

RESOLUTION - SCHOOL BOARD ESTIMATES 1969

MOVED by His Worship the Mayor, seconded by
Alderman Meagher that the following resolution be approved:

BE IT RESOLVED that the estimates as submitted
by the Board of School Commissioners for the Civic Year 1969,
amounting to \$13,077,261.00 be amended as follows:

DELETIONS

- | | | |
|--|------------------|--------------|
| 1. Vacant Positions | \$138,000.00 | |
| Less Foundation Grant | <u>34,000.00</u> | \$104,000.00 |
| 2. Unfilled Positions August 1-
December 31, 1969 | | 9,824.00 |
| 3. Sabbatical Leave | | 28,540.00 |

ADDITIONS

- | | | |
|--|--|-----------|
| 1. Salary and Wage Increases
being negotiated | | 57,400.00 |
|--|--|-----------|

AND BE IT FURTHER RESOLVED that a copy of the
estimates, as so approved, be forwarded to the Board of
School Commissioners for its information.

Motion passed.

ESTIMATES CIVIC YEAR 1969

MOVED by Alderman Abbott, seconded by Alderman Hogan
that the estimates for the Civic Year 1969 be set at a total
amount of \$32,194,293.00. Motion passed.

TAX RATE 1969

MOVED by Alderman Abbott, seconded by His Worship
the Mayor that the tax rate for the year 1969 be set at \$4.92
per hundred dollars of assessment and that this rate be
applied to the full assessed value of property of a business
character and nature and 50% of the total assessed valuation
for business occupancy tax purposes and 46% of the assessed
value of real property of a residential character or nature,
and that the Director of Finance be authorized to withdraw

Committee of the Whole,
February 27, 1969

from the Current Surplus Account a sufficient sum to produce these rates.

The latter calculation contained in the Motion having an effect of \$2.27 per hundred dollars for residential tax assessment.

Alderman LeBlanc stated that this Committee had spent many, many nights discussing the budget and trying to make reductions where possible and then finally, Alderman Abbott and the City Manager had a meeting this morning and arbitrarily or otherwise produced a figure, which is excellent, but reflects on the wisdom of the other members of Council. He said he wished the meeting had been held a month ago and it would have saved Council a lot of wasted time when it seemed so easy at the last minute to reduce the estimates.

His Worship the Mayor stated that at the meeting of Council on Tuesday night the City Manager had submitted a budget supplement which took account of the actions of Council respecting the School Board budget, and the best estimate available of items Council knew it was going to have to put a figure on at the time it started its budget discussions. The report indicated a tax rate, at that time, of 31.2 points. Questions were asked about the amount in the surplus account, and anyone who was thinking about it, would realize that 31 points plus something taken from the surplus, would reduce the rate to approximately 30 points.

He said the City Manager and Alderman Abbott decided, after examining certain accounts, that they could recommend

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some very minor changes which amounted to about half a point on this rate. and this growth area is going to cost us more that the Alderman McGuire said he too was surprised that a reduction could have been made so quickly after spending so much time discussing the budget. He questioned whether it is wise to take the suggested amount of \$100,000 from the surplus account of \$160,000, when Alderman Abbott stated he agreed with His Worship the Mayor that the surplus should be spent on capital programmes, and asked why this was not done. He suggested that if this was done this year, the City might be in a better total financial situation next year. Rather than take a figure Council is aiming at for a tax rate, he thought it would be a more intelligent approach to take all the items that require money and if this was done as carefully as all Departments had set their budgets, by that method Council could arrive at a tax rate. He was in agreement to a large extent with the remarks of Alderman LeBlanc.

municipal Further discussion ensued with respect to the proposed tax rate and the use of current surplus.

He suggests Alderman Ivany asked if the City Manager, during the year, has in mind reviewing the annexation costs in view of the facts that are now known, and then submitting a report to the Provincial Government asking them for further financial assistance. copy of the 1969 estimates

days later The City Manager replied that, as a result of a Council decision some time ago, it is probable that the City will approach the Province on the City's capital problems as a result of annexation. He stated that the City has taken

over an area that is growing whereas the old City tends to be static, and this growth area is going to lead to costs that the City has not been faced with in the past, and the fact that the County was receiving assistance, he felt should indicate the City probably should receive some assistance as well by way of capital grants.

Alderman Ivany felt that the matter of exempt property in the City should be investigated. He referred to a telephone call he received from a church complaining about garbage collection, and he advised them that they were exempt from taxation and to his knowledge they did not have to pay to have their garbage removed. He felt there should be a service charge made to such bodies.

Alderman Ahern was concerned that no effort was made to acquire financial assistance from the Provincial Government regarding the main arteries leading into the City. He was of the opinion the Province is reimbursing many municipalities for highways leading into the cities, and he felt this was an area that would help alleviate the tax rate. He suggested that the Mayor try to convince the Government that the annexation grants are insufficient. He felt that all the surplus should be used to keep the tax rate down.

Alderman Sullivan stated that at the end of January he had been handed a copy of the 1969 estimates, and a few days later they were under discussion by Council. He suggested that when the Department estimates are completed at the end of this year, the Aldermen meet with the Department Heads to see if any reductions can be made at that time, and

they would then be in a position to understand the estimates more fully.

The motion was then put and passed with Alderman LeBlanc voting against.

RESOLUTION - INTEREST ON TAXES

MOVED by Alderman Meagher, seconded by Alderman Abbott that the following resolution be approved:

WHEREAS by subsection (2) of Section 290 of the Halifax City Charter, 1963, being Chapter 52 of the Acts of 1963, the Council may by resolution passed on or before the first day of March in any year, provide that on all rates and taxes remaining unpaid on the day to be named therein interest shall be payable thereon until the same are paid, at such rate as the Council may from time to time by resolution determine, and such rate so determined shall continue in effect until such time as Council shall otherwise determine.

NOW THEREFORE BE IT RESOLVED that, excepting as otherwise provided in the said City Charter, on all rates and taxes unpaid to the City Collector on or before the first day of June in the year in respect of which such rates and taxes are levied, interest at the rate of eight per centum (8%) per annum shall be payable.

Motion passed.

7:38 p.m. Alderman Hogan retires.

FIRE PROTECTION RATE

MOVED by Alderman Abbott, seconded by Alderman Connolly that, as recommended by the City Manager, the Fire Protection Rate be set at eight cents (\$0.08) per one hundred dollars (\$100.00) of valuation for the year 1969. Motion passed.

7:40 p.m. Council reconvened, His Worship the Mayor assumes the Chair, and the following members being present:

Aldermen Allen, Abbott, Ahern, Connolly, Ivany, LeBlanc, McGuire, Meagher and Sullivan.

Adjourned Council,
February 27, 1969

The Committee of the Whole made the following recommendations:

ESTIMATES CIVIC YEAR 1969

MOVED by Alderman Connolly, seconded by Alderman Abbott that the estimates for the Civic Year 1969 be fixed at \$32,194,293.00. Motion passed with Alderman Ivany voting against.

RESOLUTION - SCHOOL BOARD ESTIMATES 1969

MOVED by Alderman Meagher, seconded by Alderman Abbott that the following resolution be approved:

BE IT RESOLVED that the estimates as submitted by the Board of School Commissioners for the Civic Year 1969, amounting to \$13,077,261.00 be amended as follows:

DELETIONS

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| 1. Vacant Positions | \$138,000.00 | |
| Less Foundation Grant | <u>34,000.00</u> | \$104,000.00 |
| 2. Unfilled Positions August 1 -
December 31, 1969 | | 9,824.00 |
| 3. Sabbatical Leave | | 28,540.00 |

ADDITIONS

- | | | |
|--|--|-----------|
| 1. Salary and Wage Increases
being negotiated | | 57,400.00 |
|--|--|-----------|

AND BE IT FURTHER RESOLVED that a copy of the estimates, as so approved, be forwarded to the Board of School Commissioners for its information.

Motion passed.

TAX RATE 1969

MOVED by Alderman Abbott, seconded by Alderman Meagher that the tax rate for the year 1969 be set at \$4.92 per hundred dollars of assessment and that this rate be applied to the full assessed value of property of a business character and nature and 50% of the total assessed valuation

Adjourned Council,
February 27, 1969

for business occupancy tax purposes and 46% of the assessed value of real property of a residential character or nature, and that the Director of Finance be authorized to withdraw from the Current Surplus Account a sufficient sum to produce these rates.

The latter calculation contained in the Motion having an effect of \$2.27 per hundred dollars for residential tax assessment.

Alderman Allen referred to the estimates for 1968 and stated that Council decided to use a surplus of \$492,000 with which the tax rate was decreased by nine cents. This year, the tax rate is proposed at an increase of 29 cents, and had the action not been taken last year and the surplus used for capital projects, he suggested that the increase would not be as great as it is on a percentage basis.

He said there were two points he wished to make with respect to the budget.

1. He suggested that next year the estimates be submitted on the basis of one city, and no reference made to the "annexed area".

2. He suggested that the first supplement to be submitted with respect to the 1970 estimates, contain the actual expenditures for the year 1969 which can then be inserted in pencil in the estimates for comparison purposes when it is under discussion.

Motion passed with Aldermen Ahern, Ivany and LeBlanc voting against.

Adjourned Council,
February 27, 1969

INTEREST ON TAXES

MOVED by Alderman Meagher, seconded by Alderman Abbott that the following resolution be approved:

WHEREAS by subsection (2) of Section 290 of the Halifax City Charter, 1963, being Chapter 52 of the Acts of 1963, the Council may by resolution passed on or before the first day of March in any year, provide that on all rates and taxes remaining unpaid on the day to be named therein interest shall be payable thereon until the same are paid, at such rate as the Council may from time to time by resolution determine, and such rate so determined shall continue in effect until such time as Council shall otherwise determine.

NOW THEREFORE BE IT RESOLVED that, excepting as otherwise provided in the said City Charter, on all rates and taxes unpaid to the City Collector on or before the first day of June in the year in respect of which such rates and taxes are levied, interest at the rate of eight per centum (8%) per annum shall be payable.

Motion passed.

FIRE PROTECTION RATE

MOVED by Alderman Abbott, seconded by Alderman Connolly that, as recommended by the City Manager, the Fire Protection Rate be set at eight cents (\$0.08) per one hundred dollars (\$100.00) of valuation for the year 1969. Motion passed.

PROPERTY TAX EXEMPTION, WIDOWS, UNMARRIED WOMEN
AND DESERTED WIVES

MOVED by Alderman Ivany, seconded by Alderman Ahern that, as recommended by the Committee of the Whole Council, the property tax exemption for widows, unmarried women and deserted wives be fixed as shown on Form "A" as contained in the staff report dated February 18, 1969

Adjourned Council,
February 27, 1969

for an exemption of \$2,500.00 on the assessment with an income not exceeding \$2,000.00; the same to apply as in effect in the County of Halifax; and that Council basically pursue the "deferred payment method", effective as of January 1, 1969 provided a satisfactory mode of operation can be worked out. Motion passed.

APPOINTMENTS

At this time His Worship the Mayor suggested that Mr. A. M. Butler be appointed to the Board of Management, Halifax Civic Hospital for a term expiring October 31, 1970, and that Alderman J. E. Ahern be appointed to the Halifax Visitors and Convention Committee.

MOVED by Alderman Connolly, seconded by Alderman Ahern that Mr. A. M. Butler be appointed to the Board of Management, Halifax Civic Hospital, for a term expiring October 31, 1970. Motion passed.

MOVED by Alderman LeBlanc, seconded by Alderman Allen that Alderman J. E. Ahern be appointed to the Halifax Visitors and Convention Committee. Motion passed.

At the request of His Worship the Mayor, it was agreed to defer appointments for two weeks, to the Halifax Memorial Library Board and Basinview Home Board of Management.

8:00 p.m. Council adjourned.

Adjourned Council,
February 27, 1969

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ALLAN O'BRIEN,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.
jl/dh

Record

SPECIAL CITY COUNCIL
MINUTES

Special Council,
March 5, 1969

Council Chamber,
City Hall, Halifax
March 5, 1969
3:00 p.m.

A special 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.

Present were: His Worship the Mayor, Chairman; Aldermen Ahern, Connolly, Hogan, Ivany, LeBlanc, McGuire, Meagher, Sullivan, and Allen.

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

The City Clerk advised that the meeting had been called to discuss an item entitled "Tender - New City Field".

Council members agreed to add to the agenda an item entitled "Proposed Legislation re Historic Sites and Landmarks".

PROPOSED LEGISLATION RE: HISTORIC SITES AND LANDMARKS

The Acting City Solicitor stated that proposed legislation being sought was for the purpose of defining what constituted an historic site or landmark, provide authority for acquiring such properties, and empower Council to expend sums of money for the remuneration of staff and advisors it deems necessary for any Board or Commission established by Council for the care, management, operation, control and protection of historic sites or landmarks.

For the benefit of Council members, Miss Oxner gave a brief description of the changes being sought in the

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March 5, 1969

City Charter, and the reasons behind the changes.

Alderman Connolly asked if under the proposed changes, Council would still make the decision as to what constituted an historic site or landmark, and His Worship the Mayor said that before any property could be acquired, a resolution from City Council would be necessary, so that Council would still have the final decision in the matter.

Alderman Sullivan expressed doubts about the need of a Landmarks Commission, in view of the fact that the Federal Government, from whom most of the funds came for this work, had a Department to look after such matters.

His Worship the Mayor said it was necessary to have a local body on the scene with whom the Federal Department could deal, and the purpose behind the proposed legislation was to give the present Advisory Committee some sort of formal standing. He said a Landmarks Commission may, or may not, be the administration to deal with this matter - this, he said, had yet to be decided.

Alderman LeBlanc said it was his impression that the Advisory Committee was endeavouring to strengthen its position by seeking autonomy through formal recognition. He pointed out that many of the City's senior staff members did not support the views of that group. He referred to occasions in the past when the Advisory Committee was seeking one thing or another at the last minute, and making considerable demands on staff and Council's time in so doing.

His Worship the Mayor said that City Council had already adopted a resolution to the effect that a Landmarks Commission be set up, this some one and one-half years' previous,

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and that the appropriate Ordinance be drafted. In the drafting of the Ordinance, the need arose for more clarification of certain aspects, hence the present proposed legislation.

Alderman Ivany said he had recently been appointed to the Advisory Committee, and had discussed with other members of that group a need to become better organized so that the last-minute decisions referred to by Alderman LeBlanc could be avoided. He said the Committee intended to meet regularly and keep Council advised of events, and not just approach them at the eleventh hour for a decision on matters about which they had not been kept up to date. He said he felt it was essential to seek the proposed legislation so that the matter could be properly handled, and he felt the City would be remiss if it did not do everything in its power to preserve the historic element in Halifax.

Alderman Meagher said he agreed with Alderman Connolly, that Alderman Ivany, and also felt if the Committee in charge of preserving historic sites in the City would meet on a regular basis, the last minute panic referred to by Alderman LeBlanc could be eliminated.

MOVED by Alderman Meagher, seconded by Alderman Ivany that legislation be sought to amend the City Charter as follows:

425 (1) - The Council may, by resolution, declare any area of land, including any buildings or structures thereon,

(a) to be an historic site if it is deemed to have historic significance;

(b) to be a landmark if it is deemed to be representative of the social, commercial or political history of the City, or if it is deemed to be of aesthetic or architectural merit.

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425 (2) - The Council may make Ordinances and otherwise provide for the care, management, operation, control and protection of any historic site or landmark owned or held under lease by the City.

425 (3) - The Council may authorize the acquisition of any historic site or landmark.

205 (1) - If the Council, by resolution, under Section 425, declares any area of land to be an historic site or a landmark, the Council may, from time to time, expend such sums of money as the Council deems necessary for the restoration, improvement or maintenance of the historic site or landmark.

205 (3) - Council may, from time to time, expend sums of money for the remuneration of staff and advisors it deems necessary for any Board or Commission established by Council for the care, management, operation, control and protection of historic sites or landmarks.

205 (4) - The City may include in its annual budget a sum sufficient for:

- (a) the maintenance of historic sites and landmarks;
- (b) the remuneration and expenses of staff and advisors referred to in the preceding subsection.

MOVED by Alderman LeBlanc, seconded by Alderman Connolly, that the matter of seeking new legislation to amend the City Charter as outlined in the foregoing motion be deferred for a period of one year.

Alderman McGuire asked Alderman LeBlanc what the purpose of the one year deferment was for.

Alderman LeBlanc said it was to give Council members time to objectively assess the City's program for new buildings, particularly in the area where the historic sites were, such as the Cogswell Street Interchange. A year's time, he said, would give the City time to finalize its development plans for that area. He foresaw, he said, if a Landmarks Commission were formed at this time with the powers accorded by the proposed new legislation, there would be many nights spent by Council in debating issues that would

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March 5, 1969

arise therefrom, only Council's position would not be as clear as it would be in a year's time. He said with so many problems like traffic and transit coming up for discussion in the days ahead, it was no time to get involved with historic sites. He said he was not against the preservation of historic sites in the City, but felt there were many other problems which took precedence.

The motion to defer was then put and lost, four voting for the same, and five against it, as follows:

- For - Aldermen Ahern, Connolly, LeBlanc, and Sullivan 4
- Against - Aldermen Allen, Hogan, Ivany, McGuire, and Meagher 5

The main motion was then put and passed, with Aldermen Ahern, Connolly, LeBlanc, and Sullivan voting against.

TENDER - NEW CITY FIELD

The following report was submitted by the City Solicitor:

"At the February 26, 1969 meeting of Council, the award of the tenders for the construction of the new City Field was delayed pending a report from the City Solicitor as to the legality of the Fundy Construction Company Limited tender.

"The issue in this case is not a question of legality so much as one of propriety. It is within the competence, and in the sense legal, for the City to accept any tender for the construction of the new City Field, whether or not the tender meets the requirements of our tender call or the rules of the bid depository system.

"The problem in the present cases arises from the fact that the City requested that the bid depository system be used. The lowest tenderer, Fundy Construction, did use the bid depository system. It may fairly be implied that in so instructing the tenderer to use the bid depository system that the rules of that system be applied. Fundy Construction do not appear to have observed all the rules of the the depository system.

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"On February 18th our architect received a telegram from the Bid Depository Committee of the Construction Association of Nova Scotia, which stated:

'Regarding tenders Halifax City Fields. The Bid Depository Committee of the Construction Association of Nova Scotia wish to express to you their opinion based on available information that the tender of Aberdeen Paving Limited is the only formal tender for the paving sub-contract on the Halifax City Field Project. In the opinion of the Committee general contractors naming any paving contractor other than Aberdeen Paving Limited are considered to have submitted informal tenders.'

"The problem, therefore, is whether the City should accept the tender of Dineen Construction Company Limited because the Bid Depository Committee of the Construction Association has ruled that the tender of Fundy Construction Company Limited is an informal tender, or accept the tender of Fundy Construction, which the City has the legal right to do."

The City Solicitor repeated a statement he made at a previous Council meeting concerning this matter, that the City had the right to accept any tender they saw fit. He said that Fundy Construction Company, in allowing their tender to remain after Municipal Spraying had withdrawn their's, assumed the responsibility of meeting the increased cost of paving arising out of their having to do the paving themselves. He said that the telegram quoted in the report referred to the fact that the City in its call for tenders had requested that the tenderer use the Bid Depository System, which also implied that the rules and regulations of the bid depository should be followed, which was the basis for the complaint by Dineen Construction to the Bid Depository Committee of the Construction Association.

Alderman Connolly questioned whether the wording in the City's call specifically stated that the tenderer must use the bid depository, and it was confirmed that the actual wording was "...following sub-trades are to submit their prices

AMENDED
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March 5, 1969

through the bid depository". The City Solicitor said this was the same as saying "must".

Alderman Connolly said he felt obliged to support the lowest tender.

His Worship the Mayor said he wished to put a question before the Aldermen, without in any way suggesting the solution to the problem. He said the City Solicitor had said it was legal for the City to accept any tender, just as he would say it was legal to accept a lower tender if it came in after the official closing date. He stated the City would never accept a tender, even if it were lower, after the closing date, not only on legal grounds but what was prudent in the light of tender calls for future jobs. He felt therefore the Aldermen should consider the implications with regard to future projects such as the Lane Memorial Hospital.

Alderman Meagher said it was his understanding that this was an Association comprised of people in the construction industry, and if the Association were dissatisfied with what had happened, they could force Fundy Construction to withdraw their tender. As an Alderman, he agreed with Alderman Connolly, that in the face of getting a job done equally well at a lower price, he would have to support the lowest bid. He then asked if there had been any word to the effect that Fundy Construction Company were disqualified by the Construction Association. There was no one present from Fundy Construction to answer this question, but it was assumed that such had not been the case.

The City Manager quoted a letter from the Architect for the City Field project to the effect that since

Special Council,
March 5, 1969

the City elected to use the bid depository, they must thereby accept the fact that Fundy Construction by not naming Aberdeen Paving was disqualified under the regulations of the bid depository system, and that the contract be awarded to Dineen Construction. The City Solicitor pointed out that the Architect's statement, of course, did not bind the City to accept the Dineen tender.

Alderman Ivany said that two points cleared the matter up as far as he was concerned; (a) the City did request the tenderer to use the Bid Depository system and, (b) the telegram from the Bid Depository Committee states that Aberdeen's tender was considered to be the only formal one, so that he personally saw no alternative but to award the tender to Dineen Construction. He also felt that the present case dictated that the City consider whether or not the bid depository system necessarily afforded them the lowest tender for a job, and that there might be more flexibility in dealing directly with the sub-trades.

Alderman Allen said that after listening to the discussion and statements by the City Solicitor he had no doubt in his mind but that legally the City was free to accept whichever tender they wanted, but he questioned whether it had the right morally or ethically. On those grounds he felt the tender should be awarded to Dineen Construction.

Alderman McGuire asked if the City Solicitor had made any recommendation in the matter, and Mr. Murphy replied that on grounds of morality, he did not think the City Solicitor was able to make the decision.

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Alderman Allen then asked the City Manager for his recommendation.

The City Manager said there were two problems involved, (i) the degree of infraction of the bid depository's rules, and (ii) what is an "informal" tender. He felt the City would have to be careful about not setting any precedent which might affect a future project, and one where there was a much larger amount of money at stake than the present case. He said, in truth, he felt he should avoid the issue as he was not sure what he would recommend. His first tendency, he said, would be to accept the lowest bidder, in view of the fact that the Association in its telegram did not definitely rule out that course.

Alderman Connolly asked if possibly a better type advertisement was required.

The City Manager replied that he felt it was a question of whether or not the City ought to use the bid depository, and if it did, it would have to take some account of what went on within that Association. He said that up to now the City had not interfered with the workings of the system. He admitted that he did not know what the situation would be if the City were to ask for tenders without regard to the bid depository system.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that as recommended by the Finance and Executive Committee, Council accept the tender of Fundy Construction Company in the amount of \$708,950.00. The motion was passed with five voting for it, and four against, as follows:

ORDER OF BUSINESS

Special Council,
March 5, 1969

For - Aldermen Ahern, Connolly, Hogan, Meagher
and Sullivan 5

Against - Aldermen Allen, Ivany, LeBlanc, and
McGuire 4

Lord's Prayer

Roll Call

Presentation - Scrolls - Retired Long Service Annual

Minutes: February 26, 1969 4:00 p.m. - Council adjourned.

Approval of Order of Business, Additions & Deletions

Deferred Items:

HEADLINES

Proposed Legislation Re: Historic Sites and Landmarks .. 186
Tender - New City Field 190

Motions of Reconsideration:

Motion - Alderman Swamy to Reconsider the matter of the rezoning
of Land Northwest Corner of Preston and York Streets
from R-2 Zone to B-3 Zone

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

Motions of Adjournment: NONE

R. H. STODDARD,
CITY CLERK.

Public Hearings:

- (a) Rezoning of Land at the Northeastern Corner of Spring Garden Road
and Robie Street from R-3 Zone to C-3 Zone
- (b) Street Closure - Buckingham Street from Market Street to
Brunswick Street
- (c) To Alter the Eastern Official Street Line of Table Street as follows:
 - Section 15-D - Bell Road to Jubilee Road
 - " 16-C - Jubilee Road to Spring Garden Road
 - " 17-E - Spring Garden Road to South Street
 - " 19-B - South Street to Regis Street
 - " 21-C - Inglis Street to Official Vehicular Right-of-Way

Resolutions and Delegations

Report - Finance and Executive Committee:

- (a) Aerial Mapping - City of Halifax
- (b) Possible Acquisition - #2266 Brunswick Street
- (c) Possible Acquisition - #3315 Gerrish Street
- (d) Possible Acquisition - Part Only #2046 Brunswick Street
- (e) Possible Acquisition - Bear Land, #2405 Brunswick Street
- (f) Application for Loan - Urban Renewal Area
- (g) Architects Agreement - "George Dixon" Reconstructed Centre
- (h) Appointments - Arrangements for Conference - Union of Nova Scotia
Municipalities
- (i) Legislation - Limitation on Number of Taxis
- (j) Proposal for Africville Follow-up
- (k) Appointments to Outside Bodies

Report - Committee on Works:

- (a) Encroachment License - City-owned Property - Miss Maryann Taylor -
Lambert Street

ORDER OF BUSINESS

CITY COUNCIL

MARCH 12, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Presentation - Scrolls - Retired Long Service Personnel
4. Minutes: February 26, 1969
5. Approval of Order of Business, Additions & Deletions
6. Deferred Items:
 - (a) Increase Parking Meter Rates to 25¢ per hour - Central Business District
 - (b) Extension to Halifax Infirmary
7. Motions of Reconsideration:
 - (a) Motion - Alderman ~~Ivany~~ ^{LeBlanc} to Reconsider the matter of the Rezoning of Land Northwest Corner of Preston and York Streets from R-2 Zone to R-3 Zone
8. Motions of Rescission: NONE
9. Public Hearings and Hearings:
 - (a) Rezoning of Land at the Northeastern Corner of Spring Garden Road and Robie Street from R-3 Zone to C-4 Zone
 - (b) Street Closure - Buckingham Street from Market Street to Brunswick Street
 - (c) To Alter the Eastern Official Street Line of Robie Street as follows:
 - Section 15-D - Bell Road to Jubilee Road
 - " 16-C - Jubilee Road to Spring Garden Road
 - " 17-E - Spring Garden Road to South Street
 - " 19-E - South Street to Inglis Street
 - " 21-C - Inglis Street to Ocean Terminals Right-of-way
10. Petitions and Delegations
11. Report - Finance and Executive Committee:
 - (a) Aerial Mapping - City of Halifax
 - (b) Possible Acquisition - #2246 Brunswick Street
 - (c) Possible Acquisition - #5215 Gerrish Street
 - (d) Possible Acquisition - Part Only #2046 Brunswick Street
 - (e) Possible Acquisition - Rear Land, #2405 Barrington Street
 - (f) Application for Loan - Urban Renewal Area
 - (g) Architects Agreement - "George Dixon" Recreation Centre
 - (h) Appointments - Arrangements for Conference - Union of Nova Scotia Municipalities
 - (i) Legislation - Limitation on Number of Taxis
 - (j) Proposal for Africville Follow-up
 - (k) Appointments to Outside Bodies
12. Report - Committee on Works:
 - (a) Encroachment License - City-owned Property - Miss Margaret Meehan - James Street

12. Report - Safety Committee:
 (a) Hat Bands - Canada Games Colors - Police Officers
13. Report - Public Health & Welfare Committee: NONE
14. Report - Committee of the Whole Council, Boards & Commissions:
 (a) Ordinance Number 133 Respecting "The Emergency Measures
 Civic Defence Organization" -
 SECOND READING
15. Report - Town Planning Board: (Date for Hearing)
 (a) Amendment R-2 Zone - Single Family Dwelling to Duplex Dwelling
 (b) Modification of Side Yard, Lot Frontage, and Lot Area -
 #6339 Edinburgh Street
 (c) Extension to a Non-conforming Building - #6248-50 Allen Street
 (d) Extension to a Non-conforming Building and Modification of Front
 Yard, Side Yard, Lot Frontage and Lot Area Requirements -
 #6248 Berlin Street
 (e) Modification of Front and Side Yard Requirements - #2533 Poplar St.
 (f) Modification of Front Yard, Side Yard, Lot Frontage and Lot Area
 Requirements - #6296 Young Street
 (g) Modification of Side Yard, Lot Frontage and Lot Area Requirements -
 #5879 Stairs Street
 (h) Modification of Lot Frontage and Lot Area Requirements -
 #6485 London Street
 (i) Extension to a Non-conforming Building and Modification of Side
 Yard Requirements - #6042 Shirley Street
 (j) Alteration to Subdivision - #1058 Tower Road
 (k) Modification of Front Yard and Side Yard Requirements -
 Homecrest Terrace and Brook Street - Fairmount
 Subdivision
 (l) Modification of Lot Frontage and Lot Area Requirements -
 Lot #2 Quarry Road
 (m) Extension to a Non-conforming Building and Modification of Side Yard
 Requirements - #7 Braeburn Road
 (n) Extension to a Non-conforming Building, Non-conforming Use, and
 Modification of Side Yard Requirements - #904 South Bland
 Street

Motions: NONE

17. Miscellaneous Business:
 (a) Accounts Over \$5000
 (b) 1969 Legislation
 (c) Possible Acquisition - Fire Station Site
 (d) Report - Civic Advisory Committee on Historic Buildings Re:
 Feasibility Study - Waterfront Buildings
 (e) Submission - Student Body - Saint Mary's University re: Rent Control
 (f) Resignation - Alderman Ivany - Halifax School Board

18. QUESTIONS
19. Notice of Motion
20. Added Items

CITY COUNCIL,
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
March 12, 1969
8:05 p.m.

A meeting of City Council was held on the
above date.

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

There were present: His Worship the Mayor,
Chairman; and Aldermen Abbott, Ivany, Ahern, Meagher, Sullivan,
Connolly, Allen, LeBlanc, McGuire, and Hogan.

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

PRESENTATION - SCROLLS - RETIRED LONG SERVICE PERSONNEL

His Worship the Mayor presented Long Service
Scrolls to the undernamed personnel, in recognition of their
many years of service to the City:

Vincent Thomas O'Brien
Douglas James Keeping
Murray Sinclair Harvey

MINUTES

The City Clerk advised that an error had been
made in the Minutes of Council for February 26, 1969 on page
143, and that Alderman LeBlanc, not Alderman Ivany, should
be recorded as giving the notice of reconsideration in connec-
tion with the Rezoning of land at the Northwest Corner of
Preston and York Streets, and the Minutes, incorporating this
amendment, were approved on motion of Alderman McGuire,
seconded by Alderman Allen.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

It was agreed to add the following item to the

Council,
March 12, 1969

agenda:

- 20 (a) - Replacement of the Canteen for Point Pleasant Park.

DEFERRED ITEMS

Increase Parking Meter Rates to 25¢ per Hour - Central Business District:

Council at its meeting of February 13, 1969 deferred consideration of a recommendation from the Finance and Executive Committee that meter rates be based on a 25¢ per hour rate in the Central Business District, in order that the Downtown Halifax Business Association would have an opportunity to consider the matter.

The City Clerk advised that the following letter had now been received from the Association:

"In reply to your letter dated February 24, 1969, the matter of increasing the meter rates to 25¢ was discussed at a recent meeting of the Board of Directors of the Downtown Halifax Business Association. There is general concurrence with the proposal, but we would like to suggest the following stipulations for your consideration:

- (1) The Downtown Halifax Business Association stands as being in favour of an increase in parking meter fees to 25¢ per hour, but only under the condition that these meters are designed to be operated on a five cents per 12 minutes basis. We feel that this proposal will discourage meter feeders, but will allow the average shopper time to make a purchase without a 25¢ charge at every stop.
- (2) That stricter measures would be undertaken by the City to discourage all-day meter feeders in the downtown area - for example, an increase in the use of tire chalking.
- (3) That provision would be made for an abundance of all-day parking facilities in the Upper Sackville St. - Summer Street area, and four to five hundred parking spaces in the old victualling depot as quoted by the Mayor, to the President of this Association, and the Halifax Board of Trade."

MOVED by Alderman Abbott, seconded by Alderman

Ivany, that meter rates in the Central Business District be based on a 25¢ per hour rate.

With regard to the reference in the letter from the Association about an increase in the use of tire chalking, Alderman Ivany questioned the placing of any additional burden on the Police force, and stated that in some Cities, young girls were used for this job. He also felt that Item (3) in the letter required a report from Staff and consideration by the Safety Committee.

It was agreed by Council members that items (1) (2) and (3) in the Downtown Halifax Business Association's letter should be dealt with by the Safety Committee at its next meeting.

Some Aldermen expressed the view that 25¢ was too large an increase, and it was MOVED in amendment by Alderman Meagher, seconded by Alderman Sullivan, that the meter rates in the Central Business District be based on a 20¢ per hour rate.

The motion to amend was put and a vote taken, which resulted in 5 Aldermen for the same, and 5 against it, as follows:

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

His Worship the Mayor then cast his deciding vote against, and the motion to amend was lost.

The main motion was then put and passed, 6 voting for the same, and 4 against it, as follows:

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For - Aldermen Abbott, Allen, Hogan, Ivany, LeBlanc,
and McGuire 6

Against - Aldermen Ahern, Connolly, Meagher, and
Sullivan 4

Extension to Halifax Infirmary:

Council at its meeting of February 26, deferred this matter until tonight, at the request of the Halifax Infirmary, who wished to meet with representatives of the Nova Scotia Technical College. His Worship the Mayor advised that the meeting had taken place, and that the Infirmary had since advised that no problems existed between the two bodies.

MOVED by Alderman Abbott, seconded by Alderman Ahern that, as recommended by the Town Planning Board, the application from the Halifax Infirmary for permission to construct a nine-storey extension for the expansion of certain facilities in the hospital and for doctors' office space, be approved. Motion passed unanimously.

MOTIONS OF RECONSIDERATION

Motion - Alderman LeBlanc to Reconsider the matter of the Rezoning of Land - Northwest Corner of Preston and York Streets from R-2 Zone to R-3 Zone

At the February 26, 1969 Council meeting, a motion concerning the above noted subject was lost, whereupon Alderman LeBlanc gave a notice of reconsideration, and the City Solicitor was directed to submit an opinion at this meeting of Council, as to whether or not reconsideration could be entertained on a negative motion.

The City Solicitor confirmed that under the Rules of Council, once having been defeated, this motion could not be brought forward again until a year had elapsed, so that a motion of reconsideration in this case was not possible.

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Alderman LeBlanc asked if it could be considered as a new application, if the developer changed the number of units from the original request.

The City Solicitor said this would not make any difference since it was not an application to erect a building of so many units, but was an application to rezone land for a certain type of construction.

The Chairman asked the City Solicitor if a change in land area, such as if the developer bought an additional lot, would qualify it as a new application.

The City Solicitor replied this was possible, but he would have to study the matter further before he could give a definite answer.

PETITIONS AND DELEGATIONS

The City Clerk advised that he had received a petition signed by approximately 50 residents of the Embassy Towers, reading as follows:

"As residents of Embassy Towers we request restrictions be imposed on the parties responsible for the excavation and construction of the building to be erected on the corner of Robie Street and Spring Garden Road.

"We request all work to be done between the hours of 8 a.m. - 12 noon and 1 p.m. - 5 p.m. Monday to Friday only.

"If four hours work must be done Saturday, we request it be done after 11 a.m. in the morning. We prefer no work would be done Saturdays.

"We make the above request with the understanding that a continuous pour of cement would have to be an exception to the above conditions."

The City Clerk proceeded to read a letter signed by Mrs. Barbara L. Sawyer on behalf of the persons who had signed the petition, which outlined in detail the objections the tenants had in connection with the excavation for the

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Professional Building on the corner of Robie Street and Spring Garden Road. The Chairman, however, questioned whether it was necessary to read out this second part of the petition, and asked Council's view in the matter.

Alderman LeBlanc said he felt the request in the petition that Saturday work commence after 11 a.m. was a little extreme, since in all likelihood the workmen would like their Saturday afternoons free, the same as everyone else, including those persons who had signed the petition. He said he certainly had sympathy with the petitioners but felt that so often Council gave more attention to the desires of persons from areas like the one involved, than they did when persons in the north end of the City were in question. Finally, he said, he felt the inconvenience caused by the building of the Professional Building was one of the prices to be paid in the name of progress. He said he felt everything possible should be done to cut down on noise, but if the project was to go through, a certain amount would have to be allowed within the confines of the law. Alderman LeBlanc then referred to a statement on Page 2 of the supporting letter to the petition reading: "The outside of the Embassy Towers Building on the Robie Street side where our exit driveway is situated, is showing two large cracks from ground level to approximately the fifth floor. No doubt, these cracks will widen and increase in height with the continuation of blasting."

The Chairman said this latter point was something to be dealt with between the owner of Embassy Towers and the contractor as it was an insurance matter.