

Adjourned Council,
October 2, 1968

His Worship the Mayor said that possibly this Council had a duty to determine the structure under which the smaller new Council would work, even though it might not take effect until the new Council took over.

In connection with the use of Committee of the Whole, His Worship the Mayor said that if the procedure under discussion were adopted, Council should give serious consideration to determining the manner in which it would function, since the Committee of the Whole was not described in a City Ordinance, and the rules of procedure which applied were obscure. He thought that consideration should be given to appointing someone other than the Mayor as Chairman of the Committee, since if in his position as Mayor he is to have something to do with setting policy, he should be free to participate in debates and move motions. He suggested that the Deputy Mayor should serve as Chairman of the Committee of the Whole Council. Another way, he said, would be to elect the Chairman, as was done in the City of Ottawa. In any event, he said, consideration should be given to amending Ordinance 105 covering the Committee of the Whole, to spell out the rules which would apply covering the question of Chairmanship.

Alderman Fitzgerald said there was a conflict involved, in the sense that one of the duties of the Mayor was to act as an unbiased party on the issues under discussion, but on the other hand, if he was to be a policy leader, it was impossible not to take a specific stand. He said he did not think it would be possible for the Mayor to enter the debating arena in Committee of the Whole, and then resume a neutral position on the same matter as Chairman of the Council.

Council, so the Alderman Matheson rose on a point of order stating that the present line of talk was getting away from the motion before Council.

The motion was then put and lost, two voting for the same, and ten against it, as follows:

- For: Aldermen Moir and Matheson 2
- Against: Aldermen Abbott, Ivany, A.M. Butler, Meagher, LeBlanc, Ahern, Connolly, Sullivan, Fitzgerald, and H.W. Butler10

The motion having been lost, His Worship the Mayor suggested that one of the Aldermen who had voted against it, should at the proper time this evening, make a motion to rescind the motion passed at Council meeting of August 29, 1968.

Alderman Ivany said he would not change his stand in the matter, until more information was given to substantiate the proposed changes, and Alderman LeBlanc said he would require to hear the different views expressed more thoroughly.

His Worship the Mayor said that if an Alderman gave a Notice of Motion for Reconsideration, the matter could be put on the agenda of a subsequent meeting.

Composition of Committees, Boards and Commissions of the City of Halifax:

His Worship the Mayor said that the basis on which this item was before Council was not to determine who would actually serve on the various Committees, Boards, and Commissions, but to examine their composition and determine what proportion should be Aldermen. He said any changes made would become effective with commencement of the incoming

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Council, so that the Mayor of the new Council could make nominations, otherwise, he said, it would require meetings to amend the Ordinances. He said if the present Council did not change the composition of some of these Commissions, Boards, and Committees, it would result in a Council of 10 Alderman having to elect seven of them to a Committee.

Alderman Fitzgerald asked if it was required by the City Charter that the seven appointees to the School Board be Aldermen, and the City Solicitor confirmed that under the Charter only two need be Aldermen, the rest could be citizens.

Alderman Fitzgerald, then said he felt the decision of whether the work-load was too great for the ten Aldermen to man the Committees, etc. under the present set-up could just as well be left for them to decide, as they could simply resign and be replaced by citizens.

Alderman Matheson said that in all fairness to the incoming Council, he felt the present Council had to make some changes, but the question of the School Board, for instance, he did not feel it necessary to deal with at all, since the incoming Council could elect seven Aldermen or two Aldermen and five citizens, however they saw fit. Also, he said, in cases where the offices did not expire until say May, 1969 there was nothing the present Council could do to change the incumbent in any event. He said where the Ordinance has to be amended, the present Council should take some action, but it needed a full report on how the Committee, etc. is set up under the Ordinance or Charter, and then Council could consider changes.

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Notice - Board
MOVED by Alderman Matheson, seconded by
Alderman Abbott, that the City Manager be asked to prepare
a comprehensive report containing information relating to
those items that require a change in Ordinance 105 or the
City Charter to enable City Council to make a decision on
the composition of the various Boards and Commissions of
the City.

Alderman LeBlanc said the incoming Council
may want to review the whole structure of Committees,
possibly with a view to merging certain ones, and to take
the action called for in the motion, would be to place a
restriction on the new Council. He felt the new Council
should cope with the matter of changes in composition
itself.

9:50 p.m. - Alderman Sullivan retires.

Alderman Moir said he was in agreement with
the motion, but wished to remind other members of Council
that the motion required more reports from the City Manager,
and he should not be thus burdened unless Council was
serious about making the suggested changes - otherwise, members
should not vote for the motion.

Alderman Matheson said the very least Council
could do was to make the necessary changes that would allow
proportionately the same number of Aldermen on Committees
under the 10-Aldermen Council as existed for the 14-Aldermen
Council.

The motion was then put and passed.

October 2, 1968

Notice - Board of Commissioners of the Public Utilities
Re: Hearing - Abandonment of Transit Service

The Notice from the Board of Commissioners of Public Utilities setting the date for the hearing the petition of Nova Scotia Light and Power Company Limited for an order authorizing abandonment of the transit system, was submitted, but no action was taken by Council at this time.

QUESTIONS

Question: Alderman Connolly Re: Extra Police Protection

Alderman Connolly asked the Chief of Police if an effort is being made to provide extra police protection in the area to which he referred in his telephone call earlier in the day.

The Chief of Police replied that every effort is being made to provide extra services.

Question Alderman Fitzgerald Re: Air Pollution Ordinance

Alderman Fitzgerald asked if the Air Pollution Ordinance will be introduced soon.

The City Manager advised that the City Solicitor was looking at a report at the present time and it was hoped that that the Ordinance will be before one of the Committees next week.

Question Alderman Meagher Re: Parking of Trucks on Service Station

Alderman Meagher asked if anything is being done to rectify the situation to which he had referred before, where an oil company is parking large trucks on a service station to the annoyance of the residents of the area.

The City Solicitor said he would check further into this and report shortly.

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Question Alderman Fitzgerald Re: Property Required for Narrows
Bridge Approaches

Alderman Fitzgerald asked if the Bridge Commission has notified all the property owners, whose properties will be required for the construction of the Narrows Bridge approaches.

His Worship the Mayor was of the opinion that all such property owners should have been notified and some of the properties acquired.

Alderman A.M. Butler suggested that any person who was concerned about their particular property should check with the Bridge Commission.

Question Alderman Ahern Re: Current Planning Department Projects

Alderman Ahern asked if the City Manager would provide him with a list of the current projects which the City's Planning Department are engaged in at the present time.

The City Manager replied in the affirmative.

Question Alderman Ivany Re: Narrows Bridge Approaches

Alderman Ivany asked if the Bridge Commission has finalized the approaches to the Narrows Bridge.

His Worship the Mayor advised that the approaches from Barrington Street and from Robie Street have been finalized and plans are prepared but there appears to be some difficulty with the approach which leads to the Lady Hammond Road, Kempt Road and Windsor Street intersection. He said that Mr. Pratley is presently working on this approach and when the difficulties have been resolved a layout of this approach will be submitted to the City.

Question Alderman Ivany Re: Ordinance Regulating Amount of Heat
in Apartments

Alderman Ivany asked if the City has an Ordinance covering the amount of heat which is required to be provided in

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apartment buildings.

The City Solicitor advised that the City does not have such an Ordinance and in his opinion the application of such a provision would be extremely difficult, and the number of phone calls that would be received in connection with such a provision would be enormous. He felt that it was a good thing that the City did not have such an Ordinance.

NOTICE OF MOTION

Notice of Motion - Alderman LeBlanc - Amendment to Ordinance Number 109, Respecting the Opening of Stores, Canteens, Fruit Stands, Laundromats, Billiard Halls and Pool Rooms on the Lord's Day

Alderman LeBlanc gave notice that, at the next regular meeting of Council to be held on October 17, 1968 he would introduce an amendment to Ordinance Number 109, Respecting the Opening of Stores, Canteens, Fruit Stands, Laundromats, Billiard Halls and Pool Rooms on the Lord's Day, to provide that the City Manager or some other person designated by him, may issue Lord's Day Permits, thus eliminating the necessity of having the Council authorize them individually.

Notice of Motion - Alderman A.M. Butler - Introduction Ordinance Number 122, Respecting Tax Concessions for New Commercial and Industrial Construction

Alderman A.M. Butler gave notice that, at the next regular meeting of Council on October 17, 1968 he would introduce Ordinance Number 122, Respecting Tax Concessions for New Commercial and Industrial Construction, which Ordinance will provide that the land will be taxed on the basis of the full assessed value and the new construction thereon will be taxed on a progressive basis; that is, on 75% of the assessed value of such new construction in the first year and reaching 100% in the sixth year after completion.

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Notice of Motion - Alderman Connolly - Introduction of Ordinance Number 125, Respecting the Court of Assessment Appeal

Alderman Connolly gave notice that, at the next regular meeting of Council to be held on October 17, 1968 he would introduce Ordinance Number 125, Respecting the Court of Assessment Appeal, which Ordinance shall set up the composition of the Court of Tax Appeal, the duties of the Court and the Time of the sittings of the Court.

Notice of Motion - Alderman Abbott - Introduction of Ordinance Number 129, Respecting The Adjustment of Assessments and Taxes on Residential Properties Destroyed by Fire

Alderman Abbott gave notice that, at the next regular meeting of Council to be held on October 17, 1968 he would introduce Ordinance Number 129, Respecting The Adjustment of Assessments and Taxes on Residential Properties Destroyed by Fire, which will provide that if a residential building is destroyed or more than 50% destroyed by fire, the property can be re-assessed and an adjustment made in the current year's taxes.

ADDED ITEMS

Canada Games Tennis Centre

The following report was submitted by the City Manager:

"Three tenders were received on September 25 for construction of the above noted facility, the lowest of them being in excess of \$90,000.

"As a result of consultation with Canadian-British Engineering Consultants Ltd. and the City Works Department, it is felt that all tenders should be rejected and the job done partly by City forces and partly by subcontract. This should permit construction to be completed at a cost of \$76,000 plus consultants' fee of 5.5% giving a total cost of \$80,080. This cost will involve an over-expenditure of \$12,080 which can be accommodated without over-expending

"the total budget allotment for completion of the Central Commons.

"The Canada Games Society has approved the procedure outlined, subject to the concurrence of City Council. Approval by Council is therefore requested."

MOVED by Alderman Sullivan, seconded by Alderman Fitzgerald that, as recommended by the City Manager, all tenders for construction of the Canada Games Tennis Centre should be rejected and the work done partly by City forces and partly by subcontract, at a cost of \$76,000 plus consultants' fee of 5.5%, giving a total cost of \$80,080. Motion passed.

10:20 p.m. - Council adjourned.

HEADLINES

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Notice - Nova Scotia Light & Power Company Limited - Termination of Agreement, dated October 1, 1963, between the City and the Company Re: Transit System	839
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Report - Halifax-Dartmouth & County Regional Planning Commission Re: Rockingham and Spryfield Arterial	841
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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

JOY P. LAMB
ACTING CITY CLERK

Record

ORDER OF BUSINESS

CITY COUNCIL

OCTOBER 17, 1968

8:00 p.m.

1. Lord's Prayer
2. Roll Call
- 2A. Presentation
3. Minutes: September 26 and October 2, 1968
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items: NONE
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings:
 - (a) Public Hearing Re: Street Closure - Forrester Street -
Northeasterly from MacIntosh Street for a
distance of approximately 356 feet as shown on
Plan #TT-9-17367
9. Petitions & Delegations
 - (a) Petition Re: No Access to Winston Place
10. Report - Finance & Executive Committee:
 - (a) Property Acquisition - #2264 Barrington Street
 - (b) Property Acquisition - #5430 North Street
 - (c) Property Acquisition - #2268 Barrington Street - Vacant Land
 - (d) Property Acquisition - #5428 North Street
 - (e) Property Acquisition - #2340 Barrington Street
 - (f) Property Acquisition - #2111 Upper Water Street
 - (g) Payment of 75% of Compensation - #2014-18 Upper Water Street
(Property Expropriated)
 - (h) Expropriation Compensation -
 - #175 Creighton Street - Former Owner Arnold Webber
 - #177 Creighton Street - Former Owner Harold Medjuck
 - #183 Creighton Street - Former Owner Louis Aranson
 - (i) Grant - Halifax-Dartmouth United Appeal
 - (j) Annexation Requirements - Recreation Commission
 - (k) Annexation - Additional Staff & Equipment - Development Dept.
 - (l) Property Acquisition - Scotia Square - Central Victualling Depot
 - (m) Annexation - Effect of Ordinance #109 (Lord's Day Ordinance)
and Ordinance #121 (Retail Shop Closing Ordinance)
 - (n) Annexation - Poll Tax and Property Tax Exemptions
 - (o) Confirmatory Deed
 - (p) Appropriation Section 316C City Charter -
Engaging Professional Consultants - \$5,000
 - (q) Lawn Bowling Facility - Canada Games

11. Report - Committee on Works:
 - (a) Exemption - Local Improvement Charges
 - (b) Air Pollution Survey - Metropolitan Area
 - (c) Blasting Regulations, Certification of Blasters and By-law Amendments
 - (d) Request for Use of Land - Rear #1094 Wellington Street
(WITHDRAWN)

12. Report - Safety Committee:
 - (a) Policy Re: Manning Comparisons per capita - Fire Department
 - (b) Approval - Ordinance #116 "TAXIS"
 - (c) Permission to change the Motor Vehicle Act to permit Municipalities to Limit the Number of Taxis

13. Report - Public Health & Welfare Committee: NONE

14. Report - Committe of the Whole Council, Boards & Commissions:
 - (a) Amendments - Ordinance #55 Re: Tag Days, Etc. - SECOND READING
DEFER
 - (b) Ordinance #130, Respecting Electric Wiring and the Use of Electrical Energy - SECOND READING
 - (c) Ordinance #131, Respecting the Building Code - SECOND READING
 - (d) Amendment to Ordinance #119, Respecting the Levying and Collection of Poll Tax - SECOND READING
 - (e) Amendment to the Anti-noise Ordinance #113 - SECOND READING

15. Report - Town Planning Board:
 - (a) Rezoning of Area Bounded by Windsor, Almon, Dublin & Young Sts.
 - (b) Modification of Front Yard and Side Yard, Lot Frontage and Lot Area Requirements - #6294 Cork Street
 - (c) Modification of Front and Side Yard Requirements - #2533 Poplar Street
 - (d) Agreement - Proposed Halifax Professional Building - Spring Garden Road and Robie Street
 - (e) Agreement - Property Formerly Owned by Canadian Liquidaire on Agricola Street
 - (f) Request for Amendment to Part V of the Zoning By-law
 - (g) Alteration to a Subdivision - #1761 Dunvegan Drive
 - (h) Extension to a Non-conforming Building and Modification of Front Yard Requirements - #3667 Rosemeade Avenue
 - (i) Modification of Front and Side Yard Requirements - #3011 Dublin St.
 - (j) School Children - Ferguson's Cove - Attending City Schools
 - (k) Official Street Line - Jubilee Road
 - (l) Official Street Line - James Street
 - (m) By-laws County of Halifax

16. Motions:
 - (a) Motion - Alderman LeBlanc - Amendment to Ordinance No. 109, Respecting the Opening of Stores, Canteens, Fruit Stands Laundromats, Billiard Halls & Pool Rooms on the Lord's Day - FIRST READING
 - (b) Motion - Alderman A. M Butler - Introduction Ordinance #122, Respecting Tax Concessions for New Commercial & Industrial Construction - FIRST READING
 - (c) Motion - Alderman Connolly - Introduction of Ordinance #125, Respecting the Court of Assessment Appeal - FIRST READING
 - (d) Motion - Alderman Abbott - Introduction of Ordinance #129, Respecting the Adjustment of Assessments & Taxes on Residential Properties Destroyed by Fire - FIRST READING

Rec'd

Council Chamber,
City Hall,
Halifax, N.S.,
October 17, 1968

17. Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Lord's Day Permits
- (c) Report - Housing Committee
- (d) Rebate Gasoline Tax - N.S.L. & Power Company Limited
- (e) Bridge Approach - Robie Street & Memorial Drive
- (f) Quotation - Court House Land Reclamation
- (g) Waterfront Historic Buildings

18. QUESTIONS

19. Notice of Motion

20. Added Items

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

There were present: His Worship the Mayor, Councillors, and Aldermen Scott, Elliott, Muir, Fife, Matheson, A.S. Butler, member, Johnson, Shorn, Gosselin, Williams, Fitzgerald, and H.A. Latta.

Also present: Acting City Manager, Acting City Clerk and other staff members.

PRESENTATION - HAROLD JOSEPH WARD

His Worship the Mayor presented a long service award to Mr. Harold Joseph Ward in recognition of 40 years faithful service to the City of Halifax. He read out the inscription on the plaque, and noted several interesting points in connection with Mr. Ward's long service, one being that in those 40 years he had never missed a day of work.

MINUTES

The Minutes of September 26 and October 2 Council meetings were presented for approval. The October 2 minutes were approved on a motion by Alderman Fife, seconded by Alderman Scott, but Alderman Matheson stated that paragraph 1 of the recommendation of the Committee of the whole on Page 806 of the September 26, 1968 minutes was not worded correctly. Approval of the September 26 minutes was therefore deferred.

CITY COUNCIL
MINUTES

Record

Council,
October 17, 1968

Council Chamber,
City Hall,
Halifax, N.S.,
October 17, 1968
8:05 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 Acting City Clerk, joined in reciting the Lord's Prayer.

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

Also present: Acting City Manager, Acting City Clerk and other staff members.

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His Worship the Mayor presented a Long Service Award to Mr. Harold Joseph Ward in recognition of 40 years faithful service to the City of Halifax. He read out the inscription on the plaque, and noted several interesting points in connection with Mr. Ward's long service, one being that in those 40 years he had never missed a day of work.

MINUTES

The Minutes of September 26 and October 2 Council meetings were presented for approval. The October 2 minutes were approved on a motion by Alderman Ivany, seconded by Alderman Moir, but Alderman Matheson stated that paragraph 1 of the recommendation of the Committee of the Whole on Page 806 of the September 26, 1968 minutes was not worded correctly. Approval of the September 26 minutes was therefore deferred

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pending Alderman Matheson consulting with the City Clerk on the necessary amendment to the wording of the motion as passed at the September 26, 1968 Council meeting, which amendment would be presented to the next regular meeting of Council.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

His Worship the Mayor advised that Mr. Lesaux from the Department of Northern Affairs and Indian Development, Historic Sites branch, was present to discuss Item 17(g) on the agenda "Waterfront Historic Buildings", but since he was booked on a flight leaving at 10.30 p.m. that evening it was agreed to move this item up as 8(b).

MOVED by Alderman A.M. Butler, seconded by Alderman LeBlanc that the matter of referring to the School Board for their consideration, letter received from the Halifax Board of Trade under date of October 11, concerning introduction of the Halifax separate school system into the annexed areas, be placed on the agenda as Item 9 (b).

His Worship the Mayor advised that it would require a two-thirds majority vote of Council to place this item on the agenda. The motion was put and lost, as it did not receive the necessary two-thirds majority, only seven voting for the same and six against it as follows:

For	- Aldermen Black, A.M. Butler, Meagher, LeBlanc, Connolly, Fitzgerald, H.W. Butler..	7
Against	- Aldermen Abbott, Moir, Ivany, Matheson, Ahern, and Sullivan	6

MOVED by Alderman Ahern, seconded by Alderman Connolly, that the City Manager's remarks recorded in the newspaper with regard to "Tax Hike" be placed on the agenda for discussion.

The motion was put and lost, as it did not receive the necessary two-thirds majority, only eight voting for the same and five against it as follows:

For - Aldermen A.M. Butler, Meagher, LeBlanc, Ahern, Connolly, Sullivan Fitzgerald, and H.W. Butler 8

Against - Aldermen Abbott, Moir, Ivany, Matheson, and Black 5

MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that Staff be questioned with regard to their letter of October 15 advising the Police Boys Club that they could not proceed at this time with construction of their building, especially since the sod-turning ceremony had already taken place. Motion passed and the matter was added as Item 20(a) to the agenda.

MOVED by Alderman Sullivan, seconded by Alderman Fitzgerald, that the matter of promoting work on the waterfront be placed on the agenda for discussion. The motion was put and passed 10 voting for the same and 3 against it as follows:

For - Alderman Ivany, Matheson, Meagher, LeBlanc, Ahern, Connolly, Sullivan, Fitzgerald, H.W. Butler, and Abbott .. 10

Against - Aldermen Moir, A.M. Butler, and Black. 3

The matter was added as Item 20 (b) on the agenda.

PUBLIC HEARINGS AND HEARINGS

Public Hearing Re: Street Closure - Forrester Street - Northeast-erly from MacIntosh Street for a distance of approximately 356 feet as shown on Plan #TT-9-17367

A Public Hearing was held at this time into the matter of the closing of Forrester Street, northeasterly from MacIntosh Street for a distance of approximately 356 feet as shown on Plan #TT-9-17367.

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The Acting City Clerk advised that the matter had been duly advertised and no letters of objection had been received.

His Worship the Mayor asked if anyone present at the meeting wished to speak against the closing of Forrester Street. No person indicated their desire to address Council.

MOVED by Alderman LeBlanc, seconded by Alderman Moir, that Forrester Street be closed northeasterly from MacIntosh Street for a distance of approximately 356 feet as shown on Plan #TT-9-17367. Motion passed.

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

MOVED by Alderman LeBlanc, seconded by Alderman Moir, that the formal Resolution as submitted be approved. Motion passed.

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WATERFRONT HISTORIC BUILDINGS

His Worship the Mayor made reference to three reports which had been distributed to members of Council, although in the case of two of them probably not in time for them to have been sufficiently studied prior to the meeting:

- 1 - "The Feasibility Study for the Halifax Waterfront" - prepared by Keith L. Graham & Associates.
- 2 - Staff Report - dated October 17, 1968.
- 3 - Report submitted by the Civic Advisory Committee on the Preservation of Historic Buildings.

He then invited Mr. Lesaux, Chief of Operations, Historic Sites Branch of the Department of Indian Affairs and Northern Development, to address the Council.

Mr. Lesaux said that although the matter of preserving certain waterfront buildings had come to the attention of the Department in Ottawa as early as 1963, it had lain dormant until May of this year when His Worship the Mayor and the Chairman of the Civic Advisory Committee on the Preservation of Historic Buildings had visited Ottawa and discussed the matter with Department members. He said that at that time the Department had agreed to undertake a fairly extensive study of the complex which lies between the harbour and Water Street, for which purpose they had engaged the services of Keith L. Graham & Associates and Prof. Anderson, Urban Designer, of Montreal. At this point Mr. Lesaux said he wished to emphasize that this study was concerned only with those buildings which were situated between the waterfront and Water Street; however, he said, during the course of the study the Consultants had come to the conclusion that in order to make the scheme worthwhile, their terms of reference would have to be broadened to include other buildings

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across Water Street, which formed part of the findings presently being presented. He said an important thing to remember was that as well as preserving historic buildings which were rapidly disappearing, not only in Halifax but throughout the whole country, the scheme could be made economically viable.

Mr. Lesaux said that the Federal Department was prepared to share in the acquisition costs of the buildings and in their restoration. He said the Federal Department was not, however, prepared to participate in the costs of customer services or utility features, which were beyond their terms of reference as a National Historic Sites Branch of the Department of Indian Affairs and Northern Development. He stated it was possible that some other arm of the Federal Government might be a party to sharing in the costs of these other aspects of the restoration project.

Alderman A.M. Butler said that he gathered from the meeting held the previous Friday, that all that was really required of Council this evening was to approve an expenditure for sewer work in order to buy some time before final decisions had to be made, and therefore he felt it was unnecessary to delve into further details this evening.

Alderman Matheson agreed with Alderman Butler that all Council should do this evening was approve the extra funds for relocating the sewer, which would save the buildings in question for the moment and give the City time to examine all the implications involved.

Alderman Moir, however, felt that Council members should hear from everyone present, including Staff, and be given more details before they were asked to vote on even

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the matter of sewer re-alignment.

Alderman LeBlanc said he had not fully digested the staff report, but from what he had read, felt the matter was not as simple as Aldermen Matheson and A.M. Butler suggested, but that there were implications which would need to be discussed before approving a revised sewer plan.

Alderman Black said he certainly would not vote for any sewer re-alignment until he had heard from Staff, and also questioned the legality of any such motion in view of Council already passing a motion which determined the manner of sewer construction at the location under discussion.

Alderman Ivany referred to the statement on Page 2 of the staff report which reads as follows:

"It is the unanimous opinion of those staff involved that the concept is an exciting and attractive one from a planning point of view. If the overall programme proposed by the consultants could be implemented, it would result in a desirable integration of the old historic waterfront with a revitalized commercial core."

He said the City was certainly concerned about revitalizing the commercial core, and if an expenditure of \$40,000 would buy the kind of time required to take a second look at the matter, he would go along with such a motion. He stated that he had suggested an alternate sewer scheme which would have saved the buildings at an extra cost of \$35,000, at a previous Council meeting, but Mr. Dodge had disputed it. He also referred to Clause (c) on Page 12 of the staff report stating that additional sewer work at this time could be extremely critical in terms of the timing of existing City commitments, and felt this point would have to be delved into before Council could approve the additional work.

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Alderman Abbott said he was bothered by Staff's statement on Page 9 of their report that if the fronts of the buildings remain "traffic will be required to move northward from Water Street onto the Interchange through an 18 foot roadway", which was not in staff's opinion a sufficiently efficient feeder to the Interchange even on a temporary basis. He said he would like to hear from staff further on this point before being asked to vote on any motion for the purpose of preserving the fronts of the historic buildings.

Alderman Matheson said there was nothing in Alderman Butler's suggestion about voting money for additional sewer construction, that would result in delaying existing work, as it was recognized there was a time limit involved for instance in receiving Department of National Defence approval for the sewer easement. He said it was regrettable that this was another case where Council was being asked to make an eleventh-hour decision, some of the blame for which rested with this present Council, but also, he said the Federal Department must take some of the blame, since the Department knew of the existence of the historic buildings and for a long time had done nothing about them. He said that with regard to obtaining Department of National Defence approval for the sewer easement over their property, surely Mr. Lesaux's office could use their influence to get an immediate approval for the right of way. He felt that nothing would be lost by approving funds for the diverted sewer, and that with the time thus bought Council could investigate the objections which had been raised, and he was not, he said, disputing the fact that all questions had to be asked and answered before the City went ahead with the overall project.

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At this point His Worship the Mayor asked Mr. Lesaux whether or not his Department could, as had been suggested by Alderman Matheson, intervene with the Department of National Defence to get a quick decision on the City's request for the sewer easement.

Mr. Lesaux said his Department would be willing to lend their good offices to try and influence the Department of National Defence for a quick and favourable decision, but he emphasized that the decision rested with the Department of National Defence.

Alderman A.M. Butler said by all means Council should hear from Staff, Consultants, etc. but that they should hesitate before rejecting this opportunity to gain time for consideration of the historic buildings. Later on, he said, the City could explore the costs, and division of costs, and could determine if it could afford the scheme.

MOVED by Alderman A.M. Butler, that Council approve the expenditure of (\$ -) for the purpose of diverting the sewer along the lines of the plans submitted by the Consultants, after the appropriate discussions with Ottawa.

The amount of the expenditure was held in abeyance for further discussion on the matter.

His Worship the Mayor said that some of the points Council had to determine tonight were: (i) whether they would vote funds for diversion of the sewer and seek approval of the Defence Department for sewer easement over their property; (ii) whether the City wished to retain the fronts of the buildings in question for a restoration program east of Water Street; (iii) whether the traffic flow, if the fronts of the buildings

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remain, will be satisfactory; and (iv) whether from the point of view of economic viability, the project warrants the expenditure involved.

Alderman Matheson said he did not agree with the foregoing statement by His Worship the Mayor, but that all that was required of Council this evening was to arrive at a figure to be inserted in Alderman A.M. Butler's motion, which expenditure and the approval of the Department of National Defence for the sewer easement over their property would be all that was required for the moment. He said on that basis he was prepared to second Alderman A.M. Butler's motion.

Alderman Black repeated that he did not feel it was that simple, and asked what the implications were in so far as the Dineen contract was concerned, which contract had been made on the basis of Council's previous motion approving sewer construction in the area. He felt it was necessary to hear from Mr. Dodge in this regard before Alderman A.M. Butler's motion was put.

His Worship the Mayor said it was clear that the case of a restoration program from Morse's Teas to the west could not be adopted and could only serve as background information, but that the question now before Council was whether there was an economic re-use east of Water Street. Also, he said, anything that was an implication of the motion was open to discussion. He said part of the consultants terms of reference was to show the economics involved, and that information was before Council this evening. He then suggested that Council hear from Keith L. Graham & Associates.

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Mr. Graham said that they had a new proposal to make regarding laying of the sewer, and he asked Mr. Thomas Veeden Galland to explain the new proposal to members of Council.

Mr. Galland, by use of diagrams, illustrated to Council a proposal whereby through the use of manholes and tunneling, the sewer would go through the basement of one building and underneath the others. He said the cost involved would not be more than \$20,000 over the figure quoted by the City for the sewer construction as presently approved.

Mr. Weston Roberts, Engineer, then spoke. On being questioned further on costs involved, he said it would cost about \$3,000 to cut openings in five walls, but he was unable to say what he felt the additional sewer costs themselves would be. He stated that the buildings were empty at the moment and by means of introducing machines to do the work costs could be cut down. He said the sewer would be at the same level as the sewer designed by City staff, so that there would not be any additional difficulties for this reason.

On the matter of cost for the whole proposal, Mr. Galland again said that it could be done for about \$40,000, or \$20,000 over the present City plan. He said the \$40,000 included the cost for burying the pipes under two of the buildings. In reply to a question from Alderman Moir, Mr. Galland agreed that if in the future any of the pipes needed replacement, it could prove costly.

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Mr. Bruce Anderson, Assistant Professor of Architecture, McGill University, who also worked on the Consultant's report, spoke next. He said the buildings under discussion were recognized as being of national importance and represented the heritage of a great City. He stated that the study thus far had not indicated that overcoming the engineering difficulties would be exceedingly costly.

Mr. Anderson then touched on the matter of sufficient road space, if the buildings were retained in their entirety. He referred to the Consultant's report which outlined an underground system of roads - a two-lane south-bound tunnel on Hollis Street from the interchange ramps to the Court House, and two-lane tunnel northbound on Water Street from the Court House to the Interchange ramps. The tunnels, he said, would be open cut construction, with only pedestrian traffic on top. He said there were other alternatives, one means of gaining space being to take a slice off the corner of Morse's Teas building. Also, he added, it was important to keep in mind that restoration projects carried out in Montreal and other cities, had proven that they made good economic sense.

Alderman Meagher said that solutions like taking a slice out of the Morse's Teas building sounded simple, but could prove costly. What, for instance, he asked would you do with the building if the present occupant moved out?

Mr. Anderson noted that there were proposals made in connection with the Interchange and Harbour Drive which called for demolition of the Morse's Teas building.

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Alderman Meagher said there was a certain amount of inconsistency in that a proposal was made on one hand to remove a part of the Morse's Teas building, but there was great opposition to removing 12 feet from the fronts of buildings just across the street.

Mr. Anderson said he considered it less detrimental to take a slice off one building, than to remove the fronts of three or four buildings.

Mr. Lesaux said that once the question of sewer re-alignment was settled, it was questioned whether a part of any building need be removed, as it was felt the 30½ foot clearance would be adequate for two lanes of traffic. Also, he said, there had been a suggestion to put traffic on either side of Morse's Teas and spreading it out that way.

Mr. Anderson said that the Consultants believed the traffic problem could be solved one way or another, although he agreed it would require a detailed traffic analysis. Furthermore, he said, it was not an issue tonight to discuss the size of the road, but it was known that two lanes of traffic could be accommodated on either side of Morse's Teas, or three lanes by cutting off the corner of the building.

At this point, Mr. Lesaux stated that although his Department felt the buildings under discussion warranted preservation, he wished to assure members of Council that many other cities in the country were seeking monies from the Department for the same purpose, so if City Council decided against preserving the buildings in Halifax, there were many other communities ready to claim the money.

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10:05 p.m. - Before hearing from the City Engineer, Council adjourned for a recess.

10:20 p.m. - Council reconvened, the same members being present.

Mr. Dodge stated that at the time staff presented the plan which was eventually approved by Council, they had also presented an alternate scheme involving a sewer easement over the Department of National Defence property, which allowed the fronts of the buildings to be saved for an expenditure of \$35,000.

His Worship the Mayor asked the City Engineer his opinion of the scheme advanced by the Consultants, which involved laying the sewers under the buildings.

The City Engineer said he had not studied the proposal in detail, but felt that if such a scheme came to staff for approval, it would not be recommended. He said the example cited by the Consultant of such a case already existing in Halifax was not the same, since in that case the sewers had existed first, and the building was placed over them. In any event, he felt the proposal put forward by City staff involving an expenditure of \$35,000 was superior to the scheme advanced by the Consultants, for the reason that at the moment there was no assurance that the historic buildings would be retained, and if they were demolished it would be necessary to also move the sewers to accommodate future buildings on the land.

His Worship the Mayor asked what the net increase was under the Staff's proposal of a sewer easement over Department of National Defence property, and the City Engineer said if you deducted the \$14,000 required for the present scheme from the \$35,000, you arrived at an increase of \$21,000.

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His Worship the Mayor asked the City Engineer if the sewer under the \$35,000 scheme could be completed in time, so that no delay would be encountered in the overall work, and Mr. Dodge stated that due to problems presently being encountered in sewer work leading to the historic sites area, work could not commence immediately in any event.

The City Engineer said that the local National Defence people had indicated they saw no reason why Ottawa would refuse the City permit for the easement, and with Mr. Lesaux's office pressing the matter in Ottawa, it was felt there should be no delay in solving that problem.

Alderman Black asked Mr. Dodge what were the implications if the changed sewer construction was approved, in so far as the City's commitments to Dineen and Scotia Square were concerned. The City Engineer replied he could see no problems with Scotia Square, and the contract with Dineen was only on unit prices and unit job. In fact, he said, he did not recommend giving the contract for the sewer in the area under discussion to Dineen.

The City Engineer questioned the wisdom of trying to deal with this group of historic buildings by themselves, as each job started a chain reaction which had far reaching effects.

His Worship the Mayor said his statements were to the effect that Council only deal this evening with implications of saving the fronts of these buildings, and not the implications of the bigger scheme to the west of Water Street, since there were no firm proposals for the larger scheme.

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Alderman Moir said there seemed to be some difference of opinion between Staff and the Consultants on how many traffic lanes could be accommodated in the area under discussion, staff maintaining that unless you picked up the extra 12 feet there was only room to accommodate one lane, whereas the Consultants felt the 30 feet was adequate for two lanes and sidewalks.

His Worship the Mayor felt you could not compare city traffic with highway traffic, and wondered if in the case under discussion 2 10-foot lanes and 2 5-foot sidewalks would be adequate. The City Engineer, however, did not feel that a 5-foot sidewalk would be sufficient in front of the historic buildings, and also said there was Maritime Telephone and Telegraph wiring to contend with. There was a discussion on the possibilities of placing all wiring underground, but Mr. Dodge said he did not favour this solution.

Alderman Meagher asked if a motion to install the sewer easement over Department of National Defence property would not reverse the decision already made by Council (June 18, 1968 Special Council). His Worship the Mayor said it would be consistent with another decision made by Council in respect to preservation of the historic buildings, which matter the City had been pursuing with the Department of Indian Affairs and Northern Development, Historic Sites Branch.

In view of the City Engineer's position that unless the fronts of the historic sites buildings were removed there would only be room to accommodate one lane of traffic, Alderman Black said he did not see how Council could reverse their previous decision. He said in his view no compelling new reasons had been advanced this evening which warranted

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such a change.

His Worship the Mayor said that before making any decision in the matter, Council should allow the Chairman of the Civic Advisory Committee on the Preservation of Historic Buildings to speak.

Mr. Collins said that as had already been stated the buildings presently under discussion had not been introduced into the terms of reference for restoration of historic buildings, and therefore Staff had made no studies regarding their possible redevelopment. He said that any efforts in that direction had been carried out by the Advisory Committee. He said the report which the Consultants had prepared was exciting and imaginative and that an assessment should be made of the report as a whole, and not by bits and pieces. He felt the alternative sewer arrangements which would save the fronts of the buildings, as put forward by the Consultants, and also by City Staff, had not been fully debated. The Chairman of the Advisory Committee stated that with regard to extra costs for these alternative sewer arrangements, his Committee had funds which might be used to offset the expense.

Concerning the debate on the roadway through the area, Mr. Collins said the Canadian standard was 24 feet, so he felt the 30½ feet available should be adequate for two lanes and one or two sidewalks. The principal tourist activity, he said, would be within the confines of the buildings as proposed in the terms of reference.

The Supervisor of Real Estate was asked to comment on the estimated rentals for space in the historic

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buildings as outlined in the Consultant's report. After considerable discussion on the figures quoted, the conclusion reached was that the Consultants were overly optimistic in their anticipated rentals. Mr. Graham stated they had consulted with local Real Estate people in arriving at the figures, but declined to name who they were. However, Alderman Matheson pointed out that taking into account the fact that the Federal Government did not expect to get their share of the investment back, even a minimum rental of say \$1.25 per sq. ft. would be sufficient for the City to receive a reasonable return, but he agreed that the Consultants should study this feature more fully.

His Worship the Mayor then asked Mr. Lesaux, assuming Council approved the extra expenditure on the sewer, if the Department were prepared to continue its studies to the point where the full economics of the project could be presented in a realistic fashion, and if Mr. Lesaux could confirm that the Federal Government would not expect the City to pay back its 50% share in the project.

Mr. Lesaux confirmed that the Federal Department would pursue their studies to the point requested, and that they would not expect a return on their 50% share of acquisition and restoration of exterior costs, but that they would expect their investment back on the interior restoration.

The Development Officer spoke next, stating that if Council decided to relocate the sewer and have the Federal Department proceed with its studies, there should be

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another study initiated to see if an ultimate solution to the road problem can be found. He said the Consultants had mentioned tunnels, but had not indicated to what depth they had explored this solution, which Mr. Grant felt, as an ultimate solution to the problem, could prove costly. Otherwise, he said, the City could find itself in the position where it was found feasible to restore the historic buildings, without at the same time coming up with a solution to the problem of the 30-½ feet of road through the area. He said, therefore, that approval for retention of the buildings should be considered in relation with the ultimate solution of the road problem.

Mr. Lesaux again referred to the request that the Department continue its studies into the economics involved in the project, which as already stated, he said the Department would be willing to pursue. On the other hand, he said, Ottawa, the same as any Government, had a limit on what they would spend on any project and he did not feel they would take in hand any additional studies to the one agreed to. However, he said, whatever decisions were made, Ottawa would have no regrets in the money and effort spent up to this point, as they attached great importance to preservation of the buildings, but if the City finally decided to abandon the whole project, they would have to go along with that decision.

Alderman LeBlanc asked Mr. Lesaux if he would not agree that his Department's main concern was preservation of historic sites and that, unlike City Council, they did not give too much consideration to the financial impact of such projects on the citizens of the City involved. Mr. Lesaux

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said that the reason for his Department's existence was to seek the preservation wherever possible of historic structures, but with regard to the economics involved he wished to again point out that the experiences of other cities had proven that such projects could become economically viable. He said there were always problems involved, but pointed out that if Mayor Drapeau and his colleagues had not been willing to overcome problems, Expo would never have come to light. He stated that sufficient technical opinion had been put forth to indicate that the physical problems involved could be solved to the mutual satisfaction of both the City and Ottawa. He said the Consultants on their own, apart from Ottawa, had undertaken to expand their terms of reference to provide the City and Ottawa with a better appreciation of the broader area involved, and that is what they had come up with in their Phase 2 study of the Morse's Teas property and other buildings.

MOVED by Alderman A.M. Butler, seconded by Alderman Ivany, that Council authorize the expenditure of \$21,000.00 to divert the sewer in such a manner that there will be a second outfall from the Department of National Defence Property, and that the demolition of the fronts of the northerly group and the whole of the southerly group of historic buildings be deleted from the Dineen Contract, subject to urgent negotiations with the Department of National Defence and a report submitted to the next regular meeting of Council.

Alderman Ivany said that having seen restoration projects carried out in other North American cities, he was very much in favour of buying the necessary time to allow