

of Tax Concessions and Grants in the Proposed Estimates for 1969. The total grants recommended in the report are as follows:

General Government	\$ 1,000
Protection to Persons and Property	4,000
Health	169,221
Social Welfare	106,641
Education	2,700
Community Services	77,150
Miscellaneous Grants	4,833

His Worship the Mayor asked if only the recommended requests for grants were listed in the report, or if the refused requests were also included, to which he was advised that only the recommended requests were contained in the report.

His Worship the Mayor suggested that before the budget is completed, Council should hear with respect to any applications made that have been recommended against so that the Committee of the Whole can exercise its judgement. He suggested Council should be advised orally if such were not contained in the report.

The Chairman of the Tax Concession and Grants Committee advised that a report would be submitted to Council for its next meeting together with the reasons for refusal.

His Worship the Mayor contended that these matters should be considered at this meeting.

Page 1 - Tax Concession and Grants Report
General Government - page 25 - Grants - \$1,000

The Budget, as submitted, was agreed to.

Protection to Persons and Property - page 46 - Grants - \$4,000

The Budget, as submitted, was agreed to.

Health Grants - \$169,221.

His Worship the Mayor referred to an amount of \$5,000 deleted from the Health Grants to the Victorian Order of

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Nurses and asked if there was a reduction in services implied in the cut.

The Director of Finance advised that in the financial statements submitted by the V.O.N. the actual expenditures for 1968 were \$5,000 less than the budget figure, and he had recommended that the grant for \$11,000 be retained, but the grant of \$5,000 be deleted for 1969.

The Social Planner advised that in considering the V.O.N. budget, it was contended that they could continue with \$5,000 less this year in view of the fact that they received some money which was unexpected, and had also expended less than was included in the budget last year. He said their services are certainly required in the community.

Dr. Fogo thought it would be inappropriate to delete the \$5,000 as the V.O.N. have been carrying out all the bedside nursing and some of the pre and post-natal care in the public health programme, and with annexation he contended that the pre and post-natal care would increase. He suggested it would be inappropriate to delete this amount unless there was some consultation with the V.O.N.

Alderman Ivany suggested that the amount be deleted and that the V.O.N. be permitted to approach Council at a later date should they require further funds.

It was agreed that the deletion of \$5,000 be approved, as submitted in the report.

Page 1 of the Tax Concession and Grants Report, as submitted was agreed to.

Page 2. - Tax Concession and Grants Report
Social Welfare - \$106,641

Alderman LeBlanc referred to page 133 of the Current

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Budget - Social Welfare Sundries in amount of \$188,000, and asked how this money was allocated.

The Social Planner advised that this money is paid out directly by the Finance Department on the basis of bills that are received from the Children's Aid Society from Halifax and around the Province on children who may have settlements in the City of Halifax. It is for children who are wards of the Children's Aid Society. He stated that family break-up and the number of children that are being made wards, has increased as well as the per diem rate to foster homes. He said the rate of break-up in family life has not reduced and there is an increasing number of children who are neglected. The Social Planner further stated that it is hoped more preventive programmes will be implemented to alleviate family break-up. He did not think welfare could be charged with all the ills of society, such as, parents, break-up, adequate housing and many of the other social ills, that the Department has promised to combat. He felt there will be an increase in the number of neglected children.

Alderman Sullivan asked the Social Planner if he had stated that the cost of welfare was increasing because of inadequate housing which leads to an increase in family break-up.

The Social Planner replied that he would go on record as affirming that statement although he did not have statistics to prove it; he was sure that inadequate housing created a serious social problem for many, many families in the City. He said there was no question this was a major problem, and

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welfare cannot bear the brunt.

Alderman LeBlanc asked whether or not the problem was being alleviated as the City constructed more public housing and more people were being rehabilitated.

The Social Planner said there was an improvement in the housing problem but this may not improve the circumstances of the family, because unless something is done about re-training the breadwinner so they can enjoy a higher standard of income or can demand, in the labour market, a higher standard of income, nothing has really been done about the family economics. It does not automatically follow that because families are placed from poor housing to new housing that the marital problems between the husband and wife will resolve themselves. One of the programmes that his Department wished to carry out as soon as possible is family counselling; to work with hard-core and multi-problem families.

Alderman LeBlanc referred to a large house on Robie Street owned by an oil company, that has been boarded up for two years, and asked if anyone had approached the owners to ascertain if it could be used for housing.

The Social Planner advised that he had made several telephone calls to the owners, and they have stated they may want to use it in the near future and they would not want to have a family living in the house which might be hard to move out when they required it for other purposes. He said the company thought this would be bad publicity. The Social Planner further stated that he told the company it was bad

publicity to have the house boarded up for such a length of time when housing accommodation was so desperate.

The Social Welfare grants, as submitted on page 2 of the Tax Concession and Grants Report, was agreed to.

Education Grants - \$2,700

The Education grants, as submitted, was agreed to.

Community Services Grants - \$77,150

At this time it was MOVED by Alderman LeBlanc, seconded by Alderman Ivany that the budget estimate in amount of \$15,000, for Halifax Natal Day, be reduced by \$5,000.

Alderman Connolly was of the opinion that \$10,000 plus an amount of \$3,167 for a Natal Day Float was too much money to spend on Natal Day celebrations.

The Motion was put and passed with Alderman Connolly voting against.

The Community Services grants, as submitted, was agreed to.

Page 2 of the Tax Concession and Grants Report, as submitted, was agreed to.

Page 3. Tax Concession and Grants Report

Miscellaneous Grants

Miscellaneous Grants, as submitted, were agreed to.

PROPOSED HALIFAX-DARTMOUTH ARTS COUNCIL

Alderman Abbott advised that a request had been received from Mr. D. Ray Pierce, representing a proposed Halifax-Dartmouth Arts Council for \$10,000, and after

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consideration, the Tax Concession and Grants Committee, did not feel this request should be approved for this year.

As Mr. Pierce was present at the meeting, the Committee agreed he should be heard.

Mr. D. Ray Pierce addressed the Committee and asked that it give favourable consideration to a request for a grant of \$10,000 to assist in the organization of a Halifax-Dartmouth Arts Council. He elaborated in some detail on the proposed organization of such a Council, its aims and objectives. He compared the Arts Council to the United Appeal in that the Council would request one grant from the City on behalf of all member organizations, such as Neptune Theatre, Nova Scotia Museum of Fine Arts, etc. and the Council would be responsible for the distribution of the grant to each member organization.

His Worship the Mayor referred to the Minutes of the Tax Concession and Grants Committee meeting of February 20th in which it was stated that an amount of \$40,000 was said to have been promised from industry to assist the Council, and that Alderman Connolly had stated more financial help might be obtained from this source.

Mr. Pierce advised that an amount of \$1,500 had been received from industry, and his statement to the Tax Concession and Grants Committee had been based on the fact that the local representatives of a particular national industry, who apparently had no right to make such a statement, had been turned down flatly by its Head Office, and an amount of \$1,500 only had been approved.

Alderman Connolly asked by what authority an Arts Council could determine the amount of money to be granted

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to each member organization, and if City Council wished to be relieved of this duty.

Alderman Meagher asked if Neptune Theatre and the Atlantic Symphony Society had been consulted to ascertain if they were agreeable to such a Council being set up.

Mr. Pierce stated that he had a letter from both of the above-mentioned, and the names of John Hobday and Robert Deitz appear on the letters.

Alderman Meagher stated that these two persons were employees of the two associations, and he further asked if a letter had been received from the Presidents or Board of Directors of each.

Mr. Pierce replied in the negative.

Alderman LeBlanc suggested that more financial help should be obtained from industry in the initial stages before the City committed itself.

Alderman Ivany suggested that Mr. Pierce approach the Trades and Labour Council for possible support.

Mr. Pierce advised that he could not possibly approach industry or any other bodies regarding support until the Council is fairly operational, and this will take the balance of this year. He said the history of Art Councils in other areas has been that once the Council is set up, industry, private donors and Canada Council have given support.

Alderman LeBlanc suggested Mr. Pierce solicit every group that is a recipient of a grant in the area to see if they would relinquish a percentage of their grant to make up the \$10,000.

His Worship the Mayor said he was in support of an Arts Council and he hoped it would proceed. He said that City Council's support would be required in time and in view of the present feeling of some Alderman, it would be wise to get the skeleton organization approved by the various boards of the key organizations to develop more community support. He said he would like to see the City assist in getting the Council launched, and it was not disinterested. He felt a little more time was required to educate the public and City Council to get full acceptance of the idea.

Mr. Pierce advised that although there is not a Halifax-Dartmouth Arts Council at the present time or a Provincial Council, there are now seven Councils in the Province plus other arts organizations, the Canada Council is sending two speakers to a meeting on March 29 of Arts Councils Associations in Nova Scotia which any member of Council is invited to attend to investigate further into Arts Councils.

Alderman Ivany asked how the other Arts Councils in Nova Scotia were financed, to which Mr. Pierce replied that they were financed by the Towns, Provincial Government, private donors and projects which they initiate.

MOVED by His Worship the Mayor, seconded by Alderman LeBlanc that the City of Halifax approve a grant of \$2,000 to the proposed Halifax-Dartmouth Arts Council.

The Committee agreed deferring consideration of the motion.

Page 2 - Current Budget Supplement No. 4.
Transit Study

The Budget, as submitted, was agreed to.

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At this time Alderman LeBlanc requested that members of Council and the City Manager meet privately with him, as he wished to raise a matter which he considered extremely important in relation to the budget.

The Council Members agreed to meet privately at the adjournment of this meeting.

School Board

The Budget reductions, as submitted, were agreed to.

Spryfield Water Deficit

The Chairman referred to the matter of the Spryfield Water Deficit which had been considered earlier in the evening, contained in Supplement No. 3, page 2.

It was agreed that the amount of \$30,000 projected as a possible deficit for the year for the Spryfield Water Project, subject to the possibility that the water rates in the City may be amended as of July 1, 1969, be not included in the budget.

REVENUES

Poll Tax

The Budget, as submitted, was agreed to.

Nova Scotia Light & Power Rebate

The Budget, as submitted, was agreed to.

Incineration Charges

In answer to a question from Alderman LeBlanc, the City Manager advised that this amount referred to anyone who takes garbage to the incinerator that is not City garbage, such as commercial refuse, garbage from the County, etc. He further advised that a study will be carried out on garbage collection this year, and the incineration charges will be an

integral part of the study.

The Budget, as submitted, was agreed to.

Tax Concessions

The Budget, as submitted, was agreed to.

Provincial Government Health Grant

The Budget, as submitted, was agreed to.

Tuberculosis Control - Provincial Government

The Budget, as submitted, was agreed to.

Rent City Property

The Budget, as submitted, was agreed to.

Page 3 - Current Budget Supplement No. 4

Local Improvements

The Budget, as submitted, was agreed to.

10:00 p.m. Council reconvened, all members being present, and His Worship the Mayor assumes the Chair,

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that Council convene on Thursday, February 27th, at 7:00 p.m. to finalize the Current Budget.

MOVED in Amendment by Alderman Meagher, seconded by Alderman McGuire that Council convene on Thursday, February 27th, at 3:00 p.m. to finalize the Current Budget.

The Amendment was then put as follows:

For the Amendment:	Aldermen Allen, Hogan, Ivany, McGuire, and Meagher	- 5 -
Against the Motion:	Aldermen Abbott, Ahern, Connolly, LeBlanc, and Sullivan	- 5 -

The Chairman cast his vote in favour of the Amendment and declared it passed.

The Motion, as amended, was put and passed.

10:05 p.m. Council adjourned.

ORDER OF BUSINESS

CITY COUNCIL

FEBRUARY 26, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
- 2A. Presentation - Scrolls - Retired Long Service Personnel
3. Minutes: February 13, 18 and 20, 1969
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 and Hearings:
 - (a) Rezoning of land at the Northern Corner of Vestry Street and Lynch Street to be rezoned from R-2 Zone to R-3 Zone
 - (b) Rezoning of land at the Northwest Corner of Preston and York Streets to be rezoned from R-2 Zone to R-3 Zone
9. Petitions and Delegations
10. Report - Finance and Executive Committee:
 - (a) Tenders - New City Field
 - (b) Transit System and Negotiations
 - (c) Property Acquisition - #2352 Barrington Street
 - (d) Daylight Saving Time
 - (e) Port Study Costs
 - (f) Progress Payment Re: Canada Games Facilities
 - (g) Joint Office Accommodation for Welfare Services
1. Report - Committee on Works:
 - (a) Encroachment License - City-owned Property - Paul M. Publicover, James Street
2. Report - Safety Committee: NONE
3. Report - Public Health and Welfare Committee: NONE
4. Report - Committee of the Whole Council, Boards and Commissions:
 - (a) Alteration to a Subdivision - Glenforest Drive, Clayton Park, Lots 563A and 563B
5. Report - Town Planning Board:
 - (a) Extension to the Halifax Infirmary
 - (b) Modification Front Yard and Side Yard Requirements - 6131 Coburg Rd.
 - (c) Amendment to Sections 20(a) and 25(a) "Annexed Area Zoning By-law" -
DATE FOR HEARING
 - (d) Outline Land Use/Transportation Plan

Motions:

- (a) Motion - Alderman McGuire Re: Introduction of Ordinance No. 133 Respecting the Emergency Measures Civil Defence Organization

Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) 1969 Current Budget
- (c) Resolution - School Board
- (d) Resolution - Tax Rates
- (e) Resolution - Interest on Taxes
- (f) Fire Protection Rate
- (g) Staff Report - Sewerage System - Wards 7, 8, 9 and 10
- (h) 1969 Legislation

QUESTIONS

Notice of Motion

Added Items

Record.

CITY COUNCIL,
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PUBLIC HEARINGS AND HEARINGS Council Chamber,
City Hall,
Halifax, N.S.
February 26, 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, Ivany, LeBlanc, McGuire, Allen, Connolly, Sullivan, and Meagher.

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

MINUTES

The minutes of February 13, and 18, 1969 were approved on motion of Alderman Meagher, seconded by Alderman Abbott.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

It was agreed to add the following items to the agenda:

- 20 (a) - Preliminary Plan " George Dixon" Recreation Centre.
- 20 (b) - Forum Commission - Financial Statements.
- 20 (c) - Proposed Rezoning in Annexation Area.
- 20 (d) - Tenders for Sale of Surplus Fire Alert System.
- 20 (e) - Appointments.
- 20 (f) - Housing.
- 20 (g) - Minutes of February 13, 1969.

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PUBLIC HEARINGS AND HEARINGS

Rezoning of land at the Northern Corner of Vestry Street and Lynch Street to be rezoned from R-2 Zone to R-3 Zone.

A Public Hearing was held at this time in the matter of rezoning land at the northern corner of Vestry Street and Lynch Street from R-2 to R-3 Zone.

The City Clerk advised that a petition against the rezoning had been received containing approximately 83 signatures, made up of 45 assessed properties and including the signatures of the 45 assessed owners of the properties. He also advised that a second petition had just been submitted prior to the meeting containing about 121 names of residents in the area who object to the rezoning, and that these petitions had been endorsed by Alderman Sullivan. The City Clerk stated that the petitions represented more than the required 20% of those persons affected by the rezoning.

The Chief Planner spoke next, and by means of a map described the property under discussion. He said this piece of City-owned land was considered difficult to develop due to its sloping nature, but on the recommendation of the Housing Committee to Council, staff had investigated its use for the site of a low-cost town housing project. Staff had concluded, he said, that the land should be rezoned to R-3 Residential to permit the development of such a project. He then proceeded to describe what was meant by a "town housing project", which, he said, was very popular throughout North America, representing as it did, a compromise between single family dwellings and high-rise apartments. He said it was felt the land might accommodate around 30 units, but on being

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pressed for details as to how many section the project would be broken into, etc. he explained these had not yet been worked out, since it was felt there was no purpose in proceeding with the plan until the rezoning which would permit such a project had been accomplished. He added, however, that in working out the plans, full consideration would be given to allowing sufficient open area, parking, etc. and to make the project as attractive as possible.

Alderman LeBlanc asked if the housing units would be for private ownership, and the Chief Planner said this would be for Council to decide. He said the scheme anticipated Federal assistance.

Alderman Sullivan said he was against the project, since he felt the north end had already been given more than their share of this type of thing. He suggested the construction of about ten single family dwellings on the land would be more in keeping with the present neighbourhood.

His Worship the Mayor asked if there was anyone in the gallery who wished to speak against the proposed rezoning.

A. Dr. G.D.M. MacKay, Professor at the Nova Scotia Technical College, said he was appearing on behalf of the North-end Home Owners Improvement Association, whose members were against the re-zoning. He first asked if this was an isolated case, or did it represent part of a long-term plan which would eventually alter the area's present character of single family dwellings.

The Chief Planner said it was not part of any long-term planning, but that it simply represented what was

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considered to be the best use for a piece of city-owned vacant land.

Dr. MacKay then asked if any thought had ever been given to using the land for educational or recreational purposes. He said at the moment families in the area found it to be the only piece of land where their children could play, so that if it were removed and additional children added, it would have an adverse effect on the life of the people living in the area. He said those living in the area had a right to have the character of their neighbourhood protected by zoning laws, and that if the present proposal represented an isolated case, it should be denied. If, on the other hand, he said, it represented part of a long term plan which would eventually destroy the character of the area as it presently existed, those who would be affected should have a great deal to say about it. He felt the residents of the area had been forced into the position of disagreeing to the present recommendation, because there had been no attempt to consult with them regarding their views.

Alderman LeBlanc asked Dr. MacKay if after hearing Mr. Lubka, his Association were satisfied that an attractive project would be built, would it still oppose the scheme on the grounds that the land should be maintained for recreational purposes. In other words, he asked, were the members of the home-owners association saying they did not want any more residences in the area.

Dr. MacKay repeated his statement that the people concerned were in the position of having to object to something before giving an opinion regarding the land's

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possible usage. He felt the question of using the land for recreational purposes had not even been considered, and added that this Association was not opposed to any rezoning which did not change the character of the area.

Dr. MacKay said it was his opinion that low-cost housing schemes should be carried out on a much broader scale, and in any event he felt the City was jumping the gun in the present case by not waiting until Project Planners, who had been asked to look at the north-end in conjunction with the Prison lands, had made some recommendations.

Alderman Ivany asked Dr. MacKay if possibly some of the people who had signed the petition had done so without a full knowledge of what was involved in a well-planned town housing project.

Speaking for himself, Dr. MacKay said he had seen examples of town housing in other cities, and did not think it would be readily acceptable in Halifax at this time.

A Mr. Frank Murphy spoke next, stating he lived on Barrington Street just below the land in question. Mr. Murphy said in his opinion there was no question at all but that the land should be used for recreational facilities.

The next resident of the area to come forward was a Mrs. Emmett, who said that she felt certain with a little more time they could have obtained 100% against the rezoning, since the residents of the north end of the City felt they already had more than their fair share of low cost housing. She said that Mr. Lubka's assurances had not really convinced her that the present project could be the beginning of a much larger plan, and she said the people in the area had not bought

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their homes with the idea of being surrounded by low-cost housing, which would decrease the value of their properties. Additional housing, she said, was not the most urgent requirement in the north-end, but took second place to increased educational and recreational facilities, and more people in the area only aggravated the lack of these latter facilities. On the other hand, she said, if the land could not be utilized in this manner, she did not think the residents would object to the building of single family dwellings on the site, but that they definitely would not go along with the idea of row-housing.

Alderman McGuire asked the Chief Planner if approval of the present request for re-zoning might not lead to persons assembling land in the area and making a request to Council for extension of the R-3 zoning.

Mr. Lubka replied certainly the City could not prevent anyone from assembling land with such an idea in mind, but on the other hand Council's approval would still have to be sought and a public hearing held. The Chief Planner referred to the questions raised on recreational land in the area, and said he had checked with the Director of Recreation who felt there was sufficient facilities available now; however, Mr. Lubka referred to another piece of city-owned land in the area which he felt could be used for such a purpose. The land he had in mind was, in his opinion, much more suitable for recreational purposes than the track of land under discussion this evening.

Alderman McGuire asked the Chief Planner if he felt that possibly staff's recommendation to rezone the land under discussion, pre-judged the study of the whole section down to the waterfront. Mr. Lubka replied that

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such an argument could lead to the conclusion that one should not do anything in connection with this section of the City.

Alderman McGuire asked Mr. Lubka if a call for proposals would specify for the construction of town-houses. The Chief Planner said he felt the call would have to indicate the type of housing envisaged, since otherwise they would have submissions for 10-storey buildings or other unsuitable buildings.

At this point Alderman McGuire said he felt a meeting was desirable between staff and the North-End Home Owners Improvement Association, so that the Association members' views could be heard, and at the same time staff could acquaint the Association with what it had in mind for the land.

MOVED by Alderman Sullivan, seconded by Alderman LeBlanc, that a decision in this matter be deferred pending the outcome of a meeting to be held within four weeks between representatives of the Recreation and Playgrounds Commission, the Planning Department, the North-End Home Owners Improvement Association, and Project Planners, at which all views can be expressed concerning the best possible use of the land, and these views reported back to City Council. Motion passed.

Alderman LeBlanc suggested that staff obtain pictures of good town housing planning projects for examination at the meeting referred to in the above motion.

His Worship the Mayor added the suggestion that the meeting be open to any members of City Council who may wish to attend.

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Rezoning of Land at the Northwest Corner of Preston and York
Streets to be rezoned from R-2 Zone to R-3 Zone

A public hearing was held at this time into the request of those who signed the petition that the rezoning of land at the Northwest corner of Preston and York Streets to be rezoned from R-2 Zone to R-3 Zone.

The City Clerk read a petition signed by 14 property owners, in one case the husband of the woman in whose name the property was assessed, opposing the proposed rezoning.

A Mr. R.J. Weld, a property owner at 6331 York Street, came forward in response to the Chairman's call to hear from anyone who wished to speak against the rezoning. Mr. Weld said his views represented the feelings of those persons who, along with himself, had signed the petition, who were against the rezoning for the following reasons:

1. Against spot-rezoning in principle and would tend to decrease the value of the properties in the area if the Residential Zoning classification were disturbed.
2. An apartment building would increase traffic congestion in the area, which was already a problem, especially for the children attending Cornwallis School.
3. Mr. Weld said there was evidence of other land assemblies in the area for apartment building sites, and further applications would only be strengthened if this one was granted.

With regard to an over-abundance of apartment buildings possibly being planned for the area, Mr. Weld said the residents of the neighbourhood might be assured in this regard if the City Administration could show them a Master Plan for the area. Mr. Weld said it was possible that under a Master Plan, an orderly development of apartment buildings

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could be planned throughout the area, without any objections from the residents. In conclusion, Mr. Weld said it was the request of those who signed the petition that the rezoning in question be turned down or at least delayed until such time that a Master Plan has been developed and accepted for the City's growth in general, and for the area under discussion in particular.

Mr. Weld also said that due to lack of time in gathering names for the petition, it was relatively small, but that if decision in the matter could be deferred he was certain that a great many more names could be obtained. He said a great number of householders concerned were not aware of this application for rezoning until formal notification had been circulated from the City during the week of February 17 to 21.

Mr. Gordon Ross of 6331 Cornwall Street spoke next. He said an apartment building was entirely out of character for the neighbourhood, and would infringe on the privacy which the home-owners presently enjoyed in their back gardens. He said the old argument had been that there was no free land available for housing in the City, but that this picture had changed with annexation.

Mr. R.J. Smith of 6342 York Street spoke next. He said he supported all the remarks made by Messrs. Weld and Ross, especially Mr. Ross' remarks about the privacy of the residents in their backyards being invaded by tenants in the upper floors of an apartment building being able to look down on them.

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Mr. E.D. Barrett of 1946 Preston Street was the final person to speak against the rezoning, and he started off by saying that he was in complete agreement with the objections put forward by others tonight. In addition, Mr. Barrett said his home was immediately next to the proposed apartment building, and he objected to a cement wall which would be erected at the property line, and also to the fact that the apartment building would cut off considerable light from his home.

The Chairman then asked if there was anyone present who wished to speak in favour of the rezoning.

Mr. G.S. Black, Q.C., came forward on behalf of the applicant. He referred to the petition signed by those opposing the rezoning, and said he felt it should not be given undue attention for several reasons. He said the area canvassed was far beyond the limits of what the City would consider to be directly affected by the new apartment, and that several of the persons he had talked to who had signed the petition, had had second thoughts about the apartment building, and would, if possible, take a different position today. Mr. Black submitted a petition signed by nine assessed owners of property in the vicinity of the proposed rezoning, stating that they had no objection to the construction of a 17-unit apartment building on the land in question. Mr. Black gave a brief description of the apartment units planned for the building, and said he felt Council should give their approval to the rezoning in view of the serious housing shortage which existed in the City.

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Mr. Peter Mettam, Architect, spoke next. He said his client, the owner of the property under discussion, had gone to considerable lengths to accommodate the residential character of the neighbourhood. He said the plans for the building were well within all the City's regulations, as opposed to just meeting them. Mr. Mettam referred to Mr. Barrett's objections to a cement wall on the property line and the cutting out of light to his home, and explained how at Mr. Barrett's backyard the wall would be no higher than 2 feet, including a guard-railing. With regard to cutting out light, Mr. Mettam said the apartment building would be 21 feet from Mr. Barrett's home, so he did not think Mr. Barrett need worry in this regard.

The Chairman said the matter was now before Council for discussion.

The Chief Planner made reference to the remarks made this evening that a Master Plan was needed before one could properly assess a rezoning application, and said that even if it were available, it would not be so specific as to pin-point just where or where not you may build an apartment building. Mr. Lubka also defended the practice of spot rezoning, giving several examples of when it was completely justified.

Alderman McGuire asked the Chief Planner, if when a Master Plan was available it did not give specific information, would it still be necessary for Council to deal with matters like the one before it now.

Mr. Lubka said a Master Plan would, without doubt, be very helpful in deciding questions like the present

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one, as it would indicate areas where no industry would be allowed, what type of commercial establishments would be acceptable, transitional areas, etc. He said that a certain amount of change to every neighbourhood was inevitable, just as the City itself was subject to changing conditions.

Alderman Ivany said he was in favour of small-type apartment buildings like the one proposed, but in view of the many objections heard this evening suggested that a decision on the matter be deferred so that Council members could have a little more time to reflect on all the different views that had been submitted.

Alderman Allen supported deferring the matter in order that staff could meet with some of the persons who were opposed to the rezoning and discuss matters further.

His Worship the Mayor said that the present practice was to deal with the presentations on both sides and then take the matter to Council to be debated, but that it was not the practice to mix the debate with the public presentations.

Alderman Connolly said that he was very interested in some of the remarks made by the Chief Planner in support of spot-rezoning, and would like to have them in writing.

Alderman LeBlanc referred to Alderman Ivany's suggestion that the matter be deferred and said he was in disagreement with this. He felt Council should deal with the matter immediately after the hearing was completed; otherwise, he said, to prolong it could conceivably bring in completely new information and thus have an effect on the hearing itself.

Record

AMENDED
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moving read as follows:

MOVED by Alderman LeBlanc, seconded by Alderman McGuire,
that approval be given to the rezoning of land at the Northwest
corner of Preston and York Streets from R-2 Zone to R-3 Zone.

The motion was put and lost as follows, because it did
not receive the required two-third's majority:

- For - Aldermen Abbott, Allen, Hogan, LeBlanc, McGuire,
Meagher 6
- Against- Aldermen Ahern, Connolly, Ivany, Sullivan 4

Alderman LeBlanc then gave notice of reconsideration
of the matter, but the Chairman said he did not think the
subject could be re-introduced before an elapse of one year.
However, the City Solicitor was directed to submit an opinion
at the next regular meeting as to whether or not reconsideration
could be entertained on a negative motion.

10:05 p.m. - Council adjourned for a recess.

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

being present.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and
Executive Committee from its meeting of February 19, 1969 with
respect to the following matters:

Tenders - New City Field:

Alderman Meagher, seconded by Alderman Sullivan, MOVED
the first part of the recommendation from the Finance and
Executive Committee that Council accept the tender of Fundy
Construction Company in the amount of \$708,950.00.

The second part of the Finance and Executive Commit-
tee's recommendation, which Alderman Meagher was not

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moving read as follows:

"2. In the event that the Fundy Construction Company does not wish to enter into contract with the City, the firm of Dineen Construction (Atlantic) Limited be accepted."

Before proceeding with the matter, the City Manager said he had a statement to make. He said that earlier in the week the architect had called him, and apparently he had been done an injustice in the staff report which stated the saving was \$63,000., whereas the figure should have been in the region of \$103,000 - because the tender was compared with the \$800,000 limit as set down by City Council, which Council had agreed to increase due to increased construction costs.

The Chairman also made reference to a letter which had been circulated from McInnes, Cooper & Robertson under date of February 26. The letter read as follows:

"His Worship the Mayor and
Aldermen of the City of Halifax

Dear Sirs:

Re: New City Field Project

"This letter is written on behalf of our client, Dineen Construction (Atlantic) Limited, concerning the tenders submitted in connection with the above project. We have already protested to the City Solicitor and City Manager of a serious discrepancy in the tender of Fundy Construction Company Limited, in that its tender included a price for bituminous paving from a sub-contractor which had withdrawn its price submitted through the Halifax-Dartmouth Bid Depository as called for in the instructions to bidders issued by the City of Halifax.

"We are instructed that the only bidder in this sub-trade which could properly be used by any tender was that of Aberdeen Paving Limited for \$25,289.00. Two other bidders had submitted lower prices but both were withdrawn because they had overlooked the additional work called for under addendum number one to the tender call.

"Fundy Construction Company Limited used the lower of one of these withdrawn bids, with the result that its apparent tender is lower than that submitted by our client. However, if your tender instructions are followed, as was done by

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"Dineen Construction (Atlantic) Limited, the lowest correct tender is that of Dineen Construction (Atlantic) Limited.

"We are instructed that the Bid Depository Committee of the Halifax-Dartmouth Construction Association has advised your architect that the tender of Aberdeen Paving Limited is the only formal tender for the paving sub-contract on this project and that any general contractors naming any other paving contractor are considered to have submitted informal tenders.

"It is submitted that the effect of this really means the Fundy tender does not conform to the requirements of the tender call and should not be acted upon or accepted by the City.

"We understand the formal telegram to your architect is available in the hands of your City staff.

"It is respectfully submitted that the lowest tender conforming to your tender call is that submitted by our client and should be accepted by the City of Halifax and the tender of Fundy Construction Company Limited declared informal and not in compliance with such call.

"Most respectfully submitted,
MCINNES, COOPER & ROBERTSON
(Sgd) George B. Robertson"

Alderman LeBlanc asked if before any vote was taken on the matter, should the above letter be taken into consideration. The Chairman replied that the letter was certainly before Council, while the issue was under discussion.

Since members of Council had not had an opportunity to read Mr. Robertson's letter prior to the meeting, Mr. Robertson was asked to give a brief resume of it for them.

Mr. Robertson said that a very unfortunate thing had happened in this matter, which was not the subject of the report to the Committee of the Whole, but about which he had written a letter to the City Solicitor. He said that when the City had sent out its tenders, one of the provisions was that all sub-trades had to tender through the Halifax-Dartmouth

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Bid Depository. He said at some point an addendum had been added for additional paving to the City's tender, and that of the three companies submitting tenders, two of them missed the addendum. Two of them eventually sent telegrams withdrawing their sub-tenders for paving and that left only one in the Bid Depository, and there was, Mr. Robertson stated, quite a difference in the figures involved: the \$23,000 range against \$11,000 range. He said that as far as he knew all the tenders, besides the so-called low-tender of Fundy, were effectively notified and used the Aberdeen paving figure; so that under the City's tender call Dineen Construction had put in the correct figure, and the only one it had legally available for use the day of the closing of the general tender. The issue was then, Mr. Robertson declared, that Dineen, on their own basic tender are somewhat below the figure put in by Fundy - so that on the City's terms, Dineen had the lowest tender. He said the matter was the subject of a complaint to the Bid Depository committee, who had notified the City's architect that a mistake had occurred. Mr. Robertson said that the Aberdeen Paving Company was the only sub-trade that could be used pursuant to the rules of the Halifax-Dartmouth Bid Depository.

Alderman Meagher noted that there was a matter of almost \$9,000 involved in the tender and asked the City Manager if the job were awarded to Fundy Construction, would the City get the same job as they would if Dineen's tender was accepted.

The City Manager replied that everything, quality, completion, etc., would have to be done according to the specifications.

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The City Solicitor said he agreed with the facts as they had been set forth by Mr. Robertson, but he did not necessarily agree with the implications which Mr. Robertson had drawn from them.

Alderman Meagher asked the City Solicitor if it was his opinion that legally the City could accept the tender of Fundy Construction Company. The City Solicitor replied "Within our rules - but the Depository Bid System is the market place through which the sub-trades and the main contractors deal, and it would seem to me if there are irregularities, that is the area where they can be straightened out rather than here".

Alderman LeBlanc asked if there was any possibility that the Construction Association might rule the acceptance of Fundy's tender out of order, so that eventually the City would be forced to call for tenders again. The City Solicitor replied that he did not think that could happen.

The Chairman said he would like to see in writing the exact words used in the tender call with respect to the use of the Bid Depository.

The City Solicitor said he could probably get the wording from a copy of the advertisement, but Mr. Robertson said that advertisement was an abbreviation of the full instructions, full sections of which he then quoted. One of the conditions of the tender, as quoted by Mr. Robertson, was that bidders were "to submit their prices through the Halifax-Dartmouth Bid Depository".

The Chairman asked Mr. Robertson if it were his opinion that the way the City's instructions to bidders read, meant that the City would not accept a bid from a general

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contractor unless the general contractor got his sub-contract bid through the Depository, and Mr. Robertson replied that was correct - unless a contractor did the work himself in which event he would not use the Bid Depository.

The Chairman asked the City Solicitor if he accepted the foregoing views put forward by Mr. Robertson, and Mr. Murphy replied that he could not give an answer without further study of all the material at hand. In this event, the Chairman said he would prefer to see a written statement from the City Solicitor before he voted on the issue, which vote would be necessary should it be a tie vote amongst the Aldermen.

There was a short discussion on the time factor whereupon it was MOVED by Alderman Abbott, seconded by Alderman Ivany, that a decision in this matter be deferred until a meeting of Council on Wednesday, March 5 immediately prior to the meeting of the Committee of the Whole scheduled for that date. Motion passed.

Transit System and Negotiations:

Seven recommendations were put forward by the Finance and Executive Committee with respect to the transit system and negotiations with the Nova Scotia Light and Power Company. No. 7 recommendation read as follows:

"A clause be added to the agreement with the consultants to provide that at the end of one or two years, the consultants will return to the City to assess the operation of the system."

It was agreed that this clause should be changed to provide for the Consultants to return to the City to assess the operation of the system at the end of

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six months and one year instead of one or two years.

MOVED by Alderman Meagher, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, approval be given to the following:

1. Commencement of negotiations with Nova Scotia Light and Power Company, such negotiations to be performed by Kates, Peat, Marwick under direction of the Transit Committee, with the assistance of City Staff.
2. The addition of \$15,000 to the 1969 Current Budget to provide, with the \$5,000 already approved, the maximum of \$20,000 necessary for the negotiations with Nova Scotia Light & Power.
3. Commencement of the study required to determine the physical and operating requirements of a city-wide transit system, at an estimated cost of \$70,000 to \$80,000.
4. Authority be given to the City Treasurer to advance funds required by Item 3, namely a maximum of \$80,000, such advance to be repaid to the City by the organization which is set up to run the transit system. It is anticipated that these costs would then be written off over, say, a five-year period as "organization expenses".
5. An agreement be drawn up between the City and Kates, Peat, Marwick and Company to embody the decisions made by City Council, with a proviso that Item 1 and 2 proceed immediately to enable a satisfactory solution to be found as soon as possible.
6. Kates, Peat, Marwick and Company file monthly progress reports with the City.
7. A clause be added to the agreement with the consultants to provide that at the end of six (6) months and one (1) year, the Consultants will return to the City to assess the operation of the system.

Motion passed.

Alderman Allen said that there had been a discussion at the Committee of the Whole on including Acadian Bus Lines in any negotiations between the City and the Light and Power Company. He said if Acadian Bus Lines ever decided to abandon their services to Herring Cove and along the Bedford Highway, consideration should be given to