

Recd

SPECIAL CITY COUNCIL MEETING
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
February 3, 1971
8:10 P.M.

A special meeting of 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, Hogan, LeBlanc, McGuire, Meagher, Allen, and Sullivan.

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

PUBLIC HEARING - REZONING OF 5740-5746 SPRING GARDEN ROAD AND
1462-1488 TOWER ROAD FROM R-3 TO C-2

A Public Hearing was held at this time into the above-noted matter.

A staff report dated January 29th, 1971 had been submitted, and the Director of Planning presented it to members of Council.

Alderman McGuire stated that he did not find in the concluding remarks of the staff report, a clear-cut recommendation either for or against the rezoning. The remarks in the staff report were to the effect that (1) the rezoning of the property under question should not be done in isolation to the likelihood that the entire block should then be rezoned, and (2) that in any event, no rezoning should be considered until a commitment is gained that there will be Federal financial assistance through the DREE program for the upgrading of the fresh-water brook sewer, this sewer having reached its capacity, and the site of the proposed hotel being within its drainage area.

Mr. Babb also enumerated several adverse effects that a major building in the proposed location would have on the Public Gardens, including a shadow effect.

His Worship the Mayor then asked if there was anyone present who wished to oppose the proposed rezoning.

Mr. Doane Hallett came forward and presented a submission on behalf of the Lord Nelson Hotel who were opposing the proposed rezoning. Mr. Hallett stated that he did not feel the issue was complex at all, since the various staff reports contained only reasons against the rezoning, and nothing in its favour. He also referred to the plans to contain the downtown development within a specified area to eliminate constant encroachments on residential areas. He stated that from all this information it was apparent that

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the professional planners on staff and those involved in the CORE downtown concept, were all opposed to the rezoning of the land .

Alderman McGuire referred to Mr. Hallett's statement that there need be no problem for Council since staff had not recommended in favour of the rezoning; he said the purpose for the Council being elected was not merely to "rubber stamp" staff recommendations.

Alderman LeBlanc stated that experience had shown that there were times also when the advice of professional planners had not proven to be the best.

The next person to speak in opposition was Mr. Leonard A. Kitz, on behalf of Halifax Developments Limited. Mr. Kitz referred to the construction of the Atlantic Hotel as an integral part of the Scotia Square complex, and said that while his clients would accept as a hard but inevitable fact of life the construction of another hotel in the commercial zoned area, it was strongly opposed to a re-zoning concession in order to accomplish this. He said that Halifax Developments Limited were conscious of rezoning at the time of its proposals when it spelled it out to the clearest extent possible under item 16: "It is requested that the present and future Councils of the City give due and studied consideration to any application for rezoning that could adversely affect this project."

A Mr. John J. Napier, a resident of the area concerned, spoke next. He spoke of the present character of the district with its schools, universities and hospitals, all of which were growing and contributed greatly to the economy of the City, and the fact that this character should be protected against the effects that rezoning to Commercial would have on the area.

Mr. Mahon of the Spring Garden Merchants Association spoke next, stating that the Association were unanimous in opposing any rezoning west of South Park Street.

Mr. L. W. Collins, Chairman of the Landmarks Commission said his Commission felt very strongly about the reaction that could be started by rezoning of the land under question, and its affect on the Public Gardens.

A Mr. W.H. Sparling of 6034 Jubilee Road spoke next, and presented a petition signed by 34 persons who worked or lived in the area, which protested the rezoning. The petitioners were particularly opposed to the construction of a hotel alongside the Public Gardens.

Mr. Franklin, President of the Lord Nelson Hotel was the final person to speak in opposition to the rezoning. He referred to the traffic generated by a hotel and how the narrow passage way along Tower Road would be entirely inadequate to handle it. He also felt that rezoning to commercial would be a threat to the character of that district with its concentration of educational buildings, hospitals, etc.

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There being no further response from those opposing the rezoning, His Worship asked if anyone was present who wished to speak in favour of it.

Mr. Peter Andrews of Mills Bros. spoke in favour of the rezoning. He said that Mr. Mahon's statement on behalf of the Spring Garden Merchants has come out of a meeting of the Executive Committee, at which the general membership had not been present, although he admitted that his firm had signed a petition at one time opposing the rezoning.

Mr. John Renouf of the First Edition Book Store said his Company felt the hotel would be an asset to the street, and they therefore favoured the rezoning.

Mr. Rene Quigley spoke next on behalf of the Bakery and Confectionery Workers - Local 446, which he said had 650 members. The Union he said were in favour of the hotel being built on the land in question, because of the employment it would provide both in its construction and operation.

Mr. J.K. Bell spoke next in favour of the rezoning. Although he represented the Halifax/Darmouth District Labour Council, the Council, he said, had not yet taken a position on the matter, but they were meeting this very evening and the following Wednesday and would discuss the matter. Mr. Bell said the only thing he would object to would be any concessions that might be granted to Mr. Medjuck to build the hotel; otherwise he was in favour because of the jobs it would create and the additional tourist and convention business it would attract to the City.

Mr. Ralph Medjuck was the final speaker of the evening, and brought out some of the following points in favour of his application:

- 1 - He felt there was a need for at least 700 additional hotel rooms in the City.
- 2 - He would not be asking for any concessions and would be prepared to pay full taxation on the building and property.
- 3 - Parking would be provided under the building and there would be no commercial facilities outside of a cigar stand in the hotel to attract persons off the street.
- 4 - He said it was not a convention hotel, but a conference hotel and would prove beneficial to the institutions in the area.
- 5 - The hotel itself, he said, would be one of the finest in Canada, and bring an added excitement to the City.

Mr. Medjuck said he was not prepared to accept the CORE concepts of the downtown area, and pointed out that this was only one of many concepts which had been put forward and had differed greatly.

With regard to the freshwater brook sewer problem, Mr. Medjuck said this was a problem for the City to resolve and existed whether or not he built a hotel on the lot in question. He stated that under the existing zoning by-law he

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would be able to build a 125 unit apartment building on the site without any reference to Council, and that would have a more adverse effect on the freshwater brook sewer.

Mr. Medjuck then displayed charts to illustrate the amount of shade the hotel would cast on the Public Gardens. The worst period he said would occur in September when the shadow would fall 125' into the garden; in August only 58' and so on.

Referring to statements made on behalf of Scotia Square, he said that up until October, 1966 hotels were permitted in an R-3 Zone, so that the early concept of CORE did not include hotels, their plans being made at a time when hotels were allowed in R-3 Zones.

Mr. Medjuck then referred to his past record which, he said, had added \$55,000,000.00 worth of property to the City with a further twenty to thirty million under development, and what this had meant in jobs and taxes for the City.

He concluded by saying it was important that the hotel be ready for the 1972 Tourist season.

The Public Hearing being concluded, the matter was placed before the Council for decision.

The City Clerk filed the following communications received For and Against the rezoning:

AGAINST REZONING :

1. 13 objections filed by Mr. Doane Hallett on behalf of the Lord Nelson Hotel.
2. Petition signed by approximately 70 persons in the area.
3. Petition filed by Mr. L. Kitz on behalf of Halifax Developments Limited.
4. Letter from Landmarks Commission.

IN FAVOUR OF REZONING :

1. A petition of fourteen (14) members of the Spring Garden Road Merchants Association supporting Centennial Properties Ltd. application for rezoning.
2. Petition of thirteen merchants in the Spring Garden Road Area in favour.
3. Petition of eight merchants in the Barrington Street area in favour.
4. Two petitions of residents in the Spring Garden Road, Tower Road and South Park Street area totalling three hundred twenty six names, in favour.

5. Letter from Cummings Properties Limited in favour.
6. Letter from the Convent of the Sacred Heart in favour.
7. Letter from the Bakery and Confectionery Workers, Local 446.
8. Letter from the Bakery and Confectionery Workers' International Union of America.
9. Resolution from the Halifax Homeowners Association in support of the rezoning.

MOVED by Alderman McGuire, seconded by Alderman LeBlanc, that Council defer its decision in this matter until February 18th, 1971. Motion passed.

10:40 P.M. - Alderman Hogan left meeting.

SUBMISSION OF HALIFAX-DARTMOUTH AND DISTRICT LABOUR COUNCIL ON
PROBLEM OF TAXATION

Mr. Chester Sanford, President of the Halifax-Dartmouth and District Labour Council presented a brief to the Council outlining possible methods of obtaining additional taxation which would relieve the tax burden on the individual citizen. Briefly these were:

- 1 - Phasing out of all tax agreements or concessions with privately owned businesses.
- 2 - Full payment of taxes by Province on all property owned and occupied by them in the City.
- 3 - Full taxation on University properties.
- 4 - Full taxation on church-owned properties.
- 5 - The Provincial Government pay a full 100% for the cost of education.
- 6 - Full taxes on hospitals.
- 7 - Correction of a trend which had led to a higher increase in residential taxes than on business and business realty.
- 8 - Only concessions fair would be concessions for the low wage earner or persons on fixed incomes.

The submission was tabled by Council and Mr. Sanford assured that it would receive very careful consideration.

His Worship the Mayor suggested that the Labour Council pass its views on directly to the Provincial Government, since many of the proposals required their consent. He said the City would be bringing up some of these ideas in its discussions with the Province.

COMMITTEE TO STUDY ELECTION PROCEDURES AND COSTS

His Worship the Mayor appointed the following persons to form a Committee to consider the staff report concerning election procedure changes to effect cost savings: City Clerk, Alderman McGuire, and Alderman Ivany.

HEADLINES

Public Hearing - Rezoning of 5740-5746 Spring Garden
Road and 1462-1488 Tower Road from R-3 to C2 ... 35
Submission of Halifax-Dartmouth and District Labour
Council re Problems of taxation 39
Appointment of Committee to study election procedure
changes and cost-savings 39

Present: His Worship the Mayor, Chairman,
and Aldermen Abbott, Hogan, Ivory, Knapton, McHugh, Allen, and
Sullivan.

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

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

R.H. STODDARD
CITY CLERK

The meeting was called to table and
discuss the report entitled "Proposed Annual Estimates - 1972".
Council declared the report to be officially released at
10:10 A.M. today.

Alderman Sullivan said it should be
made clear to the public that the report as submitted had not
received Council's approval, and that there would be a series
of meetings for the purpose of reviewing the figures before a
final budget is approved.

10:15 A.M. - Alderman LeBlanc arrived.

The City Manager said he was not pleased
with the figures submitted with regard to the tax burden they
would impose on the property owners. To overcome the problem,
he said, new sources of revenue would have to be found, or
Council would have to effect some cuts in the present level of
service. He said it had already been necessary to cut out some
projects which were actually necessary for the future welfare of
the City.

Alderman McHugh said he agreed there
was a necessity to take a pretty severe look at the budget
as submitted, but he felt that under these circumstances
Council run the risk of making such cuts where it was not in
the public interest to do so. There were certain things, he
said, which were important to the community in the long run,
and steps should be taken to maintain them. He referred to
the City Manager's suggestion that \$350,000 in expenditures be
deducted from the School Board's budget, saying he did not feel
this was the proper place to effect cuts in the budget, at least
without sufficient dialogue with the School Board on the matter.

Alderman LeBlanc asked that he be
advised what the figure was of positions that represented an
increase or a decrease over last year's establishment, including
Boards and Commissions.

SPECIAL COUNCIL -
BUDGET MEETING
MINUTES

Record
Special Council
February 8, 1971
Council Chamber,
City Hall,
Halifax, N.S.
February 8, 1971
10:10 A.M.

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Alderman LeBlanc asked that he be advised what the figure was of positions that represented an increase or a decrease over last year's establishment, including Boards and Commissions.

A mistake in totalling staff establishment figures for the Social Assistance Department (Page 76) was noted. The 1970 figure should read 56, and the 1971 figure 59.

It was also noted that the 17.6 figure on Page 90 should be bracketed, to indicate a decrease in the Recreation and Playgrounds Commission's 1970 Actual expenditure from the 1969 figure. However, the City Manager later commented that the 17.6 figure was not valid and should not be included, bracketed or otherwise.

Alderman Allen commented on the \$80,000 1970 deficit figure shown on Page 92 for the Halifax Forum Commission, and asked how the figure was arrived at. He was further concerned that Radio Station CJCH had reported on the radio prior to the official release of this report, that the Forum's deficit had doubled in 1970. If, in fact, he said, the radio station was using the material before being given the go ahead, Council should consider whether it was acting in a responsible fashion.

An error on Page 109 was also noted. Under General Comments it was stated that the figure "\$1,500,000" should read "\$150,000".

Referring back to the radio statement on the Forum deficit, Alderman Allen said that the figure forecast had been \$172,000 so that the person making the report that the actual deficit had doubled had been grossly wrong, as in fact it was the other way around, the actual figure being less than half the forecast figure.

Alderman LeBlanc referred to the figures shown on Page 25 for Motor Vehicles and asked whether this was possibly where a reduction could be made.

The Director of Engineering and Works said that the figure had already been cut considerably by the City Manager to a point where he could not recommend further reductions. It was pointed out that the cost of running old equipment could be staggering if one took into account the cost for labour which was idle when the equipment broke down. The City Manager said he could not recommend further cuts in that figure.

Alderman McGuire said that so far all emphasis had been on cutting the budgets for the Boards and Commissions, and while he agreed that was probably necessary, he felt the City should also begin working on the budgets of its own departments.

His Worship the Mayor referred back to the statement that one means of coping with the situation rather than having to make further budget cuts, would be to gain an additional source of revenue, and suggested that the City should be discussing this with the Province to see if they would agree to some tax source which could be implemented this year, such as a sales tax in the Metropolitan area, all of which would be returned to the Municipal governments.

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The matter of an additional sales tax in the Metropolitan area was discussed, and it was estimated it could mean an additional two to three Million Dollars in revenue for the City.

11:20 A.M. - Alderman Meagher left meeting.

Alderman LeBlanc suggested that the City make a request for some sharing in the gasoline tax, and Alderman Abbott again brought up the question of the proposed 7% tax on motels and hotels within the City.

After further discussion it was MOVED by Alderman Ivany, seconded by Alderman Abbott, that His Worship the Mayor form a Committee to approach the Provincial Government and present them with the City's financial problems as a result of the budget submitted, submitting the views expressed today with regard to the imposition of a 1% sales tax in the Metropolitan area as well as exploring any other possible sources of revenue to assist the City, and that the Province give an indication of its feelings in the matter by the time of the budget meeting to be held on Saturday, February 13.

His Worship the Mayor stated that there should only be one approach to the Province so that it should include all the items to be discussed regarding additional sources of revenue for the City. In answer to a question from Alderman Allen, he stated that staff would definitely be involved in the discussion with the Province.

The Motion was put and passed.

It was further MOVED by Alderman Allen, seconded by Alderman LeBlanc, that a copy of the Proposed Annual Estimates - 1971 be sent to each member of the Legislative Assembly along with a letter of explanation, with an invitation to meet with members of Council and staff for an explanation of the Budget and perhaps gain a better understanding of the City's difficulties. Motion passed.

His Worship the Mayor said that all Aldermen would be notified of the meeting so that all who were available could attend,

Alderman Ivany asked what Council's position was with regard to the budget at this time, and His Worship the Mayor replied that the City Manager had made numerous cuts in the budget as a result of meetings held with the Aldermen, some of which he had reservations about, and that he would require the direction of Council on further cuts. He said the Council should proceed with its budget meetings and carry forward the suggestions made about approaching the Provincial Government regarding additional sources of revenue.

Alderman Sullivan suggested that a

a charge be assessed against exempt properties to cover police service, the same as such properties presently pay for fire protection.

His Worship the Mayor said that the 7¢ charge on exempt properties did not cover the cost of Firemen, but merely guaranteed availability of water in the hydrants, and advised that the City Solicitor had said the imposition of a police protection charge would require legislation. However, he suggested that staff look at the implications of Alderman Sullivan's suggestion.

Alderman Ivany asked if all Boards and Commissions were aware of the need to try and achieve cuts in their budgets. The City Manager said he had had discussions with the School Board and the Recreation Commission, but had not had time to go into detail with the other Boards and Commissions.

MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that:

1. The City Manager write a letter to all Boards and Commissions advising them that he has presented the budget estimates for 1971 to Council, and in view of the increased tax burden it will mean to the citizens of the City, each Board and Commission take a second look at its figures with a view to achieving reductions; also
2. In cases where the City Manager has recommended arbitrary cuts in the budgets of Boards and Commissions, such Boards and Commissions prepare an explanation of what the cuts will mean to their operations and whether or not larger cuts would be possible.

Motion passed.

HEADLINES

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK.

CITY COUNCIL MEETING
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
February 11, 1971
8:15 P.M.

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, Hogan, Ivany, McGuire, Meagher, Allen, and Sullivan,

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

MINUTES

Minutes of Council meetings held on January 28 and February 3, 1971 were approved on motion of Alderman McGuire, seconded by Alderman Sullivan,

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of Alderman Hogan, Council agreed to add the following item to the agenda:

- 9(a) - Question Re: Water Supply - Clayton Park, Bridgeview and Rockingham.

At the request of the City Clerk, Council agreed to add:

20 (a)- Barrington Developments Limited - Agreement to Convey, Aldermen Sullivan and Allen against, stating that they had not had sufficient time given to them to read the lengthy report on the matter.

Council agreed to the addition of the following:

- 9 (b)- T.P. Calkin Limited Claim

- 9 (c)- Acquisition - 2158-2162-2166 Upper Water Street, 2155-57 Barrington Street
T.P. Calkin Limited.

Council agreed to the City Clerk's request to add:

- 20 (b)-1970-71 Winter Works Program.

Council agreed to Alderman Sullivan's

request to add:

20 (c) - Prison Lands

Alderman Ivany requested the addition of:

20 (d) - Heading in Minutes of January 28 "Snow Removal"

but approval of same did not receive a two-third's majority vote, Aldermen Allen, McGuire, and Hogan being against.

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

PETITIONS AND DELEGATIONS

Report of J.D. Kline of the Public Service Commission on Alderman Hogan's Question Re: Water Supply - Clayton Park, Bridgeview and Rockingham:

Alderman Hogan's question referred to numerous interruptions were occurring in water service in the above noted area, the most recent being of considerable duration, and Mr. Kline of the Public Service Commission had consented to address the Council to outline the situation to them.

Mr. Kline gave a detailed explanation of how the area concerned was serviced, and said that when the main line under discussion was originally installed it was considered as a temporary system, not the installation itself, but the overall plan. Further studies, he said, had concluded that Pock-wock was the logical source of water for the area, but at this time, Mr. Kline said, he was not sure that Pock-Wock was any closer to being utilized than it was a number of years ago. Actually, he said, Pock-Wock was required not only for the area under discussion but for the entire system. Mr. Kline quoted water consumption figures which emphasized the seriousness of the situation, the figure for January this year reaching capacity proportions. However, with regard to the breaks under discussion, he said it was not due to an overload, but that it could be due to one or a combination of reasons, which for the moment could not be pinpointed.

His Worship the Mayor said that the use of Pock-Wock at the earliest would be two and one-half or three years off, and asked if there was anything else that could be done in the meantime to improve the situation.

Mr. Kline replied that frankly there was not too much else that could be done at the moment. He said the Commission was carrying out an impartial study to see if they had missed anything, and that the study would take a month or so.

Alderman Hogan said the people in the area would be very upset to learn that the solution was three years away, pointing out that during the periods of interruption the homes involved were without fire protection.

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One thing Alderman Hogan felt should be looked at in connection with future water supply interruptions, was better public relations through keeping the people effected better informed of the situation by radio announcements, and more water trucks put into service.

At the conclusion of the discussion, His Worship the Mayor asked Mr. Kline to supply Council with a copy of the report on the study to which he referred, when the same was completed, in order that Council members will be informed on the situation. He also suggested that in view of the many questions which the Aldermen had to put to Mr. Kline concerning all areas of the City, it might be a good idea to have sessions of this type at intervals throughout the year.

T.P. Calkin Limited Claim:

A staff report dated February 3, 1971 was submitted relating to the proposed new building on property owned by T.P. Calkin Ltd. fronting on Lady Hammond Road, and the fact that a building permit was refused because the building was not set back the required 30 feet, notwithstanding the fact that an excavation permit had been granted. The report stated that T.P. Calkin Limited were requesting the sum of \$67,780.00 to relocate the proposed building on the Lady Hammond Road property, and set forth a recommended form of settlement.

MOVED by Alderman Abbott, seconded by Alderman McGuire that:

1. Approximately 3,000 square feet of land which is being obtained by the City from the Halifax Dartmouth Bridge Commission be deeded to T.P. Calkin Limited for \$1.00 (which will permit the location of the designed building to be set back the required 30 feet from the Lady Hammond Road Street line);
2. That the amount of \$45,000.00 be paid to T.P. Calkin Limited in full settlement of all claims relating to the relocation of the excavation on the Lady Hammond Road property;
3. That a release be obtained from T.P. Calkin Limited.

Motion passed with Aldermen Meagher and Sullivan against.

Acquisition - 2158-2162-2166 Upper Water Street, 2155-57 Barrington Street - T.P. Calkin Limited

A staff report dated February 3rd was submitted concerning the above noted acquisition. The report stated that the owner of the land had approached the City with a view to selling the property as a result of Council's decision in September, 1968, pertaining to properties south of Gerrish Street, and set forth a recommended settlement.

MOVED by Alderman Ivany, seconded by Alderman Allen that the property of T.P. Calkin Limited, known as Civic No.

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2158-2162-2166 Upper Water Street and 2155-57 Barrington Street be purchased for the sum of \$263,812.00 (Two Hundred and Sixty-three Thousand Eight Hundred and Twelve Dollars) as settlement in full for all claims less any amount received by T.P. Calkin Limited as rental for 2155-57 Barrington Street, with completion and vacant possession as at June 30th, 1971, the land being required for the future alignment of Harbour Drive, the funds for same to be drawn from Account No. 53-48 (DREE FUND). Motion passed with Aldermen Meagher and Sullivan against.

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

MOVED by Alderman Hogan, seconded by Alderman Abbott that the formal resolution, as submitted, be approved.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the Report of the Finance and Executive Committee from its meeting of February 3, 1971 with respect to the following matters:

Possible Acquisition - 26 Margaret Road, Kline Heights - Front and Rear Land

MOVED by Alderman Ivany, seconded by Alderman Allen that, as recommended by the Finance and Executive Committee, the land shown as 25B and 25C on Plan No. TT-13-18892 be purchased for \$415.00 as settlement in full for all claims, funds to be made available through Account No. 54-33. Motion passed.

Request for Further Appropriation - 316C

MOVED by Alderman Allen, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, an appropriation of \$107,532.80 be made to the Finance Department under the authority of Section 316C of the City Charter; such monies to be used in payment of the invoice submitted by the Public Service Commission as a result of a ruling by the Public Utilities Board on July 3, 1970 which enabled the Commission to increase the 1970 Fire Protection Charges. Motion passed.

Disposal of Christmas Trees - Cost Saving Suggestion

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the citizens of Halifax be requested to bring their used Christmas trees to either a central collection point or the City Dump, where they would be piled and a bonfire ignited with the Fire Department in attendance, a ticket being issued for each tree delivered and prizes totalling \$1,000.00 drawn for at the bonfire. Motion passed.

Planning Committee - Union of N.S. Municipalities - 1971 Conference

MOVED by Alderman Abbott, seconded by Alderman

Hogan that, as recommended by the Finance and Executive Committee, Aldermen Ivany, Meagher, and Abbott be appointed to represent the City of Halifax on the Committee which will plan and carry out arrangements for the 1971 Annual Conference of the Union of Nova Scotia Municipalities. Motion passed.

Recommendations - Fact-Finding Committee of the Union of Nova Scotia Municipalities

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, The Union of Nova Scotia Municipalities be advised that Halifax City Council has taken the following positions on the recommendations contained in the report entitled "Province of Nova Scotia Provincial-Municipal Fact-Finding Committee, Third Report to the Government of Nova Scotia and the Union of Nova Scotia Municipalities - September, 1970":

<u>Recommendation</u>	<u>Action by City Council</u>
1. That the Provincial share of the costs of maintaining patients in homes for special care be increased so that maximum municipal share will not exceed 25%.	MOVED in amendment by Alderman Sullivan, seconded by Alderman Meagher, that the City of Halifax take the position that the Provincial and Federal Governments should pay the entire costs of maintaining patients in all homes for special care, regardless of the age of the patient. The motion, as amended, was approved.
2. 1. That all road designated as Provincial highways, whether in a City, Town, or Rural Municipality, become the complete responsibility of the Province. 2. The existing grant of \$200 per Street mile be retained and paid in respect of the remaining street mileage.	That a committee composed of His Worship the Mayor, the City Manager, and Alderman Meagher be formed and given the responsibility of accepting a report from staff on the following: 1. Recommendation on a figure which would warrant a street being designated a "highway" so that volume of traffic and not only location of the street would apply. 2. A statement of policy reflecting the views expressed during the discussion at the Finance and Executive Committee meeting on February 3, 1971. 3. Suggest an increased figure over the \$200 figure stipulated in the second part of the recommendation.
3. An installment method of billing real property taxes be made mandatory for all municipal units reserving the right to pay the outstanding balance in full at any time.	The Finance and Executive Committee made no recommendation on this, and no action was taken by City Council.

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February 11, 1971

Recommendation

Action by City Council

4. A standard system of paying grants in lieu of real property taxes, equivalent to actual taxes, be instituted, for all properties on which the Province is now paying grants in lieu together with Province House.
- Council gave approval to this recommendation.
5. The Fact-Finding Committee approve
- (A) in principle the taxation of Universities and Colleges, or at least to the extent of the expenditures required to service such property, subject to several limitations:
- (a) that the Province begin such a program when the Federal Government accepts such costs as approved costs for its contribution to post secondary education, and
- (b) there must be provision for a floor to restrain the reduction in the tax rate of a municipal unit to a reasonable percentage below the provincial rate on equalized assessment for the previous year or else limited by some other measurement.
- Council approved the recommendation of the Finance and Executive Committee that full taxation be applied to Universities and Colleges.
- Council also approved that the City Solicitor and Alderman McGuire form a committee to advise Council on what would be the best procedure to follow in pursuing this matter with regard to the submission already made for an amendment to the Ordinance which would permit taxation of Universities and Colleges, and also whether the City was adequately protected in the case of new University buildings under construction.
- (B) 1. Provincially owned hospitals be assessed and be required to pay a tax rate based on the expenditures required to service property;
2. An adequate assessment appeal procedure be provided;
3. The program be phased in over a three-year period.
- Council approved the recommendation of the Finance and Executive Committee that all hospitals be required to pay taxes.
6. 1. That a basic grant be paid to all Municipal units as a ratio of approved educational costs with the Province and the Municipalities sharing the balance of these costs on proportions recalculated in accordance with the Foundation Program, after deducting the basic grant;
2. That the rate of basic grant be adjusted periodically based on the needs of the municipal units and the available resources of the Province;
3. That the foundation program costs used in calculating the Provincial and Municipal proportions shall be those of the preceding municipal year and not of the academic year ending in that year.
- Council approved of this recommendation.

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<u>Recommendation</u>	<u>Action by Council</u>
12. An independent local government boundaries commission be established with power to initiate (with the consent of the Minister of Municipal Affairs) as well as receive applications.	Council approved this recommendation.
13. 1. The special formula for grants in lieu of taxes in the Halifax-Dartmouth area be replaced with normal payments of grants in lieu of taxes to the municipality in which the crown property is located, except that the City of Dartmouth and the County of Halifax shall not receive an amount which is less than that received in the taxation year preceding the year of adoption of this recommendation. 2. The Federal Government be requested to admit real property taxes as a shareable cost in the Federal/Provincial hospital formula.	Council approved this recommendation

North-West Arm Bridge

After discussing a staff report which recommended the design of the North-West Arm Bridge be tied to a metropolitan area transportation study, the cost for which ordinarily should be provided by MAPC, but in order to avoid delay might be borne by the City, the Finance and Executive Committee recommended:

1. That the City Manager bring this matter to the attention of the members of the CORE organization for consideration.
2. That the City request the members of the Metropolitan area Planning Committee to put this item on its agenda for its meeting to be held on Wednesday, February 10, 1971, with the request to authorize that an immediate study be undertaken and that the costs be shared between the Province of Nova Scotia and the three Municipal Units involved;
3. That the results of the meetings held on the 10th be reported to the Halifax City Council on Thursday, February 11, 1971.

The City Manager advised that the matter had been discussed by CORE, who in turn reported to the Metropolitan Area Planning Committee with a recommendation that the transportation group be reconvened and the study proceeded with.

His Worship the Mayor said that this was the essence of the discussion by MAPC, so it would appear that the intent of the motion passed by the Finance and Executive Committee had been fulfilled.

REPORT - COMMITTEE ON WORKS

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

Official Plan - Sections 8-F, 9-J, 9-H-1, 13-C and 13-D

MOVED by Alderman Hogan, seconded by Alderman Sullivan that, as recommended by the Committee on Works, a date be set for a Public Hearing to lay down official street lines on Robie Street and Chebucto Road as shown on Sections 13-C, 13-D, 8-F, 9-J, and 9-H-1, of the Official City Plan. Motion passed.

The City Clerk advised that the Public Hearing would be held on March 17, 1971.

Proposed Amendment to Ordinance No. 22 - Ferries and Public Landings

MOVED by Alderman Ivany, seconded by Alderman Allen, that as recommended by the Committee on Works, Sections 4(a) and (b) of Ordinance No. 22 be amended to read as follows:

	<u>Fee</u>
4 (a) For a boat propelled by oars or sails	\$3.00
(b) For a boat propelled by motor power,	
if it does not exceed 30 feet in length	\$50.00
if it exceeds 30 feet but does not exceed 35 feet	\$75.00
if it exceeds 35 feet but does not exceed 45 feet	\$100.00
if it exceeds 45 feet	\$150.00

Motion passed.

Alderman Meagher stated that the operator of the Blue Nose Water Tours, who would be affected by the above increase in fees, had no objection to the increase, and had expressed his appreciation for the cooperation he received from City staff in his use of Quinpool Road City Landing.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on February 3, 1971 with respect to the following matters:

Rezoning - R-2 Zone to R-4 Zone - 5 Colpitt Lake Road

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the application to rezone Civic No. 5 Colpitt Lake Road, as shown on Plans No. P200/4262-65 of Case No. 2311, from R-2 Residential to R-4 Residential be refused. Motion passed.

Modification of Lot Frontage, Front Yard, North Side Yard Requirements - 294 Dutch Village Road

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application for the modification of lot frontage, front yard and north side yard requirements of the Zoning By-law at Civic No. 294 Dutch Village Road, as shown on Plans No. P200/4289 and P200/4310 of Case No. 2312, be approved. Motion passed.

Rezoning from R-3 to C-2 - Civic No. 1451 Brenton Street

MOVED by Alderman McGuire, seconded by Alderman Hogan that, as recommended by the City Planning Committee, the application to rezone from R-3 Residential to C-2 Commercial, Civic No. 1451 Brenton Street, as shown on Plan No. P200/4317 of Case No. 2316, be refused. Motion passed.

Modification of the Front Yard and North Side Yard Requirements - Civic No. 17 Towerview Drive

Alderman Allen advised that the applicant has requested that the above matter be withdrawn at this time.

Council agreed to permit the application to be withdrawn.

Subdivision Alteration - Lot A, Liverpool Street - Civic Nos. 6287-99 Liverpool Street

MOVED by Alderman Ivany, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the application for a subdivision alteration combining the lots at Civic Nos. 6287 and 6299 Liverpool Street into new Lot "A", to permit the construction of a 23-unit apartment building, as shown in Case No. 2320 on Plan No. P200/4318, be approved and a public hearing waived. Motion passed.

Modification of the Lot Area and Front Yard Requirements - Civic No. 6545 Oak Street

MOVED by Alderman Abbott, seconded by Alderman

McGuire that, as recommended by the City Planning Committee, the application for modification of the lot area and front yard requirements in order to permit the construction of a three unit apartment building at 6545 Oak Street, as shown on Plans No. P200/4301-05 of Case No. 2321, be refused. Motion passed.

MOTIONS

Motion Alderman Allen Re: Amendment to Ordinance No. 145, Respecting "Payment and Collection of Taxes"

MOVED by Alderman Allen, seconded by Alderman Abbott that the following amendments to Ordinance No. 145, Respecting "Payment and Collection of Taxes" be read and passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 145, Respecting the Payment and Collection of Taxes, as that Ordinance is approved by the Minister of Municipal Affairs on the 27th day of October, A. D., 1970, is amended as follows:

1. Section 5 of said Ordinance Number 145 is amended by striking out the words "at the rate of twelve per centum per annum" in the first and second lines thereof.

2. Ordinance Number 145 is further amended by adding thereto the following Section:

7. Notwithstanding the provisions of Section 3 of this Ordinance, in the year 1971 the taxes on real property in the City and any business occupancy tax levied against the occupier or occupiers thereof, shall be payable as follows:

(1) The taxes on real property in the City of a residential character or nature shall be payable as follows:

(a) the amount produced by the application of thirty-five percent (35%) of the tax rate (including fire protection rate) applicable to the property in 1970 to the taxable valuation of the property, shall be due and payable by the assessed owner of the property to the City on the day of March; and

(b) the remainder of the taxes levied against such property shall be due and payable on the first day of May.

(2) The taxes on real property in the City of a business character or nature shall be payable as follows:

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(a) the amount produced by the application of forty percent (40%) of the tax rate (including fire protection rate) applicable to the property in 1970 to the assessment in respect of such property for 1971, shall be due and payable by the assessed owner of the property to the City on the day of March; and

(b) the remainder of the taxes levied against the property shall be due and payable on the first day of May.

(3) On real property in respect of which a business occupancy tax is levied against the occupier or occupiers thereof, such business occupancy tax shall be payable as follows:

(a) the amount produced by the application of forty percent (40%) of the tax rate applicable to the property in 1970 to the business occupancy assessment for the property in 1971, shall be due and payable by the occupier of the property to the City on the day of March; and

(b) the remainder of the business occupancy tax levied against such occupier shall be due and payable on the first day of May.

Motion passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

No Accounts Over \$5,000 were submitted for approval at this time.

Administrative Order Number 13 Respecting "The Functions, Duties and Responsibilities of the Planning Department" Second Reading

MOVED by Alderman McGuire, seconded by Alderman Allen that Administrative Order Number 13 Respecting "The Functions, Duties and Responsibilities of the Planning Department" be read and passed a Second Time. Motion passed.

Administrative Order Number 14 Respecting "The Functions, Duties and Responsibilities of the Development Department" Second Reading

MOVED by Alderman Abbott, seconded by Alderman Hogan that Administrative Order Number 14 Respecting "The Functions, Duties and Responsibilities of the Development Department" be read and passed a Second Time. Motion passed.

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Petition Received February 4, 1971, from Residents of
Martins Drive, Melville Cove

A report was submitted from Staff relating to the above matter.

The City Manager suggested that this item be dealt with at the time when Council deals with a report relating to all the roads which have a dubious standing and that report will be forthcoming in a couple of weeks.

Council agreed to the suggestion of the City Manager.

Extension to Halifax West High School

The following report was submitted from Staff:

In a recent letter to His Worship the Mayor dated January 28, 1971, the Board of School Commissioners for the City of Halifax requests "City Council to authorize the appointment of an architect for the preliminary design plans and estimated costs for the construction of an addition to the Halifax West High School."

Halifax West High School is not one of the schools approved by City Council for inclusion in the 1970-74 capital projects. The School Board has requested that this extension be included in the 1971 capital estimates. The capital estimates are scheduled for review in March, 1971. Until this review is completed, a recommendation forwarded to Council for its consideration, and Council approves projects for the coming year, we do not recommend appointing architects to do preliminary design work and cost estimates on the Halifax West High School.

Considerable discussion ensued on this matter and reference was made to the declining birthrate, vacant space in the Vocational High School and the necessity of obtaining the MAPC Report on School Enrollment Projections and other reports of a financial nature that MAPC has prepared.

After discussion, it was MOVED by Alderman Abbott, seconded by Alderman Ivany that the matter be again considered at the time the City's Capital Budget is discussed. Motion passed.

Project Number 25 - Lacewood Sewer

A report was submitted from Staff to which was attached a tabulation of tenders received for the above-mentioned project.

MOVED by Alderman Ivany, seconded by Alderman Abbott that a tender be awarded to Waverley Construction Limited on Alternative "A" in the amount of \$880,500 subject to the approval of Central Mortgage and Housing Corporation and the Liaison Committee.