

Record

SPECIAL COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
October 1, 1969
5:40 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, recited the Lord's Prayer.

Present were: His Worship the Mayor, Chairman; and Aldermen Abbott, MacKeen, Hogan, McGuire, LeBlanc, and Sullivan. *Allen Jr.*

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

The City Clerk advised that the meeting had been called to consider the following:

Tender for Supply and Erection of Movable Partitions to the City Hall, Scotia Square.

A staff report dated October 1st, 1969 was submitted, which read as follows:

"Staff have assessed the tender documents which were submitted at 12 o'clock on October 1, 1969, and consider the successful tenderer is the Firm of Seaman Cross Limited. It will be seen that their tender bid for Part A of the tender is \$63,479 which is substantially lower than the other tenders, and that the price per foot run of work, specified in Part B of the tender is also lower than the other tenders.

"Tenders submitted are summarized as follows:

TENDER FIRM	PART A AMOUNT	PART B - UNIT PRICE		DATE OF COMPLETION
		SOLID PANEL PER LINEAL FT	DOOR PER UNIT	
Seaman-Cross	\$63,479.00	\$21.00	\$155.00	Nov. 21/69
Alternative	\$66,312.00	\$22.00	\$170.00	Nov. 21/69

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<u>"TENDER FIRM</u>	<u>PART A AMOUNT</u>	<u>PART B -UNIT PRICE</u>		<u>DATE OF COMPLETION</u>
		<u>SOLID PANEL PER LINEAL FT</u>	<u>DOOR PER UNIT</u>	
David MacNab & Co. Ltd.	\$79,700.00	\$24.00	Not quoted.	Dec. 15, 1969
Markland Associates Limited	\$81,500.00	\$23.00	\$305.00	8 weeks
Maritime Drywall and Taping Co.	\$86,360.00	\$37.00	\$212.00	4 weeks
Westeel- Rosco Limited	\$111,259.00	\$26.00	\$261.89	12 weeks

"For Council's consideration is the fact that Seaman Cross Ltd. could provide a more desirable type of panel which would offer the following advantages:

- "A. 2½ inch thick door, bull nose and reversible (left, right, in, out)
- B. Better suited for special finishes such as Flexwood, Vinyl etc. due to vertical recess along post caps.
- C. Higher flexibility in base, i.e., more space to conceal various wiring.
- D. Floor rail held by tested double face adhesive tape (No damage to floor tiles).
- E. Aesthetics - Overall greater flexibility.

"This would entail a cost for Part A of \$66,312, and a unit price as per Part B of \$22 per foot run for solid panels and \$170 per unit for door sections of 3 feet by 9 feet by 2½ inches. These alternative prices submitted by Seaman Cross are still considerably lower than the other submitted tenders. Accepting therefore that Seaman Cross Limited are the successful tenderers, Council may wish to take advantage of the alternative offered by this firm, for a slight increase in cost (\$2,833.00) would offer the City considerable functional advantages, the benefit of which will be reaped for years to come in terms of office efficiency, etc."

Alderman LeBlanc asked when the tenders were called, and the City Manager replied one had gone out on the previous Wednesday.

Alderman McGuire said that when Council had dealt with the matter of acquiring space in Scotia Square

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it had been his understanding there would be further proceedings before a lease was signed.

The City Manager replied that there were still some negotiations to be carried out with regard to maintenance, but the basic issue which had to be settled at the previous meeting, concerned the amount of space and the rental for it. He said that before the lease could be signed, the scheme would have to come back to the Council for authorization to have His Worship the Mayor and the City Clerk sign the lease.

Alderman McGuire asked if a decision in the present matter could be delayed until members had had an opportunity to examine the lease, and the City Manager said such a delay could result in the City paying rent for one or two months on space it could not utilize due to the lack of partitions, since it required sufficient advance notice to have this work completed by the time the space was available.

Alderman McGuire asked if the tenders covered the whole 40,000 square feet, and the City Manager replied they did. He then stated it was his understanding that 10,000 square feet of the 40,000 total, would be sub-let, to which the City Manager replied that although that had been the original intention, when more detailed planning was carried out, it had been discovered that the extra 10,000 square feet would be required to allow room for circulation.

The City Manager said that the tender called for all main partitions, plus partitions for department division head offices, conference and interview rooms, and storage space such as vaults, etc.

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5:55 P.M. - Alderman MacKeen left meeting.

Alderman Sullivan questioned the difference between the two quotations by Seaman-Cross Limited, and a representative from that Company came forward.

The Seaman-Cross representative stated that the higher quotation afforded a larger degree of flexibility, such as right and left hand doors were interchangeable, it would not be necessary to fasten anything to the floor except at the door itself, easier to accommodate wiring and telephone facilities. It was his opinion that the difference in price would be justified within one and a half years.

Alderman Sullivan asked what the total cost would be and the Seaman-Cross representative stated it could go as high as \$100,000 for the whole 40,000 square feet.

MOVED by Alderman Abbott, seconded by Alderman Allen that Seaman-Cross Limited's tender of \$66,312.00, plus \$22.00 per Lineal Foot for Solid Panel and \$170.00 per unit door, be accepted.

After further discussion, Mr. Coe stated that the tender of \$66,312.00 included the price of all panelling and doors required under the present tender, and that the prices for panelling and doors had been included at this time to indicate the costs for additional partitioning in the future.

The Seaman-Cross representative stated he had misunderstood the question put forward by Alderman Sullivan, and that the \$100,000 he quoted represented what he felt the total job, including future partitioning, might amount to. He confirmed that the \$66,312.00 included panelling and doors required for the present installation.

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The motion was then re-worded as follows:

MOVED by Alderman Abbott, seconded by Alderman

Allen that:

1. the tender of Seaman-Cross Limited in the amount of \$66,312.00, be accepted for the present installation;
2. the figures of \$22.00 per lineal foot and \$170.00 per unit be accepted for future requirements of solid panel and door units respectively; and
3. funds made available in the 1970 Current Budget.

Motion passed with Alderman Sullivan against.

6:05 p.m. - Meeting adjourned.

HEADLINES

Tender for Supply and Erection of Movable Partitions to the City Hall, Scotia Square 876

Petitions & Delegations

Report - Finance & Executive Committee: ALLAN O'BRIEN
MAYOR AND CHAIRMAN

- (a) Salary Adjustments
- (b) Bank Borrowing Resolution
- (c) R. H. STODDARD, Bayne Street - East of MacKintosh Street
- (d) CITY CLERK Property - 3221 Highland Street
- (e) Pre-Retirement Leave
- (f) Property Acquisition - 26 Withers Drive, Kline Heights
- (g) Settlement of Last Africville Resident - Mr. Arron Carvery
- (h) Sidewalk Construction - Dows Avenue
- (i) Interim Borrowing - Halifax Trustee Corporation - \$1,000,000.00

Report - Committee on Works

- (a) Recreation Lands - Purcell's Cove
- (b) Telephone Booth Encroachment - Spring Garden Road at Robia Street
- (c) Sewer Easement - Bedford Basin - National Harbours Board

Report - Safety Committee

- (a) Truck Prohibition - Stearny Lake Road

Report - Public Health & Welfare Committee: NONE

ORDER OF BUSINESS

CITY COUNCIL

OCTOBER 15, 1969

8:00 p.m.

Lord's Prayer

Roll Call

Minutes: September 24, 25 and October 1, 1969

Approval of Order of Business, Additions & Deletions

Deferred Items:

- (a) Motion - Alderman Abbott Re: Amendment to City Charter for the Establishment of Assistant City Manager and permissive Delegation of Power by the City Manager to the Assistant City Manager
- (b) Motion - Alderman Ivany Re: Additional Powers of Authority to be given to the City Manager

Motions of Reconsideration: NONE

Motions of Rescission: NONE

Public Hearings and Hearings:

- (a) Public Hearing Re: Closing of Granville Street between Buckingham and Upper Water Streets

Petitions & Delegations

Report - Finance & Executive Committee:

- (a) Salary Adjustments
- (b) Bank Borrowing Resolution
- (c) Quit Claim Deed - Bayne Street - East of MacKintosh Street
- (d) Acquisition of Property - 2321 Maitland Street
- (e) Pre-Retirement Leave
- (f) Property Acquisition - 26 Withrod Drive, Kline Heights
- (g) Settlement of Last Africville Resident - Mr. Arron Carvery
- (h) Sidewalk Construction - Downs Avenue
- (i) Interim Borrowing - Halifax Transit Corporation - \$1,000,000.00

Report - Committee on Works:

- (a) Recreation Lands - Purcell's Cove
- (b) Telephone Booth Encroachment - Spring Garden Road at Robie Street
- (c) Sewer Easement - Bedford Basin - National Harbours Board

Report - Safety Committee:

- (a) Truck Prohibition - Kearney Lake Road

Report - Public Health & Welfare Committee: NONE

Report - Committee of the Whole Council, Boards & Commissions:

- (a) Sidewalks, Paving, etc. - Wards 7, 8, 9 and 10
- (b) Additional Paving - Willett Street - \$49,500.00

Report - Town Planning Board:

- (a) Dunbrack Street Arterial - Street Lines - DATE FOR HEARING
- (b) Modification of Front Yard, Side Yard, Lot Frontage Requirement -
27 Withrod Drive
- (c) Extension to a Non-conforming Building and Modification of the
Side Yard Requirement - 1890 Vernon Street
- (d) Extension to a Non-conforming Building - 5667 Kane Street
- (e) Extension to a Non-conforming Building - 5515-17 Inglis Street
- (f) Modification of Front Yard Requirement - Lots 108,109 and 109A
Permbelle Lane, Clayton Park
- (g) Extension to a Non-conforming Building - 5509 Victoria Road
- (h) Modification of Front Yard, Side Yard Requirements -
Mr. Louis Purcell, Purcell's Cove
- (i) Modification of Lot Frontage Requirement - 6 Winchester Avenue
- (j) Modification of Side Yard Requirement - 11 Claymore Ave., Spryfield
- (k) Modification of Side Yard Requirement - Lot 661 Coronation Avenue
- (l) Construction of a New Apartment Complex - 222 Herring Cove Road -
Building Permit Application No. 50104
- (m) Subdivision Alteration - Lands of W. J. Halywish -
33½ Woodbury Drive, Rockingham
- (n) Subdivision Alteration - Lands of the Estate of Mable Publicover,
First Street
- (o) Subdivision Alteration - Ferguson Farm Subdivision,
Spencer Avenue and Old Sambro Rd., Spryfield
- (p) Subdivision Alteration - Estate of F. A. Nightingale and
T. E. Delano - Oakland Road and Regina Terrace
- (q) Extension to a Non-conforming Building, Modification of Front Yard
Requirement - 46 Tremont Drive
- (r) Modification of the Lot Frontage Requirement - 3-564 Bedford Highway
- (s) Permit - Service Station/Car Wash - 3607 Kempt Road

Motions:

- (a) Motion - Alderman Abbott Re: Amendment to Ordinance #137
Respecting "Deferred Payment of Taxes" - FIRST READING
- (b) Motion - Alderman LeBlanc Re: Provision for Bus Service for
Kline Heights School Students

Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Lord's Day Permits
- (c) Bond & Agreement - Inverness Avenue
- (d) Acceptance of Lands - Spryfield - For use by Recreation Department
- (e) Recommended Changes in the Organization of the Works and
Development Departments' Function

QUESTIONS

Notice of Motion

Added Items

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MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
October 15, 1969
8:00 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 Acting City Clerk, joined in reciting the Lord's Prayer.

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

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

MEMBERS OF JUNIOR LEAGUE IN ATTENDANCE AT MEETING

His Worship the Mayor called the Council's attention to the fact that there were present in the gallery about twenty-five members of the Junior League, who had come to witness a Council meeting at the invitation of Alderman McGuire.

MINUTES

Minutes of the meetings of September 24, 25, and October 1, 1969 were approved on motion of Alderman Meagher, seconded by Alderman McGuire.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

The Acting City Clerk advised that there were two items to be added to the agenda:

- 20 (a) - Street Maintenance Agreement No. 11
- 20 (b) - Halifax Developments Limited

and one item to be deleted:

- 14 (b) - Additional paving - Willett Street - \$49,500.00

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Alderman Abbott requested that Items 5(a) and 5(b) be placed on the agenda for discussion after Item 17(e).

Alderman Hogan requested the addition of the following item:

20 (c) - Grafton Street Parking Lot - Negotiation of Terms of Disposal of Land

MOVED by Alderman LeBlanc, seconded by Alderman Sullivan, that the agenda as amended, be approved. Motion passed.

PUBLIC HEARINGS AND HEARINGS

Public Hearing Re: Closing of Granville Street between Buckingham and Upper Water Streets

A Public Hearing was held at this time with respect to the closing of Granville Street in the City of Halifax between Buckingham Street and Upper Water Street as shown on a plan entitled "Street Closure (Cogswell St. Interchange Area) Barrington, Bell, Jacob, Proctor, Granville, Hurd, Upper Water and Buckingham Streets", dated February 13, 1969 and filed in the office of the City Engineer at City Hall as Plan No. TT-9-17510.

His Worship the Mayor asked if there was anyone present who wished to speak against or in favour of the street closure, and there were no replies. He then said the matter was before the Council for its consideration.

MOVED by Alderman Meagher, seconded by Alderman Abbott, that approval be given to the closure of Granville Street in the City of Halifax between Buckingham Street and Upper Water Street as shown on a Plan entitled "Street Closure (Cogswell St. Interchange Area) Barrington, Bell, Jacob, Proctor, Granville, Hurd, Upper Water and Buckingham Streets", dated February 13, 1969 on file in the office of the City Engineer at City Hall as Plan No. TT-9-17510. Motion passed.

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

MOVED by Alderman Abbott, seconded by Alderman Meagher that the formal resolution, as submitted, be approved. Motion passed.

PETITIONS AND DELEGATIONS

The Acting City Clerk read the following telegram which had been received by His Worship the Mayor from the Town Clerk of Springhill, N.S.

"SPRINGHILL NS OCTOBER 15 1969
MAYOR ALLAN O'BRIEN
CITY OF HALIFAX NS
THE SPRINGHILL TOWN COUNCIL EXTEND SINCERE CONGRATULATIONS
IN THE OPENING OF SCOTIA SQUARE STOP MAY CONTINUED SUCCESS
FOLLOW IN THE OPERATION OF THIS WORTHWHILE PROJECT
A.G. ALLBON TOWN CLERK, SPRINGHILL NS"

Bank Borrowing Resolution

MOVED by Alderman [Name], seconded by Alderman Allen that, as recommended by the Finance and Executive Committee:

1. City Council, under the authority of Section 213 of the City Charter, authorize a borrowing from the Royal Bank of Canada in the amount of \$4,000,000.
2. His Worship the Mayor and the City Clerk be authorized to sign a special borrowing resolution, giving the City Treasurer and either the City Manager or the Chief Accountant of the Finance Department, the authority to sign secured notes on behalf of the Corporation of the City of Halifax.

Motion passed.

Quit Claim Deed - Bayne Street - East of MacIntosh Street

MOVED by Alderman Connolly, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, a Quit Claim Deed be given by the City of Halifax to the Halifax-Dartmouth Bridge Commission for the closed section of Bayne Street - East of MacIntosh Street, as outlined on the map attached to the Staff Report dated September 15th.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 8, 1969 with respect to the following matters:

Salary Adjustments

MOVED by Alderman Hogan, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the following adjustments be made in salary ranges:

Chief Plumbing Inspector - should read \$6660 - \$7620
Chief Electrical Inspector - should read \$6660 - \$7620
Electrician Foreman - should read \$6540 - \$7500

Motion passed.

Bank Borrowing Resolution

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

1. City Council, under the authority of Section 213 of the City Charter, authorize a borrowing from the Royal Bank of Canada in the amount of \$4,000,000.
2. His Worship the Mayor and the City Clerk be authorized to sign a special banking resolution, giving the City Treasurer and either the City Manager or the Chief Accountant of the Finance Department, the authority to sign demand notes on behalf of the Corporation of the City of Halifax.

Motion passed.

Quit Claim Deed - Bayne Street - East of MacIntosh Street

MOVED by Alderman Connolly, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, a Quit Claim Deed be given by the City of Halifax to the Halifax-Dartmouth Bridge Commission for the closed section of Bayne Street - East of MacIntosh Street, as outlined on the map attached to the Staff Report dated September 25th,

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for the sum of \$1.00. Motion passed.

Acquisition of Property - 2321 Maitland Street

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, approval be given to the purchase of the property of Miss Florence Kinsman, at No. 2321 Maitland Street, for the amount of \$10,800 as settlement in full for all claims, which property is required for the immediate expansion of St. Patrick's Common School. Motion passed.

Pre-Retirement Leave

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, pre-retirement leave with pay computed on the basis of three (3) calendar days for each completed year of service from the date of employment up to a maximum of three months leave be paid to all permanent full time regular employees, and that in future there shall be no reduction of pre-retirement leave by virtue of any limitation in sick leave credit. Motion passed.

Property Acquisition - 26 Withrod Drive, Kline Heights

MOVED by Alderman LeBlanc, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, staff negotiate for the acquisition of the property at 26 Withrod Drive, Kline Heights, which land will be required for the future implementation of a water and sewer lines project in the area, but that approval in this instance does not set a precedent insofar as the remainder of the Kline Heights area

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is concerned. Motion passed.

Settlement of Last Africville Resident - Mr. Arron Carvery

MOVED by Alderman Connolly, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee:

1. A total settlement of \$14,387.76 be offered to Arron Carvery, to include compensation for his interest in the William Carvery Estate, his dwellings remaining on the property, his interest in the Estate of Maizie Carvery, furniture and moving allowances, and refund of an amount equal to property taxes paid by him subsequent to the (1953) death of William Carvery, Senior.
2. In the event that Arron Carvery should be unwilling to accept the above offer of settlement, it is further recommended that the City proceed immediately with expropriation, ensuring that construction of the Narrows Bridge be delayed no further, but that City Staff make every effort to facilitate Mr. Carvery's relocation by offering suitable accommodations, presently being held in reserve for this purpose. However, Mr. Carvery should be assured a settlement from the City of an amount at least equal to the \$14,387.76 being offered, regardless of any decision reached in the law courts.
3. City staff be directed to interpret to Mr. Carvery his right to legal counsel of his own choice, at the expense of the City, should he wish to have formal representation in opposing the terms of relocation offered to him.

Motion passed.

Sidewalk Construction - Downs Avenue

MOVED by Alderman McGuire, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the work on Downs Avenue as set forth under Item No. 1 of report Section III - Sidewalk, Curb, Gutter and Sodding, be proceeded with. Motion passed.

Interim Borrowing - Halifax Transit Corporation

MOVED by Alderman LeBlanc, seconded by Alderman

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Connolly that, as recommended by the Finance and Executive Committee, Council authorize an interim borrowing at a chartered bank of \$1,000,000.00 for the Halifax Transit Corporation, which will be refinanced by the Corporation in the Spring on a long-term basis. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on October 8, 1969 with respect to the following matters:

Recreation Lands - Purcell's Cove

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Committee on Works, approval be given under Section 316C of the City Charter, for an expenditure of an amount not to exceed \$10,000, for improvement of recreation lands, Purcell's Cove to be leased from Dalhousie University, on condition that the development work to be undertaken will be discussed by the Recreation Commission with appropriate members of City staff prior to implementation, and that no expenditure of money will be made until a lease between the City and Dalhousie University has been executed. Motion passed.

Telephone Booth Encroachment - Spring Garden Road at Robie Street

MOVED by Alderman Allen, seconded by Alderman Sullivan that, as recommended by the Committee on Works, an encroachment licence be approved for the installation of a telephone booth by Maritime Telegraph and Telephone Company Limited., as shown on the sketch included with the staff report of September 30, 1969, for a period of five years, in

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Traffic Engineer advised that the City can only request the Province to consider the restriction of truck traffic on a designated through highway. At the present time, he said, the City has the authority to restrict truck traffic on that road.

Alderman McGuire considered that if it is the City's intention to restrict truck traffic on the Kearney Lake Road, it should impose the restriction immediately to continue until the Province has accepted the road as a designated one.

It was then MOVED in Amendment by Alderman McGuire, seconded by Alderman Hogan that the following be added to the motion:

That until the Province takes this action, the City impose an immediate restriction on truck traffic using the Kearney Lake Road.

Alderman Ivany asked how long it would take the Department of Highways to accept Kearney Lake Road as a designated roadway and restrict trucks.

His Worship the Mayor said that he understood the Minister of Highways would not take much time to make a decision.

Alderman Ivany felt that a warning period should be served on the trucking firms located in the vicinity of the Kearney Lake Road and the restriction should not be imposed by the City immediately.

His Worship the Mayor said that if the Amendment is approved, it will be necessary for an order to be prepared

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by the Traffic Authority to the Works Department requesting the preparation of signs and this would take some time.

Alderman Sullivan understood that one of the prime reasons for the recommendation was in the interest of safety for the pedestrians and he said that he would go along with the motion but he said that Gottingen Street is considered to be a suicide road and at a later date he would be making a suggestion that that street be restricted to trucks in the same manner.

The Amendment was then put and passed with Aldermen Ivany and Meagher voting against.

The motion, as amended, was then put and passed with Alderman Meagher voting against.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS
Sidewalks, Paving, etc. - Wards 7, 8, 9 and 10

The report of the Committee of the Whole Council reads as follows:

"It is recommended:

1. That the City adopt a sidewalk programme for 1969 and 1970 based on an abutter's charge equivalent to 25% of an estimated standard cost and that the programme be within the level that the City Manager would recommend as part of the City's Capital Budget and on a priority basis as recommended by City Staff;
2. That approval be given to whatever streets urgently require paving that can be recommended by Staff for work to be done for the balance of the year and that Staff prepare an overall proposal in relation to the next year's programme."

Alderman Allen asked what the position of an abutter would be if he had signed a petition objecting to the installation of a sidewalk on his particular street; the sidewalk

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installed and the abutter was billed for his share of the cost.

The Solicitor advised that if Council agreed that a sidewalk should be installed, contrary to a petition, the abutter would be liable to pay the stipulated charge.

Alderman Allen said that he would expect a number of petitions to be submitted since in many cases the additional charges would create a hardship, as property owners in his Ward are already paying for sewer and water installations. He felt that the recommended percentage for abutter's charges is too high. It was then MOVED by Alderman Allen, seconded by Alderman Meagher that Section No. 1 of the recommendation of the Committee of the Whole Council be deferred for two weeks to permit Staff to approach the Department of Municipal Affairs to ascertain its reaction to a proposal to seek legislation for the City to impose an area rate to assist in the financing of the sidewalk programme.

Some discussion ensued on the possible classification of roads as arteries, collectors, etc.

His Worship the Mayor asked Alderman Allen if he had given any thought to the fact that local improvement charges can be spread over a five year period and the fact that there might be a possible reduction in the water rates over the next year.

Alderman Allen said that the sewer and water charges can also be spread over a five year period and still people in the area are being "strapped to the limit".

Discussion followed on the course of action which will be followed if it is agreed to seek legislation for the

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Discussion followed on the course of action which will be followed if it is agreed to seek legislation for the

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City to impose an area rate.

After further discussion, the motion to defer was put and passed.

MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Committee of the Whole Council, approval be given to whatever streets urgently require paving that can be recommended by Staff for work to be done for the balance of the year and that Staff prepare an overall proposal in relation to the next year's programme.

Alderman Ivany questioned whether in fact any paving can be done this year.

His Worship the Mayor said that some discussion was held on that point at the Committee meeting yesterday in relation to a portion of Willett Street which needs to be paved to serve an apartment complex before the end of this year. He said that how soon the road can be paved depends upon how soon the developer grades the roadway to the satisfaction of City Staff.

The motion was then put and passed.

MOVED by Alderman Meagher, seconded by Alderman McGuire that the City approach the Provincial Government in an attempt to obtain cost sharing for the paving, drainage and sidewalk installation on main arteries in the annexed areas.

His Worship the Mayor explained that the recommended approach will require the classification of the roadways by City Staff.

Alderman Ivany asked if any allowance had been made

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west street line of existing Dunbrack Street from its intersection with a line which is defined as the southern boundary line of Clayton Park subdivision and the northern boundary line of Upper Randall Park Subdivision to the existing northern street line of Rosedale Avenue so that the Dunbrack Street right-of-way will be widened from an existing 66-foot right-of-way to a 100-foot right-of-way."

Council was informed that the public hearing could be held in approximately six week's time since it required a description to be prepared and the insertion of a notice in the newspaper.

MOVED by Alderman Hogan, seconded by Alderman McGuire that the recommendation of the Town Planning Board be approved. Motion passed.

Alderman Connolly asked whether it was necessary to rescind a previous motion of City Council which agreed to locate the street in a different location.

His Worship the Mayor said that the City Solicitor had ruled that it is just an implementation of a decision in principle and did not require any rescission. He said that any other matters can be raised at the public hearing.

Modification of Front Yard, Side Yard, Lot Frontage Requirements -
27 Withrod Drive

MOVED by Alderman Abbott, seconded by Alderman Hogan that, as recommended by the Town Planning Board, the application for (1) extension to a non-conforming building, and (2) modification of the side yard requirement, to permit the construction of a 12-foot by 30-foot one-storey addition to the rear of No. 27 Withrod Drive, as shown in Case No. 1925 on Plan No. P200/3229, be approved. Motion passed.

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Extension to a Non-Conforming Building and Modification of
the Side Yard Requirement - 1890 Vernon Street

MOVED by Alderman Connolly, seconded by Alderman MacKeen that, as recommended by the Town Planning Board, the application for (1) extension to a non-conforming building and (2) modification of the side yard requirement respecting the property at 1890 Vernon Street be approved to permit the construction of a 16-foot x 10.5 foot one-storey addition to the rear of the existing non-conforming single family dwelling. Motion passed.

Extension to a Non-Conforming Building - 5667 Kane Street

MOVED by Alderman Ivany, seconded by Alderman Sullivan that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building to permit the construction of an 18-foot by 10-foot one-storey addition to the rear of Civic No. 5667 Kane Street, as shown in Case No. 1929 on Plan No. P200/3242, be approved. Motion passed.

Extension to a Non-conforming Building - 5515-17 Inglis Street

MOVED by Alderman Abbott, seconded by Alderman Hogan that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building at No. 5515-5517 Inglis Street, to permit the construction of a 49-foot by 35-foot three-storey addition to the rear of the building, as shown in Case No. 1923 on Plan No. P200/3220-23, be approved. Motion passed.

Modification of Front Yard Requirement - Lots 108, 109 and
109A Parmbelle Lane, Clayton Park

MOVED by Alderman McGuire, seconded by Alderman

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Abbott that, as recommended by the Town Planning Board, the application for modification of the front yard requirement to permit the construction of single family dwellings on the Lots 108, 109 and 109A Parmbelle Lane, Clayton Park, as shown in Case No. 1910 on Plan No. P200/3270, be approved. Motion passed.

Extension to a Non-Conforming Building - 5509 Victoria Road

MOVED by Alderman Ivany, seconded by Alderman Allen that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building to permit a 15-foot by 6.5 foot, one-storey addition at the rear of Civic No. 5509 Victoria Road, as shown in Case No. 1889 on Plan No. P200/3133, be approved. Motion passed.

Modification of Front Yard, Side Yard Requirements - Louis Purcell - Purcell's Cove

MOVED by Alderman Allen, seconded by Alderman Connolly that, as recommended by the Town Planning Board, the application for modification of front yard and side yard requirements to permit the construction of a 42-foot by 24-foot one-storey dwelling on the Louis Purcell property, Purcell's Cove Road, as shown in Case No. 1888 on Plan No. P200/3261, be approved, subject to the existing dwelling being removed on completion of the new residence. Motion passed.

Modification of Lot Frontage Requirement - 6 Winchester Avenue

MOVED by Alderman McGuire, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board, the application for modification of the lot frontage at Civic

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No. 6 Winchester Avenue to permit the construction of a single-family dwelling, as shown in Case No. 1940 on Plan No. P200/3265, be approved. Motion passed.

Modification of Side Yard Requirement - 11 Claymore Avenue, Spryfield

MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Town Planning Board, the application for modification of the side yard requirement to permit the construction of a 10-foot by 18-foot carport at 11 Claymore Avenue, as shown in Case No. 1942 on Plan No. P200/3269, be approved. Motion passed.

Modification of Side Yard Requirement - Lot 661 Coronation Avenue

MOVED by Alderman McGuire, seconded by Alderman Hogan that, as recommended by the Town Planning Board, the application for modification of the side yard requirement to permit construction of a duplex dwelling on Lot No. 661, Coronation Avenue, as shown in Case No. 1939 on Plan No. P200/3264, be approved. Motion passed.

Construction of a New Apartment Complex - 222 Herring Cove Road - Building Permit Application No. 50104

MOVED by Alderman Allen, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board, approval be given to the application to construct a 36-unit apartment building at No. 222 Herring Cove Road, containing 3 bachelor, 30 one-bedroom and 3 two-bedroom units. Motion passed.

Subdivision Alteration - Lands of W. J. Halyrevich, 33½ Woodbury Drive, Rockingham

MOVED by Alderman Hogan, seconded by Alderman Allen

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that, as recommended by the Town Planning Board, approval be given to the request for subdivision alteration to create Lots 84A and 85A by adding a 20-foot section Lot 85 to Lot 84, as shown on Plan No. P200/3239 of Case No. 1928, and that a Public Hearing on the matter be waived. Motion passed.

Subdivision Alteration - Lands of the Estate of Mable Publicover, First Street

MOVED by Alderman LeBlanc, seconded by Alderman Ivany that, as recommended by the Town Planning Board, approval be given to the request to add Lot B1 to Lot B to create Lot B2, as shown on Plan No. P200/3246 of Case No. 1932 - Lands of the Estate of Mable Publicover, First Street, and that a Public Hearing into the matter be waived. Motion passed.

Subdivision Alteration - Ferguson Farm Subdivision, Spencer Avenue and Old Sambro Road, Spryfield

MOVED by Alderman Allen, seconded by Alderman Abbott that, as recommended by the Town Planning Board, the subdivision alteration of lands of Ferguson Farm Subdivision by adding Lot 124 to Lots 296, 121 and 122 to create Lot K-1, as shown on Plan No. P200/3238 of Case No. 1927, be approved, and that a Public Hearing into the matter be waived. Motion passed.

Subdivision Alteration - Estate of F. A. Nightingale and T. E. Delano - Oakland Road and Regina Terrace

MOVED by Alderman MacKeen, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the request to create Lot A and B, Estate of F. A. Nightingale and T. E. Delano - Oakland Road and Regina Terrace, as shown

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on Plan No. P200/3252 of Case No. 1935, be granted and that a Public Hearing into the matter be waived. Motion passed.

Extension to a Non-conforming Building, Modification of Front Yard Requirement - 46 Tremont Drive

MOVED by Alderman Hogan, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board, the application for (1) an extension to a non-conforming building, and (2) modification of the front-yard requirement, to permit the construction of a 12-foot by 11.85 foot two-storey addition to the front of Civic No. 46 Tremont Drive, as shown in Case No. 1930 on Plan No. P200/3243, be approved. Motion passed.

Modification of the Lot Frontage Requirement - 3-564 Bedford Highway

MOVED by Alderman Hogan, seconded by Alderman Allen that, as recommended by the Town Planning Board, the application for (1) modification of lot frontage and (2) modification of lot area respecting the property 3-564 Bedford Highway, be approved to permit the construction of a 33-unit motel, as shown on Plans No. P200/3314-3316, subject to the following conditions:

1. A certificate from the Nova Scotia Water Resources Commission and the Nova Scotia Department of Public Health giving permission to construct and maintain a self-contained sewerage treatment plant.
2. An agreement with the Canadian National Railway and National Harbours Board for an easement or crossing over their lands for an outfall into the Bedford Basin.
3. The approval from the City of Halifax for future sewerage connections at such time when installation of services are available for the area.

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4. Naming the City of Halifax owners, or giving the City right-of-way to the sewer easement.

Motion passed.

Permit - Service Station/Car Wash - 3607 Kempt Road

MOVED by Alderman McGuire, seconded by Alderman Sullivan that, as recommended by the Town Planning Board, approval be given to the erection of a new service station, including car washing facilities, at 3607 Kempt Road.

Motion passed with Alderman Allen abstaining.

MOTIONS

Motion - Alderman Abbott Re: Amendment to Ordinance #137
Respecting "Deferred Payment of Taxes" - First Reading

MOVED by Alderman Abbott, seconded by Alderman McGuire that the following amendment to Ordinance No. 137 Respecting Deferred Payment of Taxes be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax as follows:

1. Subsection (2) of Section 3 of Ordinance Number 137, Respecting The Deferred Payment of Taxes, as that Ordinance is approved by the Minister of Municipal Affairs on the 10th day of September, A.D., 1969, is hereby amended by striking out the word "August" in the last line thereof and substituting therefor the word "December".

Motion passed.

Motion - Alderman LeBlanc Re: Provision of Bus Service for
Kline Heights School Students

Alderman LeBlanc requested a ruling on the motion from the Solicitor before he made it.

The Solicitor advised that it was the opinion of the City Solicitor's Department that the matter of the provision of bus service for Kline Heights School Students is a matter

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for the School Board and not for the City Council.

In the light of the Solicitor's ruling, Alderman LeBlanc advised that he would not make the motion.

Alderman McGuire informed Council that the matter is before the School Board and it was to have been discussed at the School Board meeting scheduled for last Tuesday, which meeting had been postponed. He advised that the matter will be on the agenda for the next meeting of the School Board.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

No Accounts Over \$5,000.00 were submitted for approval at this time.

Lord's Day Permits

Applications for permits to operate a business on the Lord's Day were submitted from the following:

Mr. Jasmat Morar
1310 Birmingham Street Grocery Store

Mr. Jasmat Morar
1819 Barrington Street Grocery Store and
Restaurant

MOVED by Alderman Abbott, seconded by Alderman MacKeen that the applications for permits to operate a business on the Lord's Day, as submitted, be approved. Motion passed.

Bond & Agreement - Inverness Avenue

The following report was submitted from Staff:

"The subdivision regulations relating to the annexed area require the subdivider to enter into an Agreement with the City for the installation of a water system and sanitary sewer system.

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Birkwood Properties Limited owns the land on Inverness Avenue and received Town Planning approval on September 17, 1969, subject to placing a bond and signing an agreement acceptable to the City Solicitor.

Birkwood Properties has agreed to sign an Agreement regarding installation of a water system and sewer system and the installation of the road up to the grade as required by the Department of Highways. A Bond is to be deposited with the City to cover the cost of the work to be done plus ten percent.

It is recommended that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City of Halifax."

MOVED by Alderman Abbott, seconded by Alderman Ivany that the Staff Report be approved. Motion passed.

Acceptance of Land - Leiblin Park for Recreation Use

The following report was submitted from Staff:

"A survey of the annexed areas was made by the staff of the Recreation and Playground Commission in the fall of 1968 to determine suitable sites for playgrounds, and it was found that a lot of land in Leiblin Park would be satisfactory.

This land, which is irregularly shaped and has a frontage of 464 feet on Leiblin Drive, is being donated to the City by the owner for recreation purposes and is to be known as the Rhonda Graves - Stephen Oakley Memorial Playground.

A ceremonial hand-over of the land to the City is scheduled for Saturday, October 18, 1969, but before acceptance can be made on behalf of the City, official action must be taken by Council in this regard.

Accordingly, it is recommended that City Council formally accept the donation of a lot of land in Leiblin Park, Spryfield, Halifax, N. S., with a frontage of 464 feet on Leiblin Drive and that the same be developed for recreational purposes and be known as the Rhonda Graves - Stephen Oakley Memorial Playground."

MOVED by Alderman Allen, seconded by Alderman LeBlanc that the Staff Report be approved. Motion passed.

Alderman Allen advised that the ceremony will be starting at 3:00 p.m. and he hoped that all members of Council who are able will attend.

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Recommended Changes in the Organization of the Works and
Development Functions

MOVED by Alderman Hogan, seconded by Alderman Abbott that the recommendations, as contained in the City Manager's Report dated October 15, 1969 and which read as follows, be approved:

1. The Development Department be known as the Development and Urban Renewal Department.
2. A Planning Department be formed to include all the Planners.
3. The position of Director of Planning be established, with a salary range to be determined after applicants have been assessed.
4. The Engineering Services Division be transferred from the Development Department to the Works Department.
5. Mr. West, Director of Works, be given leave of absence with pay at present scale for a period of up to six months, as required.
6. The position of Special Projects Engineer be established and attached to the City Manager's Department with a salary range to be determined when Mr. West returns to fill the position.
7. That an immediate call be made to fill the position of Director of Works, with Mr. G. F. Mader filling the position of Acting Director of Works until a suitable applicant is hired.

Alderman LeBlanc expressed the hope that certain other details of the functions of the different departments will be very clearly enunciated in due course so that Aldermen and citizens will know to which department they should address their various requests.

The City Manager advised that if the principle is accepted, then work will start on the details and Administrative Orders for each City Department will be prepared which will

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set out the various functions.

Alderman Ivany said that he would support the recommendations of the City Manager but he hoped that a very close check will be made from time to time to see how things are going. He asked when the Planning and Engineering Departments were first included in the Development Department.

His Worship the Mayor said that Engineering was transferred in August, 1967 and Planning sometime in 1961.

In reply to a question, the City Manager advised that it is always difficult to know just how any reorganization programme is going to work out and it might be necessary at a later date to bring forward other changes. In reply to a further question he said that the two positions referred to in the recommendations will be advertised very soon.

Alderman Allen commended the City Manager for his report and quoted from Henry Ford "that nothing is as constant as change".

Alderman LeBlanc asked how long the City Manager is going to give the reorganization before its effectiveness is assessed. He asked if some improvement can be expected in three to six months.

The City Manager said that he would expect the reorganization to be under constant review since the Aldermen will be assessing the results. He hoped that with the reorganization there will come the ability to attract enough back-up staff in the middle ranges. He said that the City is fairly well off for Staff on the bottom end of the scale and the Department Head situation is reasonable but is weak