

ORDER OF BUSINESS

CITY COUNCIL

AUGUST 15, 1968

8:00 p.m.

Lord's Prayer

Roll Call

Presentation

Minutes: July 25, 1968

Approval of Order of Business, Additions & Deletions

Deferred Items:

- (a) Motion - Alderman Ivany Re: Expropriation Procedures
- (b) Housing Authority Budget - 1968
- (c) Motion - Alderman Sullivan Re: Appointments to Port of Halifax Commission
- (d) Agreement - Stadium Facilities - City of Halifax and Saint Mary's University
- (e) Stadium Plans - Saint Mary's University
- (f) Appointments - Board of Visitors - Basinview Home

Motions of Reconsideration: NONE

Motions of Rescission: NONE

Public Hearings & Hearings:

- (a) Hearing - Appeal Against the Refusal of the Building Inspector to Issue an Occupancy Permit to Operate a Tavern - #1471-75 Birmingham Street

Petitions & Delegations

Report - Finance & Executive Committee:

- (a) Possible Acquisition - #15 Artz Street
- (b) Possible Acquisition - #1452 Queen Street
- (c) Call for Proposals - Development Consultants - Prison Lands
- (d) Contract Between the City of Halifax and Paul Maillet - Repointing of Stone Work at Memorial Tower - Fleming Park
- (e) Halifax Mental Hospital - Maintenance of Patients Committed Under Lieutenant Governor's Warrant
- (f) Appropriation - Section 316C, City Charter - Civic Election, \$30,000
- (g) Tenders - Contract No. 2 Phase No.1 - Cogswell Street Interchange
- (h) Agreement - Halifax Police Boys' Club and City of Halifax
- (i) Fill - Scotia Square
- (j) Acquisition of Lands from Halifax Relief Commission
- (k) Eastern Canadian Junior Track and Field Championships
- (l) Tax Grant - Theatre Arts Guild
- (m) Grant - Nova Scotia Museum of Fine Arts
- (n) Historic Buildings - Brunswick Street
- (o) Tenders - Central Fire Station - West Street

1. Report - Committee on Works:

- (a) Tenders - Truck Chassis with Tilt Cabs
- (b) Demolition Contract - #5681 West Street and #2432 Maynard Street
- (c) Permission to Fly Ballon from City Hall Area
- (d) Float - Nova Scotia Provincial Exhibition Parade, August 26, 1968

2. Report - Safety Committee: NONE

3. Report - Public Health & Welfare Committee:

- (a) Per Diem Rate - Basinview Home

4. Report - Committee of the Whole Council, Boards & Commissions:

- (a) Amendments - Ordinance #55 Re: Tag Days, etc. - SECOND READING - DEFER

Report - Town Planning Board:

- (a) Modification of Front Yard, Side Yard, Lot Frontage and Lot Area to Legalize a Duplex Dwelling - #6490 London Street
- (b) Proposed Amendment to Zoning By-law Arising from the Appeal - Occupancy Permit - Doctor's Office on Oxford Street
- (c) Rezoning - R-2 Zone to R-3 Zone - Resubmission - #3890 (Lot 17) Kencrest Avenue - Date for a Hearing
- (d) Agreement - Litter Receptacles - Panel Ads of Nova Scotia
- (e) Extension to a Non-conforming Building and Modification of Front Yard Requirements - #6204-06 Almon Street
- (f) Extension to a Non-conforming Building, Modification of Front Yard and Side Yard Requirements - #2562 Elm Street
- (g) Extension to a Non-conforming Building, Modification of Front Yard, Side Yard, Lot Frontage and Lot Area Requirements - #5655 Macara Street
- (h) New Street Lines on Forrester Street
- (i) Development of Trailer Parks
- (j) Vacant Buildings - West Side of Windsor Street between Summit and Seaforth Streets

Motions:

- (a) Motion - Alderman LeBlanc Re: Stationery for Alderman

17. Miscellaneous Business:

- (a) Question - Alderman Black Re: Halifax Relief Commission
- (b) Lord's Day Permits
- (c) Resignation of Mr. Alex Halse from Housing Committee

18. QUESTIONS

19. Notice of Motion

20. Added Items

WINDSOR ST
 1968
 CITY COUNCIL
 ORDER OF BUSINESS

CITY COUNCIL
MINUTES

Record
Council Chamber,
City Hall,
Halifax, N.S.
AUGUST 15, 1968
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 City Clerk, joined in reciting the Lord's Prayer.

There were present; His Worship the Mayor, Chairman; and Aldermen Abbott, Moir, Ivany, Matheson, Meagher, LeBlanc, Sullivan, Ahern, Connolly, Fitzgerald, and H.W. Butler.

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

PRESENTATION - WILLIAM F. CLEARY

On the occasion of his retirement as Deputy Chief of Police, His Worship the Mayor presented Mr. William F. Cleary with a Scroll, in recognition of 38 years of faithful service to the City of Halifax.

MINUTES

MOVED by Alderman Moir, seconded by Alderman Ahern, that the Minutes of the meeting of City Council held on July 25, 1968 be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The Order of Business, as prepared by the City Clerk, was submitted for approval.

The City Clerk advised that Item 11(c) - Permission to Fly Ballon from City Hall Area" was deleted, and the following added:

- 20(a) - Expropriation - Property - West, Maynard and James Streets - Site for new Central Fire Dept. Headquarters.
- 20(b) - Compensation - Seventy-five percent (75%) - William Collings & Sons Limited.
- 20(c) - Resolution - 1969 Canada Games.

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At the request of Alderman Connolly, it was agreed to add the item "Parking Around North Common" as Item 20(d).

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

8:10 p.m. - Alderman Black arrives.

DEFERRED ITEMS

Motion - Alderman Ivany Re; Expropriation Procedures:

At the request of Alderman Ivany, it was agreed to defer this matter until next Council meeting in order that Council could study the motion prepared by Alderman Ivany before being asked to make a decision.

Housing Authority Budget- 1968:

MOVED by Alderman Moir, seconded by Alderman Sullivan, that as recommended by the Finance and Executive Committee, the proposed 1968 budget of the Halifax Housing Authority be approved and that Central Mortgage and Housing Corporation and the Province of Nova Scotia be asked to concur in such approval. Motion passed.

Appointments to Port of Halifax Commission:

Alderman Sullivan stated that after a study of the matter and consultation with the Longshoremen and Freight Handlers Unions, he wished to move the following:

WHEREAS the drop in cargo tonnage in the Halifax Port is causing grave concern;

And WHEREAS I have heard members of the Longshoremen's Organization state they feel more effort could be made by City Council in promoting the Port;

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THEREFORE, BE IT RESOLVED that the Halifax Port Commission be assisted in promoting the Port of Halifax by adding or having appointed a representative from the Longshoremen's Union and Freight Handlers Association.

At the suggestion of Alderman LeBlanc, Alderman Sullivan agreed that the following be added to his

Motion:

"...and that consideration be given to this matter upon the formation of a new Port of Halifax Commission."

There was also some discussion on the advisability of passing such a motion, pending the outcome of the present negotiations between Halifax, Dartmouth, and the County for a joint effort to promote port facilities, and at the suggestion of His Worship the Mayor, Alderman Sullivan agreed to refer the matter to a joint meeting between the City, Port officials and labour representatives which would be called within the next month

Agreement - Stadium Facilities - City of Halifax and Saint Mary's University:

The City Clerk read the following letter which had been received from Father Henry J. Labelle, President of Saint Mary's University:

"August 14, 1968

"The Mayor and Members
of the Halifax City Council,
City Hall, HALIFAX.

"Your Worship and Gentlemen:

"In connection with the proposed agreement between the City of Halifax and the University governing the City's rights to use of the Sports Stadium facilities, I confirm that it is and always has been the University's understanding that present City Ordinances prohibit the holding of sporting

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"events involving professional players without the City's prior permission, and in any event the University will in any such instance make application to the City, or cause such application to be made, during the life of the contract between us."

MOVED by Alderman Sullivan, seconded by Alderman Moir, that as recommended by the Finance and Executive Committee, City Council approve the proposed Agreement between the City of Halifax and St. Mary's University respecting the Stadium Facilities for the 1969 Canada Games and authorize His Worship the Mayor and the City Clerk to execute the Agreement on behalf of the City of Halifax. Motion passed.

Alderman Black said he wished to note for the record that under the present Zoning By-law, events involving professional players could not be approved even upon application from Saint Mary's University.

Stadium Plans - Saint Mary's University:

MOVED by Alderman Black, seconded by Alderman Ivany, that the plans for the Stadium facility to be constructed at St. Mary's University for the 1969 Canada Games, as submitted to the Town Planning Board, be approved. Motion passed.

Appointments - Board of Visitors - Basinview Home:

It was agreed to further defer this item.

MOTIONS OF RECONSIDERATION

No Motions of Reconsideration were scheduled to be heard at this time.

MOTIONS OF RESCISSION

No Motions of Rescission were scheduled to be heard at this time.

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PUBLIC HEARING & HEARINGS

Hearing - Appeal Against the Refusal of the Building Inspector
to Issue an Occupancy Permit to Operate a Tavern -
#1471-75 Birmingham Street

The applicant presented the following grounds for an appeal against the Building Inspector's refusal to issue a permit to operate a tavern at 1471-75 Birmingham Street, Halifax:

1. The area is properly zoned C-3 for general business usage.
2. Sufficient precedent exists for liquor licenced outlets in the area.
3. Adequate parking facilities are available in the area.
4. The proposed business and building is compatible with the redevelopment program for the area (shopping mall development).
5. There are existing tavern facilities in the area.
6. There is no residential community in the area that would suffer from the existence of an English Pub type tavern.
7. The proposed facilities are equal to or better than many of the existing business facilities in the area.
8. The proposed site is not obnoxious to any churches, schools or hospitals.
9. There is a demand for an English Pub type tavern with extensive food facilities to cater to a noon and evening meal trade.

The Building Inspector spoke next, stating he had refused the permit in accordance with Clause 739A(3) of the City Charter as, in his opinion, such proposed occupancy was unsuitable for the locality, and would be a nuisance to passers-by. He stated this was his only objection, since there was no difficulty in regards to zoning, nor had the Planning Department voiced any objections as regards the overall development of the area.

Several Aldermen stated different reasons why they

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felt the permit should be refused, but Alderman Matheson objected to their statements, as he felt the only point for consideration was the reason given by the Building Inspector, who had said that otherwise a tavern in that location would violate no regulations. He added that, in his opinion, the reason given by the Building Inspector was not sufficient to refuse the applicant a permit.

Mr. D. Kerr, Solicitor for the applicant, spoke next giving additional grounds for the appeal. He stated the project had gone through the Liquor Licence Board without difficulty, which in itself was an indication that everything was in order. Parking facilities, etc, were also mentioned as being available. He said that as well as a drinking place it was intended to serve meals, the price of which would be such so as to insure a good clientele.

MOVED by Alderman Moir, seconded by Alderman Ivany, that the decision of the Building Inspector be upheld and the occupancy permit be refused.

The motion was put and passed, 8 voting for the same and 4 against as follows:

For: Aldermen Abbott, Moir, Ivany, Meagher, Ahern,
Connolly, Sullivan, H.W. Butler 8
Against: Aldermen Black, Matheson, LeBlanc, Fitzgerald 4

PETITIONS AND DELEGATIONS

The City Clerk stated that there were no petitions or delegations to be heard.

REPORT -- FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on August 8, 1968 with respect to the following matters:

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Property Acquisition - 15 Artz Street:

MOVED by Alderman Abbott, seconded by Alderman Matheson that, as recommended by the Finance and Executive Committee, the City purchase the property at 15 Artz Street from Mrs. Mae Chase, 2715 Clifton Street, Halifax, for the sum of \$800.00 and that City Council approve a Borrowing Resolution for the amount of \$810.00 to withdraw funds from the Sale of Land Account for this purpose. Motion passed.

Property Acquisition - 1452 Queen Street:

MOVED by Alderman Matheson, seconded by Alderman Abbott, that as recommended by the Finance and Executive Committee, the sum of \$47,500.00 be paid to Mr. Herbert S. Lamb of 1144 South Park Street, Halifax, as settlement in full for all claims in connection with the acquisition by the City of his property at 1452 Queen Street, required for the further development of the Spring Garden Road area. Motion passed.

Call for Proposals - Development Consultants - Prison Lands:

His Worship the Mayor referred to the following Motion passed at Council of July 25, 1968:

"MOVED by Alderman Fitzgerald, seconded by Alderman H.W. Butler that, as recommended by the Committee of the Whole Council, City Staff initiate negotiations with the firm of Consort Consultants Limited for the overall development of the City Prison Lands as to agreement and price."

and stated that Council did not have the option of considering alternative Consultants unless they rejected the firm of Consort Consultants Limited on the grounds that their price was not satisfactory.

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

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the firm of Consort Consultants Limited be awarded the contract to prepare a development plan for the City Prison Lands to a maximum of \$147,000.00 based on costs and that Staff negotiate a detailed agreement which will be submitted to City Council before execution.

Alderman Moir said that he was satisfied that Consort Consultants were the best team available and would be capable of carrying out a high quality development. He referred to a statement on Page 13 of Staff report of July 19th which concluded that "the group which is selected should not, therefore, be selected solely on the basis of cost".

Alderman LeBlanc stated that many of the qualities which Alderman Moir felt made Consort Consultants' offer attractive were also embodied in the offer made by Project Planners, at less money.

Alderman Matheson referred to the statement in staff's report that they felt there were four teams capable of adequately carrying out the assignment within a reasonable time, and said the matter should now go back to staff with the instruction they give a firm recommendation as to which of those four teams they recommended, together with the cost involved or a method of arriving at the total cost.

His Worship the Mayor said this would require defeating Alderman Moir's motion and moving another one.

Alderman Fitzgerald said he had supported the motion naming Consort Consultants under the impression that Staff was to negotiate the price, and the only reason he would change his position now was if Staff were to say

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Consort's price was too high and could not be negotiated. He said that if Consort's proposal contained items which Staff felt were unnecessary, they should negotiate with that firm on having such items eliminated, and thus reduce the overall cost, after which they should present Council with a firm recommendation including cost.

Mr. Lubka, Chief Planner, then spoke stating that staff had not envisaged negotiation to mean a haggling on the price of individual bits and pieces of the work, but rather on overall problems like liaison between the consultant and staff, etc. He said it would defeat the whole purpose of calling in outside consultants, if Staff had to sit down and direct them on how to carry out the work. It would also, he said, be presumptuous of staff to tell these experts how to carry out the project they had drawn up; plus the danger that by so doing the consultants would hold the City responsible if the project were not successful by reason that the City had dictated the terms.

Alderman Meagher, however, said he was surprised to learn that no such negotiations had been carried out with regards to the cost, inasmuch as this had been the intent of the Motion passed at Council on July 25th.

10:05 p.m. - The Council convenes to meet as a Committee of the Whole.

Alderman Matheson said he supported Mr. Lubka inasmuch as he did not think Council could direct staff to tell the firm chosen how to do the job. He said the position was the same as when staff themselves are given a job to do and told

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to do it to their satisfaction and report the results to Council with their recommendations, at which time Council either rejects or modifies the recommendations.

Alderman Black then asked the Chief Planner to say whether in his opinion the job could be done adequately for less than \$100,000. The Chief Planner said it was a difficult question to which he could not give a simple answer, but stated that probably the City could get what it required for \$76,000 as quoted by Project Planners, but there was the question of whether the City wanted more than the minimum requirements. In the case of Consort Consultants, he said, you would pay more but you would also get more.

Alderman Ivany said in view of Mr. Lubka's statements, it appeared absolutely necessary that the City decide exactly what it wanted before negotiations are started with any developer.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher, that the matter be referred to staff to further negotiate a satisfactory price with Consort Consultants or bring in a recommendation to reject their proposal.

Alderman Matheson objected to this motion stating that Council had before it a motion to retain Consort Consultants at \$147,000, and His Worship the Mayor had made a ruling at the commencement of the meeting that all Council could deal with was an acceptance or rejection of that price, so that the present motion to refer it back to staff to further negotiate a satisfactory price, he said, was out of order.

Alderman LeBlanc said that if the City re-negotiated at this point with Consort for an improved price, then they must also give all the other firms who submitted tenders a chance to scale down their prices.

Alderman Fitzgerald said that if he had felt at the time the Motion was put naming Consort Consultants there was no possibility of negotiating the price with them, he would probably not have voted for it, and he still felt that statements in the Staff Report inferred that the prices quoted were negotiable.

The City Manager said he felt that staff had already made a clear recommendation to Council and quoted the following from the staff report:

"Staff are confident that any one of the four groups dealt with in detail above could prove the type of assistance the City is looking for. On balance, it is the consensus of Staff that Project Planners have made the most attractive proposal, being the best combination of a capable team and initial cost figures."

He said it was now up to Council to choose from the figures submitted, the one which they felt was best within the City's means, since Staff had already stated that any one of the four were capable of carrying out the job.

Alderman LeBlanc noted that when he made his Motion at Council naming Project Planners, he was unable to get a seconder, and felt that this was because there was a "local boy" element that came into the foreground.

Alderman Matheson said that something more than development of the City prison lands was involved, as the City was breaking faith with eleven firms which had spent money and

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time in preparing their tenders. He said the matter could not now be sent back to staff with conditions or instructions, except to ask them to submit a report which would facilitate Council in making a decision.

Against: The Assistant City Solicitor said that Council had awarded the contract to Consort Consultants, subject only to price, so that the matter could not now be referred back to staff unless Council says the price is unsatisfactory, in which case it will have defeated the motion that appointed Consort Consultants. She stated that Council could only refer the matter to a committee in accordance with the Rules of Order of Council. Accordingly the motion to refer to staff was ruled out of order.

Alderman Matheson said that they had received too many verbal statements from staff, and recommended the matter be deferred for two weeks pending a written submission from staff containing all the points discussed at Council and Finance meetings.

Alderman LeBlanc said he felt the best course of action would be to defeat Alderman Moir's motion and start over from the beginning.

After further discussion, the following motion was made:

MOVED by Alderman Matheson, seconded by Alderman Ivany, that the matter be deferred for two weeks pending receipt of a staff report as to whether the price is reasonable for what the City requires. The motion was

Contract between the City of Halifax and ...
Repointing of Stone Work at Memorial Tower - Flying Park
put and passed, 10 voting for the same and 2 against as

follows:

- For: Aldermen Abbott, Moir, Ivany, Matheson, Meagher,
Ahern, Connolly, Sullivan, Fitzgerald,
H.W. Butler 10
- Against: Aldermen LeBlanc and Black 2

11:20 - Council reconvenes, the same members being present.

Call for Proposals - Development Consultants - Prison Lands:

Halifax Under
MOVED by Alderman Matheson, seconded by Alderman
Ivany that, as recommended by the Committee of the Whole,
the matter be deferred for two weeks pending receipt of a
staff report as to whether the price is reasonable for
what the City requires. The motion was passed with
Alderman LeBlanc voting against.

11:25 p.m. - Alderman Moir retires.

Appropriation - Section 3160 City Charter - Civic Election -
\$30,000.00

MOVED by Alderman Abbott, seconded by Alderman
Meagher that, as recommended by the Finance and Executive
Committee, an appropriation in the amount of \$30,000.00 under
the authority of Section 3160 of the City Charter be approved
for the purpose of conducting the Civic Election in December.
Motion passed.

Tenders Contract #2 - Phase #1 - Crowwell Street Interchange

MOVED by Alderman Abbott, seconded by Alderman
Matheson that, as recommended by the Finance and Executive
Committee, the tender of Dineen Construction (Atlantic) Limited

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Contract between the City of Halifax and Paul Maillet -
Repointing of Stone Work at Memorial Tower - Fleming Park

MOVED by Alderman Matheson, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, Mr. Paul Maillet be not charged a penalty for non-completion of the contract and that the contract be awarded to Nova Scotia Waterproofers Limited in the amount of \$7,750.00 for the repointing of the stone work at the Memorial Tower, Fleming Park. Motion passed.

Halifax Mental Hospital - Maintenance of Patients Committed
Under Lieutenant Governor's Warrant

MOVED by Alderman Matheson, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, the City of Halifax make representation to the next meeting of the Union of Nova Scotia Municipalities, so that a common approach to the Provincial authorities can be made with respect to the problem. Motion passed.

Appropriation - Section 316C City Charter - Civic Election -
\$30,000.00

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, an appropriation in the amount of \$30,000.00 under the authority of Section 316C of the City Charter be approved for the purpose of conducting the Civic Election in December. Motion passed.

Tenders Contract #2 - Phase #1 - Cogswell Street Interchange

MOVED by Alderman Abbott, seconded by Alderman Matheson that, as recommended by the Finance and Executive Committee, the tender of Dineen Construction (Atlantic) Limited

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in the amount of \$2,425,130.00 be accepted for the second contract of Phase I of the Cogswell Street Interchange.

Motion passed.

Halifax Police Boys' Club:

MOVED by Alderman Abbott, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee -

1. the City enter into an agreement with the Halifax Police Boys' Club for the lease of 11,000 square feet of land at the corner of Dartmouth and Devonshire Avenues for 50 years at 7 per cent, or an annual rental of \$962.50;
2. the City grant the Club a sufficient amount to cover the taxes each year.

Motion passed.

Fill - Scotia Square:

MOVED by Alderman Matheson, seconded by Alderman Ivany, that, as recommended by the Finance and Executive Committee, the City purchase 10,000 tons of rock fill from Concreters Ready Mix Limited at a price of \$2,000.00 to be charged directly to Scotia Square. Motion passed.

Acquisition of Lands from Halifax Relief Commission

MOVED by Alderman Matheson, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee, the Minister of Municipal Affairs be requested to approve the withdrawal from the Sale of Land account of a further amount, not to exceed the sum of \$8,000.00 in order to finalize the purchase of land from the Halifax Relief Commission. Motion passed.

Eastern Canadian Junior Track and Field Championships

MOVED by Alderman Ahern, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee,

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the City Council approve a stand-by grant of \$1,000.00 to assist in the financing of the Eastern Canadian Junior Track and Field Championships and that all, or such portion of the amount as may be required be expended under the authority of section 316C of the City Charter. Motion passed.

Tax Grant - Theatre Arts Guild

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, when the Theatre Arts Guild Property in Jollimore is annexed to the City of Halifax, a grant be made to offset the taxes on the property. Motion passed.

Grant - Nova Scotia Museum of Fine Arts

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, after reviewing the Financial Statements submitted by the Nova Scotia Museum of Fine Arts, the grant of \$3,000.00 be not paid for the year 1968 but that the matter be reviewed in 1969. Motion passed.

Historic Buildings - Brunswick Street

MOVED by Alderman Matheson, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee -

1. City Council authorize staff to apply to Central Mortgage and Housing Corporation and the Province of Nova Scotia for a fifty per cent cost sharing on a feasibility study;
2. City Council retain the architectural firm of MacFawn and Rogers to carry out the feasibility study subject to Central Mortgage and Housing Corporation's concurrence;
3. City Council appropriate the necessary funds from

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current estimates in the amount of \$2,900.00 which is fifty per cent of the estimated cost of the feasibility study.

Motion passed.

MOVED by Alderman Matheson, seconded by Alderman Sullivan, that a vote of thanks be extended to the many volunteers who contributed their time, effort, and skills in the preparation of the report. Motion passed.

Tenders - Central Fire Department Headquarters:

MOVED by Alderman Ahern, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee -

1. the lowest tender, that of Raymond L. Kaizer Ltd. at \$634,397.00 be accepted for the construction of the Central Fire Department Headquarters;
2. additional funds in the amount of \$94,959.00 be provided by transfer from prior years' overfunding;
3. the City Manager negotiate with the tenderer on the individual items upon which he may be high to seek an improved price;
4. His Worship the Mayor and the City Clerk be authorized to execute the contract on behalf of the City of Halifax.

Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on August 6, 1968 with respect to the following matters:

Tenders - Truck Chassis with Tilt Cabs

MOVED by Alderman LeBlanc, seconded by Alderman H. W. Butler that, as recommended by the Committee on Works, the tender of Trainor G.M.C. Limited in the amount of \$25,544.00, being the lowest tender meeting specifications, be accepted for the supply of two truck chassis with tilt cabs for the Works Department. Motion passed.

Demolition Contract - 5681 West Street and 2432 Maynard Street

MOVED by Alderman Abbott, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, A & K Demolition Limited be awarded the contract to carry out the demolition work at 5681 West Street and 2432 Maynard Street at an amount of \$998.00 for each property. Motion passed.

Float - N. S. Provincial Exhibition Parade at Truro - August 26, 1968

MOVED by Alderman Ivany, seconded by Alderman H. W. Butler that, as recommended by the Committee on Works, the City enter a float in the N. S. Provincial Exhibition Parade on August 26, 1968 to be held in Truro, Nova Scotia. Motion passed.

REPORT - PUBLIC HEALTH AND WELFARE COMMITTEE

Council considered the report of the Public Health and Welfare Committee from its meeting held on August 8, 1968 with respect to the following matter:

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Per Diem Rate - Basinview Home

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Public Health and Welfare Committee, the per diem rate for Basinview Home be fixed as follows:

\$7.73 for patients with settlement in the City of Halifax;
\$9.50 for patients with settlement outside the City.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendments - Ordinance #55 Re: Tag Days etc. - Second Reading
Deferred.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on August 6, 1968 with respect to the following matters:

Modification of Front Yard, Side Yard, Lot Frontage and Lot Area to Legalize a Duplex Dwelling - 6490 London Street

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the application for modification of front yard, side yard, lot frontage and lot area requirements at 6490 London Street, as shown on Drawing No. P200/2447, to legalize the existing duplex dwelling be refused. Motion passed.

Possible Amendment to Zoning By-law Arising from the Appeal - Occupancy Permit - Doctor's Office on Oxford Street

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, Staff study the Zoning By-law as it relates to Doctor's Offices in R-2 and R-3 Zones, and incorporate certain amendments in the new

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Zoning By-law when it is prepared. Motion passed.

Rezoning R-2 to R-3 Zone - 3890 (Lot 17) Kencrest Avenue

MOVED by Alderman LeBlanc, seconded by Alderman

Black that, as recommended by the Town Planning Board:

1. City Council approve the rezoning of 3890 (Lot 17) Kencrest Avenue from R-2 Residential to R-3 Residential, as shown on Drawings No. P200/2251 and P200/2260, to permit the conversion of a four-unit apartment building into a six-unit apartment building;
2. a date for a public hearing be set;
3. the area outlined on the plan attached to the Staff Report dated June 30, 1967, be designated as the area within which people will be notified of the public hearing.

In reply to a question, the City Clerk advised that the Public Hearing will be held on September 26, 1968.

The motion was then put and passed.

Litter Receptacles

MOVED by Alderman Fitzgerald, seconded by Alderman Ivany that, as recommended by the Town Planning Board, approval in principle be given to the agreement with Panel Ads of Nova Scotia for the offer of 25 free litter receptacles, subject to:

1. the inclusion of a clause respecting panels promoting City beautification;
2. the approval of specific locations for the receptacles;
3. the power of veto of the City over the content and form of the advertisements placed thereon.

Motion passed with Alderman Black voting against.

Extension to a Non-conforming Building and Modification of Front Yard Requirements - 6204-6206 Almon Street

MOVED by Alderman Connolly, seconded by Alderman

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Sullivan that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of front yard requirements at 6204-6206 Almon Street, as shown on Drawing No. P200/2478, be approved with respect to the following additions only:

1. a two storey addition to the side for a stairway, and
2. an addition to the existing second floor at the rear to provide for two additional bedrooms.

Motion passed.

Extension to a Non-conforming Building and Modification of
Front and Side Yard Requirements - 2562 Elm Street

MOVED by Alderman Fitzgerald, seconded by Alderman Abbott that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of front and side yard requirements at 2562 Elm Street, as shown on Drawing No. P200/2474, to permit a two storey addition at the rear and to convert the single family dwelling to a duplex be approved, provided the existing garage is removed after Council approval of the addition and conversion. Motion passed.

Extension to a Non-conforming Building and Modification of
Front Yard, Side Yard, Lot Frontage and Lot Area Require-
ments - 5655 Macara Street

MOVED by Alderman LeBlanc, seconded by Alderman Black that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of front yard, side yard, lot frontage and lot area requirements at 5655 Macara Street, as shown on Drawing No. P200/2479, to permit the construction of a one storey addition be approved, on condition the existing garage

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is removed after Council approval of the application.

Motion passed.

New Street Lines on Forrester Street

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, City Council authorize Staff to take the necessary steps to move the street line of Forrester Street thirty feet south of its present alignment to widen the eastern portion of the new City Field site. Motion passed.

Development of Trailer Parks

MOVED by Alderman LeBlanc, seconded by Alderman Ivany that, as recommended by the Town Planning Board, representations be made to the appropriate department of the Provincial Government with respect to the development of the Rockingstone Park area and the acquisition and development of the Mill Cove area as trailer parks. Motion passed.

Vacant Buildings - West Side of Windsor Street between Summit and Seaforth Streets

MOVED by Alderman Abbott, seconded by Alderman Fitzgerald that, as recommended by the Town Planning Board, Staff prepare a report setting out a course of action which the City can take, including legislation if necessary, to eliminate the unsightly premises on the west side of Windsor Street between Summit and Seaforth Streets. Motion passed.

MOTIONS

Motion - Alderman LeBlanc Re: Stationery for Aldermen

Alderman LeBlanc did not put his motion since stationery for Aldermen has now been provided, but he did comment on the fact that the stationery is not of the best quality and the

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crests on the letterhead and on the envelopes are of different colours and different sizes.

MISCELLANEOUS BUSINESS

Question - Alderman Black Re: Halifax Relief Commission

A report was submitted from Staff relating to a request from Alderman Black that Staff ascertain the following information from the Halifax Relief Commission:

1. The names and addresses of members of the Halifax Relief Commission.
2. Financial statement of the Commission for the year 1967.
3. Terms of Reference of the Commission.
4. A copy of the Commission's agreement with the City of Halifax respecting Fort Needham.

The report set out the following comment which was received from the Secretary-Manager of the Commission:

"We view the situation as unusual that one member of Council could make a request of this kind on behalf of the whole Council without affirmation from the Council on a matter unrelated to civic affairs. For this reason we prefer to respond to a resolution of the Council."

The report also advised that a copy of the agreement referred to in request number 4 above, is on file in the Office of the City Solicitor.

Council took no action on the Staff report.

Resignation of Mr. Alex Halse from Housing Committee

In view of the fact that the matter of the selection of Consultants for the preparation of a Development Plan for the City Prison Lands is still unresolved, Council agreed to defer this matter until the next regular meeting of City Council.

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QUESTIONS

Question Alderman Fitzgerald Re: Financial Arrangements with
Respect to Annexation

Alderman Fitzgerald asked if the City had made any representations to the Province or the Board of Commissioners of Public Utilities with respect to the financial arrangements for annexation in the light of the Sandford Report.

His Worship the Mayor said that the matter has been discussed with the Province and the Board of Commissioners of Public Utilities on several occasions and that at the present time the City Manager is continuing discussions with the Deputy Minister of Municipal Affairs who is now prepared to place some matters before his Minister.

Question Alderman Sullivan Re: Fence - Fort Needham

Alderman Sullivan asked when the rest of the fence will be erected at Fort Needham.

The City Manager said he would report on this matter.

Question Alderman Ahern Re: Numerical Strength of Council

Alderman Ahern asked His Worship the Mayor if he plans to call a meeting of Council to discuss the reduction in numbers of Council as set out in the Order from the Board of Commissioners of Public utilities.

His Worship the Mayor replied in the negative.

Alderman Ahern felt that the matter should be discussed since many citizens are concerned that there will only be ten Aldermen on Council after annexation.

After a short discussion, it was agreed to refer

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the matter to the Finance and Executive Committee for consideration.

Question Alderman Connolly Re: Soot Nuisance

Alderman Connolly asked if any further reports have been received with respect to the Soot Nuisance.

The City Manager advised that he had expected a report would have been received while he was away but it did not materialize. He said that further information has been received which has been forwarded to the Nova Scotia Technical College for study.

Question Alderman Ivany Re: Air Pollution

Alderman Ivany asked if Staff would attend the Town Planning Board and Committee on Works meetings prepared to discuss the air pollution problem in the northern portion of South Street which is caused by some of the chimneys from the apartment buildings in the area. He also asked if Staff would look carefully at the barricading of construction sites in the area.

NOTICES OF MOTION

Notice of Motion - Alderman Matheson Re: Use of Committee of the Whole Council Meetings

Alderman Matheson gave notice that, at the next regular meeting of City Council, he will move or cause to be moved a resolution to the effect that from September 1st, 1968 until Council otherwise decides, no meetings of the Standing Committees be held except when and to the extent that the law requires action to be taken by one of the Standing Committees

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and that during this period the duties and functions of these Committees to the extent that the law permits be undertaken and performed by the Committee of the Whole Council which shall meet regularly twice monthly on the Thursdays preceding the regular meetings of City Council.

The City Solicitor was directed to review Committee Ordinance #105 prior to next Council meeting, for any possible amendments to permit use of the Committee of the Whole.

Notice of Motion - Alderman Fitzgerald Re: Amendments to Ordinance No. 109 - the Lord's Day Ordinance

Alderman Fitzgerald gave notice that at the next regular meeting of City Council he will move that Ordinance Number 109, the Lord's Day Ordinance, be amended to provide that when an application for a Lord's Day Permit is made, the City Clerk will ascertain the amount of the business occupancy assessment, thus eliminating the inconvenience to the applicant in obtaining a certificate of assessment from the City Assessor.

ADDED ITEMS

Expropriation - Property - West, Maynard and James Streets - Site for New Central Fire Department Headquarters

The following report was submitted from Staff:

"Staff has now completed the acquisition of all the properties required for the site of the Central Fire Department Headquarters, with the exception of a piece of vacant land assessed to the Devises of Margaret Grandison, being Civic Number 170-172 Maynard Street.

Because of inability to provide clear title to this particular property, it is necessary that the City expropriate the property, allowing compensation therefor in the amount of \$3,500.00

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In order that the City be ensured of clear title in the site as a whole, it is therefore recommended that the City expropriate the area outlined in red on City of Halifax Plan No. TT-9-17370, which includes the property 170-172 Maynard Street."

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

A Formal Expropriation Plan and Resolution was submitted giving effect to the foregoing motion of City Council.

MOVED by Alderman Matheson, seconded by Alderman LeBlanc that the Expropriation Plan and Resolution, as submitted, be approved. Motion passed.

Compensation - Seventy-five Percent (75%) William Collings
& Sons Limited

The following report was submitted from Staff:

"City Council, at its meeting of May 30, 1968, expropriated the above noted properties of William Collings & Sons Ltd. for the purpose of Harbour Drive - Interchange. The amount of compensation set out in the expropriation resolution is \$60,750.00.

The Company has requested payment of 75% of the compensation, pending final settlement of the compensation.

I would therefore recommend that Council authorize the payment to William Collings & Sons Ltd. of \$45,562.50, being 75% of the compensation allowed for the properties."

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

Resolution - 1969 Canada Games

MOVED by Alderman LeBlanc, seconded by Alderman Ahern that Council pass the following resolution:

WHEREAS the 1969 Canada Games will commence officially in the Cities of Halifax and Dartmouth one year from this date, namely August 15, 1969; and

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WHEREAS the official ceremonies marking the occasion of one year to August 15, 1969 were conducted on this date; and

WHEREAS the 1969 Canada Games will be the biggest and best sports attraction ever conducted in the Dominion of Canada;

THEREFORE BE IT RESOLVED that the City Council of Halifax does, on this date, wholeheartedly endorse and support the efforts of the Chairman, Executive, Canada Games Staff, and all citizens who are contributing their services as Committee Members; and

BE IT FURTHER RESOLVED that all citizens of Halifax promote support and participate in this great sporting event.

Motion passed.

Parking Around North Common

Alderman Connolly referred to the fact that there are No Parking Any Time signs along the Cunard Street side of the North Common and he asked if it would be possible to change the signs to No Parking Between the Hours of 7:30 a.m. and 6:00 p.m. so that spectators and players of the various ball games on the North Common would have a place to park their cars without receiving tickets.

His Worship the Mayor said that he had referred the possibility suggested by Alderman Connolly to the Traffic Engineering Department who are investigating.

The Traffic Analyst indicated that Staff are studying the matter, and do not appear to have any objections to the signs being changed.

11:48 p.m. Meeting adjourned.

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

ORDER OF BUSINESS

CITY COUNCIL

AUGUST 29, 1968

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: August 15 and 20, 1968
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
 - (a) Motion - Alderman Ivany Re: Expropriation Procedures
 - (b) Appointments - Board of Visitors - Basinview Home
 - (c) Resignation - Mr. Alex Halse from Housing Committee
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings: NONE
9. Petitions & Delegations
10. Report - Finance & Executive Committee:
 - (a) Lane Memorial Hospital - Funding Under Municipal Hospitals Loan Act
 - (b) Numerical Strength of Council After Annexation
 - (c) Application for Auctioneer's License
 - (d) Business Taxes and Area Rates in Annexed Areas
 - (e) Property Acquisition - 2054-58 Upper Water Street
 - (f) Expropriation - Mahar's Transfer and Express Limited -
2111 Upper Water Street
 - (g) Demolition - 2540 Barrington Street
 - (h) Request for Additional Funds - Section 316C, City Charter -
Port of Halifax Commission
 - (i) Rental Winter Accommodation - Visitors and Convention Bureau
 - (j) Property Acquisition - 2427 Creighton Street
11. Report - Committee on Works:
 - (a) Annexation - Snow and Ice Control
12. Report - Safety Committee: NONE
13. Report - Public Health and Welfare Committee: NONE
14. Report - Committee of the Whole Council, Boards & Commissions:
 - (a) Amendments - Ordinance #55 Re: Tag Days, Etc. - SECOND READING- DEFER