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"(c) The proposed construction will place heavy traffic on Ogilvie Street which, East of Young Avenue, is a rather narrow dead end street and on Young Avenue and the streets feeding into Young Avenue. One would have to mark off on a plan a large geographical area around this intended site to encompass as many existing living units (180) as this new apartment building will put into the area. It would appear to be a reasonable conclusion that such a building will very substantially increase traffic. The residents feel that the increased traffic will affect the nature of this residential neighborhood and create those traffic hazards to children and others that are ordinarily associated with much greater use of the streets.

"(d) The surrounding area (except to the East) includes many high-quality, single-family residences and it is submitted that a high density apartment building is not a suitable and appropriate use of this land at this site. Most planners foresee that the future development of the peninsula portion of the City of Halifax will involve the construction of an increased number of high-rise, high density apartment buildings. Most residents of Halifax probably would agree with this projection. Surely, however, this need for high density apartment buildings can be adequately satisfied without placing them in the middle of areas of good quality, single-family residences--this consideration should apply no matter where the single family residences are located in the City.

"(e) Although it is really a matter for the owners and planners to consider, it should be noted that this proposed 10-storey apartment building, if constructed, would overlook and overhear the action at the new container facility-- and it does seem a peculiar place for a high-rise living accommodation. Apparently, the higher an apartment near the source of noise, the greater is the chance that the noise will disturb the residents in the apartments.

"(f) The existing facilities in this area such as schools and public transit are not now geared to handle such a new concentration of housing units.

"The residents wish to respectfully register their opposition to this intended construction and suggest as one alternative the use of the applicant's R-3 area for construction of an apartment building containing something in the range of 60 units and having a height of three storeys."

After a brief discussion, Alderman
McGuire repeated the question raised by His Worship the Mayor

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as to whether it was within Council's powers to alter the owner's use of this land, if such use complied with all the regulations of the Zoning and other requirements of the City.

The City Solicitor said that all that had been issued to date was an excavation permit, which permitted the developer to proceed with excavation work "at his own risk", and this, he said, was spelled out on the permit. From the legal point of view, he added, when a person applied for a building permit and his plans meet all the requirements of the applicable laws, such a person was entitled to the permit, and if denied one, might through the Courts force the Building Inspector to grant it. He said it was not unknown for the Planners or the Building Inspector to use their offices to effect some modifications in an applicant's plans, but he felt it was unrealistic to expect the developer in the present case would go along with modifications of the magnitude suggested by Mr. Downie. If, he concluded, the applicant's plans meet all the requirements of the law, the Building Inspector would have no alternative but to issue a Building Permit.

Alderman LeBlanc asked if the people who had signed the petition, included those who had converted their homes to apartment-type dwelling, and Mr. Downie said he had not had time to study the petition in detail, but felt it fair to say that if there were such dwellings on Young Street, their owners were included in the petition.

In reply to a question from Alderman LeBlanc as to whether the matter should be proceeded with until full plans were available, the Building Inspector replied that complete architectural and structural plans had been submitted

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to his office and distributed to the appropriate staff, although he had only brought with him to the meeting site and elevation plans. Density, angle control, etc., he said, would all be considered by staff, and if everything was not satisfactory, changes would have to be made before a building permit would be issued. He said he did not feel the developer would hold the City responsible for any expenses in making changes, and this, he added, was covered by the fact that the excavation permit clearly stated that the developer would proceed "at his own risk". One thing, he said, which staff might take exception to, was the fact that the plan called for only 10 underground parking spaces.

In reply to a question put earlier by Alderman Ivany as to why the developer had been allowed to proceed with the excavation before detailed plans had been examined by staff, the City Solicitor stated that although it might not be considered a legal feature, the fact was that the developer had stood the chance of losing a financial commitment which he required to proceed with his project, if he had not started the building by a certain date. Since, in the circumstances, after a preliminary examination it appeared a permit might eventually be issued, the issuance of an excavation permit did not seem unreasonable.

Alderman McGuire referred to the statement in Mr. Downie's submission that the Building Inspector had reported on December 3, 1969 that it was his intention to issue the building permit, and asked if Council could therefore assume that all the necessary consideration had taken place

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by the appropriate staff members.

The Building Inspector confirmed he had in fact made such a statement in a letter to a Miss Mary Bell, but said despite the statement the issuance of a building permit was entirely dependent upon the developer's plans conforming with all the requirements of the law, and that such a permit would not be given until all members of staff had reported back on the matter.

Alderman Sullivan questioned Mr. Jefferson with regard to the sewer arrangements for the proposed building, and the Building Inspector replied he had been advised by the City Engineer that they were acceptable. He said it involved a septic tank and pumping system, which would pump both storm and domestic sewage into the Young Avenue sewer.

The City Engineer came forward and confirmed that he considered the proposal acceptable with regard to the sewer arrangement. He said the expense and responsibility involved in the event of a power failure, were those of the developer, and not the City. Alderman Meagher asked if the City had the right to permit such action at this time when it might conceivably create problems for other in the future, and the City Engineer replied that the City did not have the right to stop these people from utilizing sewage ejector pumps, which was actually the only choice the developer had unless the building were raised sufficiently to permit a gravity sewer.

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Alderman Abbott asked if the land in question had been part of a rezoning approved a few years back, but Senior Planner Coe it was the original zoning (R-3) which had been in effect since 1950. Mr. Coe was questioned further as to whether the proposed building met all the requirements of the law, and he replied that having just received the plans staff had not made more than a cursory check on them, but from the brief check made felt they did comply with all legal requirements, although the parking provisions appeared open to some discussion.

Alderman Hogan again brought up the point which had been expressed several times during the discussion as to whether Council in fact had any powers to refuse the application, if, in fact, it met all the legal requirements, and if not, further discussion appeared pointless.

His Worship the Mayor replied that staff was not in a position to confirm whether or not the plans fully met all requirements, having not had sufficient time to study them in detail, but that Council was using its time this evening to assist in the examination.

Alderman McGuire however felt that until staff had given a complete examination to the plans, there was no point in further discussion by Council and MOVED, seconded by Alderman Sullivan, that all the information presented tonight be referred to the Staff for consideration prior to the issuing of any permits, and that copies of the information be sent to the Developer.

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Aldermany Ivany referred to the section in Mr. Downie's submission dealing with traffic problems in the area affected by the construction of the proposed apartment, and said he wished to emphasize the need of staff to take a close look at the overall planning in the south end of the City as it related to the flow of traffic, in view of the Container pier, extensions to St. Mary's, and now this proposed high density development, in that part of the City.

Alderman Meagher said he would like to have the staff report referred back to the Town Planning Board before any permit is issued, and said he would move an amendment to the motion to this effect.

His Worship the Mayor said that the motion before the Council said nothing about staff preparing a report in the matter, so ruled that such an amendment would be out of order.

The motion was then put and passed.

The City Solicitor was questioned as to whether it would be proper for the Building Inspector to hold up issuance of the building permit once staff had declared the plans met all the necessary requirements, in order that the matter could be considered by the Town Planning Board, and he replied "yes".

Alderman Hogan said Council was on the verge of declaring one set of laws for the rich and another for the poor, since he felt that if such a clear-cut case concerned the construction of an apartment in the north-end of the City, it would not be treated in the same manner. He felt if the developer's plans conformed with all the requirements set down by the law, he should be allowed to proceed with his building.

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MOVED by Alderman Meagher, seconded by Alderman Abbott, that after the staff look at the proposal, they report their findings back to the Town Planning Board before a Building Permit is issued.

It was suggested that the report state whether the contents were for information purposes, or whether anything could be done by Council, and what action under the law was Council permitted to take.

The motion was put and passed with Alderman Allen against.

REPORT OF FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on December 3, 1969, with respect to the following recommendations:

Supplementary Appropriation - 316 "C" - \$351,000.00:

MOVED by Alderman McGuire, seconded by Alderman Allen, that approval be given under Section 316C of the City Charter for the provision of funds to cover an estimated deficit in the Bank Interest Account of \$315,000 for the current year, and an underbudgeting of \$36,000 in the School Board Budget re the City's share of Superannuation Plan. Motion passed.

Street Maintenance Agreement No. 11 - Department of Highways and the City of Halifax:

MOVED by Alderman Allen, seconded by Alderman Ivany, that the streets originally recommended be accepted and that the Minister of Highways be notified of the City's intention to reopen the Agreement No. 11. Motion passed with Alderman Meagher against.

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Possible Acquisition - 2145 Barrington Street - Pilkington
Brothers Canada Limited:

MOVED by Alderman LeBlanc, seconded by Alderman McGuire, that the property of Pilkington Brothers Canada Limited, known as Civic Number 2145 Barrington Street, be purchased for the sum of \$175,000.00 as settlement in full for all claims with the date for completion and vacant possession being set as March 1, 1970, and that City Council approve a Borrowing Resolution to withdraw the sum of \$176,000.00 from the Sale of Land Account for this purpose. Motion passed with Aldermen Meagher and Connolly against.

Settlement of Action - Wade vs the City of Halifax:

MOVED by Alderman Ivany, seconded by Alderman McGuire, that a settlement be reached and the City pay to Stewart, MacKeen and Covert, Solicitors for George and Ola Wade, the sum of \$1,200.00, plus \$250.00 for costs, totalling \$1,450.00. Motion passed.

Agreements - Underground Sewer Pipe Crossings:

MOVED by Alderman Hogan, seconded by Alderman Ivany, that pipe crossings agreements Nos. A-10917 and A-10917-1 between the Canadian National Railways and the City of Halifax, relating to underground sewer pipe crossings - Prison Land Sewers, calling for an annual fee of \$10.00 for each agreement to be paid to the Canadian National Railways, be approved, and the necessary signatures affixed. Motion passed.

Renewal of Air Raid Siren Agreements 5, 10, 11, 16, 26, & 27

MOVED by Alderman MacKeen, seconded by Alderman Connolly, that Agreements Nos. 5, 10, 11, 16, 26 and 27,

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between the Department of National Defence and the City of Halifax, respecting sirens located on City property at Duke and Barrington Streets, Quinpool Road and Windsor Street, Norwood and Beech Streets, Highland Avenue, Armdale Junior High School and Central School, Rockingham, be renewed for a five-year period under the same terms and conditions as at present, and that the Mayor and City Clerk be authorized to execute the same on behalf of the City of Halifax. Motion passed.

Issuance - Lord's Day Permit - by City Clerk:

MOVED by Alderman Abbott, seconded by Alderman Connolly, that approval be given to amendment of Ordinance No. 109 Re: Lord's Day Permits, so that it may delegate authority to the City Clerk to issue such permits without reference to Council. Motion passed.

The following Resolution, giving effect to the foregoing motion of Council, was submitted:

"RESOLUTION RE: LORD'S DAY PERMITS

"WHEREAS the City Council of the City of Halifax has prepared an Ordinance under the authority of Section 3 of Chapter 172 of the Revised Statutes of Nova Scotia, 1967 the Lord's Day (Nova Scotia) Act;

"AND WHEREAS by Section 3 of the Ordinance the Council may, upon application, issue permits to operate the following classes of business on the Lord's Day from 8:00 a.m. to 12 midnight:

- "(a) A grocery store;)
- (b) A confectionery store;) provided the
- (c) A store in which the principal) business occupancy
- business is the sale of hand-) assessment is \$9500
- crafts, novelties, souvenirs and) or less as set out in
- similar articles, principally to) the assessment roll of
- tourists or travellers; or) the City for the year
- (d) A canteen or fruit stand;) in which the applica-
) tion for such permit
) is made.

"AND WHEREAS by Sections 4 and 5 of the Ordinance the Council may, upon application issue permits to operate the following classes of business on the Lord's Day: - 1109 -

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"(a) Laundromat from 7:00 a.m. to 12 midnight

"(b) Billiard Hall from 2:00 p.m. to 12 Midnight

"(c) Pool room from 2:00 p.m. to 12 Midnight

"AND WHEREAS Council has signified its intention to delegate its authority to the City Clerk to issue such permits;

"BE IT THEREFORE RESOLVED that the City Clerk is hereby authorized to sign and issue Lord's Day Permits for and on behalf of the Council of the City of Halifax when, in his opinion, the applicants meet the requirements of the Lord's Day Act.

"BE IT FURTHER RESOLVED that any person who has been refused a Lord's Day Permit by the City Clerk, as hereinbefore provided, may appeal to the Council from the refusal of the City Clerk by notice in writing filed with the City Clerk within fifteen days of such refusal stating the grounds for such appeal. The Council shall hear such appeal at such time and place as it decides and may confirm such refusal by the City Clerk or grant such permit."

MOVED by Alderman Abbott, seconded by Alderman Connolly, that the Resolution, as submitted, be approved. Motion passed.

Halifax Housing Authority Budget 1968 - Minor Adjustments

MOVED by Alderman McGuire, seconded by Alderman Abbott, that approval be given to the following adjustments in the 1968 Budget of the Halifax Housing Authority:

1. Mulgrave Park - Modernization and Improvements - increased by \$3,300.
2. Westwood Park - Maintenance - increased by \$68.84.
Modernization and improvements - increased by \$5,850.
3. Uniacke Square-Modernization and Improvements - increased by \$12,850.

for a total of \$22,068.84 of which the City's share would be 12½% or \$2,758.60, and that the City advise the senior levels of Government of the foregoing approval. Motion passed.

Alderman Ivany asked if the Halifax Housing Authority could submit a breakdown on amounts already spent on

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renovations, and His Worship the Mayor suggested that any such information could be easily obtained by placing a telephone call to the Authority,

Projected 1970 Operating Statement - Halifax Transit Corporation

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

"That the projected result of the Halifax Transit Corporation, together with related schedules for the year 1970, be tabled."

MOVED by Alderman Ivany, seconded by Alderman Allen, that the recommendation of the Finance and Executive Committee be approved. Motion passed.

- | | |
|--------------------------------------|--|
| (b) Catchpit Frame for No. 1 | - Industrial Marine Products Ltd., \$ 175.00 ea. |
| (c) Catchpit Adjustable Curb Section | - Industrial Marine Products Ltd., \$ 115.00 ea. |
| 2. Manhole Cover (Halifax Design) | - Industrial Marine Products Ltd., \$ 175.00 ea. |
| 3. Manhole Frame for No. 2 | - Industrial Marine Products Ltd., \$ 175.00 ea. |
| 4. Silent Knight Manhole Cover | - Industrial Marine Products Ltd., \$ 117.25 ea. |
| 5. Silent Knight Manhole Frame | - Industrial Marine Products Ltd., \$ 117.25 ea. |
| 6. Other Castings (Per Pound) | - Steel and Engine Products Ltd., \$ 28.18 - 3/4 per lb. |

Motion passed.

Application of Asphaltic Materials

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following tenders be accepted for the application of asphaltic materials from Municipal Spraying and Co. - 1110A - Ltd., Bedford, N. S.:

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on December 3, 1969, with respect to the following matters:

Tenders for Supplies - Works Department

Special Castings

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following tenders be accepted for the supply of Special Castings for the Works Department:

- | | | |
|--------|-------------------------------------|---|
| 1. (a) | Catchpit Grating | - Industrial Marine Products Ltd.,
@ \$20.45 ea. |
| (b) | Catchpit Frame for
No. 1 | - Industrial Marine Products Ltd.,
@ \$38.45 ea. |
| (c) | Catchpit Adjustable
Curb Section | - Industrial Marine Products Ltd.,
@ \$15.90 ea. |
| 2. | Manhole Cover (Halifax
Design) | - Industrial Marine Products Ltd.,
@ \$25.00 ea. |
| 3. | Manhole Frame for No. 2 | - Industrial Marine Products Ltd.,
@ \$30.00 ea. |
| 4. | Silent Knight Manhole Cover | - Industrial Marine Products Ltd.,
@ \$37.25 ea. |
| 5. | Silent Knight Manhole Frame | - Industrial Marine Products Ltd.,
@ \$37.25 ea. |
| 6. | Other Castings (Per Pound) | - Steel and Engine Products Ltd.,
@ \$0.18 - 3/4 per lb. |

Motion passed.

Application of Asphaltic Materials

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following tenders be accepted for the application of asphaltic materials from Municipal Spraying and Contracting Ltd., Bedford, N. S.:

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SC - Asphalts @ 6.5 cents
MC - Asphalts @ 7.5 cents
RC - Asphalts @ 7.5 cents
RS - Emulsions @ 7.5 cents

Motion passed.

Crushed Stone (Mineral Aggregate)

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following tenders be accepted for the supply of Crushed Stone (Mineral Aggregate) for the Works Department:

Nova Scotia Sand and Gravel Ltd., Halifax
2" Crusher Run @ \$2.20 Delivered
1" Crusher Run @ \$2.35 Delivered
No. 4 to #200 Rice Stone @ \$3.20 Delivered

Atlantic Sand & Gravel Ltd., Lower Sackville
1" to ½" Stone & Oil Aggregate @ \$2.65 Delivered
½" to No. 4 Seal Coat Aggregate @ \$3.05 Delivered
3½" to 2¼" Coarse Aggregate @ \$2.55 Delivered
2¼" to 1¼" Coarse Aggregate @ \$2.60 Delivered
1¼" to ¾" Coarse Aggregate @ \$2.65 Delivered
¾" to ½" Coarse Aggregate @ \$3.45 Delivered
Oversize 3" Retained on 1" @ \$2.35 Delivered
Oversize 6" Retained on 3" @ \$2.35 Delivered

Motion passed.

Furnace Oil, Stove Oil and Bunker "A"

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following tenders be accepted for the supply of Furnace Oil, Stove Oil and Bunker "A" for the Works Department:

Furnace Oil - Imperial Oil Ltd. @ \$0.1160
Stove Oil - Imperial Oil Ltd. @ \$0.1590
Bunker "A" - Texaco Canada Ltd. @ \$0.0779

Motion passed with Alderman Allen abstaining.

Liquid Asphaltic Materials

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following

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tenders be accepted for the supply of Liquid Asphaltic Materials
for the Works Department:

The Flintkote Company of Canada Ltd., Dartmouth, N. S.

RS-1 @ \$0.3290 / Gal. - Drums F.O.B. Field
RS-1 @ \$0.3070 / Gal. - Drums F.O.B. Plant
RS-1 @ \$0.2670 / Gal. - Tank Wagon F.O.B. Field
RS-1 @ \$0.2070 / Gal. - Tank Wagon F.O.B. Plant

RS-1K @ \$0.3510 / Gal. - Drums F.O.B. Field
RS-1K @ \$0.3290 / Gal. - Drums F.O.B. Plant
RS-1K @ \$0.2900 / Gal. - Tank Wagon F.O.B. Field
RS-1K @ \$0.2300 / Gal. - Tank Wagon F.O.B. Plant

Imperial Oil Limited - Halifax, N. S.

RC-1 - 5 @ \$0.2110 / Gal. - Drums F.O.B. Plant
RC-1 - 5 @ \$0.1680 / Gal. - Tank Wagon F.O.B. Plant
SC-1 - 6 @ \$0.1360 / Gal. - Tank Wagon F.O.B. Plant
SC-0 @ \$0.1050 / Gal. - Tank Wagon F.O.B. Plant
Special Primer @ \$0.1570 - Tank Wagon F.O.B. Plant

Motion passed with Alderman Allen abstaining.

Salt

MOVED by Alderman Abbott, seconded by Alderman LeBlanc

that, as recommended by the Committee on Works, the following

tender be accepted for the supply of salt for the Works Department:

The Canadian Salt Company Limited, P. O. Box 535,
Moncton, N. B. - \$10.00 per ton - At Plant

Motion passed.

Lubricants

MOVED by Alderman Abbott, seconded by Alderman LeBlanc

that, as recommended by the Committee on Works, the following

tenders be accepted for the supply of Lubricants for the Works

Department:

Petrofina Canada Ltd.

Motor Oil 45's @ \$0.8900
Diesel Lub. 45's @ \$0.8900
H. D. Multi-Purp. Lub/Lb @ \$0.1488
Multi-Purp. Grease /Lb @ \$0.2007

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Shell Canada Ltd.
Motor Oil Quarts @ \$0.2825
Diesel Lub. Quarts @ \$0.2825
Diesel Specials 45's @ \$0.9800
Hoist Oil 45's @ \$0.6600

Motion passed.

Gasoline and Diesel Fuels

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Committee on Works, the following tenders be accepted for the supply of Gasoline and Diesel Fuels for the Works Department:

Petrofina Canada Ltd.
Marked Gas Grade I @ \$0.1916
Marked Gas Grade II @ \$0.1457

Imperial Oil Ltd.
Kerosene (45 Gal. Drum) @ \$0.2600

Shell Canada Ltd.
H. S. Diesel Fuel @ \$0.1374

Motion passed with Alderman Allen abstaining.

Air Pollution Study - Atlantic Industrial Research Institute

MOVED by Alderman Connolly, seconded by Alderman Ivany that, as recommended by the Committee on Works, City Council confirm its approval in principle, given March 26, 1969, for a City of Halifax Air Pollution Study to be carried out by the Atlantic Industrial Research Institute, involving an estimated expenditure of \$13,500 during 1970.

Alderman Ivany referred to the Air Pollution Study Preliminary Report and noted that twelve companies are listed as being the major industrial sources of pollution in the Halifax area. He asked whether all these should be asked to share in the cost of the Air Pollution Study.

His Worship the Mayor was of the opinion that the

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results of such a Study might mean considerable expenditures for the twelve listed companies and it might be in their interests not to have such a study completed.

Alderman Meagher was of the opinion that stronger steps must be taken on this matter and he hoped that Alderman Connolly will be able to get things moving quickly.

Alderman Ivany then asked if it would be possible to send a copy of the Staff Report together with the Preliminary Report respecting Air Pollution prepared by Dr. Ligia Majid to the twelve organizations and firm involved for their information.

His Worship the Mayor agreed that this could be done and considered it a good suggestion.

The motion was then put and passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on December 3, 1969, with respect to the following matter:

Revision - Parking Rates - Grafton Street Lot

The report of the Committee reads as follows:

"It is recommended"

1. that the parking rates applicable to the Grafton Street Parking Lot be revised as follows:
15 cents for the first half hour, 25 cents for the next half hour and 25 cents for the second full hour with 40 cents per hour being charged for each hour thereafter;
2. that the matter of reducing the cost to the merchants from 25 cents per sticker to 15 cents per sticker be referred to staff for consideration and;
3. that the City devise a parking policy."

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The following letter was submitted from the Downtown
Halifax Business Association:

December 8, 1969

Mr. R. H. Stoddard,
City Clerk,
City of Halifax,
City Hall,
Halifax, Nova Scotia.

Dear Mr. Stoddard:

Further to our conversation of this afternoon, and
in line with your suggestion, may I correct the slight error
which crept into our representation to Council in a letter
under date of November 18th, from A. B. Thompson Associates
Limited, requesting a change in the parking rate for the Grafton
Street parking lot.

The correct scale of rates for which we have asked
should be:- 25 cents for the first hour, 25 cents for the
second hour and forty cents for the third hour and each hour
thereafter.

The purpose of this change of rates is, of course,
to make the Grafton Street parking lot more available to
shoppers in the Downtown business district; i.e. Barrington,
Granville, Argyle streets, etc. Also we believe these rates
are more in accord with the present twenty-five cent meter
parking rate, and certainly would have a tendency to encourage
use of the parking lot by shoppers, rather than by employees
or even, in some cases, management.

Yours truly,

(Signed) J. L. Dowell,
Executive & Promotion Manager

Alderman McGuire referred to the letter from the
Downtown Halifax Business Association and felt that the matter
should be referred back to Staff for a report. It was then
MOVED by Alderman McGuire, seconded by Alderman Abbott, that
the matter be referred to Staff for consideration and report.

Alderman Hogan understood that employees working in
Scotia Square are using the parking lot for all day parking and
the increase in rates is necessary to cause the long term parkers
to find alternative parking space and thus make more spaces

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available for shoppers.

In reply to a question, Mr. J. L. Dowell of the Downtown Halifax Business Association said that it is not the intention to make the rates identical to those charged in Scotia Square but to raise them so that they are in line with the rates charged for metered parking.

After further discussion, the motion was put and lost.

MOVED by Alderman Ivany, seconded by Alderman Hogan that the rates for parking at the Grafton Street Parking Lot be increased in accordance with those recommended in the letter dated December 8, 1969, from the Downtown Halifax Business Association. Motion passed with Alderman Allen voting against.

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Safety Committee:

1. the matter of reducing the cost to the merchants from 25 cents per sticker to 15 cents per sticker be referred to staff for consideration and;
2. the City devise a parking policy.

Motion passed.

REPORT - PUBLIC HEALTH & WELFARE COMMITTEE

Council considered the report of the Public Health and Welfare Committee from its meeting held on December 3, 1969 with respect to the following matter:

Financing - Neighbourhood Centre - November & December 1969

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Public Health and Welfare Committee, the Neighbourhood Centre be financed through the Social Planning

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Department of the City for the interim period of November and
December 1969, cost to the City being 25%, or \$2,000.00.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Ordinance Number 138 Respecting "Tax Certificates" - Second
Reading

MOVED by Alderman Ivany, seconded by Alderman Abbott
that Ordinance Number 138 Respecting The Fee to be Paid for a
Tax Certificate be read and passed a Second Time. Motion
passed.

Amendment - Ordinance Number 104 Respecting the Composition and
Meetings of Council - Second Reading

MOVED by Alderman Allen, seconded by Alderman Sullivan
that the following Amendment to Ordinance No. 104 Respecting
the Composition and Meetings of Council be read and passed a
Second Time:

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

1. Clause (a) of subsection (1) of Section 4 of Ordinance
Number 104, Respecting the Composition and Meetings of Council,
as that Ordinance was approved by the Minister of Municipal
Affairs on the 23rd day of March, 1965, and amended and approved
by the Minister of Municipal Affairs on the 6th day of February,
1969, is repealed and the following substituted therefor:

"(a) at eight o'clock in the afternoon on the second
Thursday following the first Monday in each month,
and on the Thursday which follows two weeks later
than the aforementioned second Thursday; and"

Motion passed.

Legislation to Protect Lake and Ocean Frontages

The following report was submitted from the Recreation
and Playgrounds Commission for the information of Council:

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At the December 1, 1969 monthly meeting of the Recreation and Playground Commission, the following motion was made.

IT WAS MOVED BY MR. JACK WOLMAN AND SECONDED BY MRS L. T. HANCOCK THAT THE RECREATION AND PLAYGROUND COMMISSION SEND A LETTER TO CITY COUNCIL ENDORSING MR. DILLARD'S INTENTIONS TO SEEK LEGISLATION TO PROTECT LAKE AND OCEAN FRONTAGES.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on December 3, 1969, with respect to the following matters:

Rezoning from R-2 Residential to R-3 Residential - 5676 Duffus Street

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the application for the rezoning of the property at 5676 Duffus Street, as shown on Plans No. P200/3381 to P200/3384, from R-2 Residential to R-3 Residential to permit two additional units to be located in the existing four-unit apartment building be refused.
Motion passed.

Extension to a Non-conforming Use and an Extension of Time - 2094 Bauer Street

MOVED by Alderman Sullivan, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board, the application for an extension of the non-conforming use and an extension of time to permit Mahars Transfer Express Limited to use the dwelling at 2094 Bauer Street as a general office, as shown on Plan No. P200/3427, be approved subject to the building reverting back to residential use after a period of three years from the date of approval.
Motion passed.

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Design Work and Approach Roads - North West Arm Bridge

MOVED by Alderman Hogan, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the City Council of the City of Halifax request the following:

1. the Halifax-Dartmouth Bridge Commission to undertake the design work of a North West Arm Bridge immediately;
2. the Department of Highways of the Province of Nova Scotia to undertake the design work on the highway link to the west;
3. the Steering and Core Committees to give consideration to the application of Federal funds to the design work between the Bridge and the container pier;

and that Council authorize His Worship the Mayor, on behalf of the Council and citizens of the City of Halifax, to press for any logical and expedient solutions he can reach to secure the North West Arm Bridge.

Reference was made to the following letter received from the Spring Garden Area Business Association and it was suggested that the letter be forwarded to the Provincial Government and to Mr. Poetschke. It was also suggested that His Worship the Mayor reply to the letter thanking the Business Association for their interest and encouragement.

December 3, 1969

His Worship Allan O'Brien
Mayor of Halifax
City Hall
Halifax, Nova Scotia.

Dear Mayor O'Brien:

Much is in the news these days about the North West Arm Bridge. Your stand on this important issue, your foresight and progressive outlook in recognizing the need for this vital transportation link is commendable. So much land on the old peninsula of Halifax has been taken up by institutions such as universities, hospitals, etc., that we must look now beyond our old boundaries for both residential and commercial development lands to ensure the growth of our beautiful City.

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The announcement of the Land Assembly Project for housing in the Spryfield area is welcome news and with this announcement, the need of a North West Arm Bridge becomes more apparent.

The members of the Spring Garden Area Business Association would like you and your Council to have our full assurance that we would support and encourage your efforts to the realization of this essential bridge construction.

Yours very truly,

(Signed) Saul Offman - Chairman

His Worship the Mayor agreed that a copy of the letter can be sent to Mr. Poetschke, but it was his opinion that the Spring Garden Area Business Association should be requested to make direct representations to the Provincial Government and he said that he would suggest this course of action in his reply.

The motion was then put and passed with Alderman MacKeen abstaining.

Housing Development Corporation

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Town Planning Board, the following recommendations of the Special Committee appointed to discuss Terms of Reference for the Halifax Housing Development Corporation be approved:

1. In view of the announcement of the Provincial Government with regard to the Spryfield Land Assembly, it is recommended that the establishment of a Halifax Housing Development Corporation is not felt to be an immediate necessity, however, the Committee urges Council to cooperate fully with the Provincial Government in attempting to proceed with the project in all haste and recommends that City Council establish a liaison with the Nova Scotia Housing Commission at the staff and political level to insure that the City's needs are met.

The Special Council
Reference for
poration, Hawaii
November 14,
Development Council
set but is being
fully pursued by
necessity of
is recommended
investigation and
needs, as set out

Alderman
Re
Co

Ordinance 128 Pg 1122

action passed

Ordinance 128

Ordinance 128

Ordinance 128

Ordinance 128

Ordinance 128

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Ordinance 128

Ordinance 128

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2. The Special Committee appointed to discuss Terms of Reference for the Halifax Housing Development Corporation, having reviewed the Staff Report dated November 14, 1969 respecting the Halifax Housing Development Corporation, finds that the requirements set out in Section I, Goals and Objectives can be fully pursued by the existing City Staff without the necessity of a Housing Development Corporation and it is recommended that the City proceed with the investigation and implementation of the housing requirements, as set out in Section I of the Staff Report.

Motion passed.

MOTIONS

Alderman McGuire Re: Amendments to Section 2 of Ordinance #128, Respecting "Exemption from Real Property Tax on Property Used for Certain Purposes" - First Reading

MOVED by Alderman McGuire, seconded by Alderman MacKee that the following Amendments to Section 2 of Ordinance #128 Respecting "Exemption from Real Property Tax on Property Used for Certain Purposes" be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax, that subsection (2) of Section 3 of Ordinance Number 128, Respecting Exemption from Real Property Tax on Property Used for Certain Purposes, as approved by the Minister of Municipal Affairs on the 14th day of February, A. D. 1969, is amended by deleting therefrom the following properties:

- (1) On page 5 of Ordinance Number 128 delete:

Maritime School of Social Work	6420 Oxford Street
Saint Mary's University	Tower Road, Inglis & Robie Streets
University of King's College	6360 Coburg Road

- (2) On pages 6 and 7 of Ordinance Number 128 delete:

all properties listed under the heading of Dalhousie College and University.

Motion passed.

Alderman McGuire Re: Introduction of Ordinance #123 Respecting "The Establishment of a Halifax Landmarks Commission" - First Reading

MOVED by Alderman McGuire, seconded by Alderman Meagher that Ordinance Number 123 Respecting The Establishment of a

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Halifax Landmarks Commission, be read and passed a First Time.

Alderman McGuire spoke to his motion and advised that the Advisory Committee for the Preservation of Historic Buildings had given the Ordinance very careful consideration and had held discussions with the City Solicitor and City Manager regarding the drafting of the Ordinance.

Alderman Meagher referred to Section 4 (1) of the Ordinance which states that the Commission shall consist of ten (10) members and he asked if it would be of benefit to list the groups from which these ten members would be drawn.

His Worship the Mayor said that some discussion was held on this point at the last meeting of the Advisory Committee and a decision was made at that time to delete the list of organizations and groups originally included. He went on to say that the matter will be coming before the Committee of the Whole for Second Reading next Wednesday and any further discussion with respect to the Ordinance could be held at that time. He asked the Chairman of the Advisory Committee for the Preservation of Historic Buildings to be in attendance at that meeting.

The motion was then put and passed.

Alderman Ivany Re: Introduction of Ordinance No. 141 Respecting
"Parking Garages" - First Reading

The following report was submitted from Staff:

"City Council on November 30, 1967, adopted the following policy with respect to tax concessions for parking garages:

"It is recommended that City Council adopt a policy of taking 2/5 of the total tax liability on parking structures, or 20 per cent of gross parking revenue, whichever is the greater. If revenue should rise due to increase in parking rates or other factors, the City's interest would be safeguarded.

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These concessions, however, should channel development into an appropriate form and scale. It is, therefore, further recommended that the policy of tax subsidy (or 20 per cent of gross revenue) apply only in the following cases (excluding any parking spaces now required for residential uses under the Zoning By-law:

A. Parking Structures containing not less than 200 car parking spaces. (The 200 car minimum is to encourage facilities which will fully utilize land.)

B. Parking Structures relating to a building with not less than 30 car parking spaces, provided the following minimum criteria are adhered to:

Offices, banks, etc.	1 space per 1,000 square feet of floor area or part thereof.
Retail uses	1 space per 300 square feet of floor area or part thereof.
Hotel, motel, etc.	1 space per each 1.5 accommodation.
Restaurants or similar eating or drinking places, or places of public assembly	1 space per 5 seats or one space for 100 square feet of floor area, whichever is greater.

Consideration has been given to implementing the resolution of Council by drafting an Ordinance under the authority of Section 241A of the Halifax City Charter. The matter has been discussed with the Department of Municipal Affairs and City Staff has been advised that an ordinance granting a tax concession based upon income will not be approved by the Minister because it is in violation of the Dominion-Provincial Tax Agreements.

Section 31 of Chapter 56 of the Acts of 1963, An Act Relating to Special Tax Provisions, as amended, provides as follows:

"31 (1) The City may, by resolution of the Council, from time to time enter into an agreement or agreements, upon such terms and conditions as the Council may decide, including penalties for failure to meet such terms and conditions, with any person, firm or corporation, providing for the payment of an annual sum in lieu of any taxation (excepting fire protection tax) that may be imposed by the City upon such person, firm or corporation in respect of the ownership and occupancy or ownership or occupancy by such person, firm or corporation of any property or of any part thereof, within the City, that is used primarily as a car parking garage or used chiefly for car parking facilities.

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(2) The City may, by resolution of the Council, from time to time enter into an agreement or agreements, modifying and amending any such agreement or agreements made pursuant to subsection (1). Upon the passage of such resolution and the execution of an agreement under this subsection, such agreement or agreements or any section or sections thereof so modified or amended shall thereupon be amended in accordance with the terms of such resolution and agreement."

It therefore appears that the only way in which the policy of tax concessions for parking garages can be implemented is to enter into an agreement or agreements with the operators of parking facilities who qualify under the policy adopted by the City Council in November 1967.

It is therefore recommended that staff be instructed to prepare the necessary tax agreement to be entered into with those operators of parking garages who seek, and qualify for, a tax concession for the tax year 1970, based on the recommendation of the City Council resolution of November 30, 1967."

Alderman Ivany asked if would be possible to have the Staff Report dated November 10, 1967 redistributed to all members of Council.

The City Manager advised that there is now some variation in the November 10, 1967 report since it is now recommended instead of an Ordinance, staff be instructed to prepare the necessary tax agreement to be entered into with those operators of parking garages who seek, and qualify for, a tax concession for the year 1970.

His Worship the Mayor referred to a motion passed earlier in the meeting relating to the preparation by staff of a new parking policy for the City.

It was then MOVED by Alderman Ivany, seconded by Alderman Sullivan that City Council instruct staff to prepare the necessary tax agreement to be entered into with those operators of parking garages who seek, and qualify for, a tax concession for the tax year 1970, based on the recommendation of

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the City Council resolution of November 30, 1967. Motion passed.

Alderman Sullivan Re: Repeal of Ordinance #108, Respecting "The City Prison" - First Reading

MOVED by Alderman Sullivan, seconded by Alderman Allen that the following repeal of Ordinance Number 108 Respecting the City Prison, be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax, that Ordinance Number 108 Respecting the City Prison, as that Ordinance was approved by the Minister of Municipal Affairs on the 5th day of May, A.D. 1965, and amended and approved by the Minister of Municipal Affairs on the 9th day of September, A.D., 1965, is hereby repealed.

Motion passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5000

No accounts over \$5000.00 were submitted for approval at this time.

Report - Aldermanic Stipend Committee

MOVED by Alderman Abbott, seconded by Alderman Allen that the report of the Special Committee, dated December 1, 1969, be approved as follows:

Stipend for Mayor \$18,000 - \$20,000 at next election.
Stipend for Deputy Mayor - \$6,000
Stipend for Alderman - \$5,000

and that a supplementary appropriation under the authority of Section 316C of the City Charter be approved for this purpose.

Alderman Hogan spoke against the motion saying that when he offered as a candidate at the last election, he knew what the stipend was and he was not in favour of changing his contract in mid stream. He said that he would agree to such a motion if it were given during the last month of office to be

effective from the next election.

In reply to a question, the City Manager advised that he would recommend the expenditure of funds for this purpose.

Alderman Sullivan said he would vote against the motion.

The motion was then put and passed with Aldermen Meagher, Hogan and Sullivan voting against.

His Worship the Mayor said that it is his view that the Aldermen have been seriously underpaid considering the heavy responsibility that they carry and that the recommendation of the outside and independent committee does not go further than he thought should be warranted with respect to Aldermanic remuneration.

Alderman Sullivan asked if this matter is governed by an Administrative Order and does it have to be amended to which His Worship the Mayor replied that the City Solicitor says that such a procedure is correct. His Worship the Mayor then stated that a Notice of Motion will have to be given under Item No. 19 at this meeting to amend the Order.

Resignation - Alderman Meagher - From Recreation Commission

MOVED by Alderman LeBlanc, seconded by Alderman McGuire that Alderman Meagher's resignation from the Recreation and Playgrounds Commission be accepted. Motion passed.

Appointment - Alderman MacKeen - to Recreation Commission

MOVED by Alderman Sullivan, seconded by Alderman Hogan that Alderman MacKeen be appointed to the Recreation and Playgrounds Commission to complete the unexpired term caused by Alderman Meagher's resignation. Motion passed.

Conditional Sales Contract Re: Halifax Transit Corporation Vehicles

The following report was submitted from Staff: