

Council,  
January 30, 1969

Order of Business with respect to the resignation of Mr. H. R. Nicholson, Manager of the Halifax Forum or an item respecting the procedures for the recruitment of a new Manager.

His Worship the Mayor understood that Council, with unanimous consent, could pass a motion at this time authorizing the Forum Commission to fill the vacancy created by Mr. Nicholson's resignation.

The City Solicitor said that he had dictated a memorandum to the City Manager indicating that it is not necessary for the matter to be dealt with by City Council. The City Charter says the Forum Commission with the approval of Council may appoint a new Secretary-Manager and they may proceed with the recruitment without any reference to City Council.

His Worship the Mayor asked the City Solicitor to inform the Chairman of the Forum Commission accordingly.

Question Alderman Allen Re: North West Arm Bridge

Alderman Allen referred to the announcement that the Federal Government is not prepared to share in the cost of the North West Arm Bridge and that the matter is under study as part of a total economic package and he asked when might the City expect some representations made with respect to the total package.

His Worship the Mayor said that he could not give a specific date but the work is proceeding on the matter by the Programme Development Agency of the Provincial Government. He said that he might have more information after he has attended a meeting to be held on Thursday of next week when the

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matter will be discussed. He said that the matter had also been discussed at recent meetings of the Port Commission and the Bridge Commission will consider it at its meeting tomorrow morning. He said that he would be happy to report to Council with the complete information. He felt that the timing of a representation to Ottawa should be judged in relation to the transition within the Regional Development Department since he considered that an appeal for assistance for an economic package should go through the Regional Development Department.

Alderman Sullivan asked if there will be any direct approach to Ottawa for help to construct the North West Arm Bridge in the near future.

His Worship the Mayor advised that the earlier approach was made by the Province as part of a package which linked it to the financing of the Narrows Bridge. He thought that the new package deal might be of less interest to the Bridge Commission but of more interest to the City and the Regional Planning Commission and it is hoped that the appeal to the Regional Development Department will be a joint Provincial/City request.

Alderman Sullivan referred to the traffic using the Rotary and he asked if His Worship the Mayor considered it better to approach this in a package idea rather than as an individual approach.

His Worship the Mayor said that he did not believe that the City could afford to be turned down again from Ottawa and the whole package case is to be very well prepared and Ottawa

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policy trends at the present time are towards programmes that are economically justifiable in the long run and the whole thing would add to the economy of the Atlantic Provinces. He considered that the present approach is the best after the Federal Government has turned the request down on straight transportation grounds.

Alderman Sullivan contended that the City is stalling on the construction of a North West Arm Bridge.

Question Alderman Connolly Re: Funds for Advertising - Rent Control

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Alderman Connolly referred to the fact that a committee has been formed to study rent control procedures and he asked if there will be any funds available for advertising.

His Worship the Mayor said that funds can be included in the current budget when it is under consideration.

The City Manager said that the City can make some funds available, until the budget is considered, if it is in the best interest of the City.

Question Alderman Sullivan Re: Conversion to Oil, Mulgrave Park Heating Plant

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Alderman Sullivan asked when the heating plant at Mulgrave Park will be converted to oil.

The City Manager advised that City Council approved the conversion but to his knowledge the Province again turned it down. He said it is a question that it is a coal burning plant and there is lots of coal to burn.

The Supervisor of Real Estate said that the Housing Authority had placed a sum for the conversion of the heating

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plant to oil in the 1969 Budget and at the request of the Province has removed the amount from the Budget.

Question Alderman McGuire Re: Letter from Spryfield and District Board of Trade - Water Rates

Alderman McGuire referred to the letter which had been received from the Spryfield Board of Trade and which had been distributed to all members of Council. He asked for an explanation of the paragraph relating to water rates in Spryfield.

His Worship the Mayor advised that Spryfield has a separate water system under the Public Service Commission with rates that were established by an approach from the Public Service Commission to the Board of Commissioners of Public Utilities. He believed that water rates within the other areas of the new City are different again. He considered it appropriate to obtain a written statement from the Board of Commissioners of Public Utilities outlining the reasons for the differences in water rates. He asked the City Manager to obtain the information for distribution to City Council.

Question Alderman Allen Re: Policy Re Streets Not Listed by Department of Highways

Alderman Allen asked for clarification of the policy with relation to capital improvements on streets in a situation where certain streets are not listed by the Department of Highways.

The City Manager advised that Staff is presently compiling a list of the unlisted roads and will ultimately present a report to City Council in this regard.

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Petition from Fairview Home Owners Association

His Worship the Mayor asked City Council to consider at this time a communication received from the Fairview Home Owners Association after the commencement of the City Council meeting. He asked the City Clerk to read same.

The City Clerk read as follows:

"May this message be read by yourself at Council meeting tonight.

We petition that final tax assessment appeal date for this area be extended to March 15, 1969. That Council make policy for decrease in assessments on lots in R4 zone in this area. That area rate with its archaic concepts be abolished.

Fairview Home Owners Association  
Donald James, Secretary"

Alderman Allen said that he had intended to have the matter of the extension of the appeal period added to the Order of Business.

His Worship the Mayor said that the matter could only be added at this time with the unanimous consent of City Council.

Alderman Ivany suggested that the communication be tabled and the City Manager contact the Association tomorrow advising of the area rate situation.

MOVED by Alderman McGuire, seconded by Alderman Allen that the matter relating to the extension of the Assessment Appeal Period be added to the Order of Business.

The motion was put and declared lost, since unanimous approval was not received.

In reply to a question, the City Solicitor advised that January 31st is the final date for appeals with the ex-

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ception of those residents of Ward 7 and those persons paying Business Realty or Business Occupancy taxes who have until February 10 to appeal. He said that there are a number of legal problems related to the extension of the appeal period and any changes proposed might have to be submitted to the Nova Scotia Legislature.

NOTICES OF MOTION

Notice of Motion - Alderman Ivany Re: Motor Vehicle Act -  
Mufflers

Alderman Ivany gave notice that, at the next regular meeting of City Council, to be held on February 13, 1969, he would move that the Council approve submitting to the Nova Scotia Legislature a request that the Motor Vehicle Act be revised to enforce the application on all cars and other vehicles such as motorcycles, etc., mufflers capable of preventing excessive or unusual sounds. Special attention to be given to restricting the use of straight exhaust, gutted mufflers, muffler cut out, Hollywood mufflers or other devices hampering proper use of a muffler.

Notice of Motion - Alderman Allen Re: Business Occupancy Taxes -  
Annexed Areas

Alderman Allen gave notice that, at the next regular meeting of City Council to be held on February 13, 1969, he would move a motion relating to the staging of Business Occupancy taxes in the Annexed Area.

His Worship the Mayor advised that the notice of motion should be in written form and copies circulated to all members of City Council. He asked Alderman Allen to circulate

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copies of his notice of motion to Council before the next meeting of the Committee of the Whole Council.

Notice of Motion Alderman Ivany Re: Non-returnable Bottles, etc.

Alderman Ivany gave notice that, at the next regular meeting of City Council, to be held on February 13, 1969, he would move the adoption of the following resolution:

WHEREAS parcelling, wrapping and containers of non-returnable nature are increasing at an accelerating rate, making the cost and responsibility to all levels of Government, especially Municipal Government for collecting and disposal a most difficult matter;

WHEREAS bottles and cans are contributing to injury and cuts due to careless disposal;

BE IT RESOLVED that Council approve submitting to the Nova Scotia Legislature a request that the necessary law be enacted eliminating the use of non-returnable bottles, and that other kinds of disposables be so marked, that the consumer is encouraged to deposit same in a proper disposal area.

ADDED ITEMS

Agreement - Development of City Prison Lands

A report was submitted from Staff to which was attached a copy of a proposed Agreement between the City and Project Planning Associates Limited et als, respecting the Development Proposal for the Prison Lands so-called which includes the Allen Lands, in the North End of the City. The report recommended approval of the Agreement so that the work may proceed immediately.

Alderman Ivany felt that the preparation of the document has taken too long and he wondered whether the time of 55 weeks as set out in the agreement could be cut by about twelve weeks. He also asked whether some construction could be started on certain portions before the 55 weeks are up.

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The City Solicitor said that the amount of time in the Agreement is the outside limit and preparation of the various parts could take less time than that stated.

(2) Alderman Ivany asked whether he could be present when the Agreement is signed when he could ask some questions.

His Worship the Mayor said that there was no reason why Alderman Ivany could not be present at the signing of the Agreement but that some representatives of Project Planning Associates were at the Council meeting and might be willing to answer some questions.

Alderman Ivany asked Mr. Crocker of Project Planning Associates if there is any way construction of some housing units could start earlier than anticipated.

Mr. Crocker said that the Agreement is to prepare a conceptual plan up to the tender call stage. He said that as yet no-one knew exactly what is going to be constructed on the site, which was the reason the City hired his Company. He added that the number of weeks allowed for each stage of the development plan could be reduced a little, but until the work was proceeding it would be difficult to say by exactly how much.

After further discussion, it was MOVED by Alderman Abbott, seconded by Alderman McGuire that the Agreement, as submitted, be approved. Motion passed.

Electrical Ordinance Number 130

The following report was submitted from Staff:



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"The Electrical Ordinance has been approved by the Minister of Municipal Affairs subject to the following amendments:

- (1) In Schedule "A" under Clause A, the word and symbol "and/" are deleted from the sixth line.
- (2) The abbreviation "etc." is deleted from Clauses D, E and J.

These amendments do not in any way affect the substance of the Ordinance.

It is therefore recommended that the above amendments be approved."

MOVED by Alderman Connolly, seconded by Alderman Ahern that the amendments to Ordinance No. 130, as set out in the Staff Report above, be approved. Motion passed.

#### Hellyer Housing Report

Alderman Ahern said that he considered that some of the points brought out in the Hellyer Housing Report seem to be good, especially the fact that houses can be purchased with no down payment.

His Worship the Mayor said that this is fine, but the size of the mortgage payments at today's interest rates would be enormous.

Alderman Ahern said that he had called four different people and asked them their views and they all replied that there is much good in the report. He said that he would like to hear the views of the Council on the report.

Alderman Abbott said that the report did have some good points, but he would have been pleased to see lower rates of interest. He said that a young couple who might buy a house for \$25,000.00 with no down payment and with the rate of interest at 9 3/4%, they would never live long enough to pay for it.

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He suggested that some representation might be made to the next annual Conference of the Canadian Federation of Mayors and Municipalities to cut the interest rate, or have it pegged.

Some Alderman had not had an opportunity to read the newspaper articles respecting the report.

Signs for the City

Alderman Ivany referred to discussions which took place at the recent meeting of the Visitors and Convention Committee with respect to signs which might be erected on the highways welcoming visitors to the City of Halifax and giving the number of miles to travel. He suggested that the Department of Highways might be approached to see if they would permit the erection of such signs outside the City boundaries. He thought that the City should also erect signs at each of the entrances to the City on the boundary line.

After a short discussion, it was MOVED by Alderman Ivany, seconded by Alderman Meagher that staff of the Works Department meet with the Director of the Visitors and Convention Bureau and discuss the erection of signs welcoming visitors to the City and consider any approach which the City might make to the Department of Highways with respect to the erection of signs outside the City boundaries. Motion passed.

Litter in the City of Halifax

Alderman Hogan said that he raised the matter of litter in the City at a recent meeting of the Visitors and Convention Committee and he said that rather than bring the matter up at this time, he would raise it at the next meeting

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of the Committee of the Whole.

Letter from Residents of Shaw Crescent and Westgate Drive

Alderman Allen referred to a letter which had been circulated to Council from the residents of Shaw Crescent and Westgate Drive and he asked what procedure is generally followed with respect to such letters.

His Worship the Mayor advised that when such letters are received, they are circulated to all Aldermen for information. They are not placed on the Order of Business unless any Alderman requests their addition at a City Council meeting. He said that all such letters are referred to City Staff for action.

9:58 p.m. Council adjourned to meet in private in the Mayor's Office.

10:15 p.m. Council reconvened, the same members being present.

Possible Expropriation - #5224 Gerrish Street

The report of the Finance and Executive Committee with respect to the above matter reads as follows:

"It is recommended that:

1. the property of Mrs. Eva Varner, known as Civic No. 5224 Gerrish Street, be expropriated on or before February 1, 1969;
2. vacant possession be obtained on or before March 1, 1969;
3. the authorized payment be set at \$15,600 for all claims and City Council authorize the immediate release of up to 75 per cent of the authorized payment, if requested by the owner;
4. Staff continue negotiations with Mrs. Varner along the lines of the private discussion held by the Committee on an urgent basis and a report be presented to City Council at its next regular meeting on the status of the negotiations at that time.

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In accordance with recommendation No. 4 above, a Confidential Staff Report was submitted.

MOVED by Alderman Hogan, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee:

1. the property of Mrs. Eva Varner, known as Civic No. 5224 Gerrish Street, be expropriated on or before February 1, 1969;
2. vacant possession be obtained on or before March 1, 1969;
3. the authorized payment be set at \$15,600 for all claims and City Council authorize the immediate release of up to 75 per cent of the authorized payment, if requested by the owner.

Motion passed.

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

MOVED by Alderman Hogan, seconded by Alderman Allen that the Formal Expropriation Resolution, Description and Plan, as submitted, be approved. Motion passed.

10:20 p.m. Meeting adjourned.

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AMENDED  
ORDER OF BUSINESS

CITY COUNCIL

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ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

AMENDED  
ORDER OF BUSINESS

CITY COUNCIL

FEBRUARY 13, 1969

8:00 p.m.

Lord's Prayer

Roll Call

Minutes: January 30, 1969

Approval of Order of Business, Additions & Deletions

Deferred Items: NONE

Motions of Reconsideration: NONE

Motions of Rescission: NONE

Public Hearings and Hearings:

- (a) Public Hearing Re: Amendment Part V Zoning By-law - Number  
of Boarders
- (b) Public Hearing Re: Rezoning of the Northern Portion of No.  
3415 Dutch Village Road from R-3 to C-3 Zone

Petitions and Delegations

Report - Finance and Executive Committee:

- (a) Write-off of Bad Debts - The Housing Authority of Halifax
- (b) Bank Borrowing Resolution
- (c) Applications Tag Days, Door-to-door Canvasses, etc.
- (d) Expropriation Settlement - #154-166 Creighton Street
- (e) Separation of the Functions of Returning Officer from the  
Responsibilities of City Clerk
- (f) Proposed Amendments - City of Halifax Superannuation Plan
- (g) (i) Short Term Off-street Parking - Central Business District  
(ii) Increase Meter Rates - 25¢ per hour
- (h) Building Committee - Lane Memorial Hospital
- (i) Expropriation Settlement - #2089 Upper Water Street -  
Karlsen Shipping Limited
- (j) Compensation to Tenants for Repairs to City-owned Housing
- (k) Salary Adjustment - Welfare Officers and Social Workers
- (l) Agreement - Scotia Square
- (m) Cogswell Street Interchange - Contract #1, Phase #1
- (n) Pedestrian Overpass - Sherwood Point
- (o) Committee for Study of Increased Stipend - Mayor and Aldermen

Report - Committee on Works:

- (a) Proposed Transfer of Air Pollution Control to Halifax-Dartmouth  
Regional Authority
- (b) Renaming Sunset Avenue - Spryfield

Report - Safety Committee: NONE

Report - Public Health & Welfare Committee: NONE

Report - Committee of the Whole Council, Boards and Commissions: NONE

15. Report - Town Planning Board:

- (a) Extension to a Non-conforming Building - #6495 Chebucto Road
- (b) Extension to a Non-conforming Building - #6635 Norwood Street
- (c) Modification of Side Yard, Lot Frontage and Lot Area  
Requirements - #3663 Deal Street
- (d) Subdivision Approval - Lot 84A, Scarlet Road, Clayton Park
- (e) Use of Land - Frog Pond - Fleming Park
- (f) Subdivision Alteration - Amalgamation of Lot "X" and "Z" -  
Andrew Street
- (g) Closure of Buckingham Street - Market Street to Brunswick Street -  
DATE FOR HEARING
- (h) Laying Down Official Street Line - Robie Street - DATE FOR HEARING
- (i) Amendments to Town Planning Act

16. Motions:

- (a) Motion - Alderman Ivany Re: Revision to Motor Vehicle Act -  
Mufflers
- (b) Motion - Alderman Ivany Re: Enactment of Legislation -  
Non-returnable Bottles, etc.

17. Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Lord's Day Permit
- (c) Sewer Study - Agreement - City of Halifax and MacLaren Atlantic Ltd.
- (d) Amendment - Zoning By-law - Establishment of C-4 Zone

18. QUESTIONS

19. Notice of Motion

20. Added Items

CITY COUNCIL,  
MINUTES

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Council Chamber,  
City Hall,  
February 13, 1969  
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, Ahern, Hogan, Sullivan, Connolly, McGuire, Meagher, and Allen.

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

MINUTES

MOVED by Alderman Allen, seconded by Alderman Sullivan, that the minutes of the meeting of City Council of January 30, 1969 be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

It was agreed that the following items be added to the agenda:

20 (a) - His Worship the Mayor said he wished to make recommendations for appointments to:

(i) Halco, Crown Corporation set up in connection with unit-train operation, and

(ii) Board of Management, Halifax Civic Hospital, to fill present vacancy.

20 (b) - Alderman Connolly requested item "Rental By-Law".

20 (c) - Alderman Ahern requested item "Tax Relief for Pensioners".

Alderman Sullivan requested that the required appointment to the Board of Management of Basinview Hospital



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be made this evening, as he felt it was long overdue.

His Worship the Mayor replied he had made a recommendation for the appointment which Council had not approved. He said he was away at the time and had not received a report concerning the matter, but added that he was prepared to make another recommendation.

Alderman Sullivan said he was prepared to make a suggestion in this regard, but His Worship the Mayor stated he felt there should be some advance consultation in order that names are not put forward only to be rejected. He said with only one vacancy, the Board was fully operative, and suggested that Alderman Sullivan consult with him prior to the Board's next meeting.

20 (d) - The City Clerk advised of the addition to the agenda of the item entitled "Expropriation Compensation - 171; 176 & 178 Creighton Street - Arnold Webber".

PUBLIC HEARINGS AND HEARINGS

Public Hearing Re: Amendment Part V Zoning By-law - Number of Boarders:

The Chairman said the By-law presently stated a house could accommodate up to three lodgers or boarders, and the reason for the proposed amendment, which was at the request of the Children's Aid Society, was to make it possible to form a group home for children under their care, as follows:

- "(h) A rooming or boarding house for not more than eight lodgers or boarders, provided that no such lodger or boarder shall exceed sixteen years of age;
- (i) Uses accessory to any of the foregoing uses."

Alderman Meagher asked if there were any

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regulations in connection with this amendment which would specify how many bedrooms a house must have to qualify under the amended section of the By-law.

The Chief Planner stated that his Department had not gotten down to working out such details, mainly because they did not expect there would be more than two or three such establishments set up in the City. He said its purpose was to provide a family environment for children under sixteen years of age, and Staff felt it was a good idea. He said it was quite different from a regular type of rooming house, where the ages of the boarders would start around sixteen, whereas the amendment stipulated not more than eight lodgers or boarders, all under sixteen years of age.

His Worship the Mayor asked if there was anyone present who wished to speak for or against the proposed amendment to the By-law.

The only response to his question was from Mr. Seldon Bryson, Barrister, who said he represented the Children's Aid Society, but that he only wished to speak in the event Council opposed the amendment to the By-law.

MOVED by Alderman Abbott, seconded by Alderman Connolly that Section 1 of Part V of the Halifax Zoning By-law be amended to provide that a rooming or boarding house may accommodate not more than eight lodgers or boarders, providing that no such lodger or boarder shall exceed sixteen years of age. Motion passed.

A formal By-law was then submitted by the City Solicitor giving effect to the foregoing motion of Council.

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MOVED by Alderman Allen, seconded by Alderman Sullivan, that the formal By-Law as submitted be approved.

Motion passed.

Public Hearing Re: Rezoning of the Northern Portion of No. 3415  
Dutch Village Road from R-3 to C-3 Zone:

For the benefit of new members of Council who had not attended earlier discussion on this matter, the Chief Planner by means of a map described the area in question. The request was that the applicant be allowed to build a warehouse on property presently zoned R-3.

Mr. Lubka stated that the Church which would be alongside the warehouse if it were erected, had no objection, that the Church in fact was the owner of the property under discussion, and that the residents of the area also said they had no complaints about the rezoning, unless there was some residents previously unheard from who were present tonight. Staff, he said, favoured the rezoning since it would create jobs and make full use of the land.

Another Church in the area, wrote the following letter to the City:

"Saint Lawrence Church  
Dutch Village Rd.  
January 11, 1969

"Mr. R.H. Stoddard  
City Clerk, Halifax.

Dear Mr. Stoddard:

In reply to the letter from the City Clerk's Office re the Public Hearing concerning the rezoning of the northern portion of No. 3415 Dutch Village from R-3 to C-3 zone:

Saint Lawrence Parish does not object to this rezoning so long as C-3 zoning does not include the possibility of a factory being erected on the said property. If ever a question of a factory being put up on this property

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"was raised, adjoining our Church property, the people of this parish would register objections.

Respectfully submitted,  
(Rev.) A.J. Laba  
Pastor."

The Chairman then asked the Chief Planner if C-3 Zoning permitted a factory to locate in such an area, and Mr. Lubka replied it did. In reply to a question put forward by the Chairman, Mr. Lubka said that he doubted whether the wording of the zoning law provided any future control should the present applicant later want to erect a factory on land which had been re-zoned C-3.

The City Solicitor said that in the past on applications of this kind, the City has entered into contracts stating that the land would be used for specific purposes only, and filed copy of such an agreement with the Registry of Deeds, but he said to his knowledge its effectiveness had never been tested in Court.

Alderman Abbott asked why the City did not set up a form of "conditional re-zoning" which could apply in cases like the present one. The Chairman said this matter could be brought up at a another meeting, but the matter for decision now was a different question.

Mr. Bremner, the applicant for the rezoning spoke next, stating that it was his intention to erect a warehouse. Part of the warehouse, he said, would be rented out to a wholesaler dealing in auto accessories, and would include an office for himself and the party to whom he was renting part of the warehouse. His reason for wanting this particular location was that it offered an ideal location for loading and unloading from a spur line which the C.N.R.

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could readily provide from its nearby line.

The Chairman then asked if there was anyone present who wished to speak against the rezoning, but there was no response. He then asked if anyone wished to speak in favour of it, and the Treasurer of Saint John's Church, the owners of the land under discussion, came forward. He said that the Church felt the site was ideal for the applicant's proposed use, inasmuch as a warehouse was most suitable for the district, and they were therefore very much in favour of seeing the land re-zoned.

MOVED by Alderman McGuire, seconded by Alderman Abbott, that the northern portion of No. 3415 Dutch Village Road, be rezoned from R-3 Zone to C-3 Zone.

Alderman Connolly then asked if Mr. Bremner would be agreeable to signing a commitment to the effect that he would never build a factory on the land.

Mr. Bremner felt this was impractical in view of the fact that the land running along the front of the area under discussion was zoned for industrial use, so that a factory could be built right next door to the lot he wished to erect his warehouse on. Also, he said, the question of what constituted a "factory" was open to debate, since he felt if he were putting anything like pipe together in his warehouse, such assembly could turn it into a factory. However, he again said that he had no intention but to erect a warehouse which would entail a certain amount of loading and unloading on the spur line running alongside, but otherwise there would be no noise or dirt involved.

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The motion was then put and passed unanimously.

A formal By-law was submitted by the City Solicitor giving effect to the foregoing motion of Council.

MOVED by Alderman Allen, seconded by Alderman Sullivan, that the formal By-law as submitted, be approved.  
Motion passed.

His Worship the Mayor took a few minutes to explain to a group of Girl Guides from Fairview who were present in the gallery, what was going on with regard to the public hearings. He told the Council members that the girls were working for a Citizenship Badge, and felt they would learn something by attending a City Council meeting.

REPORT OF FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of February 6, 1969:

Write-off of Bad Debts - The Housing Authority of Halifax

MOVED by Alderman Hogan, seconded by Alderman Sullivan that as recommended by the Finance and Executive Committee and subject to the approval of Central Mortgage and Housing Corporation and the Province, where applicable, the Housing Authority be authorized to write off bad debts as follows:

Bayers Road	-	\$792.00
Mulgrave Park	-	\$3,320.00
Westwood Park	-	\$172.00
Uniacke Square	-	\$210.00

Motion passed.

Bank Borrowing Resolution

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

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Committee, a special Bank Borrowing Resolution be approved authorizing the City Treasurer and the Deputy City Treasurer to sign demand notes on behalf of the Corporation of the City of Halifax to a limit of \$9,000,000.00, in anticipation of the fixing of the Tax Rates for 1969; and that His Worship the Mayor and the City Clerk be authorized to sign the said Resolution on behalf of the City. Motion passed.

Applications - Tag-Days, Door-to-Door Canvasses, etc.

MOVED by Alderman Connolly, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the following applications be approved:

Kiwanis Club of Halifax - September 5, 1969.  
Salvation Army - April 28, 29, 30,  
May 1, 2, 1969.

Motion passed.

Expropriation Settlement - #154-166 Creighton Street

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, settlement with Hi-Cap Maritimes Limited for expropriated lands at #154-166 Creighton Street, be on the following basis:

12,600 sq. ft. @ \$3.00 per Sq. Ft.	\$37,800.00
Interest - 10 months @ 5%	1,575.00
Solicitor's Costs	125.00
<u>Total .....</u>	<u>\$39,500.00</u>

Motion passed.

Separation of the Functions of Returning Officer from the Responsibilities of City Clerk

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, in order to separate the functions of Returning Officer from the responsibilities of the City Clerk as set

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out in the City Charter -

- (i) Section 49(1) be deleted in its entirety and the following substituted therefor:

"Upon the recommendation of the City Manager, the City Council shall appoint a Returning Officer for all elections required to be held under the provisions of this Act and for the taking of votes on any question under the provisions of this Act."

- (ii) The other relevant City Charter Sections be amended accordingly to give effect to this change.

Alderman Abbott said he wished to compliment the City Clerk on the fine job he had done in the past as Returning Officer for the City elections. He said he was well aware of the time and effort Mr. Stoddard had put into the job, and although he would like to see him continue, he understood that because of the increased work-load with the larger City, it was impossible for him to do so.

Alderman Ahern said that Mr. Stoddard had done an outstanding job, and he hoped the next Returning Officer would be as good.

Alderman Sullivan raised the question of a vote by proxy for aged or sick persons who could not get out to the Polls, and referred to one institution during the last election where out of a total of 120 patients only 45 were able to vote.

The City Solicitor stated that he felt such a change, requiring as it did a change in the City Charter, would involve approval of the Legislature.

Alderman Allen suggested that possibly the new Returning Officer could be appointed early, in order that Alderman Sullivan's suggestion and other changes could be



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given study and where necessary, presented to the Legislature, in time to be effective for the next civic election.

It was suggested that the next Returning Officer could be Chairman of a citizen's Committee to study this question.

The motion was then put and passed.

Proposed Amendments - City of Halifax Superannuation Plan:

Since the recommendations of the Finance and Executive Committee had been made, the Chairman said that Mr. Burnell had been instructed to present some new calculations concerning costs of implementing modifications to the Plan. One of these items concerned the cost of providing compensation to those pre-51'ers who retired in 1966, 1967, or 1968, at which time they went out with less pension than they would have had the Plan not been changed in 1966.

Mr. Burnell stated that he had been out of town during the past week and only heard of the request for the new calculations a few days ago, with the result that the figures he had to offer were approximate costs. He then outlined some of the events leading up to the present situation where this group of employees had found themselves going out with less pension than they had anticipated.

Mr. Burnell said that as far as he could determine, there were about 35 persons in this category who retired during the three-year period in question, and of that number there were seven persons who went out on extended retirements, having remained in the service beyond their normal retirement age, and he felt that these seven people did not enter into the picture.

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Mr. Burnell said he had looked at the problem in two different ways - (i) from the point of view of what the position would have been had there been no change in the Superannuation Plan, and (ii) from the point of view of total benefits that those people are receiving or will be receiving from the City Superannuation Plan and the Canada Pension Plan combined. He said his reason for looking at it on the second basis was that part of the reasons for the change made in 1966 was due to the initiation of the Canada Pension Plan, and he stated that when the legislation referred to affecting pre-51'ers had been enacted, no one at that time visualized the Canada Pension Plan, because if they had, the legislation would have been put into effect in a different way.

Mr. Burnell said he felt these people had a strong argument in saying that their total pension benefits (City Plan plus Canada Pension Plan benefits) should not be any less than what they anticipated receiving before the 1966 changes were made to the Plan. However, he said he had some reservations about any scheme which would calculate the pension benefits without regard to the Canada Pension Plan. For one thing, he said, there was quite a significant difference in cost if this were done. Before presenting his cost figures, Mr. Burnell again emphasized that lack of time prevented him from coming up with what could be termed exact costs. On the old basis, disregarding the Canada Pension Plan, the costs would be in the range of between Twenty-Five and Fifty Thousand Dollars in terms of capitalized value, whereas on an integrated basis the total figure would probably be in the region of \$10,000.

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His Worship the Mayor asked what these capitalized items would mean in annual costs until 1992, when part of the costs of implementation would be paid off, and Mr. Burnell said on the basis of the integrated calculation, the costs would be about \$800 per year, while on a non-integrated basis, they would be between \$2,000 and \$4,000 per year.

Alderman McGuire asked if the problem involved pre-'51-ers only, and Mr. Burnell said that a number of other people had retired during the same period under discussion, but unlike the pre-'51-ers, they had not lost any anticipated benefits because of changes in the Plan.

His Worship the Mayor asked if in view of the fact that the modification under discussion was not one of those approved by the Superannuation Advisory and Retirement Committees, if it would be necessary to go back to those Committees before adopting anything in Council. It was agreed that any motion adopted by Council could read "subject to the approval of the Superannuation Advisory and Retirement Committees", and the City Solicitor pointed out that since the modification was to benefit the pre-'51-ers, it was unlikely there would be any objection to its adoption.

There was a short discussion on the fact that the Canada Pension Plan benefits would be very small for those persons who have retired since its inception, since they would not have had an opportunity to build up their benefits.

Alderman Sullivan said that what the Fire and Police Department employees involved wanted to know was, for those who had retired in the last three to four years

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with less pension, as much as \$1,000, than they had anticipated, due to changes in the Plan, would they be compensated for the reduced pensions.

Mr. Burnell said he wanted to make it clear at this point that the Retirement Committee's recommendations did not deal with these people and their particular problem, since all the proposed modifications were based on an effective date of January 1, 1969. However, he said that subsequent investigation had revealed that some of these people were suffering unduly because of the 1966 changes in the Plan, but on the other hand he said, sight should not be lost of the fact that there were at least five persons who would be better off, and another ten whose loss would only be in the neighbourhood of fifty dollars per year. There were, he stated, three individuals in particular who had come off badly - much worse than anyone could have visualized at the time the changes to the Plan were put into effect.

The Chairman said the question now before Council was whether it wished to add an additional recommended change to those put forward by the Retirement Committee, which would provide additional benefits for those persons who retired between January 1, 1966 and January 1, 1969, and if so, whether it would be on the basis of a calculation taking into account benefits from the Canada Pension Plan, or whether the calculation would be independent of that Plan.

Alderman McGuire wanted to know if Mr. Burnell was recommending one scheme over another, and whether only the non-integrated and more costly calculation would take care of the persons referred to by Alderman Sullivan.

Mr. Burnell said the integrated basis would give these persons as much as they had anticipated receiving

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from the City's Superannuation Plan alone.

His Worship the Mayor said the only objection to that solution might be that the employee could argue that at the time he had an anticipated benefit from the Plan, it did not involve any contributions to the Canada Pension Plan, which Plan, under the integrated basis of calculation, formed part of the pension benefits. Mr. Burnell agreed this was so, but stated, on the other hand, the contributions to the City Plan were modified after January 1, 1966 to take into account the contributions made to the Canada Pension plan.

On being pressed to state whether he was recommending the calculation be made on an integrated or non-integrated basis, Mr. Burnell replied he did not think it appropriate that he do so, but said he was satisfied that the cheaper plan would treat everyone fairly.

Alderman McGuire felt that the trouble with using a integrated basis lay in the fact that the employees viewed the Canada Pension Plan as an added pension, above what they would be getting from the City Plan, and under the integrated calculation they would only be receiving what they would have got had the plan not been changed in 1966 and the Canada Pension Plan not come into being. Alderman McGuire suggested that in view of the rising cost of living, an "extra" pension provided by the Canada Pension Plan meant much to an employee.

The problem of getting the matter resolved in time for this sitting of the Legislature was again discussed, with the City Solicitor stating that every day of delay would make it that more difficult.

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His Worship the Mayor asked Mr. Burnell what was proposed for the basis of pension calculation for those employees who come after January 1, 1969, and Mr. Burnell replied that an integrated scheme was the recommendation. He then asked Mr. Burnell whether the Plan should be consistent for the pre-51'ers, whether they retired in 1966, 1967, 1968, or after January 1, 1969.

Mr. Burnell said that was a hard question to answer because if one tried to be consistent with the pre-51-ers who retired between January 1, 1966 and January 1, 1968, and those who retired in the future, you would have to be equally consistent for those who came between 1951 and 1966.

The Chairman suggested that in view of its complexity, and the time-factor involved, this particular question should be postponed until the following Tuesday night, when Council could come to a decision after the matter had received consideration by the Advisory and Retirement Committees Tuesday afternoon. Council agreed to this suggestion. The Chairman also requested that Mr. Burnell be present at the Superannuation Advisory and Retirement Committee meetings on Tuesday.

Council then agreed to hear Mr. G.B. Robertson, Q.C., speak next on behalf of the Fire Department employees.

Mr. Robertson said he would like to mention that the discrepancy being discussed tonight first came to light in late 1966, and it was early 1967 that the matter was first raised with the City Solicitor and other City officials. There had therefore been, he said, a period of three years during which no adjustment was made, although

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everyone was aware of the wrong that had been done these people. Mr. Robertson added that in view of the meetings to be held on Tuesday to discuss this matter, he would not make any further comments at this time. The Chairman said that the City Clerk would advise Mr. Robertson by telephone of the time of the meeting.

The discussion then moved to the seven recommendations for modification to the Superannuation Plan as submitted by the Retirement Committee:

MOVED by Alderman Connolly, seconded by Alderman McGuire that, as recommended by the Retirement Committee, legislation be sought to enact the following change in the Superannuation Plan:

Inclusion of supplementary grants in calculation of survivors' benefits using Method B described on Page 32 of Actuarial Report dated November, 1968 to be effective January 1, 1969. This would involve the elimination of the five-year minimum guarantee of pension payments in any case where survivors' benefits are payable.

Motion passed.

MOVED by Alderman Allen, seconded by Alderman McGuire that, as recommended by the Retirement Committee, legislation be sought to enact the following change in the Superannuation Plan:

Inclusion of a minimum payment rule in respect of pensions to members who die and leave no eligible survivors; this to apply to all service benefits and grants, effective January 1, 1969.

Motion passed.

MOVED by Alderman Allen, seconded by Alderman McGuire that, as recommended by the Retirement Committee, legislation be sought to enact the following change in the Superannuation Plan:

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Payment of widow's pensions in those cases where applications were previously refused on the basis of the means test. It should be noted that in any case where instalments are still being received in respect of a refund of the employees' contributions or the guaranteed sixty monthly payments, then such pensions should not commence until such time as the other payments cease. This change shall be made effective January 1, 1969.

Motion passed.

MOVED by Alderman Allen, seconded by Alderman McGuire that, as recommended by the Retirement Committee, legislation be sought to enact the following change in the Superannuation Plan:

The inclusion of a supplementary pension benefit calculated in such a way that no member's pension benefits (including Canada Pension Plan benefits) will be less than 2% for each year of service multiplied by the employee's average salary during the best five consecutive years subject to a maximum of 70%. This change shall be made effective January 1, 1969.

Motion passed.

MOVED by Alderman Allen, seconded by Alderman McGuire that, as recommended by the Retirement Committee, legislation be sought to enact the following change in the Superannuation Plan:

- (a) Optional vesting of contributions upon completion of ten years of service.
- (b) In addition special provision should be made for employees transferred to some other employer within the Province on account of responsibility for operation of the employees' department, commission, etcetera, being transferred to the other employer.

Motion passed.

MOVED by Alderman Allen, seconded by Alderman McGuire that, as recommended by the Retirement Committee, legislation be sought to enact the following change in the Superannuation Plan: