

Special Council,
July 7, 1970

the annexed area would require considerably more work than others, reference being made to the topography of the different areas. It was argued that perhaps charges could be separated out with respect to the base work required before a street is paved.

After discussion, it was MOVED by Alderman McGuire, seconded by Alderman Hogan that the costs should be averaged throughout the City.

The motion was put and passed, six voting for the same and three against it as follows:

M.P.

For: Aldermen Hogan, Ivany, LeBlanc, McGuire,
Meagher and Allen 6

Against: Aldermen MacKeen, Connolly and Sullivan 3

The next item A. 1. (c) of the City Manager's list of salient questions reads as follows:

Substantial abutters' charges will help set priorities by indicating in which areas people are willing to pay in order to have a higher level of service and removing some of the pressures in the general property tax that are going to be resisted by all, in particular (a) those who have already paid for their local improvements in the purchase price of their lots (in past or future subdivisions) or through taxes, and (b) those who haven't got, don't expect, can't afford or don't want the local improvements?

(It is clear that unless the abutters are required to pay a substantial proportion of the costs, the demand for Road Improvements will far exceed the City's capability to provide same. Property taxes will go up even further. The vast majority of those wanting at nominal cost or "for free" (i.e. out of general taxes) will be unsatisfied because their demands cannot be met, and all those who pay extra taxes for something which is of no direct benefit to them will be unhappy too.

It is unrealistic to propose that the same level of improvements as now prevails in the urban (peninsula) area could, or should, be provided throughout the suburban or rural-urban (new) areas of the City and only through the institution of substantial abutters charges can the opportunity for different levels of service be equitably provided.)

In some cases we will be considering temporary or lower cost expedients, such as:

- (i) Asphalt sidewalks and curbs instead of concrete, and these should be funded over a 5-10 year period, as their useful life is unlikely to be much longer;

- (ii) Stone and Oil; chip seal or slurry seal surfacing instead of hot mix asphalt paving, in which case funding should be over a 5-10 year period.

(The City Charter prescribes that the period of funding shall not exceed the useful life of the work, as certified to by the City Engineer.)

Can agreement be reached on the principle that the period over which Local Improvement charges are paid shall be coincident with the lifetime of the debenture issue?

Council agreed to the first statement contained in this section of the Manager's report.

Alderman McGuire stated that although the statement made is very true, it is not the only way to set priorities.

Alderman Meagher suggested that perhaps more streets should be designated as provincial highways and the City could receive cost sharing.

Discussion ensued with respect to the length of the life of an asphalt curb and sidewalk, as opposed to that of concrete and the waste of money if a concrete sidewalk was installed and removed within a short period of time to lay underground sewer pipes.

The City Manager explained the reasons why he would recommend that the period over which Local Improvement charges are paid should be coincident with the lifetime of the debenture issue.

Alderman Sullivan felt that perhaps some people would prefer to pay the charges in a lesser time than the lifetime of the debenture issue.

After further discussion, Council agreed that the period over which Local Improvement charges are paid shall be coincident with the lifetime of the debenture issue.

The next item considered was A. 1. (d) (i) and reads as follows:

There should be a change in the present rate structure?
If so:

- (i) When should the change come into effect -
January 1, 1971?

MOVED by Alderman Meagher, seconded by Alderman LeBlanc that the change in the present rate structure should come into effect on January 1, 1971. Motion passed.

At this time, Alderman Allen raised a point with respect to those streets listed on the City Manager's report dated July 2, 1970 and His Worship the Mayor suggested that that report be dealt with before consideration is given to the sewer charges.

Item A. 1. (d) (ii) of the City Manager's report reads as follows:

(ii) What should the new formulae be for

- (1) Street surfacing together with necessary base preparation?
- (2) Curb and gutter?
- (3) Sidewalks on petitions?
- (4) Sidewalks by Council initiative?
- (5) Sodding and trees?

The City Manager recommended a one-third share to the abutter, or approximately \$6.90 per front foot on street surfacing together with necessary base preparation.

Again the question was raised as to whether or not the base preparation charges could be separated from the asphalt paving charges in areas where a lot of base preparation work is required.

The City Manager pointed out that the costs for stone and oil surfacing, chip seal or slurry seal would be much less than for asphalt.

The City Engineer felt that the base preparation charges could be separated out and it might be done on a 75%/25% basis. In reply to a question, he said that the chip seal or slurry seal, leaving out the base preparation cost, could perhaps be done at \$1.00 per foot.

The Director of Works and Engineering briefly explained the different types of surfacing suggested.

After further discussion, it was MOVED by Alderman Allen, seconded by Alderman LeBlanc that the cost sharing formula for street surfacing together with necessary base preparation should be on the basis of one-third to the abutters on each side of the street and one-third to the City. Motion passed.

Some discussion ensued with respect to the formula for curb and gutter work.

The City Manager recommended that the basis should be the same as for paving. (street surfacing). One-third to the abutters on each side of the street and one-third to the City.

At this time, at the suggestion of Alderman Meagher, Council adjourned for a short break.

10:25 a.m. Council adjourned for short recess.

Special Council,
July 7, 1970

10:40 a.m. Council reconvened, the same members being present.

The City Manager referred to Appendix B, attached to the Staff Report dated July 2, 1970 and said that the figures relating to curb and gutter in the last column should read percentage 33 1/3 and \$ $\frac{1}{2}$ front foot \$5.30.

It was MOVED by Alderman Meagher, seconded by Alderman Connolly that the cost sharing formula for curb and gutter should be on the basis of one-third to the abutters on each side of the street and one-third to the City. Motion passed.

MOVED by Alderman Meagher, seconded by Alderman Ivany that sidewalks petitioned for by local residents should be charged 100% to the abutters. Motion passed.

In discussing sidewalk charges by Council initiate, it was recommended that the formula should be on a 50/50 basis. 50% to the abutter and 50% paid for by the City.

Alderman Allen raised the question of sidewalks on arterial roadways.

The City Manager suggested that Staff display a plan showing the designation of streets in the City which will form part of a Staff Report to Council to be submitted within two weeks.

At this time, Alderman Allen, with the approval of his seconder, withdrew the motion he made at the meeting last Thursday night, which motion read as follows:

MOVED by Alderman Allen, seconded by Alderman McGuire that the City adopt a sidewalk programme for 1970 based on the abutter's charge equivalent to 25% of the estimated cost as contained in Appendix "B" of the City Manager's report dated July 2, 1970 and that the programme be within the level that the City Manager would recommend as part of the City's Capital Budget and on a priority basis as recommended by City Staff.

The Traffic Engineer displayed and explained a plan showing the proposed designations of certain streets as arterials, major roads and collector streets.

Considerable discussion ensued with respect to the formula to be charged and it was MOVED by Alderman McGuire, seconded by Alderman Allen that the City adopt a sidewalk programme for 1970 based on the abutter's charge equivalent to 25% of the estimated cost as contained in Appendix "B" of the City Manager's report dated July 2, 1970 and that the programme be within the level that the City Manager would recommend as part of the City's Capital Budget and on a priority basis as recommended by City Staff.

The sidewalk programme referred to relates to those sidewalks initiated by the City on arterial, major and collector streets.

Alderman Ivany in referring to Appendix "B" of the City Manager's report dated July 2, 1970 pointed out that the 25% figure contained in the motion would constitute a reduction in the present charges.

After some discussion on this point, it was MOVED in Amendment by Alderman Meagher, seconded by Alderman Ivany that the percentage figure in the motion be changed to 50%.

Alderman Allen again referred to the debatable benefits which accrue to an abutting owner when a sidewalk is installed on his side of the street.

A.P. After further discussion, the Amendment was put and passed with Aldermen McGuire and Allen voting against.

M.P. The motion, as amended was then put and passed.

Council then agreed that an abutter should pay 100% of the cost of sodding and the planting of trees.

Section A. 1. (d) (iii) of the City Manager's report reads as follows:

(iii) Should we seek legislation to authorize Council to pro rate costs on the basis of value rather than frontage of benefitted lands? (A question of secondary priority).

MOVED by Alderman Meagher, seconded by Alderman Sullivan that this question be deferred for a period of two months to permit Staff to prepare a further report outlining the benefits to the City if such system was implemented.

In reply to a question, the City Manager advised that he was not sympathetic to the implementation of a value basis. He explained briefly his reasons.

M.P. After further discussion, the motion was put and passed, eight voting for the same and one against it as follows:

For: Aldermen MacKeen, Connolly, Ivany, LeBlanc, McGuire, Meagher, Allen and Sullivan 8

Against: Alderman Hogan 1

The following section of the City Manager's report was then considered: A. 1. (e).

Renewals - as contrasted to maintenance by patching - should be the subject of local improvement charges, if undertaken after the relevant debenture issues have been paid off? If so:

Special Council,
July 7, 1970

on what basis of cost sharing, say 75% of normal local improvement charge to owner and 25% to City? (The decision under item (c) should apply).

"MOVED by Alderman McGuire, seconded by Alderman Sullivan that Council reject recommendation E as contained in the Staff Report of June 22, 1970."

Considerable discussion ensued on this point and varying points of view were expressed.

Alderman Sullivan could not see why abutters should be expected to pay twice for sidewalks, curbs and gutters.

It was MOVED by Alderman Sullivan, seconded by Alderman McGuire that Council reject recommendation E as contained in the Staff Report of June 22, 1970.

After a short discussion, it was MOVED in Amendment by Alderman Allen, seconded by Alderman McGuire that the following be added to the motion:

Except where property owners or abutters petition the City for renewal work or where such renewal work is necessitated by new construction or renewal of buildings, when the abutters should be charged 100% of the cost.

11:45 a.m. His Worship the Mayor leaves the meeting and the Deputy Mayor assumes the Chair.

Discussion followed with respect to certain areas of the City where complete renewals or replacements have been effected and the fact that the City will not be able to do very much replacement work if the abutters do not share in the cost.

12:02 p.m. His Worship the Mayor returns and resumes Chair.

A.P. The Amendment was put and passed with Aldermen MacKeen, Sullivan and Ivany voting against.

In reply to a question, His Worship the Mayor said that the effect of the motion is to reject the imposition of abutters' charges for renewal work, except in cases where such work is petitioned or necessitated by renewal projects, when the charge would be 100% to the abutter.

M.P. The motion, as amended, was then put and passed, seven voting for the same and two against it as follows:

For:	Aldermen MacKeen, Connolly, Ivany, McGuire Meagher, Sullivan and Allen	7
Against:	Aldermen Hogan and LeBlanc	2

At this time, His Worship the Mayor referred to the fact that Alderman Allen wished to ask some questions of Staff with respect to the Staff Report of July 2, 1970. He suggested that Council consider this matter before proceeding with the next section of the Manager's report.

Alderman Allen referred to Ardwell Avenue, one of the streets listed in the Staff Report and he explained some of the difficulties surrounding this street.

The City Engineer in reply to several questions, reviewed the work which is proceeding on the seven streets listed and advised that further information is to be brought to Council together with a revised list of streets with estimates at a later date. He said that there are other streets with similar problems as those on Ardwell Avenue.

After further discussion, it was agreed that this matter should be again considered when a further Staff Report is submitted.

The Council then proceeded to consider the following section of the City Manager's Report: B. (a)

Is there any other practical alternative to the recommendations contained in the MacLaren Report and summarized in the Manager's memo of July 2, 1970, i. e., that benefitting owners should pay:

- (a) in developed areas:
 - (i) 70% of the cost of laterals and service connections (to the property line)
 - (ii) 100% of the cost of the sewer connections on private property
 - (iii) \$500/lot towards the cost of trunk sewers and treatment.
 - (iv) 50% of the cost of laterals and service connections in areas where sanitary sewers are installed.

Trunks for this purpose should be defined as

1. those lengths of sewers to which no connections can or will be made;
2. the excess cost of those sewers (to which connections may be made) having a diameter in excess of:

for sanitary sewers, say, 15" (where paralleling a storm sewer)

for storm sewers, say, 24"

(i.e. every property is chargeable for an initial storm sewer - if provided - and an initial sanitary sewer - if provided - but

Special Council,
July 7, 1970

no property should be required to pay frontage taxes for more than one of each, nor should the frontage charges cover the excess costs of pipes having a diameter larger than those indicated above, nor, of course, should an owner be required to pay frontage charges for a pipe which has already been installed by a subdivider or under previous policies of the City or County)

In reply to a question, the City Manager said that Council is talking about figures such as, \$3,300 for a complete new installation of storm and sanitary sewers per lot, which is 70% plus the \$500 charge towards the cost of trunk sewers and treatment, and \$2,550 per lot where a sanitary sewer is installed.

Some discussion ensued at this point, as to whether the Kline Heights matter could be considered before this item is dealt with, and it was decided that the broad issue should be considered first.

Discussion also ensued as to whether the meeting should continue after a break for lunch or whether it should continue another day.

Considerable discussion followed with respect to the total cost charged to abutters for all the works and the effect the high cost would have on property owners.

12:30 p.m. Alderman McGuire retires.

Alderman Connolly referred to the situation where a pipe is eventually attached to a storm sewer which means that the owner would have to dig up his lawn to make a connection. He then mentioned the case where a house is below the street grade, it would be necessary to install a pump to lift the sewage up the required number of feet. The cost for the pump would be about \$300.00 plus other expenses making it very expensive to direct the flow of sewage into the sanitary sewer.

The City Manager suggested that where, for the economy of design and installation of a sewer system, the City finds it appropriate to put the line in that will serve only the houses on the high side of the street, but not the houses on the low side of the street, that the City make available, as part of the consideration, a given amount of money to offset the extra costs that the owners on the low side of the street would have to pay in order to install a pumping system.

Reference was made to the sewer systems on the peninsula where in some areas a combined system is in existence.

It was suggested that the period of repayment by means of abutters' charges could be extended to a 25 year period, making the annual charges a little less.

Alderman Allen considered that the City would be

Special Council,
July 7, 1970

illadvised if it did not make some representation to the Provincial and Federal Governments for the inclusion of sewer works in the next D.R.E.E. programme. He said it was obvious that the City could not afford to do the work and the proposed abutters' charges appear to be more than the property owners can afford.

After further discussion, it was suggested that the meeting continue later this afternoon.

Certain Aldermen said that they would not be available, and it was finally agreed to continue the meeting at 7:00 p.m. tomorrow.

1:03 p.m. Council adjourned until 7:00 p.m., Wednesday, July 8, 1970.

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

SPECIAL COUNCIL
M I N U T E S

True Chief

Council Chamber,
City Hall,
Halifax, N.S.
July 8, 1970
6:06 P.M.

A Special Council meeting 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, and Aldermen MacKeen, Connolly, Hogan, Ivany, LeBlanc, McGuire, Meagher, Allen, and Sullivan.

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

The Special Council was called to consider the following matter:

REZONING FROM T-ZONE TO R-4 ZONE - LAND UPPER RANDALL PARK

A Public Hearing was held on June 25th into the matter of rezoning a section of land at Upper Randall Park from T-Zone to R-4 Residential as shown on Plan No. P200/3731. At that meeting Council made no decision, but referred the matter to this Special Council meeting to allow an opportunity for the developer to be present at a Town Planning Board meeting to answer some of the questions raised by the residents of the area. The recommendation from that Town Planning Board meeting was that the application be approved.

A Mr. Dan Murphy addressed the Council and said that his two concerns were the traffic hazard created if Sybil Crescent were used as an access in and out of the apartment site, and the loss of privacy houses in the area would suffer because of an apartment building being constructed.

The problem of traffic having been solved by agreement that a cul-de-sac off of Willett street would be constructed to serve the apartment, there remained only the privacy question, and Mr. Murphy said he felt the developer should put a border of trees to separate the two zones.

His Worship the Mayor stated that the developer had indicated his willingness to create a border of trees, but Mr. Murphy felt this commitment should be given in writing.

Alderman McGuire pointed out that Council was only dealing with the question of rezoning at this time, and that the subdivision approval question would come at a later stage, at which point such a commitment could be asked of the developer, by way of a firm legal statement.

MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that approval be granted to the rezoning from T-ZONE

Special Council,
July 8, 1970

(Mobile Home Park Zone) to R-4 Residential of Lots 135-140 inclusive, Sybil Crescent, as shown in Case No. 2043, on Plan No. P200/3731. Motion passed.

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

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

6:15 P.M. Meeting adjourned.

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

HEADLINES

Rezoning from T-Zone to R-4 Zone - Land Upper Randall Park.. 448

the report:

"Is there any other practical alternative to the recommendations contained in the MacLennan Report and summarized in the Manager's memo of July 7, 1970, i.e., that benefitting owners should pay:

(a) in developed areas:

- (i) 70% of the cost of laterals and service connections (to the property line)
- (ii) 100% of the cost of the sewer connections on private property
- (iii) \$500/lot towards the cost of trunk sewers and treatment.
- (iv) 50% of the cost of laterals and service connections in areas where sanitary sewers are installed."

A discussion ensued on the costs involved, particularly with regard to item (iii), there being an indication this sum might be reduced under the 1968 proposal. Taking Main Avenue as an example, Alderman McGuire asked if the house connections are made as soon as the trunks go in, will the abutters get the full charge of all this, so much for trunks and 50% for laterals. His Worship the Mayor answered that such abutters would pay 50% of the standard cost of the installation, plus \$500 per lot as their share was corrected, and that they must make the connections as soon as the work is done.

Alderman McGuire asked if after the trunks are installed, would it be necessary to proceed immediately with paving of sidewalk and curb and gutter work. Mr. Dodge replied not necessary so and that under no circumstances would it be desirable to do the sidewalks, curbs and gutter before the main trunk sewer was installed.

ADJOURNED COUNCIL MEETING
MINUTES

True Chief

Council Chamber,
City Hall,
Halifax, N.S.
July 8, 1970

An adjourned meeting of City Council was held on the above date.

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

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

The City Clerk advised the meeting was called to complete consideration of the report dated July 6th, 1970 with respect to the following:

- B. SALIENT QUESTIONS RE: IMPLEMENTATION OF MACLAREN REPORT
- C. SALIENT QUESTIONS RE KLINE HEIGHTS

SALIENT QUESTIONS RE IMPLEMENTATION OF MACLAREN REPORT

Council considered the following section from the report:

"Is there any other practical alternative to the recommendations contained in the MacLaren Report and summarized in the Manager's memo of July 2, 1970, i.e., that benefitting owners should pay:

(a) in developed areas:

- (i) 70% of the cost of laterals and service connections (to the property line)
- (ii) 100% of the cost of the sewer connections on private property
- (iii) \$500/lot towards the cost of trunk sewers and treatment.
- (iv) 50% of the cost of laterals and service connections in areas where sanitary sewers are installed."

A discussion ensued on the costs involved, particularly with regard to item (iii), there being an indication this sum might be reduced under the DREE program. Taking Main Avenue as an example, Alderman McGuire asked if the house connections are made as soon as the trunks go up, will the abutters get the full charge of all this, so much for trunks and 50% for laterals. His Worship the Mayor answered that such abutters would pay 50% of the standard cost of the installation, plus \$500 per lot as their houses were connected, and that they must make the connections as soon as the work is done.

Alderman McGuire then asked if after the trunks are installed, would it be necessary to proceed immediately with paving of sidewalk and curb and gutter work. Mr. Dodge replied not necessary so and that under no circumstances would it be desirable to do the sidewalks, curbs and gutter before the main trunk sewer was installed.

Adjourned Council,
July 8, 1970

His Worship the Mayor said that in a lot of cases the work won't be done for a long time, but the overall problem will be greatly alleviated by getting trunks into new areas so that there is no deterioration of the general condition. Also, he said a change in the formulas for paying the costs would result in the event subsidies are forthcoming from the other levels of Government. The \$500 charge, for instance, he said, might be wiped out if sufficient grants were available and the laterals become part of the cost of the lot.

Alderman McGuire suggested financing item (iii) out of general revenue. His Worship the Mayor, however, was not in favour of this, stating that the City Manager had already indicated with a 50% grant the cost might be reduced to \$250.00, or if the grants were high enough, wiped out completely.

Alderman McGuire, however, MOVED, seconded by Alderman Meagher that benefitting owners should pay:

- (i) 70% of the cost of laterals and service connections (to the property line), where no sewers are now installed.
- (ii) 100% of the cost of the sewer connections on private property.

His Worship the Mayor said that if Council adopted the motion that calls for reducing local improvement charges as well as the City's share when additional funds come from other levels, then it would be negotiating to get the costs down to the level where work could proceed.

Alderman Ivany agreed with this theory and MOVED in amendment, seconded by Alderman Hogan:

1. THAT a request be made to the other levels of Government possibly using the MacLaren Report as a basis for financial assistance, to reduce the local improvement charges to the property owner as well as the City;
2. THAT at the point where any assistance from other levels of Government makes it possible, the formulas of payment be revised to reduce the charges;
3. THAT the following be added as No. (iii) to the main motion regarding what benefitting owners should pay:
(iii) \$500/lot towards the cost of trunk sewers and treatment.

Amendment passed. Alderman McGuire against.

Alderman McGuire said he was still in favour of treating (iii) as a separate item to be financed out of general revenue, as he felt it would give the opportunity of presenting the capital position of the City in a more realistic manner. His Worship the Mayor, however, said it was his own view that

Adjourned Council,
July 8, 1970

whatever policy the City adopted, it would be better to describe it on paper to show the other levels of Government that the City required a lot of help.

Alderman Allen referred to the installation of trunk sewers for a distance of say 1½ miles from any one's particular property but they would still be liable for a charge.

The City Manager suggested that Council might consider deferring the trunk impost until such time as 75% of the developed lots in the catchment area are essentially served by that trunk or could be served and proving to be of use or value to relieve the problem to 75% of the lots in any particular catchment area.

It was then noted that item (iv) had not been dealt with in the foregoing motion and it was MOVED by Alderman Meagher, seconded by Alderman LeBlanc, that benefitting owners should pay:

- (iv) 50% of cost of laterals and service connections in areas where sanitary sewers are installed.

Amendment passed.

The motion as amended was put and passed unanimously.

His Worship the Mayor said that the Council would await further word from the City Manager regarding when the \$500 charge would have to be paid in relation to the installation of the sewers. He said it was hard for Council at this point to gauge what would be fair in the matter.

The City Manager asked if he were correct in interpreting the discussion to mean that to the extent participation from other levels of Government was forthcoming, these charges would be reduced proportionately, to which Council agreed.

MOVED by Alderman Hogan, seconded by Alderman Allen that Trunks for this purpose should be defined as:

1. those lengths of sewers to which no connections can or will be made;
2. the excess cost of those sewers (to which connections may be made) having a diameter in excess of:
for sanitary sewers, say 15" (where paralleling a storm sewer) for storm sewers, say 24"
(i.e. every property is chargeable for an initial storm sewer - if provided - and an initial sanitary sewer - if provided - but no property should be required to pay frontage taxes for more than one of each, nor should the frontage charges cover the excess costs of pipes having a diameter larger than those indicated above, nor, of course, should an owner be required to pay frontage charges for a pipe which has already been installed by a subdivider or under previous policies of the City or County).

Motion passed.

MOVED by Alderman Meagher, seconded by Alderman MacKeen, that the new rate structure come into effect on July 1, 1971. Motion passed.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that in the meantime, the present rate structure should be increased to the maximum permitted, i.e., \$10.00/ft. and \$250/lot towards trunks and treatment costs.

The motion was put and passed, five voting for the same and four against it, as follows:

For - Aldermen MacKeen, Connolly, LeBlanc,
McGuire and Meagher 5

Against - Aldermen Hogan, Ivany, Allen, and His Worship...4

This section of the report concluded as follows:

"Once again the imposition of substantial abutters charges will tend to slow down the demand, leaving the City free to maximize the allocation of its funding capacity to DREE programs involving 50¢ \$, such as the main trunk interceptors and treatment facilities, the North West Arm Bridge, Harbour Drive, etc. (While the Armdale, Fairview and Lacewood Sewers are primarily trunk sewers, there will be a few connections made to them and they will serve as trunks for a large number of properties that will be tributary to these. The owners affected should be notified as soon as possible as to the frontage and trunk impost charges that will be made)."

SALIENT QUESTIONS RE KLINE HEIGHTS

Alderman Hogan asked what obligation existed by the City in writing with regard to carrying out the sewer and water work in Kline Heights.

His Worship the Mayor replied that prior to annexation, but when it was known it would come about, the County had proposed putting out tenders for the installation of sewers and water, but the City of Halifax looking ahead and believing that something more than a simple installation of water and sewer ought to be undertaken, agreed to interim arrangements like a water truck, and hired Consultants to design the urban renewal scheme to provide sewer and water and up-grade the community. By so doing, he continued, the City persuaded the County not to proceed with its plans in this regard, and thereby it took on the responsibility to provide these services. He outlined how at that time the City had expected involvement by the other levels of Government in the study and its implementation, but how after the Hellyer report the Federal Government had put a freeze on such programs. He felt therefore that the City had a firm commitment which could be substantiated by minutes of Council meetings prior to annexation.

1. Has the City the capacity to undertake the total program

The Kline Heights program involved a total sum of an

estimated \$2,840,063.00 and if the City committed itself to this amount, His Worship said, it would affect its funding capacity for the next three years, which fact would have an affect on the City's capacity to participate in other schemes under the DREE program. He pointed out, however, that the City Council, since the 1966 election, had not taken on any capital commitment of significance outside of the Kline Heights project.

Mr. Grant mentioned costs for acquisitions of properties which would be affected by the program, and Alderman Meagher asked if it would be possible to state there would be none during the first phase of the program. The City Manager replied with regard to sewer and water you have to make a commitment for the entire area, and that even if a property would only actually be required for this work during the next stage of the program, in the meantime the owner would have a hard time to sell his property because of this fact, and would probably have to hold on to it until such time as the City was prepared to acquire it.

After further discussion on the costs involved, it was MOVED by Alderman LeBlanc, seconded by Alderman Meagher that the City undertake the total program (notwithstanding the Federal and Provincial Governments' reluctance to participate beyond a DREE loan for the first stages (less than 1/5th of the total estimated costs, and assumption of the first year's principle and interest costs on that loan). Motion passed.

A second part to Section C.(1) of the report asked: "What other projects should be deferred, i.e., given a lower priority? (The indication so far is 'all of them')"; however, Council made no decision in this regard.

CHARGES TO KLINE HEIGHTS PROPERTY OWNERS

Alderman LeBlanc asked Mr. Grant what the approximate cost to each home owner would be for installing sewer and water and Mr. Grant put the following figures before the Council:

Water trunks	-	\$200
House Connection-		\$500
Sewer (main)	-	\$250
\$10/Ft sewer laterals-		\$600 (Based 60' Lot)
House Connection-		<u>\$630</u>
Total		\$2180

Alderman Allen felt the estimates for the house connections were high, especially so in cases where the home owner could do some or all of the work himself.

MOVED by Alderman Allen, seconded by Alderman McGuire that with regard to the Kline Heights sewer and water program, the City install services to the property line, and the charges to the property owner be as follows:

\$200 - to the Public Service Commission
\$250 - to City for trunk services
\$10.00/Ft - to City for sewer laterals

and the property owner be responsible for the connection from the property line to his house.

The City Manager suggested that, with the owner's consent, the City do any blasting necessary to make the house connection, since persons hired by the property owner for this purpose could damage the City's sewer and water installations.

Alderman LeBlanc asked if there was any way to reduce the cost to the Kline Heights home-owners, and how long a period would they have to pay for the work.

His Worship the Mayor said that the \$1050 cost to the Kline Heights property owners was already much below the \$4630 other property owners would be paying once the new rates came into effect.

With regard to payment, based on 20 years the City Manager quoted the following figures:

About \$180.00 per year for the first five years; and
About \$120.00 per year for the succeeding fifteen years.

The motion was put and passed.

Section C(2)(a) of the report recommended:

"If 1 and 2 are agreed to, Council authorize the entire sewer and water component of the project, including the funding necessary for property acquisitions, and seek the Minister's approval before legislation is sought to authorize an increase in charges along the lines recommended in the MacLaren Report."

It was MOVED by Alderman Allen, seconded by Alderman LeBlanc, that Council authorize the entire sewer and water component of the project, including the funding necessary for property acquisitions, and seek the Minister's approval before legislation is sought to authorize an increase in charges along the lines recommended in the MacLaren Report. Motion passed.

D. SALIENT QUESTIONS RE SPECIFIC PROGRAMS FOR 1970, UPON ADOPTION OF A POLICY ON ABUTTERS CHARGES

The City Manager said he was not ready to present a report in this matter, but was trying to resolve how much money was available within the frame-work of the capital budget.

APPOINTMENT OF PROJECT COORDINATOR

Alderman Ivany referred to a recommendation in the July 2 staff report under Conclusions, that a Project Coordinator be appointed, and said he felt this was an important point.

MOVED by Alderman Ivany, seconded by Alderman McGuire, that a Project Co-Ordinator be appointed for the Kline Heights Project, who will keep Council advised of progress in the matter at suitable intervals. Motion passed.

The City Manager suggested it would be well to obtain one of Project Planners' staff to fill this job.

LEGAL SURVEYS

Conclusion 4 on Page 24 of the July 2 staff report was considered next.

MOVED by Alderman LeBlanc, seconded by Alderman MacKeen that, within the general borrowing resolution, Council authorize the award of a contract for legal surveys for the Kline Heights 1970-71 programme, estimated at \$24,000. Motion passed.

Alderman Ivany referred to the following statement on Page 21 of the July 2 report:

"It would appear desirable for Council therefore, to plan on expenditures of up to \$500,000 more than has been or may be committed under the DREE programme."

a The City Manager said that staff would be submitting more precise funding resolution for Council's consideration, which would cover the entire sewer and water program and the acquisition program related to it.

10:10 P.M. - Council adjourned until 9:00 A.M. Tuesday, July 14th to consider the Planning Act.

HEADLINES

Salient Question Re Implementation of MacLaren Report....	450
Salient Questions Re Kline Heights	453
Charges to Kline Heights Property Owners	454

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

True Chief

ADJOURNED COUNCIL MEETING
MINUTES

Adjourned Council,
July 14, 1970

Council Chamber,
City Hall,
Halifax, N.S.
July 14, 1970
9:15 A.M.

An adjourned meeting of City Council was held on the above date.

Present were: His Worship the Mayor, Chairman; and Aldermen Abbott, Hogan, Ivany, McGuire, and Sullivan.

The meeting was called to discuss:

1. Proposed Program for Street Improvements during the Balance of 1970 and Early in 1971; and
2. Application of The Planning Act.

The City Clerk requested the addition of:

3. Tax Concession Request Re Proposed Garage at Isaak Walton Killam Hospital

but Alderman Sullivan was against adding this item, stating he had not received the report in time to study it sufficiently. However, he stated that if prior to the end of the meeting he had the chance to read the report, he would be agreeable to discussing it at this meeting.

The City Clerk also requested the addition of "Paving of Birkdale Crescent", but the Chairman said this could be considered under Item 1.

PROPOSED PROGRAM FOR STREET IMPROVEMENTS DURING THE BALANCE OF 1970 AND EARLY IN 1971

A staff report was submitted which set forth a net funding capacity to carry out the following work in 1970:

Account No. 53-1	- Sidewalks	\$34,300.00
Account No. 53-2	- New Paving	353,000.00
Account No. 53-3	- Street Widening	50,600.00
Account No. 53-5	- Paving Renewals	-41,300.00
Account No. 53-14	- Traffic Improvements	- 2,300.00

Each program was given in detail on separate sheets attached to the report, together with items proposed for 1971 and beyond. The City Manager outlined how staff arrived at the figures set forth in the report.

9:23 A.M. - Aldermen LeBlanc and Meagher arrived.

Alderman LeBlanc asked for an explanation as to why certain streets in his Ward were missing from the list and Mr. D.J. Fox of the Engineering & Works Department came forward to answer the question. Mr. Fox said the streets were

Adjourned Council,
July 14, 1970

listed in order of the date requests were received, most of which resulted from meetings that staff had with Council members.

9:30 A.M. - Alderman MacKeen arrived.

Alderman Ivany said he was unhappy to see the minus figures quoted in the report for paving renewals and traffic improvements, but the City Manager pointed out that the report did not incorporate some \$25,000 worth of traffic improvements already completed this year, or in the process of being completed, and that the same could apply for all categories, the City, for instance, being committed this year for about \$127,000 worth of sidewalk work apart from that recommended in the report. The report, therefore, he said, represented staff recommendations for the balance of the 1970 program. He said that if the Aldermen so wished, they could substitute some of the streets listed in the second sheet for each category headed 1971 (or beyond).

Council then considered each account separately:

Cap. Acc. 53-1 Proposed 1970 Program - Sidewalk

MOVED by Alderman Meagher, seconded by Alderman McGuire that approval be given to the construction of sidewalk on Downs Avenue for 1,000 ft from Milson Avenue (south side) to Winter Street, in the amount of \$12,000.00, under the 1970 Program, Cap. Acc. 53-1. Motion passed.

MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that approval be given to the construction of sidewalk on West Street for 150 ft. east of Agricola Street (north side) in the amount of \$4,000.00, under the 1970 program, Cap. Acc. 53-1. Motion passed.

MOVED by Alderman LeBlanc, seconded by Alderman Sullivan, that approval be given to the construction of sidewalk on Leiblin Drive, 215 ft from Avon (south side) to Rockingstone Road, in the amount of \$9,000.00, under the 1970 Program, Cap. Acc. 53-1. Motion passed.

MOVED by Alderman MacKeen, seconded by Alderman Abbott, that approval be given to the construction of sidewalk on Leiblin Drive for 230 feet from Avon (south side) to Avon, in the amount of \$7,000.00, under the 1970 program, Cap. Acc. 53-1. Motion Passed.

MOVED by Alderman Sullivan, seconded by Alderman Hogan that approval be given to the construction of paraplegic ramps at various locations throughout the City, in the amount of \$2,000.00, under the 1970 program, Cap. Acc. 53-1. Motion passed.

His Worship the Mayor suggested that the Aldermen keep the lists of 1971 or beyond work, so that they can set forth priorities in the event that all the work noted cannot be done because of financial or other considerations.

Alderman Ivany questioned the priorities on the lists, and suggested that work should be centered on main arteries. The City Manager replied that when Council adopted the Current and Capital Budgets, it had made its decision in this matter. To transfer funds from one location to another, he said, would require going back to the Department of Municipal Affairs.

Cap. Acc. 53-2 - Proposed 1970 Program - New Paving:

MOVED by Alderman Hogan, seconded by Alderman Meagher, that new paving be carried out under the 1970 program (Cap. Acc. 53-2) for the following streets as approved for the 1970 Budget, as follows:

<u>-Hazelholme Drive</u>	<u>- End of Paving to</u>	<u>- 633</u>	<u>- \$21,000</u>
	<u>633 West</u>		
<u>-Glenforest Drive</u>	<u>- Hillwood to</u>		
	<u>Willet Street</u>	<u>- 750</u>	<u>29,000</u>
<u>-Ardwell Avenue</u>	<u>- Rockingstone to</u>	<u>- 500</u>	<u>22,000</u>
	<u>Tartan Avenue</u>		
<u>-Willet Street</u>	<u>- Simco to</u>		
	<u>Glenforest Drive</u>	<u>- 300</u>	<u>9,000</u>
<u>-Willet Street</u>	<u>- Glenforest Drive</u>	<u>-1200</u>	<u>49,500</u>
	<u>(approved 1970 Budget) to Dunbrack St.</u>		
<u>-Clearview Street</u>	<u>- Elgin to Elgin</u>	<u>- 950</u>	<u>34,500</u>
<u>-Elgin Street</u>	<u>- Sussex to Olie</u>	<u>-1056</u>	<u>28,000</u>
<u>-Convoy Avenue</u>	<u>- Willett to</u>	<u>- 845</u>	<u>24,000</u>
	<u>Dunbrack</u>		
<u>-Robin Street</u>	<u>- Oriole to Dead End-</u>	<u>225</u>	<u>13,000</u>

Motion passed.

MOVED by Alderman McGuire, seconded by Alderman Hogan that New Paving be carried out under the 1970 program (Cap. Acc. 53-2), as follows:

<u>-Simco Place</u>	<u>- Willett to Dead</u>	<u>- 680</u>	<u>26,000</u>
	<u>End</u>		
<u>-Adelaide Avenue</u>	<u>- Willett to</u>	<u>- 845</u>	<u>25,000</u>
	<u>Dunbrack St.</u>		
<u>-Homecrest Terrace</u>	<u>- Brook to Dead End</u>	<u>- 390</u>	<u>16,000</u>
<u>-Brook Street</u>	<u>- Doull to Home-Crest</u>	<u>500</u>	<u>19,000</u>
<u>-Flamingo Drive</u>	<u>- Nightingale to</u>	<u>- 360</u>	<u>20,000</u>
	<u>Dipper</u>		

July 14, 1970

Dipper Crescent - Flamingo Drive - 640 - 26,000
to Dead End

Motion passed with Aldermen Ivany and Meagher against.

STREET ACCEPTANCE

At this point the City Manager referred to a staff report dated June 15, 1970, entitled "Street Acceptance", and said that it would require Council's decision.

A discussion ensued regarding streets which the City could not accept because the developer had not brought them up to standard. The City Manager referred to a staff report in connection with abutters of sewer and water installations which stated that the property owners affected should be notified as soon as possible as to the charges that would be assessed against them, and suggested at the same time they be advised that work would proceed as soon as the developer had done his part to bring the streets up to grade. He said that with regard to the items included in the \$362,000 figure for new paving, not all of the work would be done in 1970, but that some would probably run through 1971. He suggested that Council indicate that the new rates would go into effect on July 1, 1971 for streets not on the present lists, thus making the end of the lists a definite cut-off point for applying the new rates.

Alderman Meagher stated that in cases of streets on the list, but due to the fact that the developer had not brought the street up to grade, work might not be carried out for another two years or more, there should be a cut-off date of January 1, 1972 for such streets. The City Manager agreed that would be a good idea.

His Worship the Mayor suggested that if some of the streets on the list could not be proceeded with due to not being brought up to standard by the developer, they be substituted by streets from the attached "shopping list".

The City Manager said that there was not any guarantee that the City could proceed immediately with the paving even where the street concerned was brought up to standard by developer, and suggested this would have to be considered in imposing a cut-off date for the application of the new rates. Alderman Meagher said that the cut-off date should apply in cases where work could not continue through no fault of the City.

His Worship the Mayor summarized the suggestions made, as follows:

1. That all streets not up to grade and ready for paving by say September 1, should be dropped from the list and come under the new rates;
2. Consideration be given to adding other streets from the "shopping" list in place of the streets dropped;

3. In cases where the work is not carried out even though the developer has completed his part of the job by September 1, consideration will be given to extending the cut-off date.

The City Manager said he doubted if the developer could be expected to have a street ready in cases where it was only added to the list in September, but His Worship the Mayor said that only streets already up to standard should be added, and this would be an incentive for some of the developers concerned with streets on the "shopping" list to get such streets up to standard.

It was agreed that the City Manager would prepare a written statement for Council's consideration at its meeting on July 16.

MOVED by Alderman Hogan, seconded by Alderman LeBlanc, that the following streets be accepted by the City, subject to the owners or owner rectifying all minor deficiencies on any street as outlined under Information & Comments in the staff report of June 15, 1970, or if the owner(s) is unwilling or unavailable, that a draw be made on the existing Bond if available, with the understanding that little or no money might result from some of these legal actions:

- Ardwell Avenue (Ward 7) - Rockingstone Road to Tartan Avenue (about 550 ft.)
- Robin Street (Ward 10) - Oriole Street to Dead End (about 225 ft.)
- Convoy Avenue (Ward 10) - Willett Street to Dunbrack Street (about 850 ft.)
- Elgin Street (Ward 7) - Sussex Street to Olie Street (about 1,060 feet)
- Clearview Street (Ward 7) - Elgin Street to Elgin Street (about 950 ft.)
- Willett Street (Ward 10) - Simco Place to Glenforest Drive (about 350 ft.)
- Willett Street (Ward 10) - Glenforest Drive to Dunbrack Street (about 450 ft.)
- Adelaide Avenue (Ward 10) - Willett Street to Dunbrack Street (about 850 ft.)
- Brook Street (Ward 9) - Doull Street to Homecrest Terrace (about 550 ft.)
- Homecrest Terrace (Ward 9) - Brook Street to Dead End (about 400 ft.)
- Flamingo Drive (Ward 10) - Nightingale Avenue to Dipper Crescent (about 360 ft.)

Adjourned Council,
July 14, 1970

Dipper Crescent

- Flamingo Drive to Dead End
(about 650 ft.)

Motion passed.

Alderman Meagher referred to the statement in the staff report which read: "Council should also be aware that once such streets are accepted, all responsibility (including maintenance) rests with the City of Halifax" and asked to be informed of the costs involved for each street. Mr. Fox went over the list.

Capital Account No. 53-3 - Street Widening (Including Curb & Gutter, Asphalt, Paving and Sodding

MOVED by Alderman McGuire, seconded by Alderman Abbott that approval be given to the following Street Widening for 1970:

<u>-Artz Street</u>	<u>- Brunswick St. to</u>	<u>- 360 ft.</u>	<u>\$17,000.</u>
	<u>Barrington Street</u>		
<u>-Young Street</u>	<u>- Agricola St. to</u>	<u>- 440 ft.</u>	<u>\$27,000.</u>
	<u>Isleville</u>		

Motion passed.

After the motion had been passed, Alderman Meagher questioned the City paying the entire cost for the Young Street work, suggesting that Oland's, in front of whose property the work would be done, should share in the costs.

His Worship the Mayor said that Oland's had no reason for widening the street, so that as far as they were concerned the sidewalk could stay where it was. However, Mr. Fox agreed that the present walk is in bad condition, and it was suggested that this was due to bull-dozer, etc. which were engaged in the construction of the Oland building. If this were the case, Council agreed that Oland's should bear some of the responsibility for replacing the sidewalk.

10:45 A.M. - Alderman MacKeen left meeting.

After further discussion there was unanimous agreement that Young Street be deleted from the foregoing motion, and that staff discuss the matter with Oland's, with a view to coming up with an acceptable formula to be recommended on cost-sharing.

Cap. Acc. 53-5 - Asphalt Paving Renewals and Resurfacing

Cap. Acc. 53-14 - Traffic Improvement

There was no discussion on these items since the report stated "No 1970 program to be undertaken due to the limited and already committed 1970 funding capacity". However, His Worship the Mayor questioned why "street widening" and "traffic improvements" should be separated, since street widening could not be anything but a street improvement.

Adjourned Council,
July 14, 1970

PROVINCIAL PLANNING ACT

A staff report dated July 13, 1970, up-dating a previous one dated May 6, 1970, entitled "Provincial Planning Act" was submitted. Section II outlined the following Recommendations for Council's consideration:

1. It is recommended that the "Town Planning Board" designation be dropped and "Committee of the Whole" be substituted. (The Planning Act also permits, but does not require, the City Council to appoint a Planning Advisory Committee, composed of selected citizens of the City and the City Council.)

After a short discussion it was MOVED by Alderman McGuire, seconded by Alderman Sullivan, that action on this recommendation be deferred until such time as the name of the Committee which will advise the Council on planning matters is known. Motion passed with Alderman LeBlanc against.

2. It is recommended that a Development Officer be appointed.

MOVED by Alderman Ivany, seconded by Alderman Abbott that a Development Officer be appointed. Motion passed.

The City Manager said he had under consideration the person to be appointed to the position and would be making a recommendation in due course.

3. It is recommended that City Council adopt a resolution designating the City Clerk as the official to fix time and date for inspection of new or amended Zoning By-laws and regulations, to prepare advertisements pertaining to new or amended Zoning By-laws, and to take other actions pertinent to the Planning Act, including fixing time and date on which matters will be considered.

MOVED by Alderman LeBlanc, seconded by Alderman Hogan, that approval be given to this recommendation. Motion passed.

4. It is recommended that City Council adopt a resolution delegating to the Development Officer the powers and duties of City Council regarding the subdivision by-law when the new by-law is adopted with the exception that the power to adopt, amend, revise, or repeal such subdivision by-laws shall be retained by the City Council. Further, it is to be noted that City Council must seek approval of this action from the Minister of Municipal Affairs.

Alderman McGuire said that Council members had not yet seen even a draft of the new Subdivision By-law, so he felt it would be premature for them to pass this recommendation. He said this draft had been made available to other members of the Community. The City Manager said that draft copies had been sent to certain developers for comments on engineering and technical aspects, and that a copy could be made available for the Aldermen.