

Fire Chief

CITY COUNCIL MEETING
MINUTES

Council,
June 15, 1970

DEFERRED ITEMS

Council Chamber,
City Hall,
Halifax, N.S.
June 15, 1970
8:00 P.M.

Motion - Alderman Ivany - Amendments to

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

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

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

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

MINUTES

Minutes of meetings held on May 28th and June 5th were approved on motion of Alderman LeBlanc, seconded by Alderman Hogan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The City Clerk requested the addition of:

- 11 (c) - Street Acceptance
- 20 (a) - Tenders Traffic Signal Equipment
- 20 (b) - Appointment of Consultants DREE Program

Alderman Allen requested the addition of:

- 20 (c) - C.F.M.M. Conference
- 20 (d) - Transit

Alderman Ivany requested the addition of:

- 20 (e) - Narrows Bridge Approaches

Alderman Connolly requested the addition of:

- 20 (f) - Pollution - Ward 6.

MOVED by Alderman MacKeen, seconded by Alderman Meagher that the agenda, as amended, be approved. Motion passed.

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DEFERRED ITEMS

Motion - Alderman Ivany - Amendments to Part VI - Zoning By-law

Alderman Ivany requested further deferment of this item.

Motion - Alderman MacKeen - Designation as Residential Tenancies Area

Alderman MacKeen said that in discussing this matter with the City Solicitor, he understood a motion from the City Council would not be necessary, for which reason he was withdrawing the item.

Council agreed to the withdrawal of the item from the agenda.

PUBLIC HEARINGS AND HEARINGS

Public Hearing - Amendments to Parts I, II, and V of the Zoning By-Law

A Public Hearing was held at this time into amendments to Parts I, II, and V of the Zoning By-law, as follows:

1. The following definitions to be inserted into Part I of the Zoning By-law.
 - (A) "Boarding home providing special care" means a building, part of a building, group of buildings, or other place in which, for a fee, gain or reward, food and lodging together with care or attention are furnished or are available to four or more persons who because of age, infirmity, physical or mental defect, or other disability, require the care or attention, but does not include:
 - (i) a place maintained by a person to whom the inmates are related by blood or marriage;
 - (ii) a public hospital, mental hospital, tuberculosis hospital, maternity hospital or sanatorium, a municipal home, a jail, prison or reformatory;
 - (iii) a maternity home that is licensed under the Child Welfare Act;
 - (iv) a nursing home to which the Nursing Homes Act applies; or
 - (v) a hotel that is licensed under the Hotel Regulations Act.
2. Part V to be amended by adding the following section:
 8. An existing building may be converted into a boarding home providing special care or a nursing home provided that the building after conversion complies with the following:
 - (i) The building is not increased in height, size or volume.
 - (ii) The addition of a porch or an open verandah shall not constitute a change in height, size, or volume of the building.
 - (iii) The requirements of Sections 4 (front yards), 5 (lot coverage), and 6 (maximum height) of this part.
 - (iv) 100 square feet of landscaped open space shall be provided for each person occupying such home.
 - (v) Recreational space may account for 25 per cent of the

landscaped open space.

(vi) Parking requirements are contained in Part II, Section 8, Subsections (7) and (8).

3. Part II Section 8 be amended by adding the following subsections (7) and (8):

(7) The owner of every building hereafter erected, altered, or used as a boarding home providing special care or a nursing home shall therein or upon such lands appurtenant thereto provide and maintain accommodation for the parking or storage of motor vehicles for the use by the employees of such boarding home providing special care or nursing home.

(8) Such accommodations shall consist of one separately accessible parking space at least nine feet wide and twenty feet long for every three employees or fraction thereof, exclusive of the front yard and entrance driveway leading to such parking space.

His Worship the Mayor asked if there was anyone present who wished to speak in favour of the amendments and a lady came forward and identified herself as Minetta Demchuk of 6019 Lady Hammond Road. Mrs. Demchuk was concerned about the present By-law as it related to operating a nursing home, and outlined her particular case. She concluded by stating she was in favour of the proposed amendments.

No one came forward to oppose the amendments.

MOVED by Alderman Ivany, seconded by Alderman Connolly, that the proposed amendments to Parts I, II, and V of the Zoning By-law, as advertised, be approved. Motion passed.

A formal By-law, giving effect to the foregoing motion of Council, was submitted.

MOVED by Alderman Connolly, seconded by Alderman Allen that the formal By-law, as submitted, be approved. Motion passed.

Public Hearing - Official Street Lines - Sections 13-B, 15-B and 16-B
of Official City Plan

A public Hearing was held at this time re:

1. Section 13-B of the Official City Plan:

To remove the northern and southern official street lines of Charles Street between St. Matthias Street and Chebucto Road; to remove the northern official street line of Chebucto Road across St. Matthias Street; to confirm the southwestern official street line of St. Matthias Street across Charles Street; to confirm the northern official street line of Chebucto Road across Charles Street:

2. Sections 15-B and 16-B of the Official City Plan:

To alter and confirm the official street line of the north-eastern corner of Ahern Avenue and Bell Road; to alter and confirm the southwestern official street line of Bell Road between Summer Street and South Park street; to remove the eastern official street line of Summer Street across Jubilee Road; to confirm the western official street line of Summer Street from Jubilee Road to approximately three hundred forty feet (340') northwardly; to confirm the eastern official street line

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of Summer Street from Bell Road to approximately three hundred eighty feet (380') southwardly; to confirm the northwestern and the southeastern official street lines of Jubilee Road between Summer Street and Bell Road; to confirm the northeastern official street line of Bell Road from Trollope Street to Ahern Avenue; to confirm the western official street line of Ahern Avenue from Bell Road to three hundred sixteen feet (316') northwardly; to confirm the northeastern official street line of Bell Road from Her Majesty the Queen (Department National Defence) boundary on Sackville Street to approximately two hundred feet (200') northwestwardly; to confirm the western official street line of South Park Street across Sackville Street; to confirm the eastern official street line of Summer Street across Sackville Street.

His Worship the Mayor asked if there was anyone present who wished to speak either in favour of, or against, the above-noted alteration and confirmation of street lines, and there was no response. The matter was then placed before the Council.

The City Engineer was questioned about the reasons for the confirmation of the street lines and whether they involved any expense to the City. He explained how it was an extension of actions taken in the past by Council with respect to the site for the new Museum of Science and the Lane Memorial Hospital and the only costs involved were with a fence between City and Provincial property and a sewer to service the Hospital.

Alderman Meagher asked if the City had negotiated with the Province for a sharing of costs for the fence, and Mr. Dodge said the Province had indicated it was not interested in whether the fence was erected or not. Furthermore, he added, the fence would be on City property.

The City Solicitor expressed doubt as to the City being able to pressure the Province into sharing costs.

The Director of Engineering and Works said he would approach the Province once more about cost-sharing, but felt their response would be the same.

MOVED by Alderman Meagher, seconded by Alderman Connolly that the removal and confirmation of street lines as outlined, Section 13-B of the Official City Plan, be approved. Motion passed.

MOVED by Alderman LeBlanc, seconded by Alderman MacKeen, that the alteration and confirmation of street lines, Sections 15B and 16B of the Official City Plan, as outlined, be approved. Motion passed.

A formal resolution, giving effect to the foregoing motions of Council, was submitted.

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

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PETITIONS AND DELEGATIONS

A petition was presented by Alderman LeBlanc pertaining to Ordinance No. 116 Respecting "The Regulation of Vehicles Transporting Passengers for Hire".

The petition was not dealt with at this time but the City Clerk was asked to circulate copies to members of the appropriate Committee, where it could be discussed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

The report of the Finance and Executive Committee from its meeting of June 3, 1970 was considered by Council with respect to the following items:

Feasibility Study - Halifax Regional Library - 316C - \$3,000

The report of the Committee read as follows:

"The following motion was lost, Aldermen Ivany, McGuire and Allen voting for the same, and Aldermen MacKeen, Hogan, LeBlanc and Meagher voting against:

'THAT City Council approve the payment of \$3,000.00 under Section 316C of the City Charter for a feasibility study which would enable the Library Board to maintain service in its present quarters, and that the firm of Duffus, Romans, Kundzins and Rounsefell be appointed to do the study.' "

Council was advised that Judge Nathan Green was present at the meeting, and wished to be heard on behalf of the Library Board in the matter.

MOVED by Alderman Allen, seconded by Alderman Meagher, that Judge Green be allowed to address the Council. Motion passed.

Judge Green stated that at present the Library had about 20,000 square feet of usable space and anticipated over the next twenty years that an additional 20,000 square feet would be required. It was hoped, he said, by means of the feasibility study to confirm that an additional 7,000 square feet could be found in the present building by means mainly of making two floors of space where one now exists, and also utilizing the space presently used as an entrance. This 7,000 square feet, he said, should enable the Library to continue at its present location for another 8 to 12 years. He said it had been ascertained that the cost of renovating the present building would be less than building additional space.

Alderman Ivany asked if the project were approved and proceeded with, would the \$3,000 fee for the feasibility study be deducted from the charge for carrying out the renovations.

Judge Green said he would be pleased to discuss this point with the firm appointed to do the study.

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Alderman Meagher asked if the study could be put off until 1971, and Judge Green replied that most anything could be postponed, but that he was under pressure from the Library administration to get things started on what was a long-range program. The Library staff, he said, considered the matter to be of top priority.

Alderman LeBlanc asked if there was any chance of the Library reallocating some of its funds to cover the study, and Judge Green replied that the money just was not there to transfer, since the Library had already been faced with one unexpected expense of around \$2,000.

At this point Judge Green said there had been some criticism by the Library staff that they had not been made aware when the matter was discussed in Committee, and only knew about the decision from the newspaper. They felt they should have been given the opportunity to be present to support the request.

Alderman Allen said he felt Boards and Commissions should have such studies as the one under question completed so that when funds are available they could move on them immediately. His Worship the Mayor backed this up by stating that under the DREE program, the City was supposed to have all its projects for the next four years lined up by October of this year, with ball-park figures attached to them. He said the principle was the same whether it concerned a large project like the North West Arm Bridge, or a small item like the one now under discussion.

MOVED by Alderman Meagher, seconded by Alderman Hogan, that the action taken by the Finance and Executive Committee in turning down the request for \$3,000 under Section 316C of the City Charter for a feasibility study to determine how additional space could be provided in the Library's present quarters, be approved. Motion passed with Aldermen Ivany and Allen against.

Housing Authority - 1970 Operating budget:

MOVED by Alderman MacKeen, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, approval be granted of the 1970 Operating Budget in the amount of \$1,102,489.07, for the 1175 public housing units under the administration of the Housing Authority. Motion passed.

Possible Acquisition - 2548 Barrington Street - Estate Ross E. Corkum

MOVED by Alderman Hogan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the property of the Estate of Ross E. Corkum, known as Civic No. 2548 Barrington Street, be purchased for \$21,000 as settlement in full for all claims, the property being required for the future development of Uniacke Square. Motion passed.

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Proposed Leasing of Bedford Row Fire Station to Department of Public Works:

At the June 3rd meeting of the Finance and Executive Committee
MOVED by Alderman LeBlanc, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, the Bedford Row Fire Station be leased to the Department of Public Works of Canada for a period of five years commencing July 1st, 1970, subject to the following main terms and conditions:

1. The term of lease to be for a period of five years commencing on July 1st, 1970 and expiring on June 30th, 1975, with further extension of lease to be negotiated at that time.
2. The amount of rent to be \$12,000.00 per annum, payable in monthly installments of \$1,000.00 each, due and payable on the last day of each month during the term of tenancy.
3. The Lessor will be responsible for Business Realty Taxes only.
4. The Lessee to be responsible for any Business Occupancy Tax assessed to his operation of business.
5. The Lessor will be responsible for major structural repairs only.
6. The Lessee is to be responsible for all other outgoings, such as cost of heat, light, water, snow clearance, cleaning, minor maintenance repairs, redecorating, etc.
7. The Lessee is responsible for any interior renovations required to meet his needs for use of the building.

Motion passed.

Wage Rates - Canadian Corps of Commissionaires

MOVED by Alderman LeBlanc, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, the following wage rate adjustments be approved for Commissionaires, effective April 1, 1970:

Sergeants - \$1.95 per hour plus 14% administration fee = \$2.22/Hour
Commissionaires - \$1.65 per hour plus 14% administration fee = \$1.88/Hour

Motion passed.

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Request - Halifax Flying Club - \$1,000.00

At the June 3rd meeting of the Finance and Executive Committee the following motion was lost, Aldermen MacKeen, McGuire and Allen voting for, and Alderman Hogan, Ivany, LeBlanc, and Meagher voting against:

"THAT an amount of \$1,000 be approved for the purpose of sponsoring an aircraft advertising the Cities of Halifax and Dartmouth, which aircraft will participate in a flight from Halifax to Victoria to commemorate the 50th Anniversary of the first trans-Canada flight."

MOVED by Alderman Meagher, seconded by Alderman Hogan, that the action taken by the Finance and Executive Committee be approved. Motion passed.

Appointment, Architects - Duc D'Anville School addition and Fairview Junior High School:

MOVED by Alderman Allen, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, Council approve the appointment of the architectural firms of (1) Webber, Harrington, and Weld, and (2) Duffus, Romans, Kundzins and Rounsefell for the design and planning of the Duc d'Anville School addition and the Fairview Junior High School, respectively, on a provisional basis only, subject to Ministerial approval of the Capital Budget and passing of necessary Borrowing Resolutions. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting of June 3, 1970 with respect to the following items:

Permission to Hold Services - Halifax Public Gardens - Commission on Evangelism of the Halifax-Dartmouth Council of Churches:

MOVED by Alderman Ivany, seconded by Alderman Connolly that, as recommended by the Committee on Works, permission be granted to the Commission on Evangelism of the Halifax-Dartmouth Council of Churches, to hold services in the Halifax Public Gardens around 3 P.M. on July 19 and August 16, 1970 in the area where the bandstand is located. Motion passed.

Street Acceptance - Simcoe Place, Glenforest Drive and Hazelholme:

MOVED by Alderman Connolly, seconded by Alderman Hogan that, as recommended by the Committee on Works, the following streets (and portions of streets) be accepted as part of the official street system, as these sections now meet the minimum standards required by staff:

1. Simcoe Place - Willett St. to Dead End (Ward 10).
2. Glenforest Drive - Hillwood Crescent to Willett Street (Ward 10).
3. Hazelholme Drive - End of existing pavement to 633 feet west (Ward 10).

Motion passed.

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REPORT - COMMITTEE OF THE WHOLE ON AMENDMENT TO AN ORDINANCE

Street Acceptance:

A six-page staff report was circulated to members of Council just prior to the meeting commencing, and Alderman Connolly said he did not see how Council could deal with the matter without time to properly read the report and MOVED, seconded by Alderman Meagher, that the matter be referred to the next meeting of the Committee of the Whole on June 17. Motion passed.

The Director of Engineering and Works said there was some urgency in the matter and it was agreed that tonight's meeting could be adjourned until Wednesday, June 17th so that Council deal with the matter following its discussion in Committee of the Whole.

1. Section 2 of said Ordinance Number 121 is amended by adding thereto the following clause:

(d) "general store shop" means a retail store engaged in the selling of groceries, dry goods and hardware, and the sale of groceries shall constitute not less than thirty-three percent of the total gross sales.

2. Section 5 of said Ordinance Number 121 is amended by adding thereto the following clause:

(e) a general store shop when the business occupancy assessment is thirty thousand dollars or less.

Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on June 8, 1970 with respect to the following matters:

Barrington Street - Pedestrian Mall

MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Town Planning Board, the City accept the principle of a mall in downtown Halifax for 1971.

At this time, reference was made to the following letter from the Downtown Halifax Business Association:

June 8, 1970

His Worship, The Mayor and Members of Council,
City of Halifax,
Scott's Square,
Halifax, N. S.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance #121 "Store Hours" - Second Reading

MOVED by Alderman Hogan, seconded by Alderman Allen that the following amendment to Ordinance #121, Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax, be read and passed a Second Time:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 121, Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax, as approved by the Minister of Municipal Affairs on the 23rd day of August, A.D., 1967, and amended and approved by the Minister of Municipal Affairs on the 21st day of August, A.D., 1968, is further amended as follows:

1. Section 2 of said Ordinance Number 121 is amended by adding thereto the following clause:

(d) "general store shop" means a retail store engaged in the selling of groceries, dry goods, and hardware, and the sale of groceries shall constitute not less than thirty-three percent of the total gross sales.

2. Section 5 of said Ordinance Number 121 is amended by adding thereto the following clause:

(s) a general store shop when the business occupancy assessment is thirty thousand dollars or less.

Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on June 3, 1970, with respect to the following matters:

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MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Town Planning Board, the City accept the principle of a Mall in downtown Halifax for 1971.

At this time, reference was made to the following letter from the Downtown Halifax Business Association:

June 8, 1970

His Worship, the Mayor and Members of Council,
City of Halifax,
Scotia Square,
Halifax, N. S.

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Sirs:

In accordance with Mayor O'Brien's proposal at the June 3rd meeting of the Committee of the Whole that the City place planters, flowers and trees in the Downtown business district for the summer months, if requested by the Downtown Halifax Business Association, we hereby respectfully make that request on behalf of the Downtown Halifax business community.

In view of the fact that at that meeting of the Committee of the Whole no provision was stipulated as to the manner in which the placing of the planters and the trees was to be financed, nor indeed by whom they would be provided and planted, we would appreciate specifics in these two areas.

We have available thirty-two flower planters, approximately 10" x 30" in size, which were used last year in the mall. Due to delays in deciding the fate of this year's mall, these planters have not yet been planted. In the meantime, the cost of having them planted has now more than doubled. Is it possible these may now be planted with plants from the greenhouses of the Public Gardens? Also, it was our understanding that had the mall been approved there were trees at the Public Gardens which were to have been available for use. Are these trees still available? We would appreciate your guidance in these matters.

Respectfully submitted,

(Signed) Roy M. Brunt, President
J. Dowell, Secretary

In reply to a question, the City Manager advised that it was his understanding that the City was to work with the Merchants and arrange for them to place, theoretically at the City's request, planters and benches on sections of Barrington Street but that there was to be no expenditure insofar as the municipality is concerned. He said that this was conveyed to Mr. Dowell the day following the meeting and he had some discussions with his colleagues to see if the Association could raise some funds. The City then received a request that a tree or two be made available. It was felt that the City could make a tree or two available upon receipt of a small deposit which would be refunded when the trees were delivered back to the City in good condition. The letter from the Merchants suggested that the City make available plants and flowers to go in the planters. He said that the City does not have them available and besides which, this would represent the expenditure of funds from the City's treasury and be contrary to the Committee's recommendation.

At this time, it was MOVED by Alderman Meagher, seconded by Alderman MacKeen that Mr. J. Dowell be permitted to address Council. The motion was put and lost.

After further discussion, the motion was put and

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passed with Alderman Connolly voting against.

Subdivision of Lands - Ross Forward, Forward Avenue,
Jollimore

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that, as recommended by the Town Planning Board, City Council instruct the necessary departments of the City to consider the feasibility of acquiring the land for the purposes of recreation and that the various street alignments required to reduce the Purcell's Cove Road/Williams Lake Road intersection from five points to four be laid down and having been given an opportunity to discuss the acquisition of the land, a report be prepared with respect to the feasibility and acquisition costs. Motion passed.

Extension to a Non-conforming Building, Modification of
Left Side Yard Requirements - 1735 Walnut Street

MOVED by Alderman MacKeen, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of the left side yard requirement at 1735 Walnut Street to permit the construction of an addition to the rear of the building which would provide an additional bedroom with closet and bath, as shown on Plans No. P200/3744, P200/3745 and P200/3816 of Case No. 2092, be approved. Motion passed.

Extension to a Non-conforming Building, Modification of
Left Side Yard Requirement - 20 Melody Drive

MOVED by Alderman Allen, seconded by Alderman Meagher that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of the left side yard requirement at 20 Melody Drive to permit the construction of an addition to the existing single family dwelling, as shown on Plans No. P200/3768 to P200/3771 of Case No. 2103, be approved. Motion passed.

Subdivision of Lands of Mrs. Frances A. Marriott, Spry
Avenue, Spryfield

MOVED by Alderman LeBlanc, seconded by Alderman Ivany that, as recommended by the Town Planning Board, final approval be granted for Lots C, D and E of the lands of Mrs. Frances A. Marriott, Spry Avenue, Spryfield, as shown on Plan No. P200/3822 of Case No. 2106. Motion passed.

Subdivision Lot "A" - Neptune Investments Limited -
Herring Cove Road

MOVED by Alderman Allen, seconded by Alderman MacKeen that, as recommended by the Town Planning Board, approval be granted to the subdivision of Lot "A" of the lands owned by Neptune Investments Limited, Herring Cove

Road into Lots A1 and A2. Motion passed.

Extension to a Non-conforming Building, Modification of
Front Yard Requirement - No. 14 Birch Street, Fairview

MOVED by Alderman Allen, seconded by Alderman Meagher that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of the front yard requirement at 14 Birch Street, Fairview to permit the construction of a 24' x 34.5' addition to the east side of the existing single family dwelling, as shown on Plan No. P200/3779 of Case No. 2109, be approved. Motion passed.

Alteration to a Subdivision - Civic Nos. 10 and 14
Deepwood Crescent

MOVED by Alderman Meagher, seconded by Alderman Connolly that, as recommended by the Town Planning Board, the alteration to a subdivision at Civic Nos. 10 and 14 Deepwood Crescent creating Lots 221A-B and 242-B, as shown on Plan No. P200/3787 of Case No. 2115, be approved and a public hearing waived. Motion passed.

Alteration to a Subdivision - 6190 and 6200 Cedar Street

MOVED by Alderman Hogan, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the alteration to a subdivision at Civic Nos. 6190 and 6200 Cedar Street to create Lots A-2 and B-A-1, as shown on Plan No. P200/3788 of Case No. 2116, be approved and a public hearing waived. Motion passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

The following report was submitted:

In accordance with Section 159(1)(m) of the City Charter, the following accounts are submitted for Council's approval:

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Finance	Public Service Commission	Fire Protection Charge for 1970	\$508,065.53
Industrial Commission	Maritime Testing Ltd.	Subsoil Investi- gation and Engin- eering Report Industrial Site	5,941.64
			<u>\$514,007.17</u>

His Worship the Mayor referred to the first account listed and wondered whether the Aldermen were aware that by a decision of the Public Utilities Board that bill is supposed to be raised to something over \$600,000.00 from the \$508,000.00 that was put in the Budget. He said that what the Public Utilities Board did when there was not one protest from one citizen to the proposed water rates

was to order water rates which were about \$2.00 less than had been applied for which means no chance of building any reserves towards installing new services in Wedgewood Park and Kline Heights and so on and suggested that the property taxpayers ought, through their property taxes, to pay a 20% increase approximately next year. It was his view that the City ought to be reviewing the way in which the Public Utilities Board has the power to re-distribute the load from car drivers on the bridges across the Harbour and from water users to the property taxpayer and both of those recent decisions have had that effect. It seems probable, he said, that the City may get a bill for a deficit from the Bridge Commission next year for the first time. He considered that the whole thing should be looked at and he referred to a memorandum he had written to the City Manager. He added that the law governing the Public Service Commission says that they would pay to the City from their surplus annually the difference between their taxes and a figure of about \$125,000.00, but, as the taxes go up the surplus goes down. If that principle is to be taken seriously then he considered that perhaps there should be some amendments to the law otherwise the City is losing a certain kind of revenue. He asked Staff to look at the question of whether the City is receiving its revenues fast enough and whether there are any bills that the City does not require to pay immediately.

Alderman Meagher suggested that the Fire Protection Rate should be increased next year to cover the cost, at least in part. He felt that by this method the cost would be spread more evenly over the City and assessed against all property.

Alderman Allen asked if it would be possible for the City to pay a portion of the bill, without incurring interest charges on the unpaid portion.

The City Manager felt that these questions should be looked into further by Staff.

The City Solicitor suggested that the answer to Alderman Allen's question could be given at next Wednesday's City Council adjourned meeting.

After further discussion, it was MOVED by Alderman Allen, seconded by Alderman Meagher that the Public Service Commission account in the amount of \$508,065.53 be deferred to next Wednesday's City Council adjourned meeting. Motion passed.

MOVED by Alderman Allen, seconded by Alderman Meagher that the City Manager be authorized to pay the following account:

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Maritime Testing Ltd.	Subsoil Investigation and Engineering Report Industrial Site	\$ 5,941.64

Motion passed.

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Order to Demolish Civic No. 6255/59 Coburg Road

The following report was submitted:

"Council, April 16, 1970, ordered Civic Number 6255/59 Coburg Road be repaired; work to start within twenty-one (21) days. Council further directed that if the repairs were not started within twenty-one (21) days, an order to demolish would then be considered.

The Building Inspector reports that the twenty-one (21) days having elapsed and no repair work having been commenced, he now recommends Council consider an order to demolish the building."

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that City Council order the demolition of the property known as Civic No. 6255/59 Coburg Road immediately. Motion passed.

Approval Ordinance No. 135 "Minimum Standards" as amended
by Minister of Municipal Affairs

The following report was submitted from Staff:

"Attached please find Ordinance No. 135 as approved by the Minister of Municipal Affairs. This Ordinance is that one which received first and second reading by this Council with the following changes made in it:

There have been three deletions, two additions, and three changes in onus, all of which were made at the suggestion of the Deputy Minister. There has been one addition suggested by the Legal Department. Other changes in the Ordinance are rephrasings and changes in numbering necessitated by the above mentioned changes.

In essence, the changes were made to distribute the burden of meeting the standards of the Ordinance between the owner and the occupant of a dwelling. The original Ordinance, in continuation of the policy of Ordinance No. 50, placed the entire burden on the owner. The amended Ordinance, much more justly, places the burden on the occupant for those sections of the Ordinance which it is practically impossible for a non-resident owner to enforce.

The Ordinance, as amended, when approved by Council, will become law by the authority of Section 146 of the Halifax City Charter, 1963."

Alderman MacKeen asked several questions about the Ordinance relating to Occupancy Permits and the harassment of a tenant who has notified the Inspector of a suspected violation of the Ordinance. He referred to Sections 36, 37(3) and 40. He asked if a tenant has the

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same protection afforded him under this Ordinance, as a tenant who applies under the Rental Act for a reduction in rent on his dwelling unit.

The City Manager pointed out that it is difficult to compare the Rental Act provisions with those of this Ordinance and suggested that the City Solicitor take the questions under advisement.

The City Solicitor said that a Provincial Statute is always considered a stronger vehicle than a City Ordinance or By-law.

His Worship the Mayor suggested that the Alderman put his questions in writing to the City Solicitor.

In reply to a question, the City Solicitor advised that he would attempt to have the answers to the questions by the adjourned meeting of City Council to be held next Wednesday.

Alderman MacKeen said that he did not wish to delay the approval of the Ordinance, but that he did wish to have the answers to his questions.

It was then agreed that the matter should be considered at next Wednesday's City Council adjourned meeting.

Nominations His Worship the Mayor to Public Health and Welfare Committee

His Worship the Mayor reported that the Public Health Act requires a minimum of five members to be appointed to the Public Health and Welfare Committee, one of whom must not be an Alderman and he advised that at present Alderman Meagher, the City Manager and he are the only members. He nominated the Deputy Mayor, who acts as Chairman of the Committee and Alderman Hogan to the Public Health and Welfare Committee.

MOVED by Alderman Ivany, seconded by Alderman MacKeen that the nominations of His Worship the Mayor be approved. Motion passed.

QUESTIONS

Question Alderman LeBlanc Re: Replacement of Lawns

Alderman LeBlanc asked the Director of Works and Engineering to prepare a brief explanation of the City's policy with respect to the replacement of lawns damaged by excessive salting of City streets during the winter.

Question Alderman Allen Re: Statement of Revenue as at May 31, 1970

Alderman Allen noted that on reading the Statement of Revenues as at May 31, 1970 for the City of Halifax, a

number of accounts were outstanding and he asked whether the 12% interest would be charged on all overdue accounts.

The City Manager said that this question would be taken under advisement and reported on later.

Question Alderman Meagher Re: Disposal of Old and Used City Property

Alderman Meagher asked the City Manager to look into the matter of the disposal of old and used City property, e.g. chairs, tables, etc., and he asked for a report on the question.

Question Alderman Hogan Re: Incinerators - Apartment Buildings

Alderman Hogan referred to the above item which has been carried as a deferred item for some time on the Committee of the Whole agenda and he asked when a report will be forthcoming and the matter again considered. He referred to the fact that he has received some complaints on the subject.

His Worship the Mayor asked that a statement be made at the next meeting of the Committee of the Whole Council on the status of the matter.

Question Alderman MacKeen Re: Tender Call - Brunswick Street School Complex

Alderman MacKeen asked how soon the tender documents will be completed for the Brunswick Street School Complex and how soon after their completion the tender call will actually be made.

His Worship the Mayor suggested that the Alderman contact the Secretary-Treasurer of the School Board, Mr. D. F. Lugar, to obtain answers to his questions.

Question Alderman MacKeen Re: 5180 Gerrish Street

Alderman MacKeen referred to the fact that the above mentioned property has been demolished and piles of rubble left on the site, which makes it appear as though the demolition contractor has not completed his work and the fact that as a consequence of the demolition, repairs are necessary to the roof of the house next door. He asked the status of the matter and when the repairs will be undertaken.

Question Alderman Connolly Re: Barking Dogs

Alderman Connolly referred to complaints he had received about the barking of dogs during the night which disturbs the sleep of citizens in the area and he asked if there is anything that can be done.

The Chief of Police advised that there is an Ordinance covering this matter and the complaints should be passed to the Police Department who have the authority to

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charge the owner of any dog creating a disturbance by barking during the night.

Question Alderman Connolly Re: Garbage Blown from Trucks Travelling from Incinerator to Dump

Alderman Connolly referred to the trucks which take the hot ashes and residue from the Incinerator to the Dump and he also referred to complaints he had received from persons who have seen that some of the ashes and other residue has blown from the trucks and is scattered on the streets. He asked if something could be done about the problem.

The Director of Works and Engineering said that he would look into the matter of spillage from the trucks.

Question Alderman Allen Re: Policy - Local Improvement Charges

Alderman Allen asked when members of Council will be receiving a report from Staff relating to a policy respecting local improvement charges.

The City Manager advised that the report will be ready very soon, possibly within two weeks.

Question Alderman LeBlanc Re: Snack Pack Trucks and Business Taxes

Alderman LeBlanc referred to a question he had asked some time ago and to which he has not yet received a reply. He asked if any consideration had been given to the assessment of a business tax on the Snack Pack trucks.

Question Alderman LeBlanc Re: Demolition of Property on Withrod Drive

Alderman LeBlanc asked the status of the demolition of the property owned by the Mayo family on Withrod Drive.

NOTICE OF MOTION

Notice of Motion - Alderman Allen Re: Amendment to Ordinance No. 137 Respecting the Deferred Payment of Taxes

Alderman Allen gave notice that, at the next regular meeting of the City Council to be held on Thursday, June 25th, 1970, he would introduce an amendment to Ordinance Number 137, Respecting the Deferred Payment of Taxes; the purpose of the amendment will be to add a Section providing that the Ordinance shall not apply to any real property or person that is the subject of a tax concession or tax relief under the provisions of the Halifax City Charter or any other ordinance made thereunder.

ADDED ITEMS

Tenders Traffic Signal Equipment

A report was submitted from Staff to which was attached a tabulation of the tenders received for traffic signal equipment for the following locations:

1. Dutch Village Road and Howe Avenue.
2. Bedford Highway and Kearney Lake Road.
3. Barrington Street and North Street.
4. Barrington Street and Devonshire Avenue.
5. Bayers Road and Dutch Village Road.
6. Hollis Street and Morris Street.
7. Hollis Street and George Street.

MOVED by Alderman Ivany, seconded by Alderman Allen that the following tenders be accepted for the supply of Traffic Signal Equipment:

<u>TENDER NO.</u>	<u>ITEM</u>	<u>TOTAL</u>	<u>RECOMMENDED TENDER</u>
1.	Traffic Signal Sections Assembled	\$4,206.00	Canadian General Electric
2.	Mounting Brackets, Post-Top - 1-way	304.49	Cooke Sales Ltd. (Eagle Equipment)
3.	Mounting Brackets - Pole Mounted	506.00	Canadian General Electric
4.	Controllers - Fixed Time	2,716.00	Cooke Sales Ltd. (Eagle Equipment)
5.	Controllers - Fully Actuated	5,572.06	Cooke Sales Ltd. (Eagle Equipment)
6.	Vehicle Loop Detectors (8)	1,841.28	Cooke Sales Ltd. (Eagle Equipment)
7.	Feeder Wire (2,000 ft.)	45.00	Cooke Sales Ltd. (Eagle Equipment)
8.	Mast Arm Signal Poles (Aluminum)	2,032.00	Cooke Sales Ltd. (Eagle Equipment)
		<u>\$17,222.83</u>	

After a short discussion with respect to a tender which was received after the 12:00 Noon tender closing, the motion was put and passed.

Appointment of Consultants (D.R.E.E. Proposals)

The following report was submitted from Staff:

With the approval of the D.R.E.E. Program for the Metro. Area, City Staff are now faced with the task of implementing the projects as they affect the City of Halifax.

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Consulting Engineers and Architects have been chosen for projects such as St. Patrick's, Gorsebrook and Bloomfield Schools, as well as the scheme for Kline Heights.

However, major sewer jobs have to be started immediately, and City Staff hereby propose the following Consultants for the approved projects.

1. Harbour Interceptor
9,000 ft. of 72 inch tunnel
Est. Cost \$2,500,000.00
Proposed Consultant - MacLaren Atlantic Ltd.
2. Lacewood Sewer
Storm & Sanitary Sewer
Est. Cost \$532,000.00
Proposed Consultant - J. Philip Vaughan & Associates Ltd.
3. Fairview Sewer
Storm and Sanitary Sewer
Est. Cost \$508,000.00
Proposed Consultant - McNamara Engineering Ltd.
4. South Armdale Sewer
Storm & Sanitary Sewer
Est. Cost \$716,000.00
Proposed Consultant - Acres Atlantic Ltd.

The Director of Works and Engineering reported on discussions held by his Department with various consulting firms and he said that all the recommended firms could begin immediately on the work.

Alderman LeBlanc expressed the hope that the firm of Acres Atlantic Ltd. who will be working on the South Armdale Sewer will work in close liaison with Project Planning Associates who are doing the Kline Heights Scheme.

In reply to a question, the Director of Works and Engineering advised that the firm of Project Planning Associates were not able to undertake the additional work with respect to the South Armdale Sewer. He further advised that a staff member has been appointed as co-ordinator for each of the projects so close liaison would be obtained between all the sewer projects.

Alderman Meagher suggested that it might be advisable for the City to get on with planning work for other programmes that will be included in the 1971 to 1975 DREE Programme.

The Director of Works and Engineering said that this could be done if City Council would authorize the expenditure of the necessary funds.

His Worship the Mayor felt that since a programme for the next four years has to be formulated by October of this year, the planning for other projects could be

started earlier next year.

In reply to a further question, the Director of Works and Engineering said that the fees to be charged are the standard fees of the Professional Association which are approximately 6%.

After further discussion, it was MOVED by Alderman Meagher, seconded by Alderman Allen that the recommended Consultants be appointed. Motion passed.

Canadian Federation of Mayor and Municipalities Conference

Alderman Allen, at this time, said that he felt he should express a vote of thanks to Alderman LeBlanc, on behalf of members of Council and the citizens of Halifax for the excellent job he did on the arrangements for the C.F.M.M. Conference held last week. He was sure that those attending appreciated the work done by Alderman LeBlanc and his Committee and left knowing that Halifax is indeed a fine City.

His Worship the Mayor echoed the remarks of Alderman Allen and said that he had had many favourable comments expressed to him from people all over the Country on the arrangements. He said that people left with a first rate impression of Halifax and the weather cooperated, and Alderman LeBlanc and those who worked with him should be commended on their efforts.

Alderman LeBlanc thanked the Council for the vote of thanks and said that he had an extremely good Committee and was very happy to do the job. He said that he must thank Mr. Peter Christie of City Staff, Mr. H. Bensted of the County and Mr. C. A. Moir of Dartmouth for their hard work.

Transit Fare Structure

Alderman Allen referred to the fact that the Transit Corporation have seen fit to eliminate the two zone fare system and he congratulated them for it. He said that the City will now indeed be one and that it is now up to the citizens to show their appreciation by using the Transit System. If, in the future, the Transit Corporation finds it necessary to curtail some of the services in the Annexed Area because of the lack of ridership, the citizens will not have any reason to complain.

Approaches to the A. Murray MacKay Bridge

Alderman Ivany referred to several questions he asked at the Council meeting of May 14, 1970 with respect to the new Bridge, which questions had been forwarded to the Bridge Commission for reply. He referred in particular to the fifth question which related to the length of time the properties would be able to be used before they are

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acquired for the Bridge approaches. He said that the people living in them are having an extremely difficult time to find alternative accommodation and he expressed the hope that the Bridge Commission might give the people a further few months to look around before the properties are taken. He said that he had not yet received a reply from the Bridge Commission to his questions.

The City Clerk advised that a reply had been received and copies forwarded to the Aldermen, but he would have further copies made and distributed.

Alderman Ivany asked whether the Bridge Commission could be persuaded to give the residents of the properties required a further few months before they are required to move out. He said that he has received a number of calls from these people complaining of the difficulty in finding alternative accommodation.

Alderman Connolly said that he has also received a number of calls on the matter.

Pollution - Ward 6

Alderman Connolly referred to the fall of fly ash from the Incinerator last week and the resultant nuisance and to many calls asking that something be done about it. He also referred to a fire at the dumps and the smoke nuisance and a matter which he had raised earlier about dust from construction work. He said that people in the North End have made many complaints and have much to contend with.

The Director of Works and Engineering reported that one of the Incinerator burners was out for repairs at the time of the occurrence and the other burner was being used to capacity when the water washed asbestos baffle collapsed causing the nuisance. He said that studies are under way to see if a more permanent and effective type of baffle can be used. He said that in 1961 the Incinerator was burning 39,000 tons of refuse and in 1969 it burned 88,000 tons. He felt that the Incinerator will have reached its maximum within the next five years. In referring to the fire on the dump he said that some wood had been stock-piled on the dump until the two Incinerator burners were again working and vandals had set it alight but it did not burn out of control and pumpers were standing by. He advised that the firm of Francis Hankin had estimated that to install a proper fly ash control at the Incinerator with no increase in capacity it could cost \$400,000.00. To increase the capacity by 50% it could cost \$1,200,000.00. He said that it is a very serious question and his Department would try to take all the steps it could to control the fly ash nuisance.

In reply to a question, he felt that the installation of a second flue should be considered in conjunction with the upgrading of the Incinerator. He hoped

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that a similar occurrence would not take place and asked the indulgence of the people of the area until all the studies have been completed and more permanent fly ash controls installed.

10:00 p.m. Council adjourned until 4:00 p.m.
Wednesday, June 17, 1970.

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

Line Chief

CITY COUNCIL
ADJOURNED MEETING
M I N U T E S

Ordinance #135 "Minimum Standards"

Council Chamber,
City Hall,
Halifax, N. S.
June 17, 1970
5:35 p.m.

An Adjourned Meeting of City Council was held on the above date.

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

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

Also Present: City Manager, City Solicitor, City Clerk and other Staff members.

The City Clerk advised that the meeting was called to consider the following items:

1. Street Acceptance
2. Public Service Commission Account - \$508,065.53
3. Ordinance # 135 "Minimum Standards"

Street Acceptance

This matter was deferred in the Committee on Works meeting held today and no recommendation was submitted to Council.

Public Service Commission Account - \$508,065.53

The City Solicitor arose to answer two questions asked at the regular meeting of City Council held on June 15, 1970. He advised that the City has a statutory obligation to pay the account by July 1st in each year and the City Charter provides that the amount to be charged will be that amount approved by the Board of Commissioners of Public Utilities. It was not intended that a deficit of the operation could be charged on the Fire Protection Rate in the succeeding year. He further advised that the money is included in the Budget for this account.

MOVED by Alderman Abbott, seconded by Alderman McGuire that the City Manager be authorized to pay the following account over \$5,000.00:

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Public Service Commission	Fire Protection Charge for 1970	\$508,065.53

Motion passed.

Ordinance #135 "Minimum Standards"

This matter was deferred from the regular meeting of City Council held on June 15, 1970, to permit Alderman MacKeen to ask some questions of the City Solicitor.

At this time, it was MOVED by Alderman MacKeen, seconded by Alderman McGuire that Ordinance #135 Respecting Minimum Standards for Existing Buildings and Housing Accommodation, as amended by the Minister of Municipal Affairs and the City of Halifax, be approved. Motion passed unanimously.

5:40 p.m. Meeting adjourned.

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MINUTES

ALLAN O'BRIEN
MAYOR AND CHAIRMAN.

R. H. STODDARD
CITY CLERK