

- (b) one-half of the member's interim service benefits;
- (c) one-half of the member's integrated service benefits;
- (d) one-half of the member's supplementary grant;
- (e) one-half of the member's past service benefits;
- (f) one-half of the member's augmented past service benefits;

provided, however, that if such widower has received payment from the Fund of the Plan the contributions of such deceased member and interest thereon, he shall not receive further payments from the Fund as set out above until such time as the amount of refund of contributions and interest has been off-set by pension he would have received under the provisions of this Section had this Section been in effect at the time of the death of the member; and further provided that if a widower or the estate of a deceased member is receiving the sixty payments guaranteed under Section 21, he may, prior to July 1, 1969, elect to continue to receive payments after that date under Section 21, or in the alternative he may receive the benefits payable under this Section.

17 (1) Section 42 of said Chapter 90, as that Section is amended by Section 4 of Chapter 109 of the Acts of 1967, is further amended by inserting the symbols and figure "(1)" immediately after the section number in the first line thereof, and by inserting the words "augmented past service benefits, interim service benefits, integrated service benefits" after the words "past service benefits" in the second line thereof.

(2) Said Section 42 is further amended by adding thereto the following subsection:

(2) A member's pension based upon the average annual earnings of the member during his five consecutive years of highest earnings, shall only apply to members of the Plan who were employees of the City or of any board, commission or authority of the City, on and after January 1, 1969.

DRAFT LEGISLATION 1969
City Council, March 12, 1969

1 Said Chapter 52 is further amended by adding thereto immediately following Section 538, the following Section:

538A When the building inspector is unable to issue a building permit by reason that the proposed construction does not meet the requirements of the Halifax Zoning By-law, if,

(a) the parcel or parcels of land upon which the construction is being located is in excess of five acres, and

(b) the proposed construction is consistent with good planning principles,

the Council may authorize the erection of the proposed construction and issue a permit therefor.

EXPLANATORY NOTE: The existing provision in the Charter, relating to Development Permits, has been found unworkable. It has proved impossible to enact an Ordinance which will provide for all the situations in which a development permit should issue. However, it is at times desirable, in large developments, to allow some variation from the provisions of the By-law in order to permit proper development. I have had several consultations with the Deputy Minister of Municipal Affairs on this matter, and we have agreed on the addition of the above Section. Under this proposed Section, the decision as to when a building permit should be issued will rest with the Council, who can grant such a permit only in cases where good planning principles are involved.

2 Section 583 of said Chapter 52 is amended by adding thereto the following clause:

(f) limiting the number of vehicles licensed to transport for hire passengers or goods.

EXPLANATORY NOTE: On the instructions of Council, I wrote to the Deputy Minister of Highways, to the effect that if a request is made to amend the Motor Vehicle Act to provide that a city, town or municipality could by ordinance limit the number of vehicles licenses to transport for hire passengers or goods, that the City would support the same. The Minister has replied suggesting that the same effect could be achieved by including such a provision in our City Charter, and this amendment is to give us the authority to amend our Ordinance Respecting Taxis to include this limitation.

3 The City may guarantee an amount not exceeding the sum of fifty thousand dollars, upon such terms as the Council shall determine, to enable the Children's Aid Society of Halifax to secure sufficient funds to construct a building which will accommodate the Children's Aid Society of Halifax, the City of Halifax Welfare Department, the Halifax Regional Provincial Welfare Services or other similar welfare agencies.

EXPLANATORY NOTE: Since the Halifax Regional Provincial Welfare Services, the Children's Aid Society of Halifax and the City of Halifax Welfare Department, are amalgamating, it is necessary that accommodation be provided. Council on February 26, 1969 agreed to guarantee a loan not exceeding \$50,000.00 for the Children's Aid Society of Halifax to get the construction of such a building started.

4 Notwithstanding the provisions of the Bonus Act or any provisions of the Charter, the City may enter into a tax agreement based on annual income or volume of business and such other terms and conditions as Council shall by resolution determine, with the operator of a container terminal located on National Harbor Board property at Pier C on the Halifax Harbor.

EXPLANATORY NOTE: This proposed legislation will give the City authority to enter into an agreement respecting taxation of the operator of container terminal.

(a) "City of Halifax" shall be substituted for the Municipality of the County of Halifax.

(b) "City Manager or his nominee" shall be substituted for the Municipal Engineer and Building Inspector.

EXPLANATORY NOTE

Sewers in the areas recently annexed to the City of Halifax are sanitary sewers only, in contrast to those of the old City, where it is required that every person must connect to the sewers for sanitary and storm purposes. Until such time as the City can install storm sewers in the annexed areas, the Acts of the County of Halifax should apply in order to avoid a complete breakdown of the sanitary sewer system. Sewer charges were imposed by the County of Halifax on a different basis than by the City of Halifax, and in order to avoid inequities and perhaps duplicate charges, the provisions of the County should be maintained for the annexed areas.

This Explanatory Note does not form any part of this Bill, but is offered in partial explanation of its contents.

An Act Relating to Sewers and Sewage in the
Areas Annexed to the City of Halifax

Be it enacted by the Governor and Assembly as follows:

1 The whole of Chapter 87 of the Acts of 1962, An Act Relating to Sewers and Sewage in the Municipality of the County of Halifax, as amended by Section 4 of Chapter 69 of the Acts of 1968, and of Sections 3, 4, 5 and 6 of Chapter 91 of the Acts of 1968, An Act Relating to the Municipality of the County of Halifax, shall mutatis mutandis apply to the areas annexed to the City of Halifax on the first day of January, 1969.

2 In the application of the provisions of said Chapter 87 of the Acts of 1962 and the provisions of said Sections 3, 4, 5 and 6 of Chapter 91 of the Acts of 1968, to the areas annexed to the City of Halifax on the first day of January, 1969,

(a) "City of Halifax" shall be substituted for the Municipality of the County of Halifax;

(b) "City Manager or his nominee" shall be substituted for the Municipal Engineer and Building Inspector.

EXPLANATORY NOTE

Sewers in the areas recently annexed to the City of Halifax are sanitary sewers only, in contrast to those of the old City, where it is required that every person must connect to the sewers for sanitary and storm purposes. Until such time as the City can install storm sewers in the annexed areas, the Acts of the County of Halifax should apply in order to avoid a complete breakdown of the sanitary sewer system. Sewer charges were imposed by the County of Halifax on a different basis than by the City of Halifax, and in order to avoid inequities and perhaps duplicate charges, the provisions of the County should be maintained for the annexed areas.

This Explanatory Note does not form any part of this Bill, but is offered in partial explanation of its contents.

ORDER OF BUSINESS

CITY COUNCIL

MARCH 26, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: Adjourned February 27, March 5, 12 and 18
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
 - (a) Rezoning of land at the Northern Corner of Vestry Street and Lynch Street from R-2 Zone to R-3 Zone.
 - (b) Alteration to Subdivision - 1058 Tower Road
 - (c) Report - Civic Advisory Committee on Historic Buildings Re: Feasibility Study - Waterfront Buildings.
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings and Hearings:
 - (a) Non-Conforming Lot 84A Scarlet Road, Clayton Park
9. Petitions and Delegations
10. Report - Finance and Executive Committee:
 - (a) Agreement - Tex Park Limited and City of Halifax
 - (b) Proposal - Grafton Street Parking Lot
 - (c) Request C.B.C. Re: Film Coverage of Council Meetings
 - (d) Possible Acquisition - 5215 Artz Street
 - (e) Downtown Halifax Business Association - Suggestions - Re: Parking Meter Rate, etc.
 - (f) Resolution to Annual Conference of Mayors
 - (g) Use of City Crest - Capitol Tobacco and Gifts Ltd.
 - (h) Resolution - City of Windsor - Amendment to Criminal Code
 - (i) Sale of Addressograph Equipment
 - (j) Dartmouth Natal Day - Half Holiday - City of Halifax
 - (k) Legislation Respecting Port Commission
 - (l) Application for Tag Days
 - (m) Collective Bargaining Agreement - Basinview Home, Local 1030
11. Report - Committee on Works:
 - (a) Alteration Street Lines - Inglis Street - Date for Hearing
 - (b) Closure of Gorsebrook Avenue - Date for Hearing
 - (c) Smoke Abatement and Air Pollution
 - (d) Interior Finishes of Dwellings - Use of Soft Fibre Board - Amendment to Ordinance No. 50.
12. Report - Safety Committee:
 - (a) Appointment - Arm Patrol
 - (b) Tenders for Police Towing

13. Report - Public Health and Welfare Committee: NONE

14. Report - Committee of the Whole Council, Boards and Commissions

15. Report - Town Planning Board:

- (a) Modification of Front Yard, Side Yard, Lot Frontage and Lot Area - 68 Rufus Avenue
- (b) Rezoning from R-2 Residential to R-3 Residential - Resubmission - 6287-6311 Liverpool Street - Date for Hearing
- (c) Undersized Lot - 6306-6308 Lawrence Street
- (d) Modification of Front Yard Requirements - Simcoe Place in Birkdale Crescent, Clayton Park Subdivision
- (e) Regional Planning Commission - Technical Advisory Committee, Request for More Detailed Information on Subdivisions
- (f) Modification of Lot Frontage and Front Yard Requirements - Lot No. 39, Old Sambro Road
- (g) "Marine Venus" Sculpture

16. Motions:

- (a) Motion - Alderman McGuire Re: Amendments to Sections 17 and 500 of the City Charter
- (b) Motion - Alderman Ahern - Advertising Vacant Positions
- (c) Motion - Alderman Sullivan - Facilities for Handicapped Persons in new Housing and Other Buildings

17. Miscellaneous Business

- (a) Accounts Over \$5,000.00
- (b) Report - Visitors and Convention Committee Re: Amendment to Ordinance No. 105
- (c) Tour - Scotia Square
- (d) Appropriation - 316C - Council Chamber Renovations
- (e) 1968 Report - Halifax-Dartmouth and County Regional Planning Commission
- (f) 1968 Report - Halifax-Dartmouth Bridge Commission
- (g) Rental of Office Space
- (h) Tenders for Cars

18. QUESTIONS

19. Notice of Motion

20. Added Items

CITY COUNCIL
M I N U T E S

Council Chamber,
City Hall,
Halifax, N.S.
March 26, 1969
8:05 p.m.

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

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

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

MINUTES

Minutes of Adjourned Council of February 27, March 5, 12, and 18, were approved on motion of Alderman Allen, seconded by Alderman Hogan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20 (a) - Committee Report - Capital Budget.

Council also agreed to meet for a private discussion in His Worship the Mayor's office, following completion of the agenda.

DEFERRED ITEMS

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

A Public Hearing was held on this matter at the Council meeting of February 26, and following completion of the Hearing, Council deferred a decision in the matter 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

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Association, and Project Planners, at which all views concerning the best possible use of the land could be expressed, and these views reported back to City Council.

The results of this meeting were reported in a memorandum from the Halifax North Community Development Association, as follows:

"In accordance with a motion passed in City Council regarding this property, February 26, 1969, a meeting was held in St. Joseph's Church Hall on Thursday, March 20th, 1969.

"The meeting was chaired by Mr. Gerald O'Malley, President of the HNCDA, and the following members of City Staff were present: Mr. Lubka, Development; Mr. Langmaid, Real Estate; Mr. Dillard, Recreation.

"Aldermen Sullivan, Ivany, and LeBlanc attended, and Mr. Longley represented Project Planners. Some 50 residents of the area and several clergymen were present.

"The meeting opened with Prof. MacKay, Chairman of the Housing Committee of the HNCDA, introducing three motions adopted by the residents of the area at a meeting held Sunday, March 16th at St. Marks Church Hall.

"These motions were:

1. The citizens of the area agree that the property at Lynch and Vestry Streets has been used, and should be retained, for recreation.
2. It was agreed that the zoning should remain R-2.
3. It was agreed that if any housing is placed on the site it should be single family detached dwellings.

"The representatives of the City and the Aldermen presented their views regarding the property and its use, and there followed an expression and exchange of views with the citizens of the area.

"In summary Mr. O'Malley suggested the consensus was that the residents did not wish to have town housing erected on the site. A show of hands indicated unanimous agreement."

A staff report dated March 26, 1969 was also submitted, and read in part as follows:

"On review of the situation, Staff is of the view that nothing new was generated by the meeting. It is still

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"felt that the best use of the land for the City and for the neighbourhood would be for town housing and, therefore, staff continues in its concurrence with the previous decision of Council that the land be rezoned to R-3 and a Call for Proposals be issued for town housing or other housing appropriate to the neighbourhood and to the site.

"If Council should decide against the rezoning in the light of the response from the North End Community Development Association, Staff recommends that a similar Call for Proposals be issued within the context of present R-2 zoning. It should, however, be recognized that this decision will restrict the flexibility of design in bringing forward a solution.

"If the City's decision is to proceed with a Call for Proposals, in recognition of the interest and concern expressed by the North End Community Development Association, it is recommended that the Association be consulted on the Terms of the Call for Proposals and be given a further opportunity to express their views on the developers submissions prior to any final decision by City Council."

MOVED by Alderman Sullivan, seconded by Alderman Meagher, that the City-owned land at the northern corner of Vestry Street and Lynch Street, as shown on Plan No. TT-9-17460, be continued as an R-2 Zone, in accordance with the wishes of the persons residing in the area.

His Worship the Mayor suggested that in order to have a positive motion on the record, and achieve the same result as the foregoing motion, a motion to rezone the property could be put, and if defeated, the matter could not be raised in Council again before a period of one year had elapsed.

The City Solicitor was asked to give his opinion, and stated it was his view that the rules were designed for motions to be put in a positive form. There was nothing wrong, he said, with putting a motion and voting against it

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in order that the subject could not be re-introduced for a certain period of time. He felt the motion as put by Alderman Sullivan was in a negative form.

In reply to a question from His Worship the Mayor, the City Clerk confirmed that there was no motion on the record, prior to Alderman Sullivan and Alderman Meagher putting their motion this evening, in connection with this rezoning.

The City Solicitor then pointed out that only members of Council who were present at the Public Hearing on February 26, would be allowed to vote on any motion resolving the matter; the City Clerk then confirmed that all present at this evening's meeting were present at the Public Hearing.

MOVED by Alderman Sullivan, seconded by Alderman Meagher, that Mr. Gerald O'Malley, President of the Halifax North Community Development Association, be allowed to address Council on this matter. Motion passed.

Mr. O'Malley's remarks were along the same lines as those in the memorandum from the Association, and he said he trusted in the wisdom of Council to arrive at the proper decision.

Alderman McGuire at this point referred to a letter dated March 26th, which had been received from the Halifax Senior Citizens Housing Corp. Ltd., reading as follows:

"Re: Northern Corner of Vestry and Lynch Streets - Housing Development.

"We, the Halifax Senior Citizens' Housing Corporation Limited, are interested in giving further consideration to the possibility of undertaking a non-profit Limited Dividend Housing Project on this land.

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"We are interested in erecting up to a maximum of forty units of conventional housing for "average" wage earners on this land. Preliminary discussions with City Staff indicate that this proposal could be achieved under the present R-2 zoning. It would, however, assist the formulation of a more viable project if the land was rezoned to R-3. We estimate it will take about six to eight weeks to enable a formal presentation to be made to City Council.

"In developing our plans, I wish Council to recognize that I, myself, am a resident of the north end of the City, and it is proposed to discuss our plans and arrangements with the North End Community Development Association prior to any formal submission to City Council.

"We request that City Council delay any further action regarding the Call for Proposals for a period of two months from April 1, 1969, to enable the Corporation to prepare and submit a formal proposal for a Non-Profit Limited Dividend Housing Project."

He said it was his feeling that Council should give serious consideration to the foregoing letter. Alderman McGuire then referred to the third motion set forth in the memorandum from the Halifax North Community Development Association which stated: "It was agreed that if any housing is placed on the site it should be single family detached dwellings". He said since the present R-2 zoning permitted four units per building, the Association was, in effect, not asking for retention of the present R-2 zoning but a change to a more restrictive one. He then referred to the statement in the staff report "that nothing new was generated by the meeting", so that Council had no additional information before them, than what was available the night of the Public Hearing. He stated Alderman Sullivan had a natural involvement in the issue, since he represented the Ward concerned, but on the other hand he felt each Alderman had a responsibility to the City at large, and since one of the major issues in the entire City at the moment was lack of housing, he hoped the Aldermen would keep

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this in mind when forming a decision in the matter.

Alderman Sullivan said he agreed that the Halifax Senior Citizens Housing Corporation was a very worthy organization, but with regard to the matter now under discussion, he said the people in the north end of the City felt they already had more than their share of multiple dwellings, as well as buildings like the incinerator and abattoir. He stated that young people in the area just getting married, would like the opportunity of living in small single family dwellings.

The motion was then put and passed,
Alderman McGuire voting against.

Alteration to Subdivision - 1058 Tower Road:

The following recommendation was submitted from the Town Planning Board to Council at its meeting of March 12, 1969:

"It is recommended that the application to subdivide a lot at 1058 Tower Road into Lot X and Y - Lot X for deed transfer only, be approved, subject to the side boundaries of Lot X being 62 feet each, rather than the requested 74 feet, and that the persons whose property is adjacent to the applicant's, be informed of the Committee's action, and if they are not satisfied, appear at the next council meeting, together with the applicant."

At that time, the matter was deferred at the request of the applicant, for a period of two weeks.

The following memorandum was presented by Mr. A.P.D. Chandler, who stated he was acting on behalf of both the owner and prospective purchaser of the rear portion of 1058 Tower Road:

"FACTS: The owner of the above noted lands proposes to subdivide the land and sell off the rear portion of the lot to the adjacent owner, Citadel Investments Limited, which owns a multi-family apartment dwelling immediately to the north.

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"The property proposed to be divided is approximately 49 feet across the front and runs approximately 190 feet in length, i.e. 9,000 square feet.

"The proposed property has a three-unit apartment house located on it. The existing structure was originally converted to its present status approximately 25 years ago. The property is located in a R-3 Zone. The adjoining property to the north is a 15-unit apartment building and is situated on the same size lot as 1058 Tower Road, approximately 9,000 square feet.

"PURPOSE OF SUBDIVISION:

The owner proposes to sell the rear portion of 1058 Tower Road to Citadel Investments Limited who in turn proposes to use the land for parking facilities to service the 16-unit apartment building.

"ARGUMENTS IN FAVOUR OF SUBDIVISION:

While Staff has agreed to the subdivision in principal, they have recommended to Council that the parcel of land to be retained be increased to 6,000 square feet to comply with the R2 requirements of the City Zoning By-laws. This has the effect of reducing the land to be sold off by 610 square feet.

"On behalf of the owner, Mr. E.D. Raymond, I would submit the following points for your consideration in support of the original subdivision proposal:

1. The staff report makes reference to the R2 requirements calling for 6,000 square feet minimum square footage for a building of this type in this zone. It is submitted that these zoning by-laws are designed for the erection and alteration of buildings and do not apply to subdivision of lands. The property in question does not meet any of the zoning by-laws, i.e., the frontage is less than 60 feet, it is only 49 feet, etc. The by-laws were legislated long after the building had been converted to its existing use. The proposed subdivision would allow the owner to keep a lot approximately 49 feet frontage by 117 feet. This is larger than the average sized lot found in Halifax.

2. The purpose of the subdivision is to give the adjoining owner more land for better parking facilities. Citadel Investments Limited, the owner of the adjoining property, owns and operates 15 apartment units on a piece of land the same size as the existing property at 1058 Tower Road. Even with the additional lands they are proposing to purchase, they will still have a much smaller number of square feet available per unit than what the owner proposes to retain for 1058 Tower Road. The lands proposed to be retained by the owner of 1058 Tower Road will offer adequate parking facilities for the existing three units and more square feet of parking unit than indeed the Citadel Investments will have even after the purchase of the land from Mr. Raymond.

"3. Citadel Investments Limited operates several apartment buildings in and around the Tower Road, Victoria Road area, containing approximately 72 units. These apartment buildings do not have enough parking facilities and the additional land proposed to be purchased will allow Citadel Investments a better parking/apartment unit ratio not only for 1066 (the apartment building immediately to the north of 1058) but will service the other apartment structures within a one or two block radius.

"4. If Staff's recommendation is confirmed, the proposed reduction in the size of the lot to be sold will not allow independent access to the parking facilities by tenants.

"5. The lot of land at 1058 Tower Road is a large, double sized lot and the lands in question proposed to be sold are not being gainfully used by the existing owner and can only be fruitfully utilized as parking facilities by the proposed purchaser. As they are now, the lands are going to waste.

"6. The land proposed for sale cannot be further developed within the restrictions and guide lines set down by the City of Halifax Zoning By-laws, so the only way the lands can be taken advantage of is to be used in the manner herein suggested, i.e. parking facilities.

"7. The parking facilities in this area are at a high demand and are much needed to alleviate the shortage of parking available."

The foregoing report had not been submitted in time for the Chief Planner to read it prior to the meeting, so it was agreed to go on to the next items on the agenda to afford him the opportunity of doing so.

Report - Civic Advisory Committee on Historic Buildings Re: Feasibility Study - Waterfront Buildings:

This item was deferred for discussion at the Committee of the Whole meeting on April 9, 1969.

PUBLIC HEARINGS AND HEARINGS

A Public Hearing was held at this time into the matter of creating lot 84A Scarlet Road, Clayton Park, having a frontage less than the required 60 feet, on which non-conforming lot it was proposed to erect a dwelling.

The Chairman asked if there was any person present in the gallery who wished to speak either for or

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against the creation of this non-conforming lot, to which there was no response. The matter, he said, was therefore now before the Council.

Executive Council MOVED by Alderman Hogan, seconded by Alderman Connolly, that approval be given to the:

- (1) creation of a non-conforming lot at 84A Scarlet Road, Clayton Park, having a frontage less than the required 60 feet; and
- (2) erection of a dwelling on this non-conforming lot.

Motion passed.

FINANCE AND EXECUTIVE COMMITTEE

The report of the Finance and Executive Committee was considered from its meeting of March 19, 1969, on the following matters:

Agreement - Tex Park Limited and City of Halifax:

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, approval be given to the following amendment to the Memorandum of Agreement between the City of Halifax and Tex-Park Ltd., dated September 1, 1961:

Clause 8 be changed to read as follows:

"The rates to be charged by the Company for parking shall be as follows:

For short time parking, 8:00 a.m. to 6:00 p.m. -

25¢ for the first hour

20¢ for each additional hour or part thereof.

For Night Parking, 6:00 p.m. to 12 Midnight - 50¢

Midnight to 8:00 a.m. - 50¢

For Validation Tickets, good for 2 hours each

sold to members of Downtown Merchants

Association

- 35¢

For Monthly Parking

- \$30.00 per
month.

and that Tex-Park Ltd. be permitted to lease a maximum of 52 spaces to monthly parkers, to be confined to the two top floors of the building, for a period of eighteen months, whereupon

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the matter will be reviewed again. Motion passed.

Proposal - Grafton Street Parking Lot:

The recommendation of the Finance and Executive Committee that approval be given to the proposal received from Centennial Properties Limited and Bryant Realty & Leasehold Company, was conditional on the findings of the City Solicitor as to whether the City could legally accept that proposal, since it was at variance with the terms of the Call for Proposal, which, in any event, had expired.

The City Solicitor said he would sum up his findings by stating that it was within the power and competence of City Council to accept the proposal put forward by Centennial Properties Limited and Bryant Realty & Leasehold Company under date of February 27, 1969.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher,

1. THAT approval be given in principle to a proposal from Centennial Properties Limited and Bryant Realty & Leasehold Company dated February 27, 1969 for a Limited Dividend project on the Grafton Street Parking Lot, consisting of an apartment building containing 190 units and a commercial parking garage of 300 spaces - 110 spaces of which will be available for parking by the general public.
2. THAT staff prepare the necessary amendments to the Zoning By-law, to enable the project to proceed.
3. THAT staff negotiate a formal agreement between the City of Halifax and the Developers.

The Chairman made reference to two letters, copies of which had been circulated to members of Council:

- (a) Letter dated March 21 from Blois, Nickerson, Palmett and Bryson, acting on behalf of Toulon Construction (Maritimes) Limited, stating that Bryant Realities had previously submitted a proposal to the City on

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behalf of Toulon Construction, and requesting that further action on the proposal submitted by Bryant Realities and Centennial Properties therefore be held in abeyance until the question of the previous submission was resolved.

- (b) A letter dated March 24 from Kitz, Matheson & Brown on behalf of Bryant Realty and Leasehold Company, requesting that Council not delay its decision on the present proposal, since "Mr. Bryant insists that at no time did he have any firm agreement with Mr. Strug, and that any tentative arrangements made by them terminated much more than a year ago."

and stated that the City Solicitor's statement confirmed that Council was within its right to accept the proposal put forward by Centennial Properties Limited and Bryant Realty & Leasehold Company.

Alderman McGuire asked if Staff was able at this time to comment further on the suitability of the Grafton Street Parking Lot, as a site for the proposed new City Hall.

The City Manager replied that he had asked the Planners to examine this question, following the last Committee of the Whole meeting, and that a meeting with the Chief Planner and two Senior Planners had been held that afternoon, at which Staff had expressed the view that the Grafton Street Parking Lot was one of the more desirable possible sites for a new City Hall. He added, however, that a feasibility study would have to be carried out in this connection, before the Planners could commit themselves to stating it was the best location.

Alderman Abbott, however, said he did not feel this was one of the best possible sites for a new City Hall. One of the best, he said, would be the Spring

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Garden Road South development, and the building of a new City Hall, if and when the City could afford it, might be one way of getting that development started.

The motion was then put and passed.

C.B.C. Film Coverage of Council Meetings - Request:

MOVED by Alderman McGuire, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, the Canadian Broadcasting Corporation be permitted to film public City Council and Committee meetings held in the City Council chamber for a six month trial period. Motion passed, with Alderman LeBlanc abstaining.

Possible Acquisition - 5215 Artz Street:

MOVED by Alderman McGuire, seconded by Alderman Allen, that as recommended by the Finance and Executive Committee, the sum of \$6,250.00 be paid to Mr. William J. Nowe, represented by Rev. J.W. Nowe, 32 Grosvenor Avenue South, Hamilton, Ontario, as settlement in full for all claims arising from the acquisition by the City of his property at 5215 Artz Street, required for the further development of Uniacke Square. Motion passed.

Downtown Halifax Business Association Suggestions - Re; Parking Meter Rate, etc.

MOVED by Alderman Hogan, seconded by Alderman Ahern, that as recommended by the Finance and Executive Committee, the City of Halifax inform the Downtown Halifax Business Association that it is in agreement with all the following conditions contained in their letter dated March 3, 1969, with the exception of the one relating to Sackville and Summer Streets:

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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 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 Street-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.

Motion passed.

MOVED by Alderman Hogan, seconded by
Alderman Ahern, that the Traffic Authority be requested to:

1. Calibrate the meters so that they would operate on the basis of 5¢ for 12 minutes which would permit the average shopper time to make a purchase without a 25¢ charge at every stop.
2. Undertake stricter measures to discourage all-day meter feeders in the downtown area - for example, an increase in the use of tire chalking.

Motion passed.

Resolution to Annual Conference of Mayors

The recommendation from the Finance
and Executive Committee read as follows:

"THAT the following resolution be submitted to the Annual Conference of the Canadian Federation of Mayors and Municipalities:

'In the light of the contrary recommendation contained in the recent Study of Harbour Administration in Canada, Department of Transport, BE IT RESOLVED that the Canadian Federation of Mayors and Municipalities press upon the Government of Canada the necessity of maintaining the policy recently established of paying grants equivalent to full taxes on behalf of properties of the National Harbours Board in Canada.' "

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Title of Address
MOVED by Alderman Connolly, seconded by Alderman Meagher, that the recommendation of the Finance and Executive Committee be approved, on the understanding that if the matter were resolved prior to the opening of the Conference, the Resolution could be withdrawn. Motion passed.

Alderman Abbott asked about the possibility of submitting a resolution to the Conference, concerning deduction of property taxes from personal income tax. The Chairman replied that if the Alderman wanted the City to make such a recommendation, he should draft a resolution to be placed before the next Committee of the Whole meeting, since there might be a debate on the form of the proposal.

Alderman LeBlanc said that when drafting his resolution, Alderman Abbott might like to give consideration to including a proposal that interest paid on mortgage loans also be tax exempt.

Use of City Crest - Capital Tobacco and Gifts Ltd.

MOVED by Alderman Ahern, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, the application of Tobacco & Gifts Ltd. for the use of the City Crest, be not granted. Motion passed.

Resolution - City of Windsor - Amendment to Criminal Code

MOVED by Alderman McGuire, seconded by Alderman Hogan, that as recommended by the Finance and Executive Committee, the report of the Social Planner relating to a resolution from the City of Windsor respecting an Amendment to the Criminal Code requiring mandatory reporting of child abuse and making it an indictable offense not to report such cases, be filed. Motion passed.

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Sale of Addressograph Equipment

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City Council accept the tender of \$2,500.00 from Hants Regional Assessment Committee for the surplus graphotype machine. Motion passed.

Dartmouth Natal Day - Half Holiday - City of Halifax

MOVED by Alderman Meagher, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, City Council declare Wednesday, August 6, 1969 to be a half-holiday for the purpose of celebrating Dartmouth Natal Day. Motion passed.

Legislation Respecting Port Commission

MOVED by Alderman Sullivan, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, the City of Halifax agree to accept the amendment proposed by the City of Dartmouth to Section 5(b) of "An Act Respecting a Commission for the Port of Halifax", which would permit the Cities of Halifax and Dartmouth, separately or jointly, to make representation to the National Harbours Board, Canadian National Railway or other similar bodies if it is considered expedient to do so, without channelling all requests through the Port Commission. Motion passed.

Application for Tag Days:

MOVED by Alderman Ahern, seconded by Alderman Connolly, that as recommended by the Finance and Executive Committee, approval be given to the following applications for tag days:

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1. the Y.M.C.A. Life Saver annual drive;
2. the Rhonda Graves-Stephen Oakley Memorial Fund subject to the following conditions:
 - (a) that the plans be subject to the approval of the City Recreation Department and,
 - (b) Mr. John Buchanan and one other responsible person be appointed trustees of the account.

Motion passed.

Collective Bargaining Agreement - Basinview Home - Local 1030

MOVED by Alderman Meagher, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee, His Worship the Mayor and the City Clerk be authorized to sign the Collective Bargaining Agreement with Local 1030, Canadian Union of Public Employees, on behalf of the City of Halifax.

Motion passed.

Alteration to Subdivision - 1058 Tower Road (Continued):

Council at this time resumed discussion on the above subject.

Mr. Lubka, the Chief Planner, having read Mr. Chandler's memorandum, said it contained some good points, but felt that there was possibly a legal aspect to be considered. The By-law, he said, required the lot to have 6,000 sq. ft since there was a three-unit dwelling located on it, but if the subdivision were approved, it would only be comprised of 5,390 sq. ft., so he questioned whether it was legally possible for Council to agree to the request.

In reply to a question from His Worship the Mayor, the City Solicitor confirmed that the wording in the By-law specified 6,000 sq. ft. and 3 and 4 units. His Worship the Mayor asked if, in view of the requirements of 5,000 square feet for 2 units, and 6,000 for 4 units, if it

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was not fair to say that 5500 sq. ft. should suffice for 3 units. The Chief Planner said the problem was that the wording in the By-law placed 3 or 4 units in the same category, but even on the basis put forward by the Chairman, the lot area would be under the 5500 sq. ft. required.

Alderman Abbott: The Committee agreed to have Mr. Chandler address the Council. He said he was not prepared to answer with regard to the legal aspect of the matter raised by Mr. Lubka, but his argument was based on practical grounds. He then outlined the points included in his memorandum under the heading "Arguments in Favour of Subdivision".

Alderman Abbott asked Mr. Chandler if the subdivision line could not be placed so as to allow the 6,000 sq. ft. required for the lot where the three-unit dwelling was placed.

Mr. Fletcher Smith, the prospective purchaser of the rear lot, came forward to answer Alderman Abbott's question. He said that the extra land was required in order to provide the desired space for automobiles manoeuvring in and out of the lot, and because of the economics involved he was not interested in purchasing any smaller portion of the lot.

The City Solicitor said at this point a possible solution to the matter had occurred to him, which would involve an agreement between the vendor and the purchaser, but he would like to first discuss it with staff and the two parties concerned.

Mr. Chandler then stated that under the provisions of the By-law, a Public Hearing could be held and

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the application approved in its present form.

The City Solicitor replied that on reading the By-law it was not readily apparent to him that the matter could be resolved in that manner.

Alteration Street
MOVED by Alderman LeBlanc, seconded by Alderman Abbott, that the matter be deferred in order that the City Solicitor, in consultation with staff, can suggest a possible solution to the vendor and the purchaser, after which the matter can be referred to the next Committee of the Whole meeting for their consideration. Motion passed.

Robie Street and Tower Road when the Arm Bridge and approach roads are constructed. Motion passed.

In reply to a question, the City Clerk advised that the public hearing will be held on April 30, 1969.

Closure of Gorsebrook Avenue - Date for Hearing

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Committee on Works, a date be set for a public hearing to effect the closure of the portion of Gorsebrook Avenue from Robie Street to a point approximately 241 feet eastwardly, as shown on Plan No. TT-9-17534. Motion passed.

In reply to a question, the City Clerk advised that the public hearing will be held on April 30, 1969.

Smoke Abatement and Air Pollution

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Committee on Works, City Council accept the proposal of the Atlantic Industrial Research Institute, as set out in its report dated February 5, 1969.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on March 19, 1969 with respect to the following matters:

Alteration Street Lines - Inglis Street - Date for Hearing

MOVED by Alderman Allen, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, a date be set for a public hearing to alter the official street line on the southern side of Inglis Street from Robie Street to Tower Road, to ensure a free movement of traffic between Robie Street and Tower Road when the Arm Bridge and approach roads are constructed. Motion passed.

In reply to a question, the City Clerk advised that the public hearing will be held on April 30, 1969.

Closure of Gorsebrook Avenue - Date for Hearing

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Committee on Works, a date be set for a public hearing to effect the closure of the portion of Gorsebrook Avenue from Robie Street to a point approximately 241 feet eastwardly, as shown on Plan No. TT-9-17534. Motion passed.

In reply to a question, the City Clerk advised that the public hearing will be held on April 30, 1969.

Smoke Abatement and Air Pollution

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Committee on Works, City Council accept the proposal of the Atlantic Industrial Research Institute, as set out in its report dated February 5, 1969,

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and that an amount of \$5,000.00 be made available, under the authority of Section 316C of the City Charter, to be added to the \$1,000.00 presently included in the Current Budget, to cover the cost for 1969 of the materials and labour required for the set-up of the monitoring stations. Motion passed.

Interior Finishes of Dwellings - Use of Soft Fibre Board -
Amendment to Ordinance No. 50

MOVED by Alderman Allen, seconded by Alderman Sullivan that, as recommended by the Committee on Works, Ordinance No. 50 Respecting Minimum Standards for Housing Accommodation be amended to provide for a maximum fire-spread rating of 150 in existing dwellings. Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on March 19, 1969 with respect to the following matters:

Appointment - Arm Patrol

MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Safety Committee, approval be given to the appointment of Mr. George Perry as Special Constable for the Arm Patrol for the coming summer at a rate of \$5.50 per hour, being an increase of 50 cents per hour over last year's rate. Motion passed.

Tenders for Police Towing

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Safety Committee, the Police Towing Service contract for the next 12-month period

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be awarded to the lower tender as submitted by "Y" Towing Service, Ltd., as follows:

Craning - \$4.00
Straight Towing - \$2.00
Storage - No charge for the first day or portion thereof; 35¢ per day for each day thereafter.

Alderman LeBlanc suggested that since the Chief of Police is apparently satisfied with the performance of the "Y" Towing Service, the Police Department deal exclusively with the firm until such time as some dissatisfaction occurs or prices are changed. He thought that this would eliminate the need to call for tenders every year.

Some Aldermen were not in agreement with the suggestion and thought that the other towing companies should be given a further opportunity to submit bids next year.

The motion was then put and passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on March 19, 1969 with respect to the following matters:

Modification of Front Yard, Side Yard, Lot Frontage and Lot Area - 68 Rufus Avenue

MOVED by Alderman LeBlanc, seconded by Alderman Abbott that, as recommended by the Town Planning Board, the application for modification of front and side yard, lot frontage and lot area requirements, to permit the construction of a two-unit apartment building at 68 Rufus Avenue, as shown on Drawing No. P200/2669, be approved. Motion passed.

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Rezoning from R-2 Residential to R-3 Residential - Resubmission -
6287-6311 Liverpool Street - Date for Hearing

MOVED by Alderman LeBlanc, seconded by Alderman

Abbott that, as recommended by the Town Planning Board:

1. City Council approve the rezoning of 6287-6311 Liverpool Street from R-2 to R-3 Residential to permit the construction of a four-storey, 33-unit apartment building, as shown on Drawings No. P200/2247-2248 and P200/2326-2328;
2. a date for a public hearing be set;
3. the area outlined on the plan attached to the Staff Report dated March 19, 1969, be designated as the area within which people will be notified of the public hearing.

Alderman Connolly questioned whether or not the applicant owns or holds options on all of the properties involved.

The Chief Planner understood that the applicant owns the lands.

The City Solicitor referred to a previous motion of Council relating to applications for rezoning requiring the applicant to own, hold options on or have the permission of the owner before the rezoning of the land is considered by Council.

His Worship the Mayor suggested that the City Clerk check on the ownership of the land before any advertisements for a public hearing are placed in the newspaper.

In reply to a question, the City Clerk advised that the public hearing will be held on May 14, 1969.

The motion was then put and passed.