova Scotia that the figures for 1968 will permit the City to do its present commitments less the City Field Relocation plus the Lane Memorial Hospital and its commitment to Scotia Square and nothing else and then less the items that have to be deleted unless Provincial assistance is given for 1968 on which the City made commitments at an earlier date if it is to proceed with orderly planning of the City.
2. That Council agree to put an addendum to the City's brief to the Province about the 1968 Capital Budget

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indicating that if the City doesn't relocate the City Field, it will just be able to swing its commitments and the Lane Memorial Hospital and whatever the City has to do in relation to Scotia Square.

More discussion followed, during which time Alderman Moir suggested that all candidates in the City of Halifax for the forthcoming Provincial election should be invited to meet with City Council, in order that Council may ascertain their views on the City's Capital position and any assistance they might propose if elected to the Legislature.

After further discussion, it was MOVED by Alderman A. M. Butler, seconded by Alderman Moir that His Worship the Mayor forward a letter to the Premier of the Province of Nova Scotia advising that unless funds are forthcoming, the City will not be able to borrow sufficient money to do any capital work in 1968 over and above the City's commitments to Scotia Square, Lane Memorial Hospital and those parts of the 1966 and 1967 Capital Budgets that will not have been completed by 1968.

Motion passed with Alderman LeBlanc voting against.

Amendment Resolution Re: Borrowing for North End Library

An Amendment to the Issuing Resolution in the amount of \$318,772.31 for the North End Library was submitted, which Resolution changed the dates of payment to the months of May and November, from the original months of May and September.

MOVED by Alderman Moir, seconded by Alderman A. M. Butler that the Resolution, as submitted, be approved. Motion passed.

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Annual Report - Public Service Commission

It was agreed that since members of City Council had not been provided with copies of the Annual Report of the Public Service Commission, this item be placed on the Order of Business for the next Regular Council meeting and the City Clerk was directed to obtain copies of the Report for distribution to Council.

Letter Halifax-Dartmouth Bridge Commission Re: Approach Road  
Columbus Street

The following letter was submitted from the General Manager of the Halifax-Dartmouth Bridge Commission:

City Clerk,  
City of Halifax,  
Halifax, N. S.

May 3, 1967

Dear Sir:

This letter has reference to your letter of March 8 referring to the attached Staff Report, dated February 20, 1967, respecting the Columbus Street approach to the proposed Narrows Bridge.

This is to advise you that the Commission by resolution has agreed to carry its approach road to Columbus Street in agreement with Plan C of the Staff Report, dated February 20, 1967, provided that all cross streets such as Columbus, Stairs and Livingstone be equipped with stop signs, and that when traffic conditions warrant further improvement in this area the City proceed to complete construction of Plan D of the Staff Report.

Yours very truly,

(Signed) L. J. Burke,  
General Manager

Alderman Ivany asked how far the City is committed to using Robie Street which involved considerable property disturbance and suggested the use of Kempt Road instead.

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His Worship the Mayor advised that Staff are aware of the feelings of the Aldermen with respect to the amount of property disturbance in this area, and to this end, arrangements have been made for a meeting of City Staff with Mr. Pratley to discuss any alternative schemes.

The City Manager advised that the meeting is scheduled for May 25, 1967.

His Worship the Mayor directed the City Manager to advise Council of the results of these discussions with Mr. Pratley.

Collective Bargaining Fire Alarm Department Employees Union #268

A report was submitted from the City Manager requesting the City Council to authorize the City Manager to join with the above noted Union in an application to the Labour Relations Board for a Conciliation Officer to be appointed, since negotiations have reached a stalemate at the present time.

MOVED by Alderman Fitzgerald, seconded by Alderman H. W. Butler that the City Manager be authorized to join with the Fire Alarm Department Employees Union #268 in an application to the Labour Relations Board for a Conciliation Officer to be appointed. Motion passed.

11:10 p.m. Council adjourned for a short recess.

11:20 p.m. Council reconvened, the following members being present: His Worship the Mayor, Aldermen Black, Ivany, Matheson, A. M. Butler, Meagher, LeBlanc, Ahern, Connolly, Doyle, Sullivan, Fitzgerald and H. W. Butler.

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QUESTIONS

Question - Alderman Connolly Re: Construction Permitted on Barrington Street between Cornwallis and North Streets

Alderman Connolly referred to a question he asked at a previous Council meeting on behalf of Alderman Doyle with respect to any construction which might be permitted on the east side of Barrington Street between Cornwallis and North Streets. He said that he had received an answer from the City Manager at that time stating that light industrial development might be permitted to take place at this location. He now felt that having heard of further plans for the construction of Harbour Drive along this portion of Barrington Street, this answer might not now be correct.

The City Manager advised that at the time the question was asked, the answer given was the correct one. Since that time, however, the firm of A. D. Margison and Associates have been engaged as Consultants studying the Harbour Drive proposals along this portion of Barrington Street and some changes might have to be made. He felt that no additional information could be given at this time until the report of the Consultants is received.

Question Alderman Connolly Re: Application for Public Housing

Alderman Connolly referred to a man working steadily at the Halifax Shipyards, who wanted to file an application for Public Housing and who was refused an application on the grounds that his credit was no good. He asked how the Housing Authority would know about his credit rating if he was refused an application.

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The City Manager stated that he would check into this matter with the Housing Authority.

Question Alderman Ahern Re: Canadian Summer Games, 1969

Alderman Ahern asked if anything has been decided definitely as to whether or not Halifax and Dartmouth will be holding the Canadian Summer Games in this area.

His Worship the Mayor advised that no formal notification has been received by the City with respect to this matter, but that after such notification is received, Halifax and Dartmouth, who are joint proposers of the scheme, would have to negotiate with the Province for funds for some of the capital facilities.

Question Alderman Fitzgerald Re: Removal of Tax Exemption from Certain Properties

Alderman Fitzgerald referred to the present financial plight of the City and asked if any thought had been given to the feasibility of taxing property which has been tax exempt for so many years. He felt that some investigation should be made into his suggestion.

His Worship the Mayor replied that this is a matter to which the Council should give some thought and he felt that the report awaited by the Province of Ontario, with respect to this matter, might be of assistance to the City of Halifax when it is received, and the Province might be requested to remove Tax Exemptions from certain properties.

Question Alderman Sullivan Re: Financial Statement - Halifax Relief Commission

Alderman Sullivan asked if it would be possible for



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members of City Council to be supplied with copies of the Financial Statement of the Halifax Relief Commission.

His Worship the Mayor stated that this is entirely up to the Halifax Relief Commission.

Alderman A. M. Butler felt that it was not usual and of no concern to members of City Council.

Question Alderman LeBlanc Re: Sidewalk Width - Willow Tree B. A. Station

Alderman LeBlanc referred to a question he had asked at the meeting of the Committee of the Whole Council on May 10, 1967 with respect to the width of the sidewalk outside the B. A. station at the Willow Tree, which, in his opinion, is not wide enough to be reduced ten feet for the widening of Quinpool Road, as ramps have been constructed over the sidewalk. He asked if Staff have had an opportunity to check into this matter.

The Acting Director of Works replied that the Building Inspection Department has advised him that there is sufficient room, but that Surveyors would make a thorough check.

Question Alderman Ivany Re: Citadel Hill Improvements

Alderman Ivany referred to a report from the City Manager in answer to his question relating to improvements being carried out to the Old Town Clock on Citadel Hill, and felt that the amount of \$2,500.00 which is being spent on the improvements is not very large. He asked if any indication was given with respect to the treatment of the old wooden steps.

The City Manager stated that he would check further about improvements to the steps.

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NOTICES OF MOTION

Notice of Motion - Alderman A. M. Butler - Introduction of  
Amendment to Ordinance #12A Respecting "Fairview Cemetery" for  
First Reading on May 25, 1967

Alderman A. M. Butler gave notice that at the next regular meeting of the City Council to be held on May 25, 1967, he proposed to introduce an amendment to Ordinance No. 12A, respecting Fees for Fairview Cemetery Burial Lots.

Notice of Motion - Alderman Ivany - Introduction of Amendment  
to Ordinance #12 Respecting "Camp Hill Cemetery" for First  
Reading on May 25, 1967

Alderman Ivany gave notice that at the next regular meeting of City Council to be held on May 25, 1967, he proposed to introduce an amendment to Ordinance No. 12 respecting Fees for Camp Hill Cemetery Burial Lots.

Notice of Motion - Alderman Black - Introduction of Amendment to  
Ordinance No. 44 respecting "Fees for City Market" for First  
Reading on May 25, 1967

Alderman Black gave notice that at the next regular meeting of the City Council to be held on May 25, 1967, he proposed to introduce an amendment to Ordinance No. 44 respecting a Scale of Fees for the City Market.

Council at this time agreed to consider the report of the Committee of the Whole Council, Boards and Commissions.

Development Plan

MOVED by Alderman Matheson, seconded by Alderman Meagher that City Council direct Staff to proceed with the preparation of a Preliminary Development Plan for the City of Halifax. Motion passed.

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Against: Council was informed that the preparation of the Preliminary Development Plan would take approximately eight months.

Proposed Road Patterns - Central Halifax

The Committee had for consideration a Staff Report dated April 29, 1967, setting forth a proposed new road pattern for the central area of Halifax.

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Committee of the Whole Council, no action be taken on the proposal until the Development Plan has been considered and the traffic needs can be seen in relation to decisions made with respect to the Development Plan. Motion passed with Aldermen Ahern, Meagher and LeBlanc voting against.

Proposed Revisions - Willow Tree Intersection

MOVED by Alderman Black, seconded by Alderman Matheson that, as recommended by the Committee of the Whole Council,

- (a) the Willow Tree Intersection be changed to a four-point intersection instead of a five-point intersection as at present;
- (b) Staff be directed to submit proposals concerning the re-routing of traffic from the Willow Tree Intersection to Sackville Street as well as a proposal with respect to the Ahern Avenue, Cogswell Street, Rainnie Drive and North Park Street Intersection assuming that Cogswell Street is closed across the Commons.

The motion was put and passed, seven voting for the same and five against it as follows:

For: Aldermen Ivany, Matheson, A. M. Butler, Sullivan, Fitzgerald, H. W. Butler and Black

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Against: Aldermen Meagher, LeBlanc, Ahern, Connolly  
and Doyle

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Pedestrian Crossing - Willow Tree

The recommendation of the Committee of the Whole  
reads as follows:

"It is recommended that the Chief of Police be directed to post a policeman at Robie Street near the crosswalk leading to Queen Elizabeth High School and a policeman on Quinpool Road at the crosswalk at Windsor Street between the hours of 8:30 and 9:00 a.m. and 1:30 and 2:00 p.m. and at other times deemed necessary by the Chief of Police on any day school is in session in order to control and direct pedestrian and vehicular traffic."

His Worship the Mayor asked the Chief of Police if he had any comments to make on the recommendation.

The Chief of Police stated that the care and control of the Police Department is the responsibility of the Safety Committee, and suggested that this matter be referred to that Committee for consideration and discussion.

It was agreed to refer this matter to the Safety Committee.

Recommendation from Board of Management Basinview Home Re:  
Increase Patients' Allowance - \$12.00 to \$15.00

MOVED by Alderman Matheson, seconded by Alderman Ahern that, as recommended by the Board of Management of Basinview Home, the allowance to patients at Basinview Home from the Old Age Pension cheque be increased from \$12.00 to \$15.00, subject to the approval of the Provincial Government.

MOVED in Amendment by Alderman Ahern, seconded by Alderman Connolly that the allowance be increased to \$20.00.

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

ADDED ITEMS

Appointment of Committee to meet with Dalhousie University and Hospital Officials Re: Parking in Hospital Area

His Worship the Mayor nominated Alderman Black and Mr. R. B. Grant, Development Officer, as members of the above-noted Committee.

MOVED by Alderman A. M. Butler, seconded by Alderman Ivany that the nominations of His Worship the Mayor be approved. Motion passed.

Narrows Bridge Approaches

Alderman Matheson asked that this item be deleted owing to the lateness of the hour.

Council agreed to delete this item from the Order of Business.

Clean Up Week and Beautification

Alderman LeBlanc referred to the fact that Clean Up Week commences in the City of Halifax next Monday, and felt that Aldermen should be more concerned about the condition of some parts of the City. He invited Aldermen to meet with him on Saturday morning next and make a tour of the City to see the disgraceful condition in certain sections. He suggested that on Saturday morning at 9:30 a.m. Aldermen should meet in the Grand Parade to start the tour.

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Alderman Fitzgerald stated that 8:30 a.m. would suit him much better.

Alderman LeBlanc agreed to make the time 8:30 a.m. and asked that all Aldermen interested should make an effort to be there.

During the discussion which followed, Alderman Connolly referred to the area of Creighton and Maynard Streets which was mentioned at a Committee meeting, and stated that the area still has not been cleaned up.

Alderman LeBlanc stated that he felt that blighted conditions are spreading in the City, and that Ordinance 50 is not being enforced as strongly as it could be at the present time.

The City Manager was directed to report on the implementation of Ordinance 50.

#### Collection of Garbage

Alderman Ahern referred to an article in the press which stated that certain citizens had been given tickets for placing garbage on the streets before 7:00 a.m.

His Worship the Mayor stated that this matter could be brought up at the meeting of the Public Health and Welfare Committee and discussions held with respect to any change in the Regulations.

The City Clerk was directed to place this matter on the Order of Business for the Public Health and Welfare Committee.

12:10 a.m. Meeting adjourned.

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CITY CLERK

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ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK



Dr. Tojo.

SPECIAL CITY COUNCIL MEETING  
M I N U T E S

Council Chamber,  
City Hall,  
Halifax, N. S.,  
May 18, 1967  
4:30 p.m.

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

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

Present: His Worship the Mayor, Chairman and Aldermen Black, Abbott, Moir, Ivany, Meagher, Ahern, Connolly, Doyle, Sullivan and H. W. Butler.

Also present: City Manager, City Solicitor, Commissioner of Health and Welfare, Deputy City Clerk and other Staff members.

The meeting was especially called to consider the preliminary plans for the Lane Memorial Hospital.

MOVED by Alderman Moir, seconded by Alderman Meagher that the preliminary plans for the Lane Memorial Hospital be approved in principle, subject to any amendments required by the Hospital Insurance Commission.

His Worship the Mayor suggested that Council hear from Mr. Wright of the firm of Leslie Fairn and Associates, architects for the Lane Memorial Hospital, who can explain the plans distributed to Aldermen in brochure form and displayed on the walls of the Council Chamber.

Mr. Wright gave a presentation of the plans and explained some of the difficulties which had been encountered and overcome in the design of the building with respect to the

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topography of the site on the corner of Jubilee Road and Summer Street.

Considerable discussion ensued, during which time the City Manager stated that negotiations to acquire the land included provision for the Department of Veterans Affairs to supply steam heating for the hospital from the Heating Plant presently located at Camp Hill Hospital at a cost to be negotiated. He questioned whether the cost of the steam heating had been decided and asked if confirmation had been received that steam would be provided from Camp Hill Hospital.

It was suggested that Staff should be given an opportunity to study the plans and approval of City Council should be conditional upon the concurrence of City Staff, and the questions raised by the City Manager should be resolved.

After discussion, and with the approval of the seconder, Alderman Moir amended his motion to read as follows:

"that the preliminary plans for the Lane Memorial Hospital be approved in principle, subject to any amendments required by the Hospital Insurance Commission and the concurrence of City Staff."

At the suggestion of His Worship the Mayor, Council agreed to meet next Tuesday, May 23, 1967 to consider any comments Staff may make on the preliminary plans of the Hospital.

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

It was agreed that if Staff concur with the decision of City Council, the meeting scheduled for Tuesday, May 23, 1967 at 4:30 p.m. should be cancelled.

5:15 p.m. Meeting adjourned.

ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

W. J. CLANCEY  
DEPUTY CITY CLERK

Dr. Yogo.

CITY COUNCIL  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.,  
May 25, 1967  
8:00 p.m.

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

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

There were present: His Worship the Mayor, Chairman; and Aldermen Black, Abbott, Moir, Ivany, Meagher, LeBlanc, Ahern, Doyle and H. W. Butler.

Also present were the City Manager, City Solicitor, Deputy City Clerk and other staff members.

MINUTES

Alderman Moir stated that the minutes of the meeting of City Council held on May 11, 1967, record him on Page 426 as voting against the motion respecting, "Confirmation of Decision to Build Lane Memorial Hospital", whereas he had in fact voted in favour of the motion and he asked that the minutes be amended accordingly.

MOVED by Alderman Abbott, seconded by Alderman Ivany that the minutes be amended as requested by Alderman Moir. Motion passed.

Alderman LeBlanc said that during the presentation by Mr. A. J. Smith, at the May 11th meeting of City Council, he had expressed himself as being skeptical that the Special Planning Secretariat would be effective in finding a solution to the social and economic problems of Canada but that the minutes record him as only asking a question as to when results may be expected from the Special Secretariat.

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He asked that his remarks be recorded in the minutes.

MOVED by Alderman Moir, seconded by Alderman Abbott that the minutes of the meeting of City Council held on May 11, 1967, be amended to include the remarks of Alderman LeBlanc made during the presentation of Mr. A. J. Smith with respect to the work of the Special Planning Secretariat of the Privy Council. Motion passed.

MOVED by Alderman Abbott, seconded by Alderman Ivany that the minutes of the meeting of City Council held on May 11, 1967, as amended, be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS - ADDITIONS AND DELETIONS

His Worship the Mayor asked that the following items be added to the Order of Business:

- 20(a) City Appointee - Board of Management - Children's Hospital
- 20(b) Special Meeting of Council - June 2, 1967
- 20(c) Report - Recreation & Playgrounds Commission Re: Tenders - Swimming Pool
- 20(d) Request for Supplementary Appropriation - 316"C" - Recreation & Playgrounds Commission
- 20(e) Letter - Nova Scotia Rehabilitation Council

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that the items be added to the Order of Business. Motion passed.

MOVED by Alderman H. W. Butler, seconded by Alderman Meagher that items 20(c) and 11(c) be considered next on the Order of Business. Motion passed.

MOVED by Alderman Black, seconded by Alderman Doyle that the Order of Business, as amended, be approved. Motion passed.

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8:08 p.m. Aldermen Connolly, Fitzgerald and Sullivan arrive.

REPORT - RECREATION & PLAYGROUNDS COMMISSION  
RE: TENDERS - SWIMMING POOL

The following report was submitted from the Recreation and Playgrounds Commission:

"At a meeting of the Recreation and Playgrounds Commission held on May 25, 1967, at 2:00 p.m., in the Council Chamber, the following motion was tabled by Alderman Meagher, seconded by Alderman Ahern that the tender, as submitted by Stevens and Fiske for the construction of the Centennial Swimming Pool, be accepted in the amount of \$745,183.00, using the alternate prices for roofing and wood decking and eliminating the allowances for movable bleachers and a competitive score board for a total credit of \$20,000.00 making a net construction figure of \$725,183.00.

"The following motion was unanimously approved and sent to City Council requesting their approval and an immediate start.

"At the same meeting, a motion was also tabled by Alderman Ahern, seconded by Alderman Ivany to the effect that this Commission request a further \$70,000.00 borrowing resolution to cover the extra cost involved in providing the Pool. The above will cover architects' fees."

Also submitted was the following report from the City Manager:

"As a result of the tenders opened on May 25th, the following is an estimate of the total cost of the indoor swimming pool which is the City's centennial project.

"It is anticipated that the final cost will be \$92,217 more than the amount authorized for funding.

"If the construction of the pool is authorized by City Council, a borrowing resolution of \$100,000 should be approved to cover the additional cost.

Cost of construction per lowest tender	\$745,183	
Less Credit Adjustment on Sub-contracts	<u>20,000</u>	725,183
Architects Fees (6%)		43,511
Demolition of buildings		2,000
Soil Test, etc.		1,000
Office equipment and cash register		<u>1,500</u>

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Cost before interest charges		\$773,194
Bank interest during construction at 5 3/4 % (until funding)		<u>19,023</u>
Total Estimated Cost		792,217
Less: Per Capita Grant		<u>185,000</u>
Borrowing Requirement		\$607,217
Borrowing Resolutions approved -		
May 11, 1966 -	\$400,000	
May 4, 1967	<u>115,000</u>	<u>515,000</u>
Over-Expenditure based on original estimates		<u>\$ 92,217 "</u>

MOVED by Alderman H. W. Butler, seconded by Alderman Fitzgerald that the recommendation of the Recreation and Playgrounds Commission be approved and that a borrowing resolution covering the balance of the funds required for the construction of the Swimming Pool be approved.

After discussion, it was MOVED in amendment by Alderman Black, seconded by Alderman Abbott that the excess costs over and above what has been provided in the Capital Budget be paid for out of the current budgets for the year in which the additional expenditure is incurred.

The amendment was put and passed unanimously.

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

REQUEST FOR LEFT HAND TURN-OFF - CHEBUCTO ROAD AT QUINN STREET

The report of the Committee on Works reads as follows:

"A request was submitted from Mr. J. J. Sheehan on behalf of the Petitioners of the Quinn Street area, that they be given access to the west bound lane of the new Chebucto Road.

It is recommended that the request for a left turn off Chebucto Road into Quinn Street, be rejected."

MOVED by Alderman Meagher, seconded by Alderman Ahern that left hand turns be permitted off Chebucto Road into Quinn Street.

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It was agreed to permit Mr. J. J. Sheehan to address Council on behalf of the residents of Quinn Street who had previously petitioned Council to permit a left hand turn onto Quinn Street.

Mr. Sheehan said that the request is a simple one which the residents feel is reasonable and justified and they asked Council to consider it seriously because the inability of motorists travelling west on Chebucto Road to make a left hand turn onto Quinn Street had caused inconvenience and annoyance to the residents.

After discussion lasting approximately one hour, the Chief of Police advised that as Traffic Authority, left turning movements are at the discretion of himself and Council has no jurisdiction in the matter.

He said that he was aware of the general background of the problem but has not seen the Staff report or the submission made by Mr. Sheehan and the other petitioners, and he therefore could not indicate his decision with respect to a left hand turn at Quinn Street at this time.

MOVED by Alderman Meagher, seconded by Alderman LeBlanc that the Traffic Authority be requested to give consideration to permitting left hand turns onto Quinn Street from Chebucto Road and that he report the result of his consideration to the next meeting of the Safety Committee. Motion passed.

At this time, Alderman Connolly asked that Item 15(a) respecting, "Rezoning - 5778 South Street from R3 to C2 Zone", be considered.

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REZONING - 5778 SOUTH STREET - R3 to C2 ZONE

The report of the Town Planning Board reads as follows:

"It is recommended that:

- (1) City Council approve of the application to rezone the property at 5778 South Street from R3 Zone to C2 Zone to permit the use of the land as an off-street commercial parking area, as shown on Drawings No. P200/2230-31;
- (2) a Public Hearing be held;
- (3) the City Solicitor prepare a report outlining the legal aspects of a Development Permit Ordinance for this property."

The report of the City Solicitor referred to in recommendation (3) is contained in the following City Manager's report:

"The Deputy City Solicitor has now reported on the above, and his report is submitted herewith:

Originally it was the writer's opinion that a development ordinance superceded zoning requirements so that if a particular project were governed by such an ordinance, then the zoning was irrelevant.

It would seem, however, in further review, that to allow such a project in a Residential Zone would be a contravention of the Zoning By-law within the meaning of Section 542 (1) of the Halifax City Charter, 1963.

It is, therefore, my reconsidered opinion that the zoning must coincide with the project. The ordinance is, however, a useful tool to limit development to the type specified in the ordinance. The rezoning will, of course, have to be submitted to the Regional Planning Commission and then to the Town Planning Board before going to Council. Under the provisions of the ~~Town~~ Planning Act, a public hearing is necessary.

The writer has now had some opportunity to give further consideration to the situations which warrant the issue of a Development Permit, or perhaps more accurately, the legal considerations which a Development Permit is designed to meet.

- (1) First of all, it should be a genuine type of development - for example, a motel, possibly an apartment



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"building, a housing subdivision, etc. While the development need not necessarily be a large one, it should be of considerable size, perhaps one acre minimum.

(2) The Development Permit enables one to allow a most desirable project which for some reason offends against the zoning by-law although the project itself might be in perfect character with the rest of the neighborhood. Two examples of this come to mind - the commercial use in the Student Union Building at Dalhousie University, and the commercial use in Park Victoria.

(3) The effect of the Permit is, of course, to allow re-zoning and, at the same time, place restrictions on the re-zoning (though the restrictions are contained in a separate agreement which is incorporated in an ordinance) which permit only the use proposed by the developer.

The system has long been known in the United States under the heading of "Contract Planning". In Canada, the system was introduced in London, Ontario, and there it is referred to as "Development Control".

The way it works is that the developer approaches the civic planning staff with a fairly elaborate amount of detail as to his project. There is a site plan showing the location of the buildings, parking areas, open spaces, etc; there are perspective drawings of the various buildings, together with considerable information regarding uses, amount of space, etc. The matter is initially negotiated with Staff for any changes they might wish to suggest. After that the matter is forwarded to the Town Planning Board and then to the City Council. (Here, of course, it would have to go the Regional Planning Commission as well). If the developer can convince these people that his project is in accord with the neighborhood (and, more specifically, coincides with the Master Plan or Development Plan), and Council approves the project, then an Agreement is signed, setting forth precisely what the project is to contain, etc. This Agreement is then incorporated into the Zoning By-law (in our case the Development Ordinance). An interesting legal point is that the Agreement is recorded at the Registry of Deeds and forms an incumbrance on the land. In London the results have been most beneficial.

The Development Control scheme is designed to provide flexibility to the Zoning By-law where circumstances warrant. It should not, however, be used as a gimmick to circumvent the Zoning By-law. Frankly, the writer is of the opinion that the present instance would be an example of the latter.

In view of the fact that this is the first Development Permit to be issued, it would inevitably be both a legal precedent and a determination of policy considerations on which future development permits might be issued.

COLIN MACKENZIE  
DEPUTY CITY SOLICITOR

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"The above is the Solicitor's report verbatim and is forwarded to Council for information and consideration."

Alderman Moir expressed the hope that the development of the land could be permitted under a development permit because he said he would not like to see the land in question zoned for parking and then, at some later time, used for some other commercial purpose.

His Worship the Mayor pointed out that the City Solicitor's opinion said it is possible to develop the land under a development permit, but he considered that this is a policy decision which should be made by Council.

He said that in addition to the City Solicitor's opinion, Council should have the advice of the City Manager in this regard.

The City Manager stated that subsequent to the last meeting of the Town Planning Board, he had conferred with members of the Planning Staff and the Deputy City Solicitor and available material respecting development permits had been thoroughly reviewed and it was learned that in most of the plans, development permits applied only to an area greater than 25,000 feet, the area of the land in question.

He said that there are many types of development permits and many variations to their application, and after a thorough review of the various ones, the Staff came to the conclusion that it would not be in the best interest of the City that an area of land on South Street of 25,000 square feet be rezoned to C-2 by permit or otherwise to permit parking, unless something is done about the adjoining properties because

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of its residential use.

He said that it was thought that all Council would do at this point would be to decide whether or not a public hearing would be held, and, therefore, the report was not quite as comprehensive as it might be.

Mr. R. A. Kanigsberg, Q. C., appeared on behalf of the applicant and stated that the developer is prepared to sign an agreement with the City and to put up a bond with respect to the restricted use of the property.

MOVED by Alderman Abbott, seconded by Alderman Black that a public hearing, in connection with the application to re-zone the land at 5778 South Street from R-3 Zone to C-2 Zone, be held on June 29, 1967. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee at its meeting held on May 18, 1967, with respect to the following matters:

Property Acquisition - 2315-2319-2323 Brunswick Street

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the sum of \$65,000.00 be paid to Mrs. John Shutlak as settlement in full for all claims arising from the acquisition by the City of the property at 2315-2319-2323 Brunswick Street, located within the Uniacke Square Redevelopment Area. Motion passed.

Property Acquisition - 2343 Brunswick Street

MOVED by Alderman Abbott, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee, the sum of \$33,000.00 be paid to Mr. Henry W. Corkum as settlement in

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full for all claims arising from the acquisition by the City of his property at 2343 Brunswick Street, located within the Uniacke Square Redevelopment Area. Motion passed.

Property Acquisition - 2363 Brunswick Street

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the sum of \$12,500.00 be paid to Mr. Joseph A. W. Forgeron as settlement in full for all claims arising from the acquisition by the City of his property at 2363 Brunswick Street, located within the Uniacke Square Redevelopment Area. Motion passed.

Property Acquisition - 2365 Brunswick Street

MOVED by Alderman Meagher, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, the sum of \$11,250.00 be paid to Mr. D. Patrick Doherty as settlement in full for all claims arising from the acquisition by the City of his property at 2365 Brunswick Street, located within the Uniacke Square Redevelopment Area. Motion passed.

Property Acquisition - 5212 Lockman Avenue

MOVED by Alderman Abbott, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee, the sum of \$8,500.00 be paid to Mr. Edgar Doucette as settlement in full for all claims arising from the acquisition of his property at 5212 Lockman Avenue, located within the Uniacke Square Redevelopment Area. Motion passed.

Policy Re: Purchase - Milk and Cream

MOVED by Alderman Abbott, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee, the City Manager be authorized to discuss with the Twin Cities

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Dairy Limited the matter of the supply of milk and cream to civic institutions to determine the possibility of the said Company supplying such commodities on an annual basis at the wholesale prices paid by supermarkets and other retail outlets to obviate the necessity of the City calling for tenders for such supplies.

Alderman Moir suggested that the words "the said prices not to exceed those set by the Public Utilities Board" be inserted after the word "outlets".

The mover and seconder of the motion agreed to amend the motion accordingly.

The motion, as amended, was passed.

Collective Bargaining Agreement - Local Union 143, C.U.P.E.

MOVED by Alderman Meagher, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, the request contained in the following report from Staff be granted:

"Almost without exception salary adjustments relating to the above mentioned contract resulted in an increase to individuals ranging from 4.5% to 5.5% as understood.

"A special request has been made, however, from the Union representative on behalf of one particular junior employee who, having been at her maximum since July 1961, enjoying good ratings but not presently promotable, would, under the contract receive only a 1.57% increase.

"Your permission is requested to give special consideration to this one employee by awarding a 4.5% increase thus advancing the rate to \$3,450.00 during the period of the current contract providing it is understood by the Union that no further "hardship" request be considered."

Motion passed