

10:20 p.m. Council adjourned.

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HEADLINES

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R.H. STODDARD
CITY CLERK

CITY OF HALIFAX

ENGINEERING AND WORKS DEPARTMENT

TABULATION OF TENDERS

Street Paving, curb & gutter, sidewalk
Contract #2, 1971

Standard Paving Maritime Limited * \$497,354.67

Municipal Spraying & Contracting Limited \$523,653.15

* Denotes lower and recommended tender

Funds approved under Capital Accounts:

53-1, 53-2, 53-3, 53-4, 54-1 \$588,000.00

Respectfully submitted,



C. McC. Henderson
City Manager

TABULATION OF TENDERS
CONTRACT #2-1971

REPAIRS TO ASPHALT PAVEMENT & CONSTRUCTION OF NEW PAVEMENT		STANDARD PAVING MAR. LIMITED		MUNICIPAL SPRAYING & CONTRACTING LTD.			
ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Asphalt Patching	Ton	50	28.50	\$ 1,425.00	29.60	\$1,480.00
3	Asphalt Skim Coat	Ton	20	21.75	\$ 435.00	24.60	\$ 492.00
7	Asphalt Mix #4	Ton	4,333	13.85	\$60,012.05	14.80	\$64,128.40
9	Asphalt Mix #6	Ton	1,129	14.75	\$16,652.75	16.30	\$18,402.70
10	Asphalt Mix #7	Ton	66	15.35	\$ 1,013.10	16.60	\$ 1,095.60
17	Excavation (common)	c.y.	6,276	3.25	\$20,397.00	3.60	\$22,593.60
18	Excavation (common)	c.y.	2,000	2.65	\$ 5,300.00	2.45	\$ 4,900.00
19	Excavation (rock)	c.y.	1,040	12.50	\$13,000.00	13.50	\$14,040.00
20	Crushed Stone 1"	Ton	100	4.40	\$ 440.00	4.80	\$ 480.00
21	Crushed Stone 2"	Ton	100	4.20	420.00	3.50	350.00
22	Gravel 1"	Ton	4,760	4.15	\$19,754.00	3.95	\$18,802.00
23	Gravel 2"	Ton	6,096	4.00	\$24,384.00	3.90	\$23,774.40
24	Sand	Ton	704	3.60	\$ 2,534.40	3.00	\$ 2,112.00
25	Scarifying	s.y.	500	0.15	\$ 75.00	0.15	\$ 75.00
SUB-TOTAL					\$165,842.30		\$172,725.70

September 16, 1971

ENGINEERING & WORKS DEPARTMENT

TABULATION OF TENDERS

CONTRACT #2-1971

REPAIRS TO ASPHALT PAVEMENT
& CONSTRUCTION OF NEW PAVEMENT

ITEM NO.	ITEM	UNIT	QUANTITY	STANDARD PAVING MAR. LIMITED		MUNICIPAL SPRAYING & CONTRACTING LTD.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
28	Drain Pipe	l.f.	2,000	\$ 3.00	\$ 6,000.00	\$ 3.25	\$ 6,500.00
29	Man-holes (Raise & lower)	each	43	\$59.00	\$ 2,537.00	\$70.00	\$ 3,010.00
36	Borrow (common)	c.Y.	3,831	\$ 3.85	\$14,749.35	\$ 4.00	\$15,324.00
41	Primer	Gal.	8,389	\$ 0.48	\$ 4,026.72	\$ 0.45	\$ 3,775.05
42	Tack Coat	Gal.	40	\$ 0.45	\$ 18.00	\$ 0.40	\$25,000.00
44	5' Asphalt S/W	l.f.	4,000	\$ 6.50	\$26,000.	\$ 6.25	\$25,000.00
46	5' Asphalt S/W	l.f.	700	\$5.80	\$ 4,060.00	\$ 6.00	\$ 4,200.00
52	Asphalt Curb	l.f.	250	\$1.75	\$ 437.50	\$1.90	\$ 475.000
54	Pavement of Driveways	each	20	\$4.45	\$ 89.00	\$4.30	\$ 86.00
55	Paint curb	lf.	1500	\$0.22	\$ 330.00	\$0.18	\$ 270.00
59	Catch-basin	each	20	\$ 575.00	\$11,500.00	\$610.00	\$12,200.00
60	Catch-basin	each	20	\$590.00	\$11,800.00	\$625.00	\$12,500.00
61	Catch-basin	each	20	\$645.00	\$12,900.00	\$695.00	\$13,900.00
62	Catch-basin Leads	l.f.	200	\$ 7.70	\$ 1,540.00	\$ 7.50	\$ 1,500.00
SUB-TOTAL					\$261,829.87		\$271,481.75

TABULATION OF TENDERS
CONTRACT #2-1971

REPAIRS TO ASPHALT PAVEMENT & CONSTRUCTION OF NEW PAVEMENT				STANDARD PAVING MAR. LIMITED		MUNICIPAL SPRAYING & CONTRACTING LTD.	
ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
63	Catch-basin Leads	l.f.	200	8.35	1,670.00	8.10	1,620.00
64	Catch-basin Leads	l.f.	300	9.00	2,700.00	8.50	2,550.00
65	Catch-basin Leads	l.f.	200	10.25	2,050.00	9.85	1,970.00

CONSTRUCTION OF CONCRETE S/W
C & G, SODDING, ETC.

1	Sodding	s.y.	4,471	1.95	14,568.45	2.00	14,942.00
2	Concrete C & G	l.f.	16,982	5.55	94,250.10	6.50	110,383.00
5	Concrete S/W 4"	s.y.	4,653	9.25	43,040.25	9.10	42,342.30
7	Concrete S/W 6"	s.y.	636	10.95	6,964.20	11.25	7,155.00
9	Concrete C&G Renewal	l.f.	1,788	7.55	13,499.40	8.30	14,840.40
10	Concrete S/W Renewal 4"	s.y.	25	11.80	295.00	12.80	320.00
11	Concrete S/W Renewal 6"	s.y.	98	13.50	1,323.00	14.10	1,381.80
SUB-TOTAL					442,190.27		\$468,986.25

CONSTRUCTION OF CONCRETE S/W
C & G, SODDING, ETC.

TABULATION OF TENDERS
CONTRACT #2-1971

ITEM NO.	ITEM	UNIT	QUANTITY	STANDARD PAVING MAR. LIMITED		MUNICIPAL SPRAYING & CONTRACTING LTD.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
12	Concrete C&G Removal	l.f.	3,110	1.90	5,909.00	1.50	4,665.00
13	Sidewalk Removal	s.y.	638	2.55	1,626.90	7.70	4,912.60
14	Granite C & G Removal	l.f.	50	4.00	200.00	4.20	210.00
16	Excavation (Rock)	c.y.	575	22.50	12,937.50	20.00	11,500.00
17	Excavation (common)	c.y.	1580	3.25	5,135.00	3.40	5,372.00
30	Cutting Asphalt 0"-6"	s.y.	100	2.50	250.00	2.10	210.00
31	Cutting Asphalt 6"-9"	s.y.	1089	3.50	3,811.50	3.30	3,593.70
32	Cutting Asphalt Over 9"	s.y.	582	4.50	2,619.00	4.30	2,502.60
33	Trenching	l.f.	210	3.25	682.50	3.10	651.00
SUB-TOTAL					473,361.67		502,603.15

TABULATION OF TENDERS
CONTRACT #2-1971

CONSTRUCTION OF CONCRETE S/W
C & G, SODDING, ETC.

ITEM NO.	ITEM	UNIT	QUANTITY	STANDARD PAVING MAR. LIMITED		MUNICIPAL SPRAYING & CONTRACTING LTD.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
43	Bases for Standards	each	3	190.00	570.00	210.00	630.00
44	Bases for Standards	each	6	105.00	630.00	230.00	1,380.00
45	Bases for Standards	each	7	100.00	700.00	96.00	672.00
46	Bases for Standards	each	8	95.00	760.00	90.00	720.00
47	Bases for Standards	each	8	95.00	760.00	100.00	800.00
48	Bases for Standards	each	8	95.00	760.00	110.00	880.00
67	Guard Rail	l.f.	190	9.00	1,710.00	8.50	1,615.00
68	Rip-Rap	c.y.	40	8.00	320.00	10.00	400.00
SEWER CONSTRUCTION							
1	Excavation (common)	c.y.	142	7.00	994.00	6.25	887.50
2	Excavation (rock)	c.y.	334	23.50	7,849.00	18.75	6,262.50
5	Concrete Pipe 12"	l.f.	350	6.00	2,100.00	6.30	2,204.00
6	Concrete pipe 15"	l.f.	605	8.00	4,840.00	7.60	4,598.00
TOTAL					\$497,354.67		\$523,653.15

SPECIAL CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
September 27, 1971
2:45 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 Stanbury, Hogan, McGuire, Meagher, Allen, and Sullivan.

Also Present: City Manager, Administrative Assistant, City Clerk, and other staff members.

The City Clerk advised that the meeting was called to discuss the Brief to be presented to the Royal Commission on Education.

The City Manager suggested that another page be devoted to the Capital Financing of Hospitals and some material on the Capital City concept.

It was also questioned whether the Brief should begin with a summary or the section dealing with what is proposed.

It was agreed that a summary should be attached for the benefit of the press and the Royal Commission on Education.

2:55 P. M. - Alderman Ivany arrives.

Council then reviewed the Brief through to Page Number 73 making the following changes:

Table of Contents, Section I

At the request of the City Manager, it was agreed that the sub-heading "Local Improvements", under the Section entitled "Special Needs of the City of Halifax", be changed to read "Pollution Control and Local Improvements".

Page #1

Alderman McGuire referred to the 3rd. paragraph under 1967 Brief and suggested that it be stated what the need is based on present circumstances.

At the suggestion of His Worship the Mayor, it was agreed that Mr. Slayter should insert a sentence which could read "In post Annexation 1971, the required level of expenditure foreseen for the next five years would be ____." It was pointed out that this could be drawn from the Capital Budget material.

Under the heading Fact Finding Committee, it was requested that staff check to be sure that the Honourable D. C. MacNeil was in fact the Minister of Municipal Affairs and whether the spelling of the name is correct.

Page #5

It was agreed that the first sentence should be amended to read: "The single most significant problem area for the City of Halifax from the point of view of current financing is the way in which education is paid for."

It was agreed that the words "Administration or", should be inserted on the fifth line before the word 'debt'.

Further discussion ensued with respect to the Education Foundation Formula, and it was agreed that the first paragraph should be divided and a new paragraph inserted which would say that 27½% under present law is only paid to the Halifax School Board as a minimum payment outside the basic principles of the formula. It was felt that the paragraph should then refer to the 3rd., report of the Fact Finding Committee which recommended that that be reversed to make it a basic amount, and then refer to the John Graham Paper in the Tax Journal in which he argues the same point.

Page #6

It was agreed that the second paragraph should be amended to read as follows: "The foregoing figures show that the market value of residential properties bears little or no relation to the relative ability to pay throughout the Province and that houses which have the same value as accommodation have an inflated value in Halifax and some other centres."

Page #8

It was agreed that the first paragraph should begin with the word "The" on the first line deleting the preceding words.

In regard to the second paragraph, it was felt that the resolution of the Union of Nova Scotia Municipalities should be quoted.

His Worship the Mayor suggested that there may be a quote in the Graham Paper in the Tax Journal which may be used on Page #8.

Page #9

After the word Halifax, in the first sentence, it was agreed to add the following: "but once again, isolated statistics tend to distort reality."

Page #10

It was agreed that the City Manager and Mr. Slayter would revise this page and Council will again consider it at the next meeting to be held Thursday, September 30.

Page # 12

The City Manager advised that a Table would be inserted on this page showing what the Provincial grant is, what the City's costs are, and what the ratio is.

Alderman McGuire referred to Page #5 and said that something should be said stating that the problem is the Foundation Formula and not the cost of education.

His Worship then suggested that a sentence be inserted which would say that the arguments stated on earlier pages about the lack of validity to the education foundation formula which is transferred into Municipal services formula also invalidates sharing.

It was agreed that the word "totally" in the first line of the last paragraph should be deleted.

Page #13

It was agreed that the first paragraph be amended as follows: "The City of Halifax contends that in this kind of grant program recognition of service levels among different sized and situated municipalities is required by the province and that provision should be made for automatic yearly adjustments in the dollar value of these base standards to match normal cost increases."

Page #19

It was agreed to add "for 1971", in the second line of the second to last paragraph on page #19 after the word 'assessed'.

Page #20

It was noted that in the third paragraph, under the heading Universities - Possible Taxation, the words "for 1971" should be added after the word 'is' in the first line.

It was also suggested that staff compare the policy decision made by the Finance and Executive Committee at their last meeting to be sure that it concurs with this section.

Page #21

After considerable discussion with respect to taxation of Churches, it was agreed that staff would check the previous decision of Council on this matter, and that this section of the Brief be re-written and discussed at the next meeting.

Page #23

It was pointed out that the heading "Local Improvements" should read "Pollution Control and Local Improvements." It was also agreed that the words "rural municipalities", should replace the words "other municipalities" in the first line of the third paragraph.

Page #23 Cont'd.

His Worship the Mayor also suggested that staff elaborate on the verification of the formula outlined in the third paragraph.

Page #24

The City Manager pointed out that in the next to the last paragraph, the word "fact" on the fifth line should be replaced with the word "cost".

Page #25

Deputy Mayor Ivany suggested that emphasis should be made in regard to Halifax being a special growth area in the province and that this put a extra load on the City.

His Worship the Mayor felt that it should be noted that this puts on special responsibilities and even though there are Federal funds available, they do not compensate for the lack of Provincial funds for capital account in the City.

Page #26

It was agreed that the City Manager revise the table on Page 26 and that all changes would be fully explained.

Page #28

It was agreed that the last sentence of the fifth paragraph be deleted.

Page #30

It was agreed that the last sentence of the last paragraph should be amended to read: "If Halifax is to meet the needs of this influx of people a social program to cope with the existing and new problems created by this in migration must be developed by the Province and Ottawa in conjunction with the City."

It was also agreed that in the next to the last paragraph, the words "Provincial and" should be deleted from the first sentence.

His Worship the Mayor referred to the White Paper on Unemployment Insurance and felt that the Province should be pushing the Federal Government to pay the entire cost of Social Assistance when unemployment insurance reaches a certain level.

Page #32

It was agreed to add the following sentence to the fifth paragraph: "Assistance from DREE has been sought only after lengthy delays while the Public Service Commission and MAPC await guide lines and approvals from the Water Resources Commission."

It was also agreed to delete the sixth paragraph on Page #32.

4:10 p.m. - Alderman McGuire leaves the meeting.

Page #34

It was agreed that Page 34 be amended as follows beginning with the Second paragraph:

"Second, the City must have access to tax resources sufficient to accommodate the remaining expenditure responsibilities which are placed upon it. An adequate tax base would be the first choice in that it would allow the City Council to tax people of Halifax for the services it would be rendering rather than being dependent on some other level of government. This principle is important in terms of keeping some decision making capacity at the local level.

Third, in the absence of an adequate tax base, unconditional grants would be the next best choice.

Fourth, insofar as minimum standards of service must be legislated on a province-wide basis, conditional grants might be accepted.

Fifth, any formula for provision of adequate revenues must contain inflation and growth escalators so that they are responsive and do not lose their flexibility and usefulness as years go by."

Page #35

It was agreed that the City Manager would make some editorial changes to the latter part of this page.

Page #38

It was agreed that His Worship the Mayor would reword the latter part of the first paragraph of this page.

Page #51

Some discussion ensued as to whether the word "education", contained under the section Allocation of Services, should be qualified but it was agreed to leave it as is for the present.

4:40 p.m. - Alderman Hogan leaves the meeting.

Page #61

It was agreed that 27 (c) should be changed to read:

"Altered priorities including reduced Provincial expenditures."

Pages 65 & 66

It was agreed that the per cent figure of 27.5% would be further checked on these two pages.

It was agreed that the first paragraph should be amended to read as follows:

"The City of Halifax believes (1) that if municipalities are provided with an adequate tax base, and (2) are relieved of the basic cost responsibilities for Social Services, and (3) are in receipt of revenue equivalent to property tax payments on all Federal, Provincial and Institutional properties, that other grants and transfer payments will not be necessary.

It was also noted that the word "neither" in the first line of the second paragraph, should be replaced with the word "none".

It was then agreed that the next meeting to consider the brief presented to the Royal Commission on Education would be held on Thursday, September 30, 1971, following the regular Council meeting to be held on that evening.

It was also agreed that a meeting be called for 4:00 p.m., on Wednesday, October 6, 1971, to consider a report prepared by the Landmarks Commission, Staff, and the Department of Indian Affairs on the Call for Proposals for the Waterfront buildings.

4:55 p.m. - Meeting adjourned.

HEADLINES

Brief on Royal Commission on Education 572

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

CITY COUNCIL MEETING
MINUTES

Council
September 30, 1971
Council Chamber,
City Hall,
Halifax, N.S.
September 30, 1971
8:00 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, Stanbury, Hogan, Ivany, LeBlanc, McGuire, Meagher, Allen, and Sullivan.

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

MINUTES

Minutes of meetings held on September 8 and 16, 1971 were approved on motion of Alderman Ivany, seconded by Alderman McGuire.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20 (a) - Tabulation of Tenders for Six Foot Ornamental Fence - Wanderer's Grounds- Jubilee Road Extension.

20 (b)- Trunk Sewer Charges

20 (c) - Permanent Stock

Council also agreed to Alderman LeBlanc's request to add the following items to the agenda:

20 (d) - Eligibility of Aldermanic Candidates

20 (e) - Results of Taxi Plebiscite

20 (f) - George Dixon Centre

20 (g) - Rejection of Provincial Planning Appeal Board of Hotel on the Park Project

and Alderman Hogan's request to add:

20 (h) - Naming of a Playground

Council,
September 30, 1971

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

DEFERRED ITEMS

Minutes - July 29, 1971 - Rezoning Kearney Lake

Alderman Allen said that in view of the City Solicitor's remarks in his memorandum dated September 30, 1971 concerning the motion approved by Council at its July 29th meeting concerning the Zoning and Rezoning of the subject property as shown on Plan No. TT-14-19164, he was prepared to accept the motion as recorded, and MOVED, seconded by Alderman Abbott that the Minutes of the July 29, 1971 meeting of City Council be approved. Motion passed.

PETITIONS AND DELEGATIONS

Petition - Residents of Rufus Avenue Area - Protest Against the Proposed Building

A petition containing about 45 signatures of residents of Rufus Avenue was submitted protesting the construction of an 11-unit Apartment Building at 84-86 Rufus Avenue.

Council agreed that since the Building Permit was issued because the proposed apartment building met all the requirements of the City's By-laws, Council had no authority to deal with the matter, and asked that the petitioners be so advised.

Petition - Residents of Young Street Area - Protest Against the Installation of Incinerator at 6459 Young Street

A petition containing about 60 signatures of residents of Young Street area was submitted, protesting the installation of an incinerator in the midst of a small apartment complex at 6459 Young Street.

8:20 P.M. - Alderman MacKeen arrived.

A staff report dated September 29, 1971 was submitted concerning the matter, which stated that it was intended to have Council consider at its next meeting a proposal for the elimination of all incinerators in the City.

Alderman Sullivan said that the incinerator under question had only been completed this month and if the proposal mentioned in the staff report were approved, the owner would have to remove it.

Alderman McGuire said that the intention of the Notice of Motion he gave on this matter was that in so far as the abolition of private incinerators was concerned,

Council,
September 30, 1971

there should be a time lag between the introduction of such an Ordinance and the time it became effective.

Alderman Stanbury said that Council should examine more closely into the governing Ordinance to control the situation.

His Worship the Mayor said that what will be before Council for consideration will be a new Ordinance dealing with incinerators, since the old Ordinance concerning smoke abatement had proven to be ineffective.

It was agreed that this matter should be referred to the Committee of the Whole.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 22, 1971 with respect to the following matters:

Possible Acquisition - 36 Margaret Road - Kline Heights (Part Taking)

MOVED by Alderman LeBlanc, seconded by Alderman MacKeen, that as recommended by the Finance and Executive Committee, the property designated as Lot No. 30B on Plan No. TT-13-18887 be purchased by the City of Halifax for the sum of \$6,100, subject to the following terms and conditions:

1. That the owner of the property re-purchase the building from the City of Halifax for salvage value of \$500.00;
2. That the owner of the property at his own expense relocate the building on the remaining portion of the lot within thirty days of having received written notice from the City of Halifax to this effect;
3. That the building be relocated on the remaining lot in accordance with the City of Halifax Zoning By-laws and the National Building Code;

funds being made available from Account No. 54-33. Motion passed.

Possible Acquisition - 32 Margaret Road, Kline Heights - Front Land

MOVED by Alderman Stanbury, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the land shown on Plan No. TT-13-18885 as 28B be purchased for \$215.00 as settlement in full for all claims, funds to be made available from Account No. 54-33. Motion passed.

Council,
September 30, 1971

Possible Expropriation Settlement - 3 Mountain Road - Kline Heights

MOVED by Alderman McGuire, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the expropriation of the property formerly owned by Richard and Katherine M. Butler, known as No. 3 Mountain Road be settled and that the owners be paid the sum of \$9,700 less \$3,750 advance payment in May, 1971 as settlement in full for all claims, funds to be made available from Account No. 54-33. Motion passed.

Removal of Encumbrance -- Lot "H" - Children's Hospital lands

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, Council approve of legislation which will repeal that portion of the restriction on Lot "H" - Children's Hospital lands, University Avenue, contained in Section 13½ of Chapter 60 of the Acts of 1918, which states that the land will not be encumbered. Motion passed.

Endorsation of Report by Special Committee to Study Taxation of Universities, Churches, etc.

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

"THAT Council endorse the report submitted by the Special Committee to Study Taxation of Universities, Churches, etc., to the Finance and Executive Committee on September 22, in support of Council's request for amendments to Ordinance No. 128 Re: Exemption from Real Property Tax on Property used for Certain Purposes."

The City Manager pointed out that the brief of the Royal Commission on Education which Council would be completing their study of later this evening mentioned University properties being taxed either residential or commercial, whereas the report by the Special Committee spoke of a residential rate for Universities with the exception of certain facilities used for commercial purposes. He said that Council should be firm in its decision on this matter since it might involve changing the substance of the brief if the above noted recommendation is approved.

Alderman Meagher said that in order to be consistent with the brief to the Royal Commission, he would MOVE, seconded by Alderman Ivany, that Universities be taxed at 100%, except for student residences which would be taxed at the residential rate.

Alderman McGuire said that Council had dealt with this matter carefully over a period of three years

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and he did not think the final recommendation should be changed without some consideration of the decisions taken relating to tax concessions and grants.

Alderman McGuire MOVED, seconded by Alderman Abbott, that the matter be referred to the Committee of the Whole for further recommendation to Council. Motion passed with Alderman Meagher and Ivany against.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee with respect to the following items discussed at its meeting held on September 22, 1971:

Tentative Approval - Lots 16-30 Inclusive and Lots 50-63, Incl. Bayview Road, Beechwood Park Subdivision

MOVED by Alderman Ivany, seconded by Alderman LeBlanc that, as recommended by the City Planning Committee, tentative approval for lots 16 to 30 inclusive, and Lots 50 to 63 inclusive, as shown on Plan No. P200/4457, be granted by City Council, subject to approval being given by the Nova Scotia Water Resources Commission and the Department of Health. Motion passed.

Amendment to the Zoning By-law (Mainland Area) Lot Sizes

MOVED by Alderman Hogan, seconded by Alderman MacKeen that, as recommended by the City Planning Committee, and subject to the outcome of a Public Hearing, Council give its approval to the following amendments to the Zoning By-law for the Mainland Area of the City:

R-1 Zone (Single Family Dwelling)

1. Section 20 Clause (a) be amended to read as follows:

Lot Frontage Minimum	50 ft. except, when a lot faces on the outer side of a curve in the street, in which case the minimum frontage may be reduced to 30 ft.
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2. Section 20 Clause (b) be amended to read as follows:

(b) Lot area Minimum 5000 square feet.

R-2 Zone (Two Family Dwelling)

3. Section 25 Clause (a) be amended to read as follows:

(a) Lot frontage minimum 50 ft., except when a lot faces on the outer side of a curve in the street, in which case the minimum frontage may be reduced to 30 ft.

4. Section 25 Clause (b) be amended to read as follows:

(b) Lot area minimum 5000 square feet

C-1 (Local Business Zone)

5. Section 39 Clauses (a) and (b) be repealed and clauses (c), (d), (e), and (f) be relettered (a), (b), (c), and (d).

C-2 Zone (General Business Zone)

6. Section 46 Clauses (a) and (b) be repealed and clauses (c) and (d) be relettered (a) and (b).

I-1 Zone (General Industrial Zone)

7. Section 53 Clauses (a) and (b) be repealed and Clause (c) be relettered (a).

I-2 Zone (Radio Transmitter Zone)

8. Section 53 Clauses (a) and (b) be repealed and Clause (c) be relettered (a).

P Zone (Park and Institutional Zone)

9. Section 57 Clauses (a) and (b) be repealed and Clauses (c), (d), and (e) be relettered (a), (b), (c).

The letter (c) in the first line of the existing Section 57 Clause (d) be changed to (a).

10. Section 2 Clause (q) Definition, be amended to read as follows:

Duplex dwelling means the whole of a dwelling that is divided horizontally into two separate dwelling units each of which has an independent entrance.

11. Section 2 Clause (pp) Definition be amended to read as follows:

Semi-detached dwelling means one of a pair of single family dwelling attached by a common vertical party wall.

Motion passed.

Extension to a Non-Conforming Building - 3368 Devonshire Avenue

MOVED by Alderman Sullivan, seconded by Alderman Stanbury that, as recommended by the City Planning Committee, the application to extend a non-conforming building at No. 3368 Devonshire Avenue to permit a one-storey addition

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to the rear of the existing single family dwelling as shown on Plan No. P200/4765 of Case No. 2504, be approved by City Council. Motion passed.

Resubdivision - Lot "AX" Glenn Drive - Wedgewood Subdivision

MOVED by Alderman Stanbury, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the application for resubdivision of Lot 20 as shown on Plan No. P200.4716 be approved by the City Council, and that a hearing into the matter be waived. Motion passed.

Extension to a Non-Conforming Building - 3280 Lady Hammond Road - Public Service Commission Building

MOVED by Alderman Allen, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the extension to a non-conforming building, to permit the construction of a 46-foot and 47-foot second-storey addition to the rear of the Public Service Commission office building at No. 3280 Lady Hammond Road, be approved by City Council. Motion passed.

Rezoning from C-1, Local Business Zone to M, Motel Zone, AND Extension to a Non-Conforming Building - Wandlyn Motel Property (DATE FOR HEARING)

MOVED by Alderman Hogan, seconded by Alderman McGuire that, as recommended by the City Planning Committee:

1. Rezoning of the Wandlyn Motel property on the Bedford Highway from C-1, Local Business to M, Motel Zone, and an extension to a non-conforming building as shown on Plan No. P200/4771, be approved by City Council, the rezoning approval being subject to the outcome of a Public Hearing;
2. A date be set for a Public Hearing into the Rezoning application, and
3. The area outlined on the plan attached to the staff report be designated as the area within which people will be notified of the Public Hearing.

Motion passed.

The City Clerk advised that the Public Hearing would be held on November 3, 1971.

Resubdivision - Lot 20 - Birchview Drive - Will-O-Lake Park Subdivision

MOVED by Alderman MacKeen, seconded by Alderman Hogan that, as recommended by the City Planning Committee, the application for resubdivision of Lot 20 as shown

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on Plan No. P200/4716 be approved by City Council, and that a hearing into the matter be waived. Motion passed.

MOTIONS

Motion - Alderman Allen - Amendment to Zoning By-law

Alderman Allen advised that due to a recent recommendation of staff, there was no longer a need for his introducing this motion, and he was thereby withdrawing it.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000

The City Clerk advised that there were no accounts over \$5,000 for consideration.

Public Housing

A staff report dated September 27, 1971 had been distributed to the Council concerning the subject matter.

However, due to the fact that the report was quite lengthy and had not been circulated sufficiently in advance for Council members to study it before this evening, it was MOVED by Alderman Allen, seconded by Alderman Sullivan, that the matter be deferred until the following Committee of the Whole meeting. Motion passed.

Call for Proposals - City Prison Land

A staff report dated September 27, 1971 had been distributed to Council members concerning the subject matter.

However, due to the length of the report and the fact that members had not had sufficient time to study it, it was MOVED by Alderman Allen, seconded by Alderman Sullivan, that the matter be referred to the next meeting of the Committee of the Whole. Motion passed.

Vandalism

In reply to a suggestion by Alderman Ivany that a meeting be arranged with the developers to go over the financial involvements, the City Manager replied that staff was recommending that they discuss the matter further with the developer with regard to the mathematical differences in an attempt to come up with something mutually agreeable.

DREE Projects No. 30 - Gorsebrook Elementary - Junior High School Extension

A staff report dated September 28, 1971 was submitted tabulating tenders received for the

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subject project. The lowest tender quoted was that of D.C. Menchions Construction Ltd. in the amount of \$323,750.

Alderman Ivany said he felt Council should receive more information on this matter. He referred to a previous tender which had been rejected and said they should be told whether the plans have now been changed or reduced. His recollection was that the present tender was higher than the one which had been rejected, but the City Manager said this was not the case.

The City Manager also stated that Council had set a limit of \$375,000 on the project, so that there had been some change in the work covered by the contract to fit in with this figure.

MOVED by Alderman McGuire, seconded by Alderman Abbott, that the tender for the construction of an extension of, and renovations to, the Gorsebrook School, be awarded to D.C. Menchions Construction Limited in the amount of \$323,750, subject to the award being approved by the Liaison Committee. Motion passed.

Council also agreed that answers should be given to the questions raised by Alderman Ivany as soon as possible.

Tenders - Heating System Halifax Civic Hospital and Health Centre

A report was submitted by staff tabulating tenders received for steam and condensate services, Halifax Civic Hospital and Halifax Health Centre, Halifax, N.S.

MOVED by Alderman Allen, seconded by Alderman Meagher that the tender for Steam and Condensate Services, Halifax Civic Hospital and Halifax Health Centre, be awarded to the lowest bidder, W.A. Chaddock & Co. Ltd. Halifax, N.S. in the amount of \$26,221.00, the City of Halifax to pay 33-1/3% of cost and Nova Scotia Hospital Insurance Commission to pay 66-2/3% of cost, funds being available under the 1971 Current Budget. Motion passed.

Vandalism

Although not on the Council agenda, a staff report concerning the subject matter had been distributed to Council.

At the request of Alderman Hogan, Council agreed the report should be placed on the agenda of the next Committee of the Whole.

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QUESTIONS

Question - Alderman MacKeen re City Workers participating
in Election Campaigns

Alderman MacKeen referred to a memorandum the City Manager had circulated to staff members, and asked if the memo stated that any member of staff who involved himself in the City election would be dismissed.

The City Manager replied "No - but they might be". He said it was his contention that the employees of the City should be impartial and be prepared to do the bidding of any Council which is in office, and not be committed to any one Alderman, which would be the case if the employee had participated publicly in that Alderman's campaign. He said such a practice was completely contrary to the civil service. He added that this of course did not mean they should not vote in the election, and they certainly were entitled to a personal opinion as to whom they would like to see elected, but the matter of taking an active part for or against any candidate was something else.

Alderman MacKeen asked if this would not mean that a candidate would be denied the help of a friend in his campaign, if that friend also happened to be a City employee.

The City Manager replied that could be, but that his remarks still stood.

Question - Alderman McGuire re City Manager's memos to staff
about participating in election campaigns

Alderman McGuire asked that members of Council be supplied with copies of both the original memorandum which was sent to the staff in this regard, and the second one which superseded it. He referred to the City Manager's remark that an employee taking part in a campaign "might be dismissed" and asked how one could determine at what point dismissal was warranted.

The City Manager replied that this was an administrative matter in the discretion of the people Council had employed to handle such matters. He said that copies of the memos in question would be circulated to Council members.

Alderman McGuire asked that the City Manager's considerations be included in a report and submitted relatively soon, so that Council could decide whether they wished to leave this matter at the administration level or make a Council policy on it.

NOTICE OF MOTION

Notice of Motion - Alderman Allen Re: Ordinance No. 153,
Respecting a Sewer Development Charge

Alderman Allen gave the following
Notice of Motion:

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"NOTICE IS HEREBY GIVEN that at the next regular meeting of the City Council of the City of Halifax to be held on the 14th day of October, A.D. 1971, I propose to introduce Ordinance Number 153, Respecting a Sewer Development Charge. This Ordinance is made under the authority of Section 376B of the Halifax City Charter, 1963, as enacted by Section 20 of Chapter 79 of the Acts of 1971, and the purpose of the Ordinance is to levy a charge or charges on buildings to be erected or enlarged according to the varying load which they impose on the sewer system, to pay for the additional sewer capacity required to accommodate the effluent from such buildings."

Notice of Motion - Alderman MacKeen re Amendment to Ordinance Number 131, Respecting Buildings and the Adoption of the National Building Code

Alderman MacKeen gave the following
Notice of Motion:

"NOTICE IS HEREBY GIVEN that at the next regular meeting of the City Council of the City of Halifax, to be held on Thursday, the 14th day of October, A.D., 1971, I propose to introduce an amendment to Ordinance Number 131, Respecting Buildings and the Adoption of the National Building Code. The purpose of the amendment is to change the time for the issuance of an Occupancy Permit, which under existing provisions is issued at the same time as the Building Permit."

ADDED ITEMS

Tabulation of Tenders for Six-Foot Ornamental Fence -
Wanderer's Grounds - Jubilee Road Extension

A staff report dated September 30, 1971 was submitted tabulating tenders received on the subject fence.

MOVED by Alderman Hogan, seconded by Alderman Sullivan that tender for the six-foot ornamental fence, Wanderer's Grounds, Jubilee Road Extension, be awarded to the lowest bidder, Halifax Metalworkers Ltd. of Dartmouth, N.S., for \$6,323.00, funds being available under Capital Account No. 57-6. Motion passed.

Trunk Sewer Charges

A staff report dated September 27, 1971 was submitted concerning the outcome of meetings held by a Special Committee of Council to review the implications of the proposed Trunk Sewer Charges and a date such charges would take effect. The report stated that the Special Committee were recommending a further extension of that date.

MOVED by Alderman Allen, seconded by Alderman McGuire that the cut-off date for introduction of trunk sewer charges be extended once more, until January 1st, 1972. Motion passed.

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Permanent Stock

A staff report dated September 30, 1971 was submitted reading in part as follows:

"An offer has been received to sell to the City for redemption one hundred and thirty-eight (138) shares of 5% Permanent Stock City of Halifax, at a price of \$100.00 per share. Motion passed."

MOVED by Alderman Abbott, seconded by Alderman Ivany, that approval be given to the City Treasurer to complete the transaction at \$100.00 per share. Motion passed.

Eligibility of Aldermanic Candidates

Alderman LeBlanc asked for confirmation of reports that two candidates had been ruled ineligible as candidates in the coming election due to the fact that all their taxes were not paid.

The City Clerk, who is acting as Returning Officer for the election, stated that Mr. J. Ross who had filed nomination papers had been advised he did not meet the requirements and had withdrawn his nomination. He said there was a possibility that a second candidate would also have his nomination declared invalid. Mr. Stoddard said these rulings were based on interpretations of the City Charter by the City Solicitor.

The City Solicitor said this second candidate did not agree with the ruling and he had been advised to seek legal advice as to his next course of action. He said to take into account a possible reversal of the ruling, two ballots for the Ward involved would be printed, one with this Candidate's name and one without.

Alderman LeBlanc felt that at a future date, Council might consider the question of invalidating a person whose taxes are in arrears and how such a person relates to someone who could run for office although he had never paid any taxes, not being a property owner.

Results of Taxi Plebiscite

Alderman LeBlanc asked that the Safety Committee be advised at its next meeting (1) whether the recent taxi plebiscite held was valid and if so (2) could the Safety Committee immediately consider the results of the Plebiscite.

His Worship the Mayor replied that there was no provision in the City Charter covering this type of plebiscite, so the matter to be determined was whether it was in line with the resolution passed by City Council.

It was agreed by the Council, that the recommendation of the Safety Committee from its meeting to be held on October 6th, 1971 would be placed on the agenda of the Special Council scheduled for the same date at five o'clock.