

Council,
September 28, 1967

should be prepared and submitted to the Public Health and Welfare Committee.

Staff were so directed.

The motion was then put and passed.

Welcome to Councillor Reginald Allen of Spryfield

His Worship the Mayor, at this time, extended a welcome to Councillor Reginald Allen from Spryfield who was in attendance at the meeting, and he expressed the hope that the Councillor would benefit from his visit.

10:30 p.m. Alderman Abbott retires.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on September 19, 1967, with respect to the following matters:

Sidewalk Authorizations

The report of the Committee reads as follows:

It is recommended that the following list of streets be added to the current Sidewalk Capital Budget:

Green Street	At Peoples Gospel Church	\$ 750.00
Maynard Street	Rear of Joseph Howe School	1,200.00
Charles Street	Maynard St. to Creighton St.	3,200.00
Creighton Street	Fronting Joseph Howe School	3,000.00
For other Projects		4,844.00
		<u>\$12,994.00</u>

and that the following list of streets be deleted from the current Sidewalk Capital Budget:

<u>NAME</u>	<u>LOCATION</u>	<u>DATE APPROVED</u>	<u>AMOUNT</u>
Ogilvie St.	Young Ave. 300' East	Aug. 22/63	\$ 3,000.00
Beaufort Ave.	Bellevue Ave. - Dead End	July 30/64	1,100.00
Brunswick St.	150' North Rainnie Dr. (Existing) 200'	July 30/64	1,200.00
Connaught Ave.	Apt.#3556 (Existing - Windsor St) 350'	July 30/64	2,000.00

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<u>NAME</u>	<u>LOCATION</u>	<u>DATE</u> <u>APPROVED</u>	<u>AMOUNT</u>
Kencrest Ave.	Gottingen St. 200' East	July 30/64	\$ 1,200.00
J.Ferguson Ave.	Existing Dead End Cul- de-Sac 100'	July 30/64	800.00
Barrington St. Gottingen St.	Capitol Theatre 180'E	July 30/64	1,300.00
(Renewal)	Uniacke St. 330' North	Dec. 15/66	2,394.00
			<hr/>
			\$12,994.00

Alderman Fitzgerald stated that Jack Ferguson Avenue was listed in the streets to be deleted depending upon the construction of steps leading to the Halifax Shopping Centre. He advised that the steps are now being constructed.

Council agreed to add Jack Ferguson Avenue to the list of streets to be added to the Current Sidewalk Capital Budget which reduces the amount "For Other Projects" by \$800.00.

It was then MOVED by Alderman Ahern, seconded by Alderman Fitzgerald that the recommendation of the Committee on Works, as amended, be approved. Motion passed.

Payment of Claim - J. A. Roach

MOVED by Alderman Ahern, seconded by Alderman Black that, as recommended by the Committee on Works, the claim of Mr. J. A. Roach of 66 Sunnybrae Avenue, Fairview, be paid in the amount of \$40.73, for damages caused when his car struck a metal catchbasin on Lower Water Street. Motion passed.

Tabulation of Tenders

MOVED by Alderman Connolly, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the tender of A. & K. Demolition (the lowest tender received) be accepted in the amount of \$9,400.00 for the demolition of No.

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1884-86 Barrington Street; funds for this work having been provided in Capital Account - 59-22 (Central Redevelopment Area - Scotia Square). Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on September 19, 1967 with respect to the following matter:

Increase in Parking Meter Rates

The Committee had for consideration a report from the Deputy Traffic Authority with respect to the new parking meters, mechanisms, and instruction plates required to implement the new parking meter rates in the City of Halifax.

The Committee recommended that one hundred and fifty new meters be purchased immediately, and that purchase of an additional number up to two hundred and twenty-eight be decided after receipt of a supplementary report from Staff to be presented at the next meeting of Council.

MOVED by Alderman Black, seconded by Alderman Fitzgerald that, as recommended by the Safety Committee, one hundred and fifty new meters be purchased immediately. Motion passed with Alderman Ahern voting against.

The Deputy City Clerk advised that a Supplementary Report has been submitted and distributed prior to this meeting.

Council agreed to refer the Supplementary Report to the Safety Committee for consideration.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on September 19, 1967 with respect to the following matters:

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Rezoning R-3 Residential to C-3 Commercial - 154-166 Creighton
Street

The report of the Town Planning Board reads as follows:

It is recommended that:

1. The application to rezone the property at 154-166 Creighton Street from R-3 Residential to C-3 Industrial, for the purpose of expansion of an existing business, be refused.
2. A letter be written to Industrial Development Commission asking them to contact the applicant in this matter.

MOVED by Alderman A. M. Butler, seconded by Alderman Sullivan that the application for permission to rezone the above-noted property from R-3 Zone to C-3 Zone be granted and that a date be set for a public hearing.

His Worship the Mayor advised that the land in question is required in part for the Creighton Street Housing Development and any decision Council might make will affect that Development.

Council agreed to hear the solicitor for the applicant.

Mr. Leonard Pace addressed Council on behalf of the applicant and urged Council to either rezone the property as requested, or purchase the whole of the property on which the business is located and attempt to find an alternative location for such enterprise. He gave a brief resume of the growth of the business.

After considerable discussion, the motion was put and lost, six voting for the same and seven against it as follows:

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For: Aldermen A. M. Butler, Ahern, Connolly,
Doyle, Sullivan and H. W. Butler 6

Against: Aldermen Matheson, Ivany, Meagher, LeBlanc,
Fitzgerald, Black and Moir 7

It was then MOVED by Alderman Black, seconded by

Alderman Matheson that:

1. The application to rezone the property at 154-166 Creighton Street from R-3 Residential to C-3 Industrial, for the purpose of expansion of an existing business, be refused.
2. A letter be written to the Industrial Development Commission asking them to seek an alternative location for the business.

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

For: Aldermen Matheson, Meagher, Fitzgerald, H. W. Butler, Black, Moir and Ivany 7

Against: Aldermen A. M. Butler, LeBlanc, Ahern, Connolly, Doyle and Sullivan 6

Second Level - Grafton Street Parking Lot

The report of the Town Planning Board reads as follows:

It is recommended that the City of Halifax, after consultation with any interested developers, prepare a Call for Proposals for the development of the Grafton Street Parking Lot.

The following report was submitted from the Advisory Committee on Parking:

It is recommended that the City proceed immediately with plans to construct a temporary second deck on the Grafton Street Parking Lot, as described in a Staff Report dated September 5, 1967 and entitled "Decking of the Grafton Street Parking Lot", but that such construction should not commence before the first working day of 1968.

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After a short discussion, Council agreed to refer the whole matter back to the Town Planning Board for further consideration.

Alderman Ivany suggested that Mr. Ralph Medjuck be permitted to put forward his proposal for the construction of a parking garage on the Grafton Street Parking Lot to the Town Planning Board when this matter is discussed.

Council agreed to the suggestion.

Land North of New North End Library

MOVED by Alderman Ahern, seconded by Alderman Connolly, that, as recommended by the Town Planning Board, Central Mortgage and Housing Corporation be asked to prepare a Call for Proposals for housing development on the land north of the North End Library on Gottingen Street, within thirty (30) days. Motion passed.

11:00 p.m. Alderman A. M. Butler retires.

MOTION

Motion - Alderman Moir Re: Amendment - Ordinance No. 113
The Noise Ordinance

MOVED by Alderman Moir, seconded by Alderman Ivany that Subsection (1) of Section 6 of Ordinance No. 113, The Noise Ordinance, be amended as follows:

1. By inserting immediately after the word "Inspector" in the second line thereof, and before the word "may", the following words: "or such other person authorized by Council."

His Worship the Mayor advised that there are further amendments which might be made to the Noise Ordinance.

After a short discussion, it was MOVED by Alderman

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Black, seconded by Alderman Fitzgerald that the Noise Ordinance be referred to the Safety Committee for consideration of any amendments which might be made.

The motion to refer was then put and passed.

MISCELLANEOUS BUSINESS

Accounts Over \$1,000.00

MOVED by Alderman Black, seconded by Alderman Moir that the Acting City Manager be authorized to pay the following accounts over \$1,000.00:

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
N. S. Housing Commission	City's share Low Cost Housing Projects	\$ 38,061.74
Tasco Sheet Metal and Roofing Co. Ltd.	Repairs to the roof at the Civic Hospital	8,387.82
Public Service Commission	Chlorinator operation for July and August	1,588.90
Alfred J. Bell & Grant	Fleet Insurance	3,894.00
R. K. Kelley & Co. Ltd.	Fleet Insurance	1,969.99
		<u>\$ 53,902.45</u>

Motion passed.

11:08 p.m. Council adjourned to meet as Committee of the Whole.

Tenders for Bond Issue

The following report was submitted from Staff:

Tenders for the City of Halifax debenture issue of \$2,000,000 of twenty year serial debentures with a coupon rate of seven per cent were opened at 5:00 p.m. on Thursday, September 28, 1967.

The tenders were as follows:

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1. Dominion Securities Corporation Limited on behalf of a syndicate named in the tender \$ 95.01
2. Wood, Gundy Securities Limited on behalf of a syndicate named in the tender \$ 94.01
3. Gairdner and Company Limited on behalf of a syndicate named in the tender \$ 93.75
4. LaMaison Bienvenu Limited on behalf of a syndicate named in the tender.. .. . \$ 93.09

It is recommended that the tender of \$ 95.01 per \$100, plus accrued interest, by Dominion Securities Corporation Limited, giving a net cost of money of 7.7% be accepted.

MOVED by Alderman Black, seconded by Alderman Ivany that acceptance of the tender of \$95.01 per \$100, plus accrued interest, by Dominion Securities Corporation Limited be recommended to City Council for approval. Motion passed.

11:10 p.m. Council reconvened, the same members being present.

MOVED by Alderman Black, seconded by Alderman Fitzgerald that the recommendation of the Committee of the Whole Council be approved. Motion passed.

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

MOVED by Alderman Black, seconded by Alderman Moir that the Formal Bond Resolution, as submitted, be approved. Motion passed unanimously.

Letter - Resignation from Finance and Executive Committee -
Alderman A. M. Butler

A letter was submitted from Alderman A. M. Butler containing his resignation from the Finance and Executive Committee.

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His Worship the Mayor advised that he had spoken with Alderman A. M. Butler in an attempt to have him change his mind, but subsequently the letter submitted was received.

After a short discussion, Council agreed to defer the matter for two weeks to enable the City Solicitor to report as to whether or not Alderman A. M. Butler is permitted, under the City Charter, to resign from the Finance and Executive Committee.

QUESTIONS

Question - Alderman Ahern Re: Vacant Land Adjacent to Hotel
Nova Scotian

Alderman Ahern referred to the vacant land adjacent to the Hotel Nova Scotian and asked if the City is intending to purchase same.

Alderman LeBlanc stated that the vacant lands have been purchased by the Hotel.

Question - Alderman Sullivan Re: Street Works - Corner Young
and Agricola Streets

Alderman Sullivan asked if the street works on the corner of Young and Agricola Streets could be expedited as they are causing traffic problems.

Staff were asked to check the matter.

Question - Alderman Sullivan Re: Containerized Cargo

Alderman Sullivan asked if it would be possible for an expert in the field of containerized cargo could address the Council and explain the position as it relates to the City of Halifax.

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His Worship the Mayor replied that a member of the National Harbours Board will be in attendance at the next meeting in connection with the work on the Waterfront and will give an explanation at that time.

Question - Alderman Sullivan Re: Traffic Lights - Lady Hammond Road and Robie Street

Alderman Sullivan asked when the traffic lights will be installed at the intersection of Lady Hammond Road and Robie Street.

His Worship the Mayor suggested that Alderman Sullivan check with Staff on this question.

Question - Alderman Sullivan Re: Strawberry Hill Road - North End of Windsor Street

Alderman Sullivan asked if it would be possible to have the new dirt road, known as Strawberry Hill Road, oiled as he had received numerous complaints about the dust nuisance.

His Worship the Mayor advised that the street is scheduled for paving early in November.

Question - Alderman Meagher Re: Street Works - Corner Preston Street and Quinpool Road

Alderman Meagher asked if Staff would check into the delay in the completion of the street works at the above location.

Question - Alderman Ivany Re: Street Works - Pine Hill University Corner

Alderman Ivany asked if Staff would check into the street works at the above location which seem to be taking a long time to complete.

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Question - Alderman Ivany Re: Receptionist - City Hall

Alderman Ivany referred to the fact that Dartmouth City Hall has a receptionist and wondered if Halifax City Hall could offer the same service to visitors.

Question - Alderman Fitzgerald Re: Litter - Shopping Centres

Alderman Fitzgerald referred to the mess of litter around the grocery stores in the shopping centres and around the Tastee-Freeze and Dairy Queen operations in other locations. He asked if there is anything the City can do to obviate the situation.

His Worship the Mayor asked the City Solicitor to report on this question.

Question - Alderman H. W. Butler Re: Soot Nuisance - Windsor Park

Alderman H. W. Butler referred to complaints he had received about the soot nuisance emanating from the chimneys at Windsor Park.

His Worship the Mayor suggested that the whole question of Air Pollution be referred to the Committee on Works for a full discussion.

Council agreed to the suggestion.

NOTICE OF MOTION

Notice of Motion - Alderman Sullivan - North West Arm Bridge

Alderman Sullivan gave notice that at the next regular meeting of City Council, he will move the following motion:

WHEREAS the Halifax-Dartmouth Bridge Commission in July 1963 recommended construction at the earliest possible date of a bridge across the North West Arm;

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AND WHEREAS doubts have arisen as to the construction of a North West Arm Bridge;

AND WHEREAS it has been stated recently by a Minister of Government that the watershed property consisting of 11,000 acres is Halifax's greatest asset;

AND WHEREAS construction of a North West Arm Bridge will be the means of opening up this vast watershed area when the new water supply area has been made available;

AND WHEREAS it has been stated that inevitably in the wake of bridge construction economic expansion or boom follows;

AND WHEREAS the Halifax-Dartmouth Bridge Commission has stated a few years ago that there is also more than sufficient demand for a bridge across the North West Arm.

AND WHEREAS the Halifax-Dartmouth Bridge Commission has stated that a North West Arm Bridge would relieve the Armdale Rotary of most of the existing congestion;

AND WHEREAS in July 1963 it was estimated that a North West Arm bridge would cost \$3,876,000 at Site A and \$4,134,000 at Site B and even though construction costs have increased since this estimate was made it is considered that this is not an insurmountable financial obstacle;

AND WHEREAS it has been stated if the bridge across the North West Arm is built at the same time as the Harbour Bridge it seems likely that the capital could be repaid over thirty (30) years and in the 31st year the annual surplus might be as much as \$5,500,000 and at this rate the province could be reimbursed for the total deficits plus interest in three or four additional years;

AND WHEREAS it has been stated if the Arm Bridge is not built it would take approximately thirty-three (33) years to pay off the capital cost of the Harbour Bridge and about five more years to reimburse the Province.

NOW THEREFORE BE IT RESOLVED that the City of Halifax take the necessary steps, either with or without the Halifax-Dartmouth Bridge Commission participation, to plan, organize and finance the immediate construction of the North West Arm Bridge.

Notice of Motion - Alderman Matheson - Removal of Disqualification on School Board Employees from Running for Office

Alderman Matheson gave notice that at the next regular

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meeting of Council he will move that legislation be sought to amend Section 18(1)(b) of the City Charter to remove the disqualification which falls on an employee of the School Board from running for City Council.

ADDED ITEMS

Lord's Day Permit

MOVED by Alderman LeBlanc, seconded by Alderman Moir that a permit to operate a business on the Lord's Day be granted to Mr. Laurie Jewers for a Grocery and Variety Store located at 3040 Oxford Street. Motion passed.

11:25 p.m. Council adjourned to meet as Committee of the Whole.

Possible Acquisition - Seaview United Baptist Church, Africville

The following report was submitted from Staff:

Staff has been advised by the Trustees of the Seaview United Baptist Church, Africville, namely, Mr. Ralph Jones, Mr. George Mantley and Mr. Leon Steede, who represent the Church membership, and that they are prepared to negotiate a settlement with the City for the sum of \$15,000.00.

It is understood that proceeds from the sale of the Church will be deposited in a Trust Fund to be used under the terms determined by the Trustees and their Solicitor.

It is recommended that:

1. The City purchase the Seaview United Baptist Church, Africville, for the sum of \$15,000.00;
2. A Quit Claim Deed be signed in favour of the City by the Trustees of the Seaview United Baptist Church, Africville, for the Seaview United Baptist Church;
3. The Seaview United Baptist Church be demolished as soon as it can be conveniently vacated.

MOVED by Alderman Connolly, seconded by Alderman Sullivan that the Staff Report be recommended to City Council for approval. Motion passed.

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11:28 p.m. Council reconvened, the same members
being present.

MOVED by Alderman Connolly, seconded by Alderman
Sullivan that the recommendation of the Committee of the Whole
Council be approved. Motion passed.

11:30 p.m. Meeting adjourned.

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

W. J. CLANCEY
DEPUTY CITY CLERK

CITY COUNCIL
MINUTES

Council
October 12, 1967
Council Chamber,
City Hall,
Halifax, N. S.,
October 12, 1967
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.

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

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

MINUTES

MOVED by Alderman Black, seconded by Alderman
Abbott that the minutes of the City Council held on September
28, 1967 be approved.

Alderman Fitzgerald said, with respect to the item
Application for grant, Scotia Branch, Royal Canadian Legion,
he had voted against the motion to deny the request for a
grant by the Scotia Branch, but the minutes did not record
his vote.

MOVED in amendment by Alderman Fitzgerald, seconded
by Alderman Sullivan that the minutes of the meeting of Council
held on September 28, 1967 with respect to the item (Application
for grant, Scotia Branch, Royal Canadian Legion) be amended by
showing Alderman Fitzgerald as voting against. Motion passed.

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The motion, as amended was put and passed.

APPROVAL OF ORDER OF BUSINESS
Additions & Deletions

The Order of Business was submitted for approval.

(A copy of the Order of Business is attached to the Official copy of these minutes.)

Alderman LeBlanc asked that an item be added, entitled "National Harbours Board Pier, South-End."

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that the item be added as 20A and the Order of Business amended accordingly. Motion passed.

MOVED by Alderman Ahern, seconded by Alderman Connolly that an item be added entitled: "Mayor O'Brien's Speech before Board of Trade on October 7, 1967."

The motion was put and resulted in the following vote:

FOR THE MOTION: Aldermen A. M. Butler, Meagher, Ahern, Connolly, Doyle, Sullivan, Fitzgerald, and H. W. Butler. (8)

AGAINST: Aldermen Black, Abbott, Moir, Ivany, Matheson, and LeBlanc. (6)

His Worship the Mayor ruled that the motion was lost, the required two-thirds vote in favor having not been obtained.

MOVED by Alderman Abbott, seconded by Alderman A. M. Butler that the Order of Business, as amended be approved. Motion passed.

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RESIGNATION - ALDERMAN A. M. BUTLER FROM
FINANCE & EXECUTIVE COMMITTEE

His Worship the Mayor stated at the Council meeting held on September 28, 1967, the matter of the resignation of Alderman A. M. Butler from the Finance & Executive Committee was deferred pending receipt of an opinion from the City Solicitor as to whether or not Alderman A. M. Butler is permitted to resign from the Committee. The members of Council, having received the opinion of the City Solicitor that the resignation of Alderman A. M. Butler is in order, he asked: "what is your wish?"

MOVED by Alderman Moir, seconded by Alderman Abbott that the resignation of Alderman A. M. Butler from the Finance & Executive Committee be accepted.

Motion passed with Aldermen LeBlanc and Meagher voting against.

His Worship the Mayor stated that he would defer an appointment to the Finance & Executive Committee to fill the vacancy created by the resignation of Alderman A. M. Butler until the slate of Committees for the ensuing year is submitted to Council early in November.

MOTIONS OF RECONSIDERATION

No motions of reconsideration were scheduled for presentation at this time.

MOTIONS OF RESCISSION

No motions of rescission were scheduled for presentation at this time.

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PUBLIC HEARING RE: AMENDMENT TO PART II ZONING BY-LAW -
PARKING & STORING OF BOATS & TRAILERS - RESIDENTIAL
ZONES

A public hearing was held at this time in connection with the proposed amendment to Part II of the Halifax Zoning By-Law by an addition of a further Section (15) respecting the parking or storing of boats and trailers.

The City Clerk advised that the matter had been duly advertised and no written objections had been received.

Mr. F. A. Briggs of 2195 Quinn Street appeared in opposition to the proposed amendment, and presented the following facts:

- (1) He has a 35-foot-wide house on a 40-foot lot which allows no vehicular entrance to the rear yard.
- (2) Entrance to a basement garage is gained by an "up" ramp and his trailer is parked in the driveway leading to the garage.
- (3) He has parked his trailer in this location since 1962.

Mr. W. E. Tattrie of 6348 Berlin Street asked for clarification of Clause (B) of the proposed Section 15, and the Deputy City Solicitor explained, to his satisfaction, the intent of the Clause (B).

An unidentified citizen appeared and objected to the proposed by-law on the grounds that it prohibits the parking of more than one trailer on the property and does not allow a small box-type utility trailer in addition to another type, which he felt was too restrictive.

Mr. Charles J. McGinn of 6250 Willow Street appeared and asked if there is any provisions for a visitor to park a trailer for a limited time in a driveway on property

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where another trailer is stored or parked, and the Deputy City Solicitor replied in the negative.

No other person wished to be heard.

Alderman LeBlanc contended that the proposed amendment is not what was originally suggested and he said that legislation should be sought only to prohibit trailers being parked in such a way so that they would protrude beyond the neighbors property and thus become a potential eye-sore.

MOVED by Alderman Connolly, seconded by Alderman Fitzgerald that the amendment to Part II of the Halifax Zoning By-Law, as advertised, be approved as follows:

BE IT ENACTED by the City Council of the City of Halifax, under the authority of the Town Planning Act, as follows:

1. Part II of the Zoning By-Law of the City of Halifax, passed by the City Council on the 11th day of May, A. D., 1950, and approved by the Minister of Municipal Affairs on the 15th day of August, A. D., 1950, as amended, is further amended by adding thereto the following Section:

15. (1) For the purpose of this Section, "trailer" shall mean a trailer as defined in Chapter 184 of the Revised Statutes of Nova Scotia, 1954, The Motor Vehicle Act.

(2) No person shall in any R-1, R-2 or R-3 Zone, use any lot for the parking or storing of any boat or trailer.

(3) Notwithstanding the provisions of subsection (2) hereof, the owner or occupant of any dwelling unit or lot, building or structure in any R-1, R-2 or R-3 Zone, may store or park not more than either:

(a) One boat, which shall not exceed 23 feet in length with or without boat trailer which shall not exceed 23 feet in length exclusive of hitch or tongue; or

(b) one trailer, which shall not exceed 23 feet in length exclusive of hitch or tongue,

upon such lot, subject to the following regulations:

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A. Where lands are used for an apartment house, the boat or trailer shall be located within a building and shall only be permitted in spaces or areas that are in addition to the number of parking spaces required for the parking or storage of motor vehicles for such building;

B. Where lands are used for any other purpose:

(i) the boat or trailer shall be located within the dwelling, a garage or a carport, or located to the rear of a line drawn between two adjacent buildings extending from the front wall of the building which is further from the street, such line being parallel to the street line;

(ii) where a side lot line abuts a street, any trailer or boat parked or stored shall be located no closer than the established setback of the main building or ten feet from such side lot line, whichever is the greater distance;

(iii) where the rear lot line abuts a street, any trailer or boat parked or stored shall be located not less than 25 feet from such rear lot line.

(4) Notwithstanding subsections (2) and (3) hereof, the owner or occupant of any dwelling unit, lot or structure in any R-1, R-2 or R-3 Zone may park for the purpose of loading and unloading not more than either one boat or one trailer at any one time on such lot.

(5) Notwithstanding subsections (2) and (3) hereof, where lands are used for purposes other than for apartments, the limitation imposed therein shall not restrict the number of such boats or trailers that are fully enclosed within a garage or dwelling, provided the same are owned by the owner or occupant of such dwelling unit, lot or structure or a member of his family.

MOVED in amendment by Alderman Meagher, seconded by Alderman Ahern that the proposed amending by-law be further amended to provide that a boat and/or trailer may be parked and/or stored in the driveway leading to a basement garage which is located in a dwelling on a lot which has not sufficient side-yard to provide vehicular access to the rear

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yard of such lot.

After further discussion, the motion in amendment was put and lost.

MOVED in amendment by Alderman Black, seconded by Alderman H. W. Butler that the proposed amending by-law be amended to provide the owner or occupant of any dwelling unit or lot, building or structure in any R-1, R-2 or R-3 zone may store or park one or more trailers upon such lot provided that the regulations contained in the proposed amending by-law are otherwise complied with.

The motion as amended, was then put and passed.

The final form of the amendment to the zoning By-Law would be submitted to Council for approval.

PETITIONS & DELEGATIONS

His Worship the Mayor extended a welcome to a group of members of the Beta Sigma Phi Sorority who were present in the gallery. He said the Council is appreciative of the efforts of groups such as the Sorority taking the time to attend the Council Meeting to learn, at first hand, the manner in which the City's business is conducted.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the meeting of the Finance & Executive Committee held on October 5, 1967 with respect to the following matters:

Deletion of Survey Truck from Service - Survey Division

MOVED by Alderman Abbott, seconded by Alderman Matheson that, as recommended by the Finance & Executive

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Committee:

- (a) effective October 1, 1967, the survey truck be deleted from use in the Survey Division and that the surveyors make the required trips to City Field and City Hall in consideration of an increase of \$5.00 per month on their car allowance;
- (b) the Chief Surveyor use his own car for supervisory duties and be compensated at the same rate of \$55.00 per month as paid to the Engineers and Inspectors; and
- (c) a supplementary appropriation in the amount of \$240.00 be approved to cover the additional cost for the remainder of 1967, funds for this purpose to be provided under the authority of Section 316C of the City Charter. Motion passed.

Settlement of Claim - Leasehold Interest - Nova Scotia
Liquor Commission

MOVED by Alderman Abbott, seconded by Alderman Moir that, as recommended by the Finance & Executive Committee, the sum of \$1,638.12 be paid to the Nova Scotia Liquor Commission as full compensation for the surrender by the said Commission of its Leasehold Interest in the Property at 5210-14 Buckingham Street, required in connection with the Scotia Square Development. Motion passed.

Expropriation Compensation - Charles J. McGinn

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, the sum of \$23,587.50 be paid to Mr. Charles J. McGinn, representing 75 percent of the amount of compensation payable by the City in connection with the expropriation of his properties at 2301, 2303, 2307-09, 2311-13 Gottingen Street and 2362, 2366 Maitland Street. Motion passed.

Final Certificate - Retaining Wall - Howe Avenue &
Abbott Drive

MOVED by Alderman Meagher, seconded by Alderman

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Sullivan that, as recommended by the Finance & Executive Committee, the sum of \$1,500.00 be paid to W. Eric Whebby Limited as per Certificate No. 4 (Final) respecting the construction of a reinforcing concrete retaining wall at the corner of Howe Avenue and Abbott Drive. Motion passed.

Final Certificate - Paving - Grand Parade

MOVED by Alderman Sullivan, seconded by Alderman Ahern that, as recommended by the Finance & Executive Committee, payment of the sum of \$727.72 be made to Standard Paving Maritime Limited as per Certificate No. 3 (Final) respecting paving of the Parade Square at City Hall. Motion passed.

Employment of Key Punch Operators

MOVED by Alderman Matheson, seconded by Alderman Ahern that, as recommended by the Finance & Executive Committee, employment of two (2) Key Punch Operators be authorized and the Staff Establishment of the Finance & Accounting Department be amended by the addition of the following positions:

One (1) Key Punch Operator I at a Salary range of \$2,640.00 to \$3,140.00.

One (1) Key Punch Operator II at a Salary range of \$3,140.00 to \$3,600.00.

Alderman LeBlanc asked if it is intended to fill the new positions by people already on Staff and the Acting City Manager answered in the affirmative.

The motion was then put and passed.

Actuarial Survey - Halifax Superannuation Plan

MOVED by Alderman Matheson, seconded by Alderman Abbott that, as recommended by the Finance & Executive Committee, legislation be sought at the next session of the Legislature to amend the Halifax Superannuation Plan to provide that the cost of actuarial surveys of the said plan be paid

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out of the funds of the Plan. Motion passed.

Grant - Halifax-Dartmouth United Appeal

MOVED by Alderman Moir, seconded by Alderman Matheson that, as recommended by the Finance & Executive Committee the City of Halifax grant to the Halifax-Dartmouth United Appeal for 1967, be increased by \$800.00 to a total of \$20,500.00. Motion passed.

Lease of Land - Gottington Street & Rainnie Drive to
Canadian Red Cross Society

MOVED by Alderman Moir, seconded by Alderman Matheson that, as recommended by the Finance & Executive Committee the lease between the City of Halifax and the Canadian Red Cross Society, covering land at the northwest corner of Gottingen Street and Rainnie Drive and that the Mayor and City Clerk be authorized to execute the same on behalf of the City of Halifax. Motion passed.

Application for Door-to-door Canvass - Muscular Dystrophy
Association

MOVED by Alderman Sullivan, seconded by Alderman Ahern that, as recommended by the Finance & Executive Committee the application of the Muscular Dystrophy Association for permission to conduct a door-to-door canvass on November 16 and 17, 1967 be approved. Motion passed.

Property Acquisition - Dwelling No. 30, Africville

MOVED by Alderman Ahern, seconded by Alderman Sullivan, that as recommended by the Finance & Executive Committee:

1. The City consider Dwelling No. 30 at Africville as being originally owned by the late Miss Maizie Carvery;
2. The City purchase Dwelling No. 30 for the sum of \$500; such amount to be equally divided between the

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members of her family;

3. A Quit Claim Deed to be signed in favor of the City by Mr. Edward Carvery, Sr., Miss Lucy Carvery Mrs. Jean Cassidy, Mrs. Ross Dixon and Mr. Aaron Carvery for their interest in Dwelling No. 30;
4. Dwelling No. 30 be demolished as soon as the Quit Claim Deeds are signed.

Motion passed.

Property Acquisition - Dwelling No. 25, Africville

MOVED by Alderman Sullivan, seconded by Alderman Matheson that, as recommended by the Finance & Executive Committee:

1. The City consider Mr. Vincent Simms and Mrs. June Jackson as the alleged owners of Dwelling No. 25, City Plan P500/46, Africville;
2. The City purchase Dwelling No. 25 for the sum of \$500; such amount to be equally divided between Mr. Simms and Mrs. Jackson;
3. A Quit Claim Deed be signed in favor of the City by Mr. Simms and Mrs. Jackson for their interest in Dwelling No. 25;
4. Mrs. Jackson's interest in Dwelling No. 25 be deposited in trust to her account at the Halifax Mental Hospital;
5. Dwelling No. 25 be demolished as soon as it is vacated.

Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works of its meeting held on October 3, 1967, with respect to the following matters:

Street Closures - Portions of Argyle & Buckingham Streets

The Committee recommended that Argyle Street, between Duke & Buckingham Streets and Buckingham Street, between Barrington & Argyle Streets be closed and that a date be fixed for a public hearing.

The City Clerk advised that it would be necessary to refer these street closures to the Regional Planning Commission for consideration.

MOVED by Alderman Moir, seconded by Alderman Ivany that the matter be referred to the Regional Planning Commission for consideration, after which a date would be set for a public hearing into such closures. Motion passed.

Tenders for Demolitions

MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Committee on Works, the tender of G. A. Redmond, the lowest tender, be accepted for the demolition of the following buildings:

		<u>AMOUNT</u>
<u>Group one</u>	2348 Barrington Street	\$ 1,400.00
<u>Group Two</u>	5412 Gerrish Street	1,395.00

funds for this work being provided in Capital Account 59-24.

Motion passed.

Increase in Tender for Demolition of #1888-94 Barrington Street

City Council, at its meeting held on July 13, 1967, accepted the low tender of A & K Demolition in the amount of \$2,648.00 for the demolition of 1888-94 Barrington Street.

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Subsequent to the tender closing time, the regulations on materials accepted for disposal at the Incinerator were changed to require that timber be cut to 3' lengths rather than 4'. This involves extra work for the demolition contractors and they have therefore claimed an extra in the amount of \$265.00. This is 10% of their original tender and staff considers this increase to be fair and reasonable. The next low bidder was Carl Potter in the amount of \$8,000.00.

MOVED by Alderman Fitzgerald, seconded by Alderman Sullivan that, as recommended by the Committee on Works, the contract between the City of Halifax and A & K Demolition be increased from \$2,648.00 to \$2,913.00 for the demolition of 1888-94 Barrington Street. Motion passed.

Appointment of Architects - New City Field Building

The Committee report reads as follows:

"A report was submitted from staff recommending that the firm of MacFawn & Rogers be appointed as architects to design the new City Field building.

After a short discussion, the matter was referred to Council without recommendation.

The Acting City Manager was directed to submit a report advising the fee that was paid to Mr. Avramovitch, as well as the fee paid to the firm of Thomas M. Riddick & Associates, in connection with the proposed Aquarium."

The following report was submitted from the Acting City Manager:

"The Committee on Works, during consideration on October 3rd of the staff recommendation for appointment of the firm of MacFawn & Rogers as architects for the new City Field building, requested information as to the date on which the firm was established. Staff have been advised that the partnership was formed in July, 1967. Both of the principals are former

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partners in the architectural firm of C. A. Fowler, Bauld & Mitchell, 5244 South Street, Halifax.

The Committee also asked for information on amounts paid to the architectural firm of Aza Avramovitch & Associates and to Thomas M. Riddick & Associates in connection with the design of the now defunct Aquarium project. Following is the text of a report of the late City Manager, dated February 1, 1967 respecting settlement of the City's obligations to the first-named firm:

"Aza Avramovitch & Associates, Architects for the now abandoned Aquarium project, have submitted a final account for fees in connection therewith.

Under the agreement of June 30, 1966 between the Architect and the City (Article V) the fee payable was \$49,000 for an aquarium costing "not more than \$600,000." In accordance with the schedule of payments set out in Article VI, the City paid the Architect \$36,750, pursuant to an invoice dated September 1st, 1966, which represented 75% of the agreed fee, based on the estimated cost of \$600,000. Article VI(a)(iii) of the agreement provides for adjustment of the fee on the basis that "if no tender has been approved by (the client) then (the fee shall be based) upon the lowest bona fide tender or tenders received."

The lowest tender, less allowances, was \$765,810, and, on the basis required in the contract, the fee would be \$46,906.75 which, less the amount previously paid, leaves a balance owing of \$10,155.75. The City is also obliged to reimburse the Architect for certain out-of-pocket expenses for long distance telephone calls costing \$194.10, and travel out of the Province costing \$302.50. The total amount owing the Architect is therefore \$10,652.35. It is respectfully requested that the Finance and Executive Committee recommend to City Council payment of the last amount stated in full settlement of the City's obligations under the terms of the aforementioned contract."

During Council consideration of the report and subsequent recommendation of the Finance and Executive Committee, the City Manager was directed to negotiate an agreement with the firm, which would make available to the City plans of the Aquarium for the City files and which would permit the City, in the event that the Aquarium project was reactivated, to negotiate a new architectural fee, which would take into consideration amounts previously paid to the architects. Such an agreement was concluded and final payment of the amounts due under the main agreement was authorized by Council March 30th, 1967.

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With respect to Thomas M. Riddick & Associates, the City paid the firm \$8,000.00 and Council rejected, on July 13, 1967, a claim by Thomas M. Riddick & Associates for an additional fee of \$2,000.00.

It is apparent that the City has satisfied its obligations with respect to design costs related to the Aquarium."

Alderman LeBlanc questioned the Minutes of the Committee on Works wherein he is reported as having moved "that the appointment of the firm of MacFawn & Rogers as architects for the new City Field building, be sent to Council without recommendation" and he said that if he made such a motion he will withdraw it.

His Worship the Mayor stated that the intention of the Committee, regardless of who moved it, was to send the item to Council without recommendation rather than to send the name of an architect.

Alderman Moir contended that the name of no architect should be before Council at this time in view of the Committee's recommendation.

At the request of Alderman LeBlanc, the following report, which was received by His Worship the Mayor from Mr. Avramovitch, was read by the City Clerk:

Report re Aquarium

1. An aquarium is a complex building requiring an unusual amount of research, time, and energy. It was intended as the Centennial project for the City of Halifax. For more than a year with pride, challenge, and devotion, I worked on this project, pushing aside all other work in my office.
2. The fee received was \$46,905.75 representing 5.6% of the cost of the building (\$829,660.00). For comparison purposes, the same work done in the United States of America would command a fee of 10%.

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3. Out of \$46,905.75 was paid:

Structural Consultant
Mechanical and Electrical Consultants
A model of the aquarium
A trip to Denmark and Norway in order to study aquaria.

During the time plans were being prepared, I had only architects working on them - high-paid help.

4. The architect's profit is mainly in the supervision fee which accounts for one-third of the total fee. In our case, as the project was abandoned, I did not have any opportunity to make any profit whatsoever. I would say that besides the terrible deception in not seeing the project materialize, the loss of the aquarium was also a financial blow to me, since my expenses were far greater than the fee received.

Alderman LeBlanc contended that the claim of Mr. Avramovitch should be examined fully to ensure that this firm did, in fact, receive fair treatment from Council.

Alderman Black said that he considered it rather unseemly for professional people to lobby for City contracts in view of the procedure which has been established respecting the appointment of architects, and he MOVED that the firm mentioned on Page 172 of the Minutes of the Committee on Works for 1967 (MacFawn & Rogers) be appointed as architects for the new City Field building.

Alderman Connolly seconded the motion.

It was then MOVED in Amendment by Alderman LeBlanc that the firm of Aza Avramovitch & Associates be appointed architects for the new City Field building.

His Worship the Mayor declared the Amendment to be contrary to the motion and ruled same out of order.

At the suggestion of Alderman A. M. Butler, it was decided to permit Aldermen to make nominations for the appointment of architects.

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His Worship the Mayor said he would consider the two firms mentioned to have been nominated.

Alderman Meagher nominated the firm of Lester John Page.

After further discussion, the City Clerk was instructed to take polls of the Aldermen on the three nominations.

It was agreed to follow the procedure of eliminating from the second poll the firm with the lowest number of votes.

The first poll resulted as follows:

Voting for MacFawn & Rogers:	Aldermen Black, Moir, Ahern, Connolly, Doyle and H. W. Butler	6
Voting for Aza Avramovitch & Associates:	Aldermen Abbott, Ivany, A. M. Butler, LeBlanc and Sullivan	5
Voting for Lester John Page:	Aldermen Matheson, Meagher and Fitzgerald	3

The firm of Lester John Page was eliminated from the second poll.

The second poll resulted as follows:

Voting for MacFawn & Rogers:	Aldermen Moir, Meagher, Ahern, Connolly, Doyle, H. W. Butler and Black	7
Voting for Aza Avramovitch & Associates:	Aldermen Abbott, Ivany, Matheson, A. M. Butler, LeBlanc, Sullivan and Fitzgerald	7

His Worship the Mayor stated that, for the reason that the firm of MacFawn and Rogers have not been in business very long and do not deserve the same consideration as a well established firm, he would vote for Aza Avramovitch & Associates.

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It was then MOVED by Alderman LeBlanc, seconded by Alderman Abbott that the firm of Aza Avramovitch & Associates be appointed architects for the new City Field building.

Alderman Matheson stated that he would support the motion but that in future he would oppose the procedure of taking a straw vote for the appointment of professional firms for City contracts.

The motion was then put and resulted in a tie vote as follows:

For:	Aldermen Ivany, Matheson, A. M. Butler, LeBlanc, Sullivan, Fitzgerald and Abbott	7
Against:	Aldermen Moir, Meagher, Ahern, Connolly, Doyle, H. W. Butler and Black	7

His Worship the Mayor cast his vote in favour of the motion and declared the same passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee of its meeting held on October 3, 1967 with respect to the following matters:

Tenders - Fire Apparatus

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Safety Committee, the tender of King Seagrave Co., Woodstock, Ontario, for the supply of Two Combination Pumper Booster and Hose Trucks for the sum of \$75,196.00, to be delivered by road at a cost of \$780.00 for the Fire Department, be accepted. Motion passed.