

CITY COUNCIL MEETING
MINUTES

Dore Chief
Council,
June 25, 1970

Council Chamber,
City Hall,
Halifax, N.S.
June 25, 1970
8:00 P.M.

Motion of Alderman Ivany Re...
Council agreed to...
for a further deferment of this...
of City Council.

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 Abbott, MacKeen, Connolly, Hogan, Ivany, LeBlanc, McGuire, Meagher, and Allen.

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

MINUTES

Minutes of the meetings held June 15th and 17th were approved on motion of Alderman LeBlanc; seconded by Alderman Connolly.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS, AND DELETIONS

At the request of the City Clerk, Council agreed to the following additions to the agenda:

- 20 (a) - Regional Water Supply
- 20 (b) - Request for Funds - Natal Day Float
- 20 (c) - Expropriation - 2180 Upper Water Street
- 20 (d) - Bill Posters License - C.J.C.H. Radio
- 20 (e) - Capital Borrowing Authorizations - DREE Program
- 20 (f) - Capital Borrowing Authorizations for 1970
- 20 (g) - Amendment to Administrative Order No. 6.

At the request of Alderman Meagher, Council agreed to add:

- 20 (h) - Saint Theresa's Convent

Alderman Meagher suggested that the word "Downtown" be deleted from the title of Item 17 (b), since the letter was signed by the Spring Garden and Gottingen Street Business Associations also.

Alderman LeBlanc said he would like to raise the matter of Kline Heights Sewer and Water, but was advised by the Chairman he could bring the matter up under 20 (e).

MOVED by Alderman McGuire, seconded by Alderman Hogan, that the agenda as amended, be approved. Motion passed.

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DEFERRED ITEM

Motion of Alderman Ivany Re: Amendments to Part VI - Zoning By-law

Council agreed to Alderman Ivany's request for a further deferment of this item to the next regular meeting of City Council.

PUBLIC HEARINGS AND HEARINGS

Public Hearing - Rezoning of Land Willett Street from T-Zone to R-4 Residential Zone

A Public Hearing was held at this time into the rezoning of a section of land at Upper Randall Park from T-Zone to R-4 Residential, as advertised.

The Director of Planning displayed a map and described for the benefit of Council members the area involved in the rezoning, following which His Worship the Mayor asked if there was anyone present who wished to speak against the proposed rezoning.

The City Clerk advised that he had received a written objection, and read the following letter:

"Please be advised that as a property owner of Lot #115 Kingsmere Court, that I strenuously object to the proposal of the building of three and four storey apartment buildings on this proposed site. I am not against rezoning of this land for duplex or over and under buildings, as this is the bulk of dwellings now in existence around this site. These proposed three and four storey apartment buildings will do nothing to enhance this area, which at present is a nice place to live. Surely, with the price we had to pay to build our existing homes, we are entitled to some protection whereby our homes are not dwarfed or ruined by these apartment buildings.

"(Sgd) Robert R. Royle
3 Kingsmere Court, Fairview"

Mr. Royle came forward to address the Council, and stated that unfortunately there were several other home-owners in the area who could not be present at the meeting, but that he had discussed the matter with them and felt his views also expressed their feelings regarding the use to which the land would be put if the rezoning were approved. He said his major concerns were (i) what protection would be afforded his property, and privacy insured, by means of a buffer between the site on which it was proposed to build 3 and 4 storey apartments and the rear of his lot, and (ii) the traffic generated if Sybil Crescent were used as an access in and out of the site.

Mr. Babb was asked to comment on these points, and said that the Zoning By-law, unfortunately, afforded little protection to a home-owner in the present situation, particularly with regard to noise, parking problems caused by large units, etc. He was asked how close to Mr. Royle's property line would the

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developer of the site under discussion be allowed to build, and said he would have to check this out and report later in the meeting. As to whether or not the developer planned to build a wall or afford some other sort of separation for the properties on Kingsmere Court, Mr. Babb said that staff could not answer this. It would, he said, have to be answered by the developer or his architect.

A discussion followed concerning the grade involved, and Mr. Royle confirmed that the land proposed for rezoning sloped about 9 feet below his property, and that it was a continuing slope reaching possibly 30 feet at the other end. His Worship the Mayor suggested that in this case a three storey building would probably not be higher than Mr. Royle's duplex, and that possibly it could be worked out with the developer to have the 4-storey units placed where the land sloped to the greatest extent.

Mr. Babb advised that under the regulations, the developer could construct a building as close as eight feet to Mr. Royle's property line.

With regard to the problem of traffic if Kingsmere Court were extended through the site, Alderman McGuire suggested that consideration be given to making some sort of cul-de-sac off Willett Street to service the apartments. Mr. Babb said that there might be reasons against this, but it would appear to be a possibility.

With regard to Mr. Royle's statement that he had spoken to others on the street who were also opposed to the proposed use of the land if rezoned, His Worship the Mayor asked how many persons actually were involved, and Mr. Royle said there were two other property owners on Kingsmere Court.

Alderman Ivany asked Mr. Royle if the matters of protection, privacy, and traffic could be solved, would he be agreeable to the use of the land as proposed, and he replied "yes".

No other person indicated a desire to speak in opposition to the rezoning, and His Worship the Mayor asked if there was anyone wishing to speaking in favour of it. A Mr. Robert Blois rose to say he was representing the applicant, but that his instructions were not to speak in any detail since he was not qualified to do so. Mr. Fiske, he said, who was familiar with the plans was unfortunately out of town and could not attend tonight's meeting. He said that a Mr. MacDonald who was Treasurer of the developing Company was also present, but again he did not possess knowledge of all the details concerning the proposed development. Mr. Blois added that he presumed the developer would be willing to do anything reasonable to satisfy the adjacent property owners, but that he could not speak with any authority in this regard.

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On being questioned regarding a means to satisfy Mr. Royle's fears in the matter, Mr. Babb said he did not see how guarantees to insure privacy, etc. could be given under the regulations as they existed, and he would have to say that for persons in Mr. Royle's position, the situation might be something less than desirable.

Because of a lack of any guarantees Council might give Mr. Royle, His Worship the Mayor suggested that a decision in the matter be deferred until Mr. Fiske was available so that he might give some commitments to cover the situation.

Mr. Blois confirmed that Mr. Fiske should be available for the next Committee of the Whole meeting, following which a special Council could be called.

Staff were also instructed to have an answer to Alderman McGuire's question concerning a cul-de-sac from Willett Street, at the same meeting.

MOVED by Alderman Abbott, seconded by Alderman Ivany, that a decision in the matter be deferred until a Special Council following the next Committee of the Whole meeting. Motion passed.

PETITIONS AND DELEGATIONS

Petition Re: Flooding Conditions Melrose Avenue and Willett Street

The following petition, endorsed by Alderman McGuire, was read by the City Clerk:

"Re: Flooding at Melrose & Willet Streets in Halifax
"We are writing you at this time concerning the problems created by flooding at this location each time that a fairly heavy rainfall occurs. The culvert under Willet Street consists of a 30-inch cement pipe, but the water does not flow through the pipe at a rate adequate to carry away the water emitting from the drain above. The resultant damming of the drain causes flooding in the basements of many of the surrounding homes. It appears that the drainage at this point in the City is, for some reason, steadily deteriorating. It takes less and less rainfall to create a flow of water in excess of the capability of the culvert. The situation has been verbally brought to the attention of various persons in the City Government - the Engineering Department, City Field and some individual Aldermen.

"The undersigned taxpayers are deeply concerned over this problem and respectfully request the convening of a meeting with yourselves to discuss having positive and prompt remedial action instituted."

The petition contained about fourteen signatures.

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The City Engineer displayed a map which showed a network of culverts throughout the region under discussion, which, he said, were on private property, and he explained how the problem arose because of inadequate storm drainage facilities. He said a study made some time back had indicated it would cost about \$3300 per lot to rectify the situation. In reply to a question from His Worship the Mayor, he said that sewer work proposed under the DREE program would only benefit the area under discussion inasmuch as it should prevent the situation from becoming worse.

Alderman LeBlanc asked the City Engineer, in view of the petition, what could be done immediately to rectify the situation. Mr. Dodge replied that nothing more could be done than the City cleaning out the culverts to maintain them in some sort of working order, and lending pumps to people whose homes were flooded. He said that this situation, unfortunately, existed in many sections throughout the City and qualified this statement by saying that the problem areas were generally in the annexed portions of the City.

After further discussion the Council agreed that no further action could be taken with regard to the petition at this time, since staff had been doing, and would continue to do, everything possible within the physical reserves at its disposal to relieve the situation.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of June 17, 1970 with respect to the following items:

Spryfield Lions Club Rink Proposal:

MOVED by Alderman Allen, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, the proposal put forward by the Spryfield Lions Club be accepted in principle only, and that the City staff meet with representatives of the Club and enter into detailed negotiations, after which a further report will be submitted by staff to the Committee. Motion passed.

Effective Date - Stipend - Provincial Appointee - City's Sinking Fund

MOVED by Alderman LeBlanc, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, the increase in the annual stipend to the Provincial Appointee of the City's Sinking Fund be effective from January 1, 1969. Motion passed.

Halifax Senior Citizens Housing Corporation

MOVED by Alderman Allen, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, further to a resolution approved by City Council:

"That the request of the Halifax Senior Citizens Housing Corporation for an additional grant of \$25,000 be approved, and that the payment of 5% on the value of the land be waived for a period of three years, and be reviewed at the expiration of such period."

approval be granted to the following:

- (a) the request of the Corporation for a delay in the full implementation of the 5% or \$1,800.00; and
- (b) the implementation of the 5% charge be on a gradual scale starting in 1971 as 1% or \$360.00 and increasing 1% per year until the full amount is realized.

Motion passed.

Tenders - Removal of Balusters and Railing around Grand Parade

MOVED by Alderman Hogan, seconded by Alderman Abbott that, as recommended by the Committee on Parks, the tender of J. Seeler Book & Co. Ltd., 2576 Argyle Street, Halifax, be accepted in the amount of \$6,750.00 being the lowest tender meeting specifications, for the removal of balusters and railing round the Grand Parade and the supply and erection of an angle picket fence.

In reply to a question, the City Engineer advised that it was his understanding that when the plans had been designed, the plans are to come back to Council for approval.

His Worship the Mayor suggested that some separation between pedestrian and vehicle traffic on the Grand Parade be considered off Barrington Street. He was concerned that there could be an accident similar with the number of vehicles and cars on the Grand Parade. He thought that was one of the ways to effect a separation.

Alderman Irving stated that the report, which is a new one, will do an analysis of all the work that the City Staff are aware of. The report will be presented especially since the work is very important and the others received.

passed.

Official Street Signs - 15 Barrington Street

MOVED by Alderman Hogan, seconded by Alderman Hogan that, as recommended by the Committee on Parks, City Council vote in favor of the purchase of the official street signs for 15 Barrington Street, as shown in Attachment 15 of the Official City Map, motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 17, 1970 with respect to the following matters:

Policy Re: Use of Public Gardens and Other Parks and Grounds of the City

MOVED by Alderman Abbott, seconded by Alderman Hogan that, as recommended by the Committee on Works, routine requests for the use of the Public Gardens or other parks and grounds of the City under the management of the Department of Engineering and Works be dealt with by the City Manager or a member of the staff so authorized by him provided that whenever a person or persons are aggrieved by the decision of the City Manager or his representative, the decision may be appealed to City Council. Motion passed.

Tenders - Removal of Balusters and Railings, Grand Parade

MOVED by Alderman Hogan, seconded by Alderman Abbott that, as recommended by the Committee on Works, the tender of J. Beeler Lock & Gun Ltd., 2576 Agricola Street, Halifax, be accepted in the amount of \$6,750.00, being the lowest bidder meeting specifications, for the removal of balusters and railing round the Grand Parade and the supply and erection of an angle picket fence.

In reply to a question, the City Engineer advised that it was his understanding that when the fence has been designed, the plans are to come back to Council for approval.

His Worship the Mayor suggested that some separation between pedestrian and vehicular access to the Grand Parade be considered off Barrington Street. He was concerned that there could be an accident sometime with the number of vehicles entering and exiting from Grand Parade. He thought that this might be the time to effect a separation.

Alderman Ivany hoped that the Company, which is a new one, will do an adequate job and he hoped that the City Staff are assured that the work will be well done, especially since the tender was considerably lower than others received.

After a short discussion, the motion was put and passed.

Official Plans Section 45 - Date for Hearing

MOVED by Alderman Allen, seconded by Alderman MacKeen that, as recommended by the Committee on Works, City Council set a date for a public hearing to lay down official street lines on Marine Drive, as shown on Section 45 of the Official City Plan. Motion passed.

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REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on June 17, 1970 with respect to the following matters:

Modification of the Front Yard, Side Yard, Lot Frontage and Lot Area Requirements - 6293 North Street

MOVED by Alderman Ivany, seconded by Alderman McGuire that, as recommended by the Town Planning Board, the application for modification of (1) front yard, (2) west side yard, (3) lot frontage and (4) lot area requirements at Nos. 6291 to 6293 North Street, to permit the conversion of an existing duplex dwelling to a 3-unit apartment building, as shown in Case No. 2089 on Plans No. P200/3715 to 3719 and P200/3727, be approved. Motion passed.

Final Approval for Lots 259-A and 260-A, Flamingo Drive - Bridgeview Subdivision

MOVED by Alderman Hogan, seconded by Alderman Connolly that, as recommended by the Town Planning Board, final approval be granted by City Council for Lots 259-A and 260-A, Flamingo Drive, Bridgeview Subdivision, as shown on Plan No. P200/3419 of Case No. 1992. Motion passed.

Rezoning of 5859 Gorsebrook Avenue from R-1 Residential to Park and Institutional - Date for Hearing

MOVED by Alderman Allen, seconded by Alderman Abbott that, as recommended by the Town Planning Board:

1. the rezoning of Civic No. 5859 Gorsebrook Avenue from R-1 Residential to Park and Institutional to permit the construction of a student residence and academic complex for Saint Mary's University, as shown in Case No. 2058 on Plan No. P200/3624, be recommended to City Council for approval;
2. a date be set for a Public Hearing;
3. the area outlined on the plan attached to the staff report be designated as the area within which persons will be notified of the Public Hearing.

The City Clerk advised that the public hearing will be held on July 27, 1970, at a special meeting of City Council to deal with several public hearings.

The motion was then put and passed.

Subdivision Alteration - Lots 43B and 62A Seaview Avenue

The report of the Town Planning Board reads as follows:

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It is recommended that the application for alteration of Lots 43B and 62A, Seaview Avenue, to create two net lots, 43C and 62B, as shown on Plan No. P200/3625, to permit the construction of a 23-unit apartment building on Lot 43B and a 22-unit apartment building on Lot 62A, Case No. 2059, Plan No. P200/3625, be refused.

The City Manager advised that the applicant had inadvertently not been sent a copy of the Staff Report and had not been notified of the last Town Planning Board meeting.

The Director of Planning said that through an oversight, the applicant's name and address had not been typed on the bottom of the Staff Report and consequently he had not been notified.

It was MOVED by Alderman Abbott, seconded by Alderman Meagher that the matter be referred back to the next meeting of the Committee of the Whole Council for reconsideration. Motion passed.

Rezoning from R-2 Residential to R-4 Residential - Lot "A"
Dentith Road, Spryfield - Date for Hearing

MOVED by Alderman Allen, seconded by Alderman Connolly that, as recommended by the Town Planning Board:

1. a date be set for a public hearing into the matter of rezoning of a portion of Lot "A", Dentith Road from R-2 Residential to R-4 Residential to permit the construction of a 12 one-bedroom unit apartment building;
2. the area outlined on the plan attached to the staff report be designated as the area within which persons will be notified of the public hearing.

Motion passed.

Modification of the Lot Frontage and Lot Area Requirements -
Lots 13, 14, 15 and 17, Springvale Avenue

MOVED by Alderman McGuire, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board, the application for modification of lot frontage and lot area requirements of Lots Nos. 13, 14, 15 and 17 Springvale Avenue, to permit the construction of single family dwellings, as shown on Plans No. P200/3777 and P200/3817, be approved. Motion passed.

Subdivision Lands of Cyril Hartlen - Final Approval of
Lots A and B, St. Michael's Avenue and Herring Cove Road

MOVED by Alderman Allen, seconded by Alderman MacKeen that, as recommended by the Town Planning Board, final approval be granted for Lots A and B, subdivision lands of Cyril Hartlen, as shown on Plan No. P200/3858

of Case No. 2112. Motion passed.

Modification of the East Side Yard Requirement - 10
Edgehill Road

MOVED by Alderman Hogan, seconded by Alderman Meagher that, as recommended by the Town Planning Board, the modification of the east side yard requirement to permit the construction of a mud-room at 10 Edgehill Road, as shown on Plans No. P200/3805 and 3806, Case No. 2123, be approved. Motion passed.

Extension to a Non-conforming Building and Modification
of the Front Yard Requirement - 197 Herring Cove Road

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Town Planning Board, the extension to a non-conforming building and modification of the front yard requirement for 197 Herring Cove Road, as shown on Plans No. P200/3808 and P200/3809, to permit the construction of a 12-ft. x 22-ft. carport, be approved. Motion passed.

Modification of the Lot Frontage Requirement - 295 Herring
Cove Road, Spryfield

MOVED by Alderman Allen, seconded by Alderman Connolly that, as recommended by the Town Planning Board, the modification of the lot frontage requirement at No. 395 Herring Cove Road, Spryfield, to permit the construction of a 15' x 30' one-storey addition to the rear of an existing duplex dwelling, as shown on Plan No. P200/3810-13, be approved. Motion passed.

Zoning By-law Amendments - Annexed Area - Amendment to
the Zoning By-law Setbacks - Date for Hearing

MOVED by Alderman Ivany, seconded by Alderman Meagher that, as recommended by the Town Planning Board:

1. the Zoning By-law for the annexed area be amended as follows:
 - (1) R-1 Zone - Single Family Dwelling Zone
Section 20, Subsection (e) be repealed and replaced with the following:
 - (e) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both sidelines of the lot on which it is situated and at least 20 feet from any street line in front of such building.
 - (2) Section 20, Subsection (g), (1) and (11) be repealed and replaced with the following:
 - (g) Where a building is situated on a corner lot, it shall be at least 20 feet from each street line abutting such lot.

- (3) Section 20, Subsection (h) be repealed and replaced with the following:
- (h) Notwithstanding the provisions of subsections (e) and (g) of this Section, where at least 40% of the lots fronting on one side of any street between two intersecting streets are occupied by buildings (not including lots flanking on such street) no building shall be erected or structurally altered so as to project beyond the average depth of the existing front yards; provided that no front yard shall be required to be greater than the said average depth, nor greater than 30 feet.
- (4) R-2 Zone - Two Family Dwelling Zone
Section 25, Subsection (e) be repealed and replaced with the following:
- (e) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building.
- (5) Section 25, Subsection (g), (l) and (ll) be repealed and replaced with the following:
- (g) Where a building is situated on a corner lot it shall be at least 20 feet from each street line abutting such lot.
- (6) Section 25, Subsection (h) be repealed and replaced with the following:
- (h) Notwithstanding the provisions of subsections (e) and (g) of this Section, where at least 40% of the lots fronting on one side of any street between two intersection streets are occupied by buildings (not including lots flanking on such street) no building shall be erected or structurally altered so as to project beyond the average depth of the existing front yards; provided that no front yard shall be required to be greater than the said average depth, nor greater than 30 feet.
- (7) R-3 Zone - Single Family Dwelling Zone (Special)
Section 29(e) be repealed and replaced with the following:
- (e) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building.
- (8) Section 29, Subsection (g), (l) and (ll) be repealed and replaced with the following:
- (g) Where a building is situated on a corner lot, it shall be at least 20 feet from each street line abutting such lot.

- (9) Section 29, Subsection (h) be repealed and replaced with the following:
- (h) Notwithstanding the provisions of subsections (3) and (g) of this Section, where at least 40% of the lots fronting on one side of any street between two intersecting streets are occupied by buildings (not including lots flanking on such street) no building shall be erected or structurally altered so as to project beyond the average depth of the existing front yards; provided that no front yard shall be required to be greater than the said average depth, not greater than 30 feet.
- (10) R-4 Zone - General Residential Zone
Section 33, Subsection (d) be repealed and replaced with the following:
- (d) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building.
- (11) Section 33, Subsection (f), (1) and (11) be repealed and replaced with the following:
- (f) Where a building is situated on a corner lot it should be at least 20 feet from each street line abutting such lot.
- (12) Section 33, Subsection (g) be repealed and replaced with the following:
- (g) Notwithstanding the provisions of subsections (d) and (f) of this Section, where at least 40% of the lots fronting on one side of any street between two intersecting streets are occupied by buildings (not including lots flanking on such street) no building shall be erected or structurally altered so as to project beyond the average depth of the existing front yards, provided that no front yard shall be required to be greater than the said average depth nor greater than 30 feet.
- (13) P Zone - Parks and Institutional Zone
Section 57, Subsection (c) be repealed and replaced with the following:
- (c) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building.
- (14) Section 57, Subsection (e), (1) and (11) be repealed and replaced with the following:
- (e) Where a building is situated on a corner lot it shall be at least 20 feet from each street line abutting such lot.

2. a date be set for a Public Hearing.

Motion passed.

The City Clerk advised that the public hearing will be held on July 27, 1970.

MOTIONS

Motion Alderman Allen - Amendments to Ordinance #137 -
"Deferred Payment of Taxes" - First Reading

MOVED by Alderman Allen, seconded by Alderman LeBlanc that the following amendment to Ordinance #137, Respecting the Deferred Payment of Taxes, be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax, that Ordinance Number 137, Respecting Deferred Payment of Taxes, as approved by the Minister of Municipal Affairs on the 10th day of September, A.D., 1969, and subsequently amended and approved by the Minister of Municipal Affairs on the 27th day of November, A.D., 1969, is further amended by adding thereto the following Section:

6. The provisions of this Ordinance shall not apply to any person who is the owner of real property which is the subject of a tax concession or tax relief under the provisions of the Halifax City Charter or any other ordinance made thereunder.

Alderman Allen referred to the following report which was submitted by Staff and which contains an explanation of the amendment:

"Concern has been expressed by City Staff which resulted in the giving of a Notice of Motion regarding an amendment to Ordinance Number 137, Respecting the Deferred Payment of Taxes. The proposed amendment would provide that the deferred payment of taxes would not apply to any property upon which a tax concession is already conferred by virtue of provisions of the Halifax City Charter or by another Ordinance. The Ordinance contemplated was Ordinance Number 141, Respecting Widows' Exemption.

Staff were concerned that a widow, unmarried woman or deserted wife might apply under the provisions of Ordinance Number 141 for an exemption respecting the taxes on a particular property. That person could then apply under the provisions of Ordinance Number 137 for a deferral in the payment of one-half of the thus reduced tax liability. The effect of applying for the concessions in the sequence above would be to confer a tax concession on the heir who acquired the property upon the death of the taxpayer.

Staff felt that this was a concession not intended by the Council, as the heir of a needy taxpayer was not intended to benefit by the provisions of Ordinance Number 137."

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The motion was then put and passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

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

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
R. K. Kelley & Co. Ltd.	Fleet Insurance on City-owned vehicles	\$23,374.00

Motion passed.

Letter - Halifax Business Associations - Saturday Meter Parking

The following letter from representatives of various Business Associations in the City was submitted:

DOWNTOWN HALIFAX BUSINESS ASSOCIATION

P. O. Box 761
Halifax, N. S.

June 23, 1970

His Worship the Mayor and Members of City Council,
City of Halifax.

Gentlemen:

This letter is submitted on behalf of the three business areas, Spring Garden Road, Gottingen Street and Downtown Halifax, which in our belief will be most affected, adversely affected, if Saturday parking meter charges are again imposed. It is our intent to have delegations from each of the business districts named present in Council Chamber on Thursday evening of this week, and we respectfully request that this letter be read at that meeting of Council and that we be permitted to be heard.

Despite several rather conflicting reasons advanced at last week's meeting of the Committee of the Whole to support the imposition of meter charging on Saturdays, we are opposed - firstly on the ground that the reasons given do conflict, and secondly, on the ground that the reasons given are not sufficiently sound from an economic viewpoint to justify the possible damage to the three major Halifax shopping areas in question, if the charges are reimposed.

To examine the reasons in detail: We are told that the principal object of reimposing meter charging on Saturdays is to free the meters for shoppers. This is an implication that the meters are now being monopolized

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on Saturday by people who are not shoppers, i.e., employees of businesses, and owners and managers, but a recent survey taken in the Downtown business district on Saturday, May 16th clearly indicates that the meters are now being used on Saturday in that area predominantly by shoppers. There is no reason to think that a similar survey in the other two areas would not reveal identical statistics.

In the Downtown survey, a total of 321 meter parkers were questioned by a team of university students, between the hours of 8.30 a.m. and 1 p.m. Of the 321 citizens questioned, 59.2% were shoppers from various parts of the city, 32.8% of the group, although employed in the Downtown area, were in fact themselves shoppers, who had brought their cars downtown on the one morning of the week when they could enjoy free parking, in order to carry home their purchases. Of the entire number questioned, only 8% stated they would be parked for over two hours or the full day. These simple, straight-forward figures certainly do not indicate any monopoly of parking meters on a Saturday by either employees or management. In any case, employees who, on a Saturday, patronize the business district in which they are employed during the other five days of the week cannot be considered a menace to the general welfare of the district. Their loyalty is appreciated.

A second reason given for reimposing the meter charges is that it will produce much needed additional revenue for the city. If this is so, and it is highly debatable, since the shoppers presently using the free meters on Saturday have only to go to another shopping area to avoid the charges, then the reason given is not consistent with the present removal of parking meters in some areas of the business district represented and the statement by Mr. Dodge that eventually all curbside parking will be discontinued in the business districts to improve traffic flow. This is one of the major conflictions which most disturbs us, since it reflects a serious discrepancy in thinking the matter through to a logical conclusion.

If curbside parking in the business district is discontinued or continues to be curtailed before adequate off-street parking is provided to accommodate would-be parkers, what traffic would there be to flow? From whence will it come, and where will it be going? And what revenue will it produce, either for the City or for the businesses in the districts affected? Will it be commercial vehicles only that will be permitted to use the streets in these business districts, or will it be empty transit vehicles traversing once thriving shopping districts where the retail outlets have been starved out, as has happened in many other less-fortunate cities.

We respectfully suggest that the imposition of meter charges on Saturdays is not a matter which stands alone. It is, in fact, an integral part of a total picture, which must be examined objectively within the concept of sound business economics. Until such time as the

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economics and other implications have been studied by qualified economists, we strongly urge that Saturday meter charging be deferred.

Signed: Gottingen Street Shopping Centre
Association - J. Robertson, President

Spring Garden Area Business Assn.
P. J. Andrewes, Past President

Downtown Halifax Business Association
R. M. Brunt, President

MOVED by Alderman Meagher, seconded by Alderman MacKeen that the representatives of the Business Associations be permitted to address Council.

Alderman Abbott spoke against the motion saying that he could see no reason for hearing the representatives since the decision is not one to be taken by Council but is solely the decision of the Traffic Authority. He said that all Council could do was express an opinion.

Alderman LeBlanc asked for a clear cut statement of Council's involvement in the matter.

The motion was then put and passed.

The City Solicitor advised that the only person who can make a decision on the matter is the Traffic Authority and Council can only express an opinion, it has no power to make a decision on the matter.

Alderman Meagher contended that Council should hear the views of the business associations and that the views should be known by the Traffic Authority.

Alderman Connolly suggested that perhaps the Traffic Authority has too much power and he asked if he has control over all City streets.

The City Solicitor advised that he does not have absolute control over City streets, but the Motor Vehicle Act does give him power on the parking meter matter.

Alderman Connolly thought that the Safety Committee should have the power and not the Traffic Authority.

His Worship the Mayor said that the power is designated by a Provincial Statute and this question is not before Council tonight.

Mr. Joseph Robertson addressed the meeting on behalf of the Gottingen Street Shopping Centre Association and said that he was in complete agreement with all the remarks that are going to be made by the representative of the Downtown Business Association. He considered that the imposition of charges for Saturday meter parking will be a deterrent to shoppers.

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Mr. R. M. Brunt submitted and read the following on behalf of the Halifax Downtown Business Association:

It seems to me, and I think I express the opinion of the retail business communities, when we state that parking is the "keystone" in the modern retail selling approach of today. This, I think you will have to agree, is the approach used by the shopping centers. We have to admit that the spaciousness of their parking lots, with adequate approach roads which, by the way, the City provided has made parking and consequently shopping in these areas most attractive.

I can understand appreciably the desire for the traffic authority to want to keep traffic moving and the ultimate goal of no on-street parking. However, if this is followed through to conclusion the shopping areas will become simply corridors for moving vehicles.

The President of the Canadian Transit Association said just this week:

"City fathers in every major city have tried to get transit corporations more customers by making downtown parking expensive but most systems are still heavily subsidized.....

"He said that many commuters would rather use the family car. "If we put stops in front of their homes, I think they would still use the car," he said..... convenience played a big part in transportation preference."

If it is the intention of short and long range planning that there should still exist retail shopping at its best in the three areas namely Barrington, Spring Garden and Gottingen Streets, we have to adopt the approach that automobiles are our guests and we must treat them accordingly.

The majority of merchants validate parking lot stickers for free parking at the parking lots. On Saturdays, when Banks, Trust Companies, Legal Offices, Accounting Offices, and a host of others are closed, the only activity in these areas is shopping. I do not feel that the merchants are asking too much when we seek consideration for parking on this one day of the week when the only traffic is generated by the retail trade.

I am sure that only through adequate and easy parking facilities can we compete with the shopping centers and the downtown retail stores be made more acceptable to the shopping public.

Over the years the City has collected many thousands of dollars in parking revenues mostly from areas in and around the three retail shopping areas, and very little has been reinvested in the way of improving the lot of the parker.

I appeal, gentlemen, that if it is your wish that we have vibrant growing and expanding retail cores in addition to the shopping centers that a new and fresh approach be made toward parking and that the business community be invited to participate in a study to include traffic authorities, and economists before any changes are made.

In reply to a question, Mr. Brunt said that charges are made at the Grafton Street Parking Lot but the retailers validate the tickets, so in effect the parking is free.

Mr. Peter Andrewes addressed Council on behalf of the Spring Garden Area Business Association and said that he agreed with the submission made by Mr. Brunt. He said that the Business Associations were not aware that Council did not have the power to stop the Traffic Authority from re-imposing the Saturday parking meter charges and felt that perhaps the whole discussion was a waste of time, but he did appreciate the opportunity for publicly expressing the views of his Association. He referred to the survey which took place on May 16th and which was outlined in the letter from the three Business Associations. He contended that the imposition of Saturday parking meter charges would discourage shoppers from visiting the three areas.

In reply to a question, Mr. Andrewes said that the survey took place on portions of the following streets:

Blowers Street,
Argyle Street,
Granville Street,
Grafton Street,
Prince Street,
George Street
Market Street

but he could not tell Council the form of the questions asked

After a short discussion, it was MOVED by Alderman Ivany, seconded by Alderman MacKeen that the Traffic Authority be requested to give due consideration to the expressions of the merchants associations and consider the remarks that have been made on both sides.

In seconding the motion, Alderman MacKeen asked if the words "and citizens generally" could be included in the motion after the words "merchants associations".

Alderman Ivany agreed to the change in the motion.

Some discussion ensued with respect to the two surveys which have been undertaken, one by City Staff and one by the merchants which have shown different statistics and the fact that Shopping Centers provide parking lots on which they are required to pay taxes.

Alderman MacKeen felt that the City should do everything it can to assist the merchants in these areas and he said that most of them have been paying taxes far longer than the new shopping centres. He said that the merchants would be very appreciative of any new off-street parking that could be provided in the areas.

After further discussion, it was MOVED in Amendment by Alderman McGuire, seconded by Alderman LeBlanc that the matter be referred to the Traffic Authority with a request that he take into consideration the submissions made and the comments of City Council.

In reply to a question from Alderman MacKeen, His Worship the Mayor said that it is not possible for the Alderman to amend the amendment.

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

Alderman Ivany asked the City Manager to supply some information to City Council in due course relating to the assessments of the parking lots in shopping centres in the City and the revenue they produce to the City in taxes.

QUESTIONS

Question Alderman MacKeen Re: Noise Legislation

Alderman MacKeen asked if the Legislation that was applied for with respect to Noise has been returned with the approval of the Province.

The City Solicitor advised in the affirmative.

Alderman MacKeen then asked if it was true that motor vehicles and motor bicycles are not included.

The City Solicitor again advised in the affirmative saying that the Motor Vehicle Act has not been amended.

Alderman MacKeen asked whether the City has purchased the decibal meters as was recommended early in the year.

The City Manager said he did not know but would make enquiries.

Question Alderman Hogan Re: Footpaths - Bridgeview Subdivision

Alderman Hogan referred to a sewer right-of-way through from Swan Street in the Bridgeview Subdivision and asked if it becomes a public footpath.

The City Engineer displayed a plan of the Bridgeview Subdivision and indicated the footpaths presently in existence and also indicated two sewer rights-of-way. He said that one is presently not owned by the City and is private land. He said that the intention is that when the

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areas are deeded to the City, they will be split up and sold to the abutting property owners.

Alderman Hogan explained that the rights-of-way could well be used as public footpaths to the recreation area in the centre of the subdivision.

The City Engineer said that if the rights-of-way are used as public footpaths, they would require asphaltting, need continuing maintenance work, would require to be lit at night, would need to be included in the snow clearance programme during the winter months and would require police patrol.

His Worship the Mayor said that the Council has only heard the Engineering side of the picture and it is only fair to hear from the Planning side as well, since there may be some additional information.

The City Engineer said that his Department is intending to ask the Planning Department to look at the matter.

His Worship the Mayor suggested that Staff prepare a report for the Committee of the Whole setting out all aspects of the situation.

Question Alderman Hogan Re: Clock from Old Customs House

Alderman Hogan referred to an old clock that had been given to the City from the Old Customs House to be placed in the tower of City Hall, and he asked what had happened to it.

The City Manager said that the City still has the clock.

Question Alderman McGuire Re: Area Between School Avenue and the Bicentennial Highway

Alderman McGuire asked if Staff would look at the area between School Avenue and the Bicentennial Highway to see if the area requires any further safety measures and perhaps discuss the question with the Department of Highways to see if they would be willing to share in the cost.

His Worship the Mayor said that the Bicentennial Highway was designed by the Department of Highways and he felt that any safety measures that might be required should be paid for entirely by the Department of Highways.

Alderman McGuire said that since School Avenue was in existence first, that might well be the case and he asked Staff to look at the matter and discuss it with the Department of Highways.

NOTICES OF MOTION

No Notices of Motion were given at this time.

ADDED ITEMS

Regional Water Supply

The following memorandum was submitted:

PUBLIC SERVICE COMMISSION OF HALIFAX

MEMORANDUM

ON

IMPROVEMENT TO SOURCES OF WATER SUPPLY

History

The original water system for the City of Halifax had, as its source, Chain Lake and Long Lake. The system came into operation in 1848. Spruce Hill Lake was added to the system in 1868 to serve development which had spread to higher elevations of the peninsula which could not be served adequately from the Chain Lake - Long Lake source. These sources continued to supply the City until the growth in demand associated with the activities in Halifax during World War II. At this time, the Big Indian System was developed with water being pumped to Long Lake to maintain storage during periods of low run-off. In 1962 the storage capacity of the Big Indian System was increased by the construction of dams at Otter Lake, a tributary to Big Indian Lake.

Regional Service Area

In 1959 the Commission adopted a policy that it should develop its service area in an orderly fashion and within its financial resources so that eventually it would serve the metropolitan area on the west side of Halifax Harbour and Basin.

In the intervening years, the Commission in co-operation with the Municipality of the County of Halifax, extended its system into Armdale, Fairview, Rockingham, Spryfield and Jollimore.

Planning for future improvements since 1959 has always been related to this Regional Service Area concept to meet both residential and industrial water demand. The emphasis that is being placed on Regional Planning by various authorities is not a new concept to the Commission.

Recent Planning for Improvements to Supply Source

In 1964, the Commission retained consulting engineers to review previous staff studies on improvements to source of supply and to recommend the required action. The reports of the consulting engineers clearly indicated

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that immediate action must be taken to increase supply capacity and allied primary plant if the Greater Halifax Area (west side of Halifax Harbour and Basin) is to continue to receive adequate water supply for present and future consumers, especially industrial users.

In November 1966, the Commission made a submission and application to the Government of Nova Scotia and the Atlantic Development Board for financial assistance to develop Pockwock Lake as a water supply source for the Greater Halifax Area.

Since that time the so-called "water problem" or "crisis" has been growing and has also been the subject of numerous studies and reports. Additional water supply is needed now. The average daily water demand has increased from a level of 10.52 million gallons in 1965 to 13.59 million gallons in 1969. If this trend continues water demand will reach the maximum dry period yield (15.5 million gallons per day) of the present lake sources in 1972 with consequent water shortage.

In 1969, the Commission initiated studies for providing an additional 3 million gallons per day as an interim solution to a critical "water problem". The Working Group on Water Supply and Waste Disposal in March of this year prepared a report outlining an immediate solution to this critical situation. This report outlined the requirements to provide 3 million gallons per day and 5 million gallons per day from the Dartmouth System to the Public Service Commission system via a pipeline across the Angus L. Macdonald Bridge. The 5 million gallons per day alternative provided sufficient water to replace that which would be lost should Public Service Commission be unable to continue to draw water from the Chain Lake watershed. The 3 million gallons per day alternative was chosen as a short term solution to the "water problem" while long range plans are being finalized for the development and construction of new or additional sources of supply.

Alderman Allen referred to the memorandum which has been passed out for information. He said that some members of Council attended the meeting last night at the Municipal Building at which Mr. Lee gave an excellent report on the report on Regional Water Supply as done by the Working Group on Water Supply and Waste Disposal. This report is very much in tune with the expressions and feelings that have been made by members of this Council and the Public Service Commission. This report has been made to the Steering Commission which is now called the Metropolitan Area Planning Committee. He thought that this report sets the trend for regional development in this area because it implies decisions which will permit proper decisions to be made as to how any growth in the area will be taken. It was then MOVED by Alderman Allen, seconded by Alderman Abbott that the recommendations as contained on Pages 29 and 30 of the report of the Working Group on Water Supply and Waste Disposal with respect to the Regional Water Supply, be approved.

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He pointed out that in moving acceptance of the recommendations it is quite clear to all members of Council that what it is doing is making a decision on the sources of water for this metropolitan area, not only for the immediate future but also for the year 2000 and beyond. A decision on the source of water is only one of many decisions which will have to be taken in order to permit good sound growth in the metropolitan area. It is, however, an essential first step in the total process. When the essential decision has been taken it will be necessary for the various technical groups to proceed with further studies based upon this decision. These studies will require further decisions from this Council, the City of Dartmouth and the County of Halifax and the Province and these decisions will have to be taken in their proper sequence and in accordance with the facts as they are then known. The motion which he had made is based upon recommendations which have been made by City Staff, by staff of the City of Dartmouth, staff of the Municipality of the County of Halifax, staff of the Province of Nova Scotia and other technical experts. It is a decision on the source of water only and the decision, if agreed to by Council and by the other participating governments will permit work to proceed on a broad range of activities stemming from this decision.

Alderman Ivany said that he had been out of town and had not received a copy of the report prior to his departure. He said that since he only received it on his return, he had not had an opportunity to look at it and he asked His Worship the Mayor to explain the situation briefly.

His Worship the Mayor said that the fundamental recommendation is that the City of Halifax and Bedford and Sackville should draw their water supply from Pockwock bringing Tomahawk into the system in 1985 but starting on Pockwock without delay and that Dartmouth get its water from Lake Major. He said Bloody Big Indian is only required if the City goes to 1,000,000 people instead of 400,000 in thirty years. The pipe across the Angus L. Macdonald Bridge will be a reserve which could result in water flowing in either direction if the extent of development on the two sides of the Harbour was different from that which had been predicted up to this point.

Alderman Ivany asked what the anticipated cost will be to the taxpayer and how it is expected to be paid for.

His Worship the Mayor said that there will be an attempt made to get the Federal Government to make a substantial contribution. The Atlantic Development Board when it went out of existence said that it had been unable to deal with this question because it was not clear to them what the regional source of water should be but that there should be a grant towards it and it also said that the water rates for this area should not become significantly higher than the water rates in other parts of Canada because of the need to draw industry here. The initial expenditures

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for construction are \$8.6 million for the pipeline to Pockwock with pumping and so on and \$6 million for a filtration scheme for Lake Major for Dartmouth. This does not deal with land costs though it does deal with power rights that the Nova Scotia Power Commission have at Pockwock and the indication is that the lands that would have to be purchased around Pockwock would not cost more than the amount that could be recovered from the sale of the present watershed lands.

Alderman Ivany asked if this will be tied in with Volvo's possible location.

His Worship the Mayor said that there have been some discussions of possibly industrial development on the watershed for one, two or three or more firms and the Core Committee and the Metropolitan Area Planning Committee will be considering immediately the steps that may be required in order to free part of the watershed at an earlier date than the Pockwock water would be available. It will take from two to three years to get Pockwock water in. If land is required for industry at an earlier date then it will be necessary to install a pipe to by-pass the Chain Lakes while still drawing water from Long Lake and Big Indian and some from across the Harbour via the Bridge. If there is industrial development at an early enough date the City would need that by-pass.

Alderman McGuire referred to the figure of one million of population by the year 2000 that has been quoted and he asked if consideration has been given to that kind of a question during the discussions.

His Worship the Mayor said that the figures that the Murray Jones people were working on came out to something like 310,000 by 1991. The group that worked on this regional water supply has assumed 400,000 people by 2000. The land use committee has reported the possibility of 500,000 in something like 15 years from now which is 1985 and the figure one million has been used as a ceiling on the development of the area which might be achieved if the rate of growth substantially exceeded over that which can now be expected.

Alderman McGuire asked if the question has been raised as to whether or not that would be an achievement.

His Worship the Mayor said that there has not been in his presence any serious discussion about going beyond 500,000, but it has been mentioned as one of the possibilities and in this report it is indicated that if the population went to one million people it would require 130 million gallons per day of water as against the 52 million gallons that this report provides for but the report also suggests that that extra capacity is available on the City's side by going to the Bloody Big Indian Lake which is behind Pockwock.

Alderman McGuire said that if 130 million gallons are taken in, they must be disposed of and he asked if the

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MacLaren Report takes into account that kind of development.

His Worship the Mayor said that the City Engineer has indicated it does not.

Alderman Allen said that it is significant to note that the name of the group which prepared the report is the Working Group on Water Supply and Waste Disposal and he presumed that since they have now dealt with the water supply, they will proceed with the waste disposal part of the problem.

His Worship the Mayor said that in the budget for this next year there is a very substantial amount of money for the continuation of the work of this committee and there was presented last night to that meeting a report which Dr. McKeough read which is a summary of what has been going on within the Metropolitan Area Planning Committee and the Core Committee and some look ahead and he said he asked his Secretary to get sufficient copies of this for all members of Council and for staff. He felt that it should come before the Committee of the Whole and then to Council so that general questions about the whole operation can be raised. He also said that he expects to receive tomorrow copies of the report prepared by the citizens committee in Bedford which was published today relating to the conditions of the Bedford Basin and copies of that report will be circulated to the Aldermen and members of Staff. He said that he had given his copy to the City Engineer.

The motion was then put and passed.

Request for Funds - Natal Day Float

The following letter was submitted:

HALIFAX JAYCEES

P. O. Box 577
Halifax, N. S.

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

June 24, 1970

Gentlemen:

The Halifax Jaycees have undertaken to organize the 1970 Natal Day Program at the request of City Council.

The Budget appropriation for the 1970 Natal Day Program approved by City Council was \$5,000.00 as against \$10,000.00 for the 1969 Program. In 1969, in addition to the \$10,000.00 for the Day's Program, Council approved an appropriation for \$3,500.00 covering the cost of the City Float in the Parade. No such appropriation was made in 1970.