

Record

CITY COUNCIL  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N.S.  
July 25, 1968  
8:30 p.m.

DEPARTED ITEMS

Motion - Alderman Ivany Re: Expenditures

At the meeting of July 11, 1968, the City Council was asked to further defer this matter.  
A meeting of City Council was held on the above date.

Housing Authority Order 1968  
After the meeting was called to order, the members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Motion - Alderman Ivany Re: Appointment of Commission  
There were present: The Deputy Mayor, Chairman; and Aldermen Abbott, Moir, Ivany, A.M. Butler, LeBlanc, Ahern, Connolly, H.W. Butler, Sullivan, Fitzgerald, and Black.

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

MINUTES

that a resolution certain...  
warded to His Worship...  
MOVED by Alderman Ivany, seconded by Alderman Abbott, that the Minutes of the meetings of City Council held on July 4 and July 11, 1968, be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

heard at this time...  
The Order of Business, as prepared by the City Clerk, was submitted for approval.

No motion...  
The City Clerk advised that Item 2(a) Presentation, and Item 17 (b) Lord's Day Permits were to be deleted, and Item to be numbered 20(a) entitled Halifax Police Boys' Club was to be added to the agenda.

Street and Jubilee Road from...  
Business Zones to...  
At the request of Alderman Fitzgerald it was agreed to add the item "Truck Traffic - Connaught Avenue" as Item 12.

from 3-2 Residential...  
MOVED by Alderman Abbott, seconded by Alderman LeBlanc, that the Order of Business, as amended, be approved. Motion passed.

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DEFERRED ITEMS

Motion - Alderman Ivany Re: Expropriation Procedures

At the request of Alderman Ivany, it was agreed to further defer this matter.

Housing Authority Budget 1968

Since the information requested of the Housing Authority was not at hand, it was agreed to further defer this matter.

Motion - Alderman Sullivan Re: Appointments to Port of Halifax Commission

At the request of Alderman Sullivan, it was agreed to defer this matter.

TRIBUTE - MR. ROY O'BRIEN

MOVED by Alderman Abbott, seconded by Alderman Ahern that a resolution containing an expression of sympathy be forwarded to His Worship the Mayor and the members of his family on the passing of his father. Motion passed.

MOTIONS OF RECONSIDERATION

No Motions of Reconsideration were scheduled to be heard at this time.

MOTIONS OF RESCISSION

No Motions of Rescission were scheduled to be heard at this time.

PUBLIC HEARING & HEARINGS

Public Hearing - Rezoning of Land Southeast Corner of Walnut Street and Jubilee Road from R-2 Residential and C-1 Local Business Zones to R-3 Residential Zone

A public hearing into the matter of the rezoning of land at the southeast corner of Walnut Street and Jubilee Road from R-2 Residential and C-1 Local Business Zones to R-3 Residential Zone was held at this time.

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The City Clerk advised that one letter of objection had been received from Mrs. Frank Treffler of 1730 Garden Street.

The Deputy Mayor asked if anyone present wished to be heard in opposition to the application, to which there was no response.

The solicitor for the applicant requested that it be recorded that Alderman Ivany was absent from the Council Chamber during the discussion on this item.

MOVED by Alderman Abbott, seconded by Alderman Black that the rezoning application be approved.

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

FOR: Aldermen Moir, A. M. Butler, LeBlanc, Ahern,  
Sullivan, Fitzgerald, H. W. Butler, Black  
and Abbott 9

AGAINST: Alderman Connolly 1

Hearing - Appeal Against the Refusal of the Building Inspector to Issue an Occupancy Permit for a Pizza Take-Out Shop -  
#5509 Normandy Drive

Mr. R. A. Kanigsberg, Q.C., solicitor for the applicant, addressed Council and urged favorable consideration of the issuance of an Occupancy Permit for a Pizza Take-Out Shop at #5509 Normandy Drive. He referred to certain businesses presently operating in the general area.

The Building Inspection Supervisor addressed Council and outlined the reasons for refusing the permit.

The City Clerk read a petition signed by 32 residents in the area objecting to the granting of the permit.

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After a short discussion, it was MOVED by Alderman Sullivan, seconded by Alderman Moir that the appeal be refused.

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

FOR: Aldermen Ivany, LeBlanc, Sullivan, Fitzgerald,  
H. W. Butler and Moir 6

AGAINST: Aldermen A. M. Butler, Ahern, Connolly, Black,  
and Abbott 5

#### PETITIONS AND DELEGATIONS

##### Petition - Residents of Ward 6 - Traffic Lights at Intersection of Lady Hammond Road and Robie Street

A petition was submitted, endorsed by Alderman Sullivan, signed by 367 residents of Ward 6, setting forth reasons why they felt traffic lights should be installed at the intersection of Lady Hammond Road and Robie Street.

MOVED by Alderman Abbott, seconded by Alderman Moir that the matter be referred to the Traffic Authority with a recommendation that he look into the possibility of installing traffic lights.

Aldermen Sullivan and Connolly said that the matter had already once been referred to the Traffic Authority who had declared that the traffic volumes at the intersection did not warrant the installation of lights, and both Aldermen said that Council should take some direct action to insure that the wishes of the 367 residents who signed the petition, were carried out. It was pointed out, however, that Council could do nothing but make a recommendation to the Traffic Authority who, in turn, would base his decision on lines laid down for deciding when the installation of traffic lights was warranted.

The Motion was then put and passed with Alderman Connolly voting against.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on July 18, 1968 with respect to the following matters:

Property Acquisition - #5234 Gerrish Street

MOVED by Alderman Abbott, seconded by Alderman Black that, as recommended by the Finance and Executive Committee, the sum of \$12,500.00 be paid to Mr. and Mrs. John W. Paton represented by Mr. Harry Paton, Solicitor, 1529 Granville Street, Halifax, Nova Scotia, as settlement in full for all claims arising from the acquisition by the City of their property at #5234 Gerrish Street, required for the next phase of the Uniacke Square Redevelopment Project. Motion passed.

Terms of Reference - Honorary Civic Historian

MOVED by Alderman Fitzgerald, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, the following Terms of Reference for the Honorary Civic Historian be approved:

1. The Honorary Civic Historian should be an ex-officio member of the Civic Advisory Committee on the Preservation of Historic Buildings, or the proposed Landmarks Commission.
2. The Historian should prepare an inventory of all articles of historic interest in the possession of the City and make recommendations for their proper display and safekeeping.
3. Consistent with the provisions of the City Charter with respect to the preservation of records, the Historian should gather such records, data, documents and maps, etc., as are in possession of the City and having a significant bearing on its history, and make recommendations for the preservation of such records. For this purpose, the City Manager should

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take steps to provide the Historian, on request, with copies of any such material which are not of a private or personal nature.

4. The Civic Historian should serve as a focal point in the encouragement of research into local history and in the dissemination of information relating to local history.
5. On the authorization of the City Manager, any member of the City Staff should give all reasonable co-operation to the Historian in the location and duplication of such material as is referred to in Item 3, or with respect to the location and safekeeping of articles referred to in Item 2. The City Manager may designate such members of Staff as are deemed necessary to properly assist the Historian in the carrying out of his duties.

Motion passed.

Supplementary Appropriation - Section 316C City Charter -  
Recreation and Playgrounds Commission

MOVED by Alderman Fitzgerald, seconded by Alderman

H. W. Butler that, as recommended by the Finance and Executive Committee, a supplementary appropriation in the amount of \$1,573.00 be approved for the Recreation and Playgrounds Commission to cover the cost of purchase of acceptable, safe football equipment for the Minor Football Association's use during the coming football season; funds for this purpose to be provided under the authority of Section 316C of the City Charter. Motion passed.

Sewage Treatment Study

MOVED by Alderman Abbott, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, a Sewage Treatment Study for the City of Halifax be undertaken and that City Council -

1. approach the Nova Scotia Water Authority and request approval of the study;

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2. request the Authority to prepare terms of reference so that City Council can make any amendments it deems necessary; and
3. request the Authority to suggest suitable engineering consultants to carry out the work.

Motion passed.

Booth at Atlantic Winter Fair

MOVED by Alderman Ahern, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, City Council approve the rental by the City of Halifax of 200 square feet of space at the Atlantic Winter Fair, at a cost of \$450.00; funds for this purpose being available in the current budget. Motion passed.

Supplementary Appropriation - Section 316C City Charter -  
Annexation Requirements - Police Department

MOVED by Alderman Fitzgerald, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, City Council approve the following increase in the establishment of the Police Department:

1.	35 Constables for the period from September 1st to December 31st, 1968 at present salary scales	\$ 46,830.00
2.	35 sets of equipment, at approximately \$420.00 per set	<u>14,700.00</u>
		<u>\$ 61,530.00</u>

and approve a supplementary appropriation, in the amount of \$61,530.00, under the authority of Section 316C of the City Charter to permit the additional staff to come on the strength of the Police Department on September 1st, 1968. Motion passed.

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Combining of Collective Bargaining Agreements

MOVED by Alderman Abbott, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, City Council approve the incorporation of all or some of the following Collective Bargaining Agreements into one Major Collective Bargaining Agreement, subject to the approval of Boards and Commissions:

<u>GROUP</u>	<u>EMPLOYEES</u>
City Field	202
City Hall (Female Cleaning Staff) and Police Building	6
Health Centre Maids	3
Recreation Commission	13
Point Pleasant Park Commission	7
Forum Commission	14
School Board	47

Motion passed.

Request - School Board Re: Landscaping Richmond School Yard -  
\$9,000.00

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MOVED by Alderman Fitzgerald, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, City Council approve the request of the Board of School Commissioners to implement the following work at the Richmond School Yard:

1. Continue the existing concrete wall around to steps on Devonshire Avenue;
2. Have a set of steps in the wall separating the lower level from the upper yard;
3. Back fill to the new wall and pave 3,000 square feet;
4. Move the present chain link fence back close to the new wall.

and request the Minister of Municipal Affairs to agree to the

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transfer of the sum of \$9,000.00 from the Storm Sewer, Westwood Park account for this purpose. Motion passed.

Agreement Re: Stadium Facilities - City of Halifax and St. Mary's University (See also Page 679)

MOVED by Alderman H. W. Butler, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council approve the proposed Agreement between the City of Halifax and St. Mary's University respecting the Stadium Facilities for the 1969 Canada Games and authorize His Worship the Mayor and the City Clerk to execute the Agreement on behalf of the City of Halifax. Motion passed.

Resolution - Town Council of Dominion Re: Amendment to Municipal Services Act

MOVED by Alderman Abbott, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee, the Resolution of the Town Council of Dominion respecting an Amendment to the Municipal Services Act be tabled. Motion passed.

Assessment Records on Computer

MOVED by Alderman Ivany, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, City Council approve the use of the I.B.M. Data Centre for recording and processing City of Halifax assessments and related information and that a supplementary appropriation in the amount of \$11,000.00, under the authority of Section 316C of the City Charter be approved for this purpose. Motion passed.

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Narrows Bridge Approaches

MOVED by Alderman Fitzgerald, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, City Council agree in principle with the plan for the Narrows Bridge Approaches, as prepared by the Bridge Commission and to the transfer of about 20 feet north of the southern street line of Bayne Street, provided that the Bridge Commission approves, in principle, to the seven points listed below, subject to further negotiation between City Staff and the Bridge Commission:

1. Barrington Street remain a two-way street from its intersection with Harbour Drive south of the Narrows Bridge to a connection with Lady Hammond Road.
2. A portion of Bayne Street be realigned.
3. An estimate of costs be prepared for a bridge structure leading to City-owned industrial land from the intersection of Robie Street and Memorial Drive, and the construction of such bridge if the costs are reasonable.
4. The Commission to provide access to and a cleared site on City Field or nearby City-owned land for the purpose of bulk salt storage, such site to be selected by the City.
5. Adequate access be provided to all properties at the western extremity of Barrington Street (Fairview Developments, Provincial Department of Highways and Abattoir).
6. Construction of the following intersections, as outlined in the previous Staff report:
  - (a) a street from the termination of the Bridge approach road at Africville to Duffus Street;
  - (b) a street from the termination of the Bridge approach road at Columbus Street, to the intersection of Robie Street and Livingstone Street;

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(c) a revised intersection of Kempt Road and Lady Hammond Road.

7. The division of responsibility between the City and the Commission for maintenance and lighting of streets to be worked out by the respective staffs.

Motion passed.

Board of Commissioners of Public Utilities - Notice of Hearing -  
Kearney Lake Area

The report of the Committee reads as follows:

"The Committee was informed that the Board of Commissioners of Public Utilities has received an application from the Rate-payers of Kearney Lake Area in the Municipality of the County of Halifax (Rockingham) for an Order to annex the said area to the City of Halifax.

The Board has ordered a public hearing into the application on Tuesday, the 13th day of August, 1968 at 10:00 a.m.

The Finance and Executive Committee directed that the matter be placed on the Order of Business for the regular Council meeting to permit City Council to instruct the City Solicitor of the position the City wishes to take at the hearing."

A report was submitted from Staff which reads in part as follows:

"Staff has examined the Kearney Lake area and is of the opinion that the application of the area's ratepayers should be supported. On January 1, 1969 this area will be immediately adjacent to the City of Halifax. The area is urban orientated and its residents look to the Halifax urban area for employment, shopping and all other services.

Staff is, however, of the opinion that the boundaries of the area, as proposed by the Kearney Lake petitioners, are drawn too tightly. It would appear that they were drawn for the single purpose of only including the present built up area. It is the opinion of Staff that all of the remaining part of District Number 1 (of which the Kearney Lake area is a part) should be annexed to the City of Halifax. By annexing this larger area only about 20 additional dwellings would be included and at the same time a large area which has good development potential for urban purposes would be brought within the control of the City of Halifax. It would be unnecessarily expensive for the City in the future to attempt to provide urban services to the limited Kearney Lake area as described in the ratepayers application unless it were planned

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as part of a much larger serviced area. All of District Number 1 lies on the Bedford Basin side of the height of land, and is part of a large drainage area which flows into Bedford Basin at Mill Cove. It would be preferable from a planning viewpoint if this entire area were to be planned as a whole rather than in a piece meal way."

MOVED by Alderman Moir, seconded by Alderman Abbott that City Council support the application of the Ratepayers of the Kearney Lake area to the Board of Commissioners of Public Utilities for an order to have their area annexed to the City of Halifax and that the City should apply to the Board to have all of the remainder of District Number 1, of which the Kearney Lake area is a part, annexed to the City of Halifax. Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 16, 1968 with respect to the following matter:

Tenders - Truck Chassis with Tilt Cabs

The report of the Committee reads as follows:

"It is recommended that the tender of Trainor G. M. C. Limited, in the amount of \$25,544.00, being the lowest tender meeting specifications, be accepted for the supply of two truck chassis with tilt cabs for the Works Department."

Alderman Fitzgerald referred to the discussions on this matter which took place in Committee with respect to the reasons why so few firms submitted tenders. He advised that he visited several firms and asked why they did not bid and he submitted three letters which set out the reasons the firms did not submit a tender. He suggested that the matter be

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referred back to the Committee on Works and consideration be given to the letters.

After a short discussion, it was MOVED by Alderman Fitzgerald, seconded by Alderman A. M. Butler that the matter be referred back to the Committee on Works for further discussion.

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

For:	Aldermen A. M. Butler, Fitzgerald, H. W. Butler, Black, Moir and Ivany	6
Against:	Aldermen LeBlanc, Ahern, Connolly, Sullivan	4

At this time, the three letters submitted by Alderman Fitzgerald were handed to the City Clerk so that copies could be obtained and distributed to all members of Council.

REPORT - SAFETY COMMITTEE

Truck Traffic - Connaught Avenue

Alderman Fitzgerald reviewed the discussions held at the Safety Committee with respect to truck traffic on Connaught Avenue. He referred specifically to a resolution passed by City Council on November 16, 1967 which reads as follows:

"THAT (i) Legislation be secured at the next session of the Legislature to the effect that no heavy trucks be permitted on Connaught Avenue from Quinpool Road to Bayers Road between the hours of 7:00 p.m. to 7:00 a.m.;

(ii) The approval of the Minister of Highways be obtained to the effect that truck traffic on Connaught Avenue be limited to trucks having a maximum weight of 30,000 lbs. loaded.

Subsequently, he said, a definition of the words "heavy trucks" as mentioned in (i) of the resolution was requested. He advised

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that the Safety Committee, at its meeting held on July 16, 1968 had before it the following motion:

- "THAT 1. no trucks over 3/4 tons be permitted to travel on Connaught Avenue from Quinpool Road to Bayers Road, between the hours of 7:00 p.m. and 7:00 a.m.;
2. the approval of the Minister of Highways be obtained to the effect that daytime truck traffic on Connaught Avenue be limited to trucks having a maximum weight of 30,000 pounds loaded.

The motion was lost in Committee and Alderman Fitzgerald contended that City Council should re-affirm its decision made at the Council meeting on November 16, 1967 when it approved a similar resolution. He said that the only amendment made to the motion since Council passed it was the clarification of the words "heavy trucks" as those 3/4 ton and over.

After a short discussion on the matter, it was MOVED by Alderman Fitzgerald, seconded by Alderman H. W. Butler that no trucks over 3/4 tons be permitted to travel on Connaught Avenue from Quinpool Road to Bayers Road, between the hours of 7:00 p.m. and 7:00 a.m. Motion passed.  
9:00 p.m. Alderman Abbott retires.

REPORT - PUBLIC HEALTH AND WELFARE COMMITTEE

Council considered the report of the Public Health and Welfare Committee from its meeting held on July 18, 1968 with respect to the following matter:

Administration of Social Assistance in the City of Halifax

MOVED by Alderman Moir, seconded by Alderman Connolly that, as recommended by the Public Health and Welfare Committee:

1. the present scale of welfare payments be maintained, as a reduction at this time would be detrimental to the welfare programme in Halifax and would certainly adversely affect the lives of the families involved.

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2. since there are many problems that are of common interest to departments of the Provincial Government, Federal Government and private welfare agencies, the City take the initiative in co-operating and making the maximum use of all of these resources in an effort to provide opportunities for welfare recipients that would make it possible for them to improve their economic well-being. Such preventive and rehabilitation programmes should have the effect of reducing the need for welfare payments.

The report of the Committee advised that:

- (a) the current controversy concerning welfare budgets was brought about by a tight money situation which the Provincial Government had not anticipated, rather than by irresponsible budgeting by municipal welfare departments.
- (b) it is satisfied that the planning and budgeting of the Welfare Department of the City of Halifax is responsible and reasonable and barely adequate to meet the needs of the people of this community.
- (c) plans have been progressing for some two years towards a preventive and rehabilitative programme.

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

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendments - Ordinance #55 Re: Tag Days, etc. SECOND READING

Deferred.

Amendments - Ordinance #116 Re: Taxis

MOVED by Alderman Ivany, seconded by Alderman Fitzgerald that Ordinance #116 Respecting Taxis, as amended by the Committee of the Whole Council, be read and passed a Second Time. Motion passed.

Report Re: Development Proposals for the City Prison Lands

MOVED by Alderman Fitzgerald, seconded by Alderman H. W. Butler that, as recommended by the Committee of the Whole Council, City Staff initiate negotiations with the firm of Consort

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Consultants Limited for the overall development of the City  
Prison Lands as to agreement and price. Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on July 16, 1968 with respect to the following matters:

Modification of Side Yard, Lot Frontage and Lot Area Requirements - 6168 North Street

MOVED by Alderman Connolly, seconded by Alderman Ahern that the application for modification of side yard, lot frontage and lot area requirements at 6168 North Street, as shown on Drawing No. P200/2454, to permit the conversion of a single family dwelling to a duplex dwelling by internal alterations be approved.

Alderman Black said that the Town Planning Board had reconsidered the application and recommended refusal of the modifications.

Alderman Connolly spoke in favour of the motion.

Alderman LeBlanc spoke against the motion.

The motion was then put and lost.

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the application for modification of side yard, lot frontage and lot area requirements at 6168 North Street, as shown on Drawing No. P200/2454, to permit the conversion of a single family dwelling to a duplex dwelling by internal alterations be refused. Motion passed with Aldermen Ahern, Connolly and Sullivan voting against.

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Modification of Lot Frontage and Area - 5868 Sebastian Street

MOVED by Alderman Moir, seconded by Alderman Fitzgerald that, as recommended by the Town Planning Board, the application for modification of lot frontage and lot area at 5868 Sebastian Street, as shown on Drawing No. P200/2240, to permit the conversion of the existing single family dwelling to a duplex dwelling by internal alterations be refused.

Motion passed.

Extension to a Non-conforming Use - 5786 Kaye Street

MOVED by Alderman Ivany, seconded by Alderman LeBlanc that, as recommended by the Town Planning Board, the application for an extension to a non-conforming use at 5786 Kaye Street, as shown on Drawing No. P200/2469, to permit the construction of an addition on the west side of the building be refused. Motion passed.

Location of Rockingham-Spryfield Arterial in the Fairview Area

The report of the Committee reads as follows:

"It is recommended that City Council approve the use of Dunbrack Street as the right-of-way for the Rockingham-Spryfield Arterial in the Fairview Area, that a right-of-way be protected for this purpose and that the decision of Council be passed on to the Halifax-Dartmouth and County Regional Planning Commission and the County Planning Board."

Alderman Fitzgerald referred to the meetings held in the County areas and the concern expressed by the residents in the Dunbrack Street area about the use of that street as part of the Rockingham-Spryfield Arterial and he felt that some consideration should be given by the Town Planning Board to the resident's petitions.

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Alderman Ivany agreed that the matter should be studied further.

MOVED by Alderman Fitzgerald, seconded by Alderman Moir that the matter be referred back to the Town Planning Board for further study. Motion passed.

Stadium Plans - St. Mary's University

The Town Planning Board recommended that the plans for the Stadium facility to be constructed at St. Mary's University for the 1969 Canada Games, as submitted to the Town Planning Board, be approved.

Alderman Black referred, at this time, to the proposed agreement with the University and felt that the City should obtain a mutual covenant from the University that it would not use the Stadium facilities for any professional sport, as is set out for the City on the 15 uses of the stadium.

Alderman Fitzgerald agreed with Alderman Black and suggested that Alderman H. W. Butler, as Chairman of the Recreation and Playgrounds Commission, should approach the University in this regard and report back to the next regular City Council meeting the results of any discussions.

After some discussion on the matter, it was agreed that no action should be taken on the motion passed earlier in the Council meeting with respect to the Agreement until Alderman H. W. Butler has reported back on his discussions with the University at the next regular meeting.

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MOTIONS

Motion - Alderman Sullivan Re: Appointments to Port of Halifax  
Commission

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Deferred.

Motion - Alderman Fitzgerald Re: Annexation Area

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MOVED by Alderman Fitzgerald, seconded by Alderman Sullivan that City Staff consider a recommendation that the City make application to the Board of Commissioners of Public Utilities to include, in the area to be annexed to the City of Halifax, the remainder of District No. 5.

Alderman Fitzgerald spoke to his motion and said that the residents of the area of Fergusson's Cove, to which his motion refers are concerned as the community has been divided in half by the Annexation line and isolates some 25 families. He indicated that the concern shown relates in some measure to schools.

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

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

MOVED by Alderman Black, seconded by Alderman Moir that the City Manager be authorized to pay the following accounts over \$5,000.00:

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Minister of Finance & Economics, Province of Nova Scotia	Municipal Capital Contribution to July 1/68	\$43,146.00
R. K. Kelley & Co. Ltd.	Public Liability, Property Damage & Fire, City Fleet	16,443.00
Motion passed.		<u>\$59,589.00</u>

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Report - Joint Meeting of Town Planning Board and Housing  
Committee Re: C.M.H.C. Assistance - Development Plan for  
the City Prison Lands

MOVED by Alderman Fitzgerald, seconded by Alderman Sullivan that, as recommended by the Joint meeting of the Town Planning Board and Housing Committee, the City of Halifax approach Central Mortgage and Housing Corporation with a request that it underwrite part of the cost of the study for the City Prison Lands, on condition that the City maintain complete control over the study. Motion passed with Alderman Black voting against.

Appeal Against the Refusal of the Building Inspector to Issue  
an Occupancy Permit for a Doctor's Office at 2024-26 Oxford  
Street

The following report was submitted from Staff:

"A letter has been received from the owner of the above address for permission to locate a doctor's office in a duplex dwelling.

On April 1968, the owner applied to the Building Inspector's Office for an occupancy permit to locate a doctor's office at the above mentioned location. However, the Building Inspector refused the application on the grounds that a professional office is not permitted in a duplex dwelling in an R-2 zone.

The Zoning By-law permits a professional office in a single family dwelling in the R-1 or R-2 Residential Zones, provided that the dwelling is used by such professional person as his private residence.

Council has the power under Part XV of the Zoning By-law to permit an office of a medical doctor or dentist to be located in a single family dwelling-house in an R-2 Zone where such single family dwelling-house is not used by such medical doctor or dentists as a private residence.

This case falls in neither of the above two categories. Moreover, it should be pointed out that, in this case, the applicant contacted the Building Inspector's Office before purchasing the property, therefore, he bought the property with full knowledge of the restrictions imposed upon its use by the Zoning By-law. An amendment to the Zoning By-law would be required in order to permit a professional office in a Duplex or multiple family dwelling in the R-2 Residential Zone. This interpretation is endorsed by the opinion from the legal department.

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RECOMMENDATION:

Staff does not recommend any such amendment.

After a short discussion, it was MOVED by Alderman Fitzgerald, seconded by Alderman Black that the matter be referred to the Town Planning Board for further consideration.

Motion passed.

Letter - H. R. Doane & Co. - Questions and Answers Re:  
Auditors' Report for the Year 1966.

A letter was submitted for the information of Council from H. R. Doane and Company relating to a resolution passed by City Council requesting the firm "to explain in writing the reasons for not observing upon the errors alleged to have been made in the City's Financial Statements for the year 1966 and for failing to take necessary action to have such errors corrected."

No action was taken with respect to the letter submitted.

Appointments - Board of Visitors - Basinview Home

Deferred.

Report - Social Planning Committee

MOVED by Alderman Moir, seconded by Alderman Connolly that, as recommended by the Social Planning Committee, City Council approve the wording of the Human Rights declaration as follows:

HUMAN RIGHTS IN THE CITY OF HALIFAX

The Corporation of the City of Halifax declares that it is public policy of the City of Halifax that every person be free and equal in dignity and rights, and that in keeping with the

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Human Rights Act and the spirit of genuine brotherhood, THE CITY OF HALIFAX OPPOSES ALL FORMS OF DISCRIMINATION in public accommodation and services, employment and housing, on grounds of race, religion, colour, sex, ethnic or national origin.

The City Council declares its intention to promote employment practices and housing policies which recognize the human rights of all persons, and the City calls upon all its citizens to actively cooperate in the elimination from our community of all forms of discrimination.

DELIVERED under the hands of the Mayor and City Clerk of Halifax with the seal of the City hereunto affixed, at Halifax this \_\_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, One Thousand Nine Hundred and Sixty-Eight.

3. Pickford and Black Limited  
1867 Upper Water Street .....  
Mayor  
4. Donald S. Kelly Limited  
1379 Upper Water Street .....  
City Clerk  
5. Sullivan Properties Limited  
1879 Upper Water Street .....

\_\_\_\_\_ adheres strictly to the spirit and letter of this declaration in respect to Human Rights in the City of Halifax.

Motion passed.

MOVED by Alderman Moir, seconded by Alderman Ahern that City Council approve the expenditure of funds in the amount of \$153.44, under the authority of Section 316C of the City Charter, to cover the cost of printing 5,000 copies of the Human Rights Declaration; 2500 on paper and 2500 on cardboard measuring 8½" x 11". Motion passed.

Expropriations - Cogswell Street Interchange

A report was submitted from Staff relating to a number of properties of which vacant possession is required by August 1, 1968 for the construction of the Cogswell Street Interchange and recommending that they be expropriated.

Council,  
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Question MOVED by Alderman Black, seconded by Alderman Connolly that the following properties be expropriated and vacant possession obtained by August 1, 1968 and that City Council authorize the immediate release, if requested by the owners, of up to 75 per cent of the authorized payment:

1. Imperial Oil Limited  
Upper Water Street
2. James Simmonds and Company Limited  
1855 Upper Water Street
3. Pickford and Black Limited  
1867 Upper Water Street
4. Donald C. Keddy Limited  
1879 Upper Water Street
5. Sullivan Storage Company Limited  
1879 Upper Water Street
6. Joseph Simon  
1885 Upper Water Street
7. William Moir  
2015-17 Barrington Street

Motion passed.

Notice of Motion Expropriation Resolutions and Plans were submitted giving effect to the foregoing resolution of City Council.

MOVED by Alderman Black, seconded by Alderman Connolly that the Expropriation Resolutions and Plans, as submitted, be approved. Motion passed unanimously.

#### QUESTIONS

Question Alderman Sullivan Re: Right Angle Turn - Corner North and Robie Streets

Alderman Sullivan asked if Staff would look into the possibility of installing a right angle turn at the corner of North and Robie Streets where a house has recently been demolished.

Council,  
July 25, 1968

Question Alderman Black Re: Soot Nuisance

Alderman Black asked if the official report has been received with respect to the soot nuisance.

The City Manager advised that he is in possession of a report which indicates that, from the various chemical tests made on the soot, it comes from some type of oil treated coal. He said that Staff will now have to find out which plants in the City burn an oil treated coal before the source of the nuisance is ascertained.

Question Alderman Sullivan Re: Smoke Pollution

Alderman Sullivan asked if the City Manager received a report from the Fire Chief with respect to the smoke pollution and its source.

The City Manager advised that he had not received a report from the Fire Chief with respect to the matter.

NOTICE OF MOTION

Notice of Motion - Alderman LeBlanc Re: Stationery for Aldermen

Alderman LeBlanc gave notice that, at the next regular meeting of City Council he would move the adoption of the following resolution:

WHEREAS I, Donald G. LeBlanc, have attempted unsuccessfully for the past two years to obtain proper stationery for the Aldermen; having approached the Purchasing Department two years ago; after a subsequent meeting with the Director of Finance; who in turn discussed the matter with the Mayor; who in turn advised the Director of Finance that the present stationery would be suitable;

AND WHEREAS the stationery which we presently have is not fit and proper for Aldermen to conduct City business;

Council,  
July 25, 1968

NOW THEREFORE BE IT RESOLVED that the sum of \$100.00 or a portion thereof be made available for the purpose of obtaining suitable stationery for Aldermen.

ADDED ITEM

Halifax Police Boys' Club

A report was submitted from Staff relating to a proposed location for the new Police Boys' Club building.

MOVED by Alderman Connolly, seconded by Alderman Ahern that the City enter into an agreement with the Halifax Police Boys' Club for the lease of 11,000 square feet of land at the corner of Dartmouth and Devonshire Avenues for 50 years at 7 per cent, or an annual rental of \$962.50.

MOVED in Amendment by Alderman LeBlanc, seconded by Alderman Sullivan that the figure of \$962.50 be replaced by the figure of \$1.00.

Some discussion ensued as to whether or not the City should charge an economic rental and perhaps repay the money by giving a grant to the Boys' Club.

After further discussion, it was MOVED by Alderman A. M. Butler, seconded by Alderman Moir that the matter be referred to the Tax Concessions and Grants Committee and the Finance and Executive Committee for consideration and report back to the next regular meeting of City Council.

The motion to refer was then put and passed with Alderman LeBlanc voting against.

9:50 p.m. Meeting adjourned.

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*Reson*

Council,  
July 25, 1968

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

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LeBlanc, Ahern, Connolly, Doyle and Fitzgerald.

Also Present: City Mayor, NICHOLAS P. MEAGHER, City  
DEPUTY MAYOR AND CHAIRMAN

Clerk and other Staff members.

R. H. STODDARD  
CITY CLERK

Clerk advised that the meeting was called  
to consider the Staff Report - Development Consultants -  
City Prison Lands.

The report reads as follows:

"The question before Council at its meeting of August 15,  
1968 regarding Development Consultants for the Prison Lands  
was whether or not to accept the price of \$125,000 as pro-  
posed by Consort Consultants Limited. Council resolved  
that "the matter be deferred for two weeks pending receipt  
of a staff report as to whether the price is reasonable for  
what the City requires". Staff is of the opinion that this  
price is too high in view of what the City requires."

A report was also submitted from His Worship the  
Mayor which set out several courses of action which City  
Council might take with respect to the matter.

His Worship the Mayor, advised that the following  
motion is before City Council at this time:

ORDER OF BUSINESS

CITY COUNCIL

AUGUST 15, 1968

8:00 p.m.

Lord's Prayer

Roll Call

Presentation

Minutes: July 25, 1968

Approval of Order of Business, Additions & Deletions

Deferred Items:

- (a) Motion - Alderman Ivany Re: Expropriation Procedures
- (b) Housing Authority Budget - 1968
- (c) Motion - Alderman Sullivan Re: Appointments to Port of Halifax Commission
- (d) Agreement - Stadium Facilities - City of Halifax and Saint Mary's University
- (e) Stadium Plans - Saint Mary's University
- (f) Appointments - Board of Visitors - Basinview Home

Motions of Reconsideration: NONE

Motions of Rescission: NONE

Public Hearings & Hearings:

- (a) Hearing - Appeal Against the Refusal of the Building Inspector to Issue an Occupancy Permit to Operate a Tavern - #1471-75 Birmingham Street

Petitions & Delegations

Report - Finance & Executive Committee:

- (a) Possible Acquisition - #15 Artz Street
- (b) Possible Acquisition - #1452 Queen Street
- (c) Call for Proposals - Development Consultants - Prison Lands
- (d) Contract Between the City of Halifax and Paul Maillet - Repointing of Stone Work at Memorial Tower - Fleming Park
- (e) Halifax Mental Hospital - Maintenance of Patients Committed Under Lieutenant Governor's Warrant
- (f) Appropriation - Section 316C, City Charter - Civic Election, \$30,000
- (g) Tenders - Contract No. 2 Phase No.1 - Cogswell Street Interchange
- (h) Agreement - Halifax Police Boys' Club and City of Halifax
- (i) Fill - Scotia Square
- (j) Acquisition of Lands from Halifax Relief Commission
- (k) Eastern Canadian Junior Track and Field Championships
- (l) Tax Grant - Theatre Arts Guild
- (m) Grant - Nova Scotia Museum of Fine Arts
- (n) Historic Buildings - Brunswick Street
- (o) Tenders - Central Fire Station - West Street

1. Report - Committee on Works:

- (a) Tenders - Truck Chassis with Tilt Cabs
- (b) Demolition Contract - #5681 West Street and #2432 Maynard Street
- (c) Permission to Fly Ballon from City Hall Area
- (d) Float - Nova Scotia Provincial Exhibition Parade, August 26, 1968

2. Report - Safety Committee: NONE

3. Report - Public Health & Welfare Committee:

- (a) Per Diem Rate - Basinview Home

4. Report - Committee of the Whole Council, Boards & Commissions:

- (a) Amendments - Ordinance #55 Re: Tag Days, etc. - SECOND READING - DEFER

Report - Town Planning Board:

- (a) Modification of Front Yard, Side Yard, Lot Frontage and Lot Area to Legalize a Duplex Dwelling - #6490 London Street
- (b) Proposed Amendment to Zoning By-law Arising from the Appeal - Occupancy Permit - Doctor's Office on Oxford Street
- (c) Rezoning - R-2 Zone to R-3 Zone - Resubmission - #3890 (Lot 17) Kencrest Avenue - Date for a Hearing
- (d) Agreement - Litter Receptacles - Panel Ads of Nova Scotia
- (e) Extension to a Non-conforming Building and Modification of Front Yard Requirements - #6204-06 Almon Street
- (f) Extension to a Non-conforming Building, Modification of Front Yard and Side Yard Requirements - #2562 Elm Street
- (g) Extension to a Non-conforming Building, Modification of Front Yard, Side Yard, Lot Frontage and Lot Area Requirements - #5655 Macara Street
- (h) New Street Lines on Forrester Street
- (i) Development of Trailer Parks
- (j) Vacant Buildings - West Side of Windsor Street between Summit and Seaforth Streets

Motions:

- (a) Motion - Alderman LeBlanc Re: Stationery for Alderman

17. Miscellaneous Business:

- (a) Question - Alderman Black Re: Halifax Relief Commission
- (b) Lord's Day Permits
- (c) Resignation of Mr. Alex Halse from Housing Committee

18. QUESTIONS

19. Notice of Motion

20. Added Items

WINDSOR ST  
 1968  
 CITY COUNCIL  
 ORDER OF BUSINESS

CITY COUNCIL  
MINUTES

Record  
Council Chamber,  
City Hall,  
Halifax, N.S.  
AUGUST 15, 1968  
8:00 P.M.

A 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.

There were present; His Worship the Mayor, Chairman; and Aldermen Abbott, Moir, Ivany, Matheson, Meagher, LeBlanc, Sullivan, Ahern, Connolly, Fitzgerald, and H.W. Butler.

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

PRESENTATION - WILLIAM F. CLEARY

On the occasion of his retirement as Deputy Chief of Police, His Worship the Mayor presented Mr. William F. Cleary with a Scroll, in recognition of 38 years of faithful service to the City of Halifax.

MINUTES

MOVED by Alderman Moir, seconded by Alderman Ahern, that the Minutes of the meeting of City Council held on July 25, 1968 be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The Order of Business, as prepared by the City Clerk, was submitted for approval.

The City Clerk advised that Item 11(c) - Permission to Fly Ballon from City Hall Area" was deleted, and the following added:

- 20(a) - Expropriation - Property - West, Maynard and James Streets - Site for new Central Fire Dept. Headquarters.
- 20(b) - Compensation - Seventy-five percent (75%) - William Collings & Sons Limited.
- 20(c) - Resolution - 1969 Canada Games.

Council,  
August 15, 1968

At the request of Alderman Connolly, it was agreed to add the item "Parking Around North Common" as Item 20(d).

MOVED by Alderman LeBlanc, seconded by Alderman Ivany, that the Order of Business, as amended, be approved. Motion passed.

8:10 p.m. - Alderman Black arrives.

DEFERRED ITEMS

Motion - Alderman Ivany Re; Expropriation Procedures:

At the request of Alderman Ivany, it was agreed to defer this matter until next Council meeting in order that Council could study the motion prepared by Alderman Ivany before being asked to make a decision.

Housing Authority Budget- 1968:

MOVED by Alderman Moir, seconded by Alderman Sullivan, that as recommended by the Finance and Executive Committee, the proposed 1968 budget of the Halifax Housing Authority be approved and that Central Mortgage and Housing Corporation and the Province of Nova Scotia be asked to concur in such approval. Motion passed.

Appointments to Port of Halifax Commission:

Alderman Sullivan stated that after a study of the matter and consultation with the Longshoremen and Freight Handlers Unions, he wished to move the following:

WHEREAS the drop in cargo tonnage in the Halifax Port is causing grave concern;

And WHEREAS I have heard members of the Longshoremen's Organization state they feel more effort could be made by City Council in promoting the Port;

Council,  
August 15, 1968

THEREFORE, BE IT RESOLVED that the Halifax Port Commission be assisted in promoting the Port of Halifax by adding or having appointed a representative from the Longshoremen's Union and Freight Handlers Association.

At the suggestion of Alderman LeBlanc, Alderman Sullivan agreed that the following be added to his Motion:

"...and that consideration be given to this matter upon the formation of a new Port of Halifax Commission."

There was also some discussion on the advisability of passing such a motion, pending the outcome of the present negotiations between Halifax, Dartmouth, and the County for a joint effort to promote port facilities, and at the suggestion of His Worship the Mayor, Alderman Sullivan agreed to refer the matter to a joint meeting between the City, Port officials and labour representatives which would be called within the next month

Agreement - Stadium Facilities - City of Halifax and Saint Mary's University:

The City Clerk read the following letter which had been received from Father Henry J. Labelle, President of Saint Mary's University:

"August 14, 1968

"The Mayor and Members  
of the Halifax City Council,  
City Hall, HALIFAX.

"Your Worship and Gentlemen:

"In connection with the proposed agreement between the City of Halifax and the University governing the City's rights to use of the Sports Stadium facilities, I confirm that it is and always has been the University's understanding that present City Ordinances prohibit the holding of sporting

Council,  
August 15, 1968

"events involving professional players without the City's prior permission, and in any event the University will in any such instance make application to the City, or cause such application to be made, during the life of the contract between us."

MOVED by Alderman Sullivan, seconded by Alderman Moir, that as recommended by the Finance and Executive Committee, City Council approve the proposed Agreement between the City of Halifax and St. Mary's University respecting the Stadium Facilities for the 1969 Canada Games and authorize His Worship the Mayor and the City Clerk to execute the Agreement on behalf of the City of Halifax. Motion passed.

Alderman Black said he wished to note for the record that under the present Zoning By-law, events involving professional players could not be approved even upon application from Saint Mary's University.

Stadium Plans - Saint Mary's University:

MOVED by Alderman Black, seconded by Alderman Ivany, that the plans for the Stadium facility to be constructed at St. Mary's University for the 1969 Canada Games, as submitted to the Town Planning Board, be approved. Motion passed.

Appointments - Board of Visitors - Basinview Home:

It was agreed to further defer this item.

MOTIONS OF RECONSIDERATION

No Motions of Reconsideration were scheduled to be heard at this time.

MOTIONS OF RESCISSION

No Motions of Rescission were scheduled to be heard at this time.

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August 15, 1968

PUBLIC HEARING & HEARINGS

Hearing - Appeal Against the Refusal of the Building Inspector  
to Issue an Occupancy Permit to Operate a Tavern -  
#1471-75 Birmingham Street

The applicant presented the following grounds for an appeal against the Building Inspector's refusal to issue a permit to operate a tavern at 1471-75 Birmingham Street, Halifax:

1. The area is properly zoned C-3 for general business usage.
2. Sufficient precedent exists for liquor licenced outlets in the area.
3. Adequate parking facilities are available in the area.
4. The proposed business and building is compatible with the redevelopment program for the area (shopping mall development).
5. There are existing tavern facilities in the area.
6. There is no residential community in the area that would suffer from the existence of an English Pub type tavern.
7. The proposed facilities are equal to or better than many of the existing business facilities in the area.
8. The proposed site is not obnoxious to any churches, schools or hospitals.
9. There is a demand for an English Pub type tavern with extensive food facilities to cater to a noon and evening meal trade.

The Building Inspector spoke next, stating he had refused the permit in accordance with Clause 739A(3) of the City Charter as, in his opinion, such proposed occupancy was unsuitable for the locality, and would be a nuisance to passers-by. He stated this was his only objection, since there was no difficulty in regards to zoning, nor had the Planning Department voiced any objections as regards the overall development of the area.

Several Aldermen stated different reasons why they

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felt the permit should be refused, but Alderman Matheson objected to their statements, as he felt the only point for consideration was the reason given by the Building Inspector, who had said that otherwise a tavern in that location would violate no regulations. He added that, in his opinion, the reason given by the Building Inspector was not sufficient to refuse the applicant a permit.

Mr. D. Kerr, Solicitor for the applicant, spoke next giving additional grounds for the appeal. He stated the project had gone through the Liquor Licence Board without difficulty, which in itself was an indication that everything was in order. Parking facilities, etc, were also mentioned as being available. He said that as well as a drinking place it was intended to serve meals, the price of which would be such so as to insure a good clientele.

MOVED by Alderman Moir, seconded by Alderman Ivany, that the decision of the Building Inspector be upheld and the occupancy permit be refused.

The motion was put and passed, 8 voting for the same and 4 against as follows:

For: Aldermen Abbott, Moir, Ivany, Meagher, Ahern,  
Connolly, Sullivan, H.W. Butler ..... 8  
Against: Aldermen Black, Matheson, LeBlanc, Fitzgerald 4

PETITIONS AND DELEGATIONS

The City Clerk stated that there were no petitions or delegations to be heard.

REPORT -- FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on August 8, 1968 with respect to the following matters:

Council,  
August 15, 1968

Property Acquisition - 15 Artz Street:

MOVED by Alderman Abbott, seconded by Alderman Matheson that, as recommended by the Finance and Executive Committee, the City purchase the property at 15 Artz Street from Mrs. Mae Chase, 2715 Clifton Street, Halifax, for the sum of \$800.00 and that City Council approve a Borrowing Resolution for the amount of \$810.00 to withdraw funds from the Sale of Land Account for this purpose. Motion passed.

Property Acquisition - 1452 Queen Street:

MOVED by Alderman Matheson, seconded by Alderman Abbott, that as recommended by the Finance and Executive Committee, the sum of \$47,500.00 be paid to Mr. Herbert S. Lamb of 1144 South Park Street, Halifax, as settlement in full for all claims in connection with the acquisition by the City of his property at 1452 Queen Street, required for the further development of the Spring Garden Road area. Motion passed.

Call for Proposals - Development Consultants - Prison Lands:

His Worship the Mayor referred to the following Motion passed at Council of July 25, 1968:

"MOVED by Alderman Fitzgerald, seconded by Alderman H.W. Butler that, as recommended by the Committee of the Whole Council, City Staff initiate negotiations with the firm of Consort Consultants Limited for the overall development of the City Prison Lands as to agreement and price."

and stated that Council did not have the option of considering alternative Consultants unless they rejected the firm of Consort Consultants Limited on the grounds that their price was not satisfactory.

MOVED by Alderman Moir, seconded by Alderman Abbott, that, as recommended by the Finance & Executive Committee,

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August 15, 1968

the firm of Consort Consultants Limited be awarded the contract to prepare a development plan for the City Prison Lands to a maximum of \$147,000.00 based on costs and that Staff negotiate a detailed agreement which will be submitted to City Council before execution.

Alderman Moir said that he was satisfied that Consort Consultants were the best team available and would be capable of carrying out a high quality development. He referred to a statement on Page 13 of Staff report of July 19th which concluded that "the group which is selected should not, therefore, be selected solely on the basis of cost".

Alderman LeBlanc stated that many of the qualities which Alderman Moir felt made Consort Consultants' offer attractive were also embodied in the offer made by Project Planners, at less money.

Alderman Matheson referred to the statement in staff's report that they felt there were four teams capable of adequately carrying out the assignment within a reasonable time, and said the matter should now go back to staff with the instruction they give a firm recommendation as to which of those four teams they recommended, together with the cost involved or a method of arriving at the total cost.

His Worship the Mayor said this would require defeating Alderman Moir's motion and moving another one.

Alderman Fitzgerald said he had supported the motion naming Consort Consultants under the impression that Staff was to negotiate the price, and the only reason he would change his position now was if Staff were to say

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August 15, 1968

Consort's price was too high and could not be negotiated. He said that if Consort's proposal contained items which Staff felt were unnecessary, they should negotiate with that firm on having such items eliminated, and thus reduce the overall cost, after which they should present Council with a firm recommendation including cost.

Mr. Lubka, Chief Planner, then spoke stating that staff had not envisaged negotiation to mean a haggling on the price of individual bits and pieces of the work, but rather on overall problems like liaison between the consultant and staff, etc. He said it would defeat the whole purpose of calling in outside consultants, if Staff had to sit down and direct them on how to carry out the work. It would also, he said, be presumptuous of staff to tell these experts how to carry out the project they had drawn up; plus the danger that by so doing the consultants would hold the City responsible if the project were not successful by reason that the City had dictated the terms.

Alderman Meagher, however, said he was surprised to learn that no such negotiations had been carried out with regards to the cost, inasmuch as this had been the intent of the Motion passed at Council on July 25th.

10:05 p.m. - The Council convenes to meet as a Committee of the Whole.

Alderman Matheson said he supported Mr. Lubka inasmuch as he did not think Council could direct staff to tell the firm chosen how to do the job. He said the position was the same as when staff themselves are given a job to do and told

Committee of the Whole  
August 15, 1968

to do it to their satisfaction and report the results to Council with their recommendations, at which time Council either rejects or modifies the recommendations.

Alderman Black then asked the Chief Planner to say whether in his opinion the job could be done adequately for less than \$100,000. The Chief Planner said it was a difficult question to which he could not give a simple answer, but stated that probably the City could get what it required for \$76,000 as quoted by Project Planners, but there was the question of whether the City wanted more than the minimum requirements. In the case of Consort Consultants, he said, you would pay more but you would also get more.

Alderman Ivany said in view of Mr. Lubka's statements, it appeared absolutely necessary that the City decide exactly what it wanted before negotiations are started with any developer.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher, that the matter be referred to staff to further negotiate a satisfactory price with Consort Consultants or bring in a recommendation to reject their proposal.

Alderman Matheson objected to this motion stating that Council had before it a motion to retain Consort Consultants at \$147,000, and His Worship the Mayor had made a ruling at the commencement of the meeting that all Council could deal with was an acceptance or rejection of that price, so that the present motion to refer it back to staff to further negotiate a satisfactory price, he said, was out of order.

Alderman LeBlanc said that if the City re-negotiated at this point with Consort for an improved price, then they must also give all the other firms who submitted tenders a chance to scale down their prices.

Alderman Fitzgerald said that if he had felt at the time the Motion was put naming Consort Consultants there was no possibility of negotiating the price with them, he would probably not have voted for it, and he still felt that statements in the Staff Report inferred that the prices quoted were negotiable.

The City Manager said he felt that staff had already made a clear recommendation to Council and quoted the following from the staff report:

"Staff are confident that any one of the four groups dealt with in detail above could prove the type of assistance the City is looking for. On balance, it is the consensus of Staff that Project Planners have made the most attractive proposal, being the best combination of a capable team and initial cost figures."

He said it was now up to Council to choose from the figures submitted, the one which they felt was best within the City's means, since Staff had already stated that any one of the four were capable of carrying out the job.

Alderman LeBlanc noted that when he made his Motion at Council naming Project Planners, he was unable to get a seconder, and felt that this was because there was a "local boy" element that came into the foreground.

Alderman Matheson said that something more than development of the City prison lands was involved, as the City was breaking faith with eleven firms which had spent money and

Committee of the Whole,  
August 15, 1968

time in preparing their tenders. He said the matter could not now be sent back to staff with conditions or instructions, except to ask them to submit a report which would facilitate Council in making a decision.

Against: The Assistant City Solicitor said that Council had awarded the contract to Consort Consultants, subject only to price, so that the matter could not now be referred back to staff unless Council says the price is unsatisfactory, in which case it will have defeated the motion that appointed Consort Consultants. She stated that Council could only refer the matter to a committee in accordance with the Rules of Order of Council. Accordingly the motion to refer to staff was ruled out of order.

Alderman Matheson said that they had received too many verbal statements from staff, and recommended the matter be deferred for two weeks pending a written submission from staff containing all the points discussed at Council and Finance meetings.

Alderman LeBlanc said he felt the best course of action would be to defeat Alderman Moir's motion and start over from the beginning.

After further discussion, the following motion was made:

MOVED by Alderman Matheson, seconded by Alderman Ivany, that the matter be deferred for two weeks pending receipt of a staff report as to whether the price is reasonable for what the City requires. The motion was

Contract between the City of Halifax and ...  
Repointing of Stone Work at Memorial Tower - Flying Park  
put and passed, 10 voting for the same and 2 against as

follows:

- For: Aldermen Abbott, Moir, Ivany, Matheson, Meagher,  
Ahern, Connolly, Sullivan, Fitzgerald,  
H.W. Butler ..... 10
- Against: Aldermen LeBlanc and Black ..... 2

11:20 - Council reconvenes, the same members being present.

Call for Proposals - Development Consultants - Prison Lands:

Halifax Under  
MOVED by Alderman Matheson, seconded by Alderman  
Ivany that, as recommended by the Committee of the Whole,  
the matter be deferred for two weeks pending receipt of a  
staff report as to whether the price is reasonable for  
what the City requires. The motion was passed with  
Alderman LeBlanc voting against.

11:25 p.m. - Alderman Moir retires.

Appropriation - Section 3160 City Charter - Civic Election -  
\$30,000.00

MOVED by Alderman Abbott, seconded by Alderman  
Meagher that, as recommended by the Finance and Executive  
Committee, an appropriation in the amount of \$30,000.00 under  
the authority of Section 3160 of the City Charter be approved  
for the purpose of conducting the Civic Election in December.  
Motion passed.

Tenders Contract #2 - Phase #1 - Crowwell Street Interchange

MOVED by Alderman Abbott, seconded by Alderman  
Matheson that, as recommended by the Finance and Executive  
Committee, the tender of Dineen Construction (Atlantic) Limited

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Contract between the City of Halifax and Paul Maillet -  
Repointing of Stone Work at Memorial Tower - Fleming Park

MOVED by Alderman Matheson, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, Mr. Paul Maillet be not charged a penalty for non-completion of the contract and that the contract be awarded to Nova Scotia Waterproofers Limited in the amount of \$7,750.00 for the repointing of the stone work at the Memorial Tower, Fleming Park. Motion passed.

Halifax Mental Hospital - Maintenance of Patients Committed  
Under Lieutenant Governor's Warrant

MOVED by Alderman Matheson, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, the City of Halifax make representation to the next meeting of the Union of Nova Scotia Municipalities, so that a common approach to the Provincial authorities can be made with respect to the problem. Motion passed.

Appropriation - Section 316C City Charter - Civic Election -  
\$30,000.00

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, an appropriation in the amount of \$30,000.00 under the authority of Section 316C of the City Charter be approved for the purpose of conducting the Civic Election in December. Motion passed.

Tenders Contract #2 - Phase #1 - Cogswell Street Interchange

MOVED by Alderman Abbott, seconded by Alderman Matheson that, as recommended by the Finance and Executive Committee, the tender of Dineen Construction (Atlantic) Limited

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in the amount of \$2,425,130.00 be accepted for the second contract of Phase I of the Cogswell Street Interchange.

Motion passed.

Halifax Police Boys' Club:

MOVED by Alderman Abbott, seconded by Alderman Ahern that, as recommended by the Finance and Executive Committee -

1. the City enter into an agreement with the Halifax Police Boys' Club for the lease of 11,000 square feet of land at the corner of Dartmouth and Devonshire Avenues for 50 years at 7 per cent, or an annual rental of \$962.50;
2. the City grant the Club a sufficient amount to cover the taxes each year.

Motion passed.

Fill - Scotia Square:

MOVED by Alderman Matheson, seconded by Alderman Ivany, that, as recommended by the Finance and Executive Committee, the City purchase 10,000 tons of rock fill from Concreters Ready Mix Limited at a price of \$2,000.00 to be charged directly to Scotia Square. Motion passed.

Acquisition of Lands from Halifax Relief Commission

MOVED by Alderman Matheson, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee, the Minister of Municipal Affairs be requested to approve the withdrawal from the Sale of Land account of a further amount, not to exceed the sum of \$8,000.00 in order to finalize the purchase of land from the Halifax Relief Commission. Motion passed.

Eastern Canadian Junior Track and Field Championships

MOVED by Alderman Ahern, seconded by Alderman Abbott, that, as recommended by the Finance and Executive Committee,

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the City Council approve a stand-by grant of \$1,000.00 to assist in the financing of the Eastern Canadian Junior Track and Field Championships and that all, or such portion of the amount as may be required be expended under the authority of section 316C of the City Charter. Motion passed.

Tax Grant - Theatre Arts Guild

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, when the Theatre Arts Guild Property in Jollimore is annexed to the City of Halifax, a grant be made to offset the taxes on the property. Motion passed.

Grant - Nova Scotia Museum of Fine Arts

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, after reviewing the Financial Statements submitted by the Nova Scotia Museum of Fine Arts, the grant of \$3,000.00 be not paid for the year 1968 but that the matter be reviewed in 1969. Motion passed.

Historic Buildings - Brunswick Street

MOVED by Alderman Matheson, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee -

1. City Council authorize staff to apply to Central Mortgage and Housing Corporation and the Province of Nova Scotia for a fifty per cent cost sharing on a feasibility study;
2. City Council retain the architectural firm of MacFawn and Rogers to carry out the feasibility study subject to Central Mortgage and Housing Corporation's concurrence;
3. City Council appropriate the necessary funds from

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current estimates in the amount of \$2,900.00 which is fifty per cent of the estimated cost of the feasibility study.

Motion passed.

MOVED by Alderman Matheson, seconded by Alderman Sullivan, that a vote of thanks be extended to the many volunteers who contributed their time, effort, and skills in the preparation of the report. Motion passed.

Tenders - Central Fire Department Headquarters:

MOVED by Alderman Ahern, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee -

1. the lowest tender, that of Raymond L. Kaizer Ltd. at \$634,397.00 be accepted for the construction of the Central Fire Department Headquarters;
2. additional funds in the amount of \$94,959.00 be provided by transfer from prior years' overfunding;
3. the City Manager negotiate with the tenderer on the individual items upon which he may be high to seek an improved price;
4. His Worship the Mayor and the City Clerk be authorized to execute the contract on behalf of the City of Halifax.

Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on August 6, 1968 with respect to the following matters:

Tenders - Truck Chassis with Tilt Cabs

MOVED by Alderman LeBlanc, seconded by Alderman H. W. Butler that, as recommended by the Committee on Works, the tender of Trainor G.M.C. Limited in the amount of \$25,544.00, being the lowest tender meeting specifications, be accepted for the supply of two truck chassis with tilt cabs for the Works Department. Motion passed.

Demolition Contract - 5681 West Street and 2432 Maynard Street

MOVED by Alderman Abbott, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, A & K Demolition Limited be awarded the contract to carry out the demolition work at 5681 West Street and 2432 Maynard Street at an amount of \$998.00 for each property. Motion passed.

Float - N. S. Provincial Exhibition Parade at Truro - August 26, 1968

MOVED by Alderman Ivany, seconded by Alderman H. W. Butler that, as recommended by the Committee on Works, the City enter a float in the N. S. Provincial Exhibition Parade on August 26, 1968 to be held in Truro, Nova Scotia. Motion passed.

REPORT - PUBLIC HEALTH AND WELFARE COMMITTEE

Council considered the report of the Public Health and Welfare Committee from its meeting held on August 8, 1968 with respect to the following matter:

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Per Diem Rate - Basinview Home

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, as recommended by the Public Health and Welfare Committee, the per diem rate for Basinview Home be fixed as follows:

\$7.73 for patients with settlement in the City of Halifax;  
\$9.50 for patients with settlement outside the City.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendments - Ordinance #55 Re: Tag Days etc. - Second Reading  
Deferred.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on August 6, 1968 with respect to the following matters:

Modification of Front Yard, Side Yard, Lot Frontage and Lot Area to Legalize a Duplex Dwelling - 6490 London Street

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, the application for modification of front yard, side yard, lot frontage and lot area requirements at 6490 London Street, as shown on Drawing No. P200/2447, to legalize the existing duplex dwelling be refused. Motion passed.

Possible Amendment to Zoning By-law Arising from the Appeal - Occupancy Permit - Doctor's Office on Oxford Street

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, Staff study the Zoning By-law as it relates to Doctor's Offices in R-2 and R-3 Zones, and incorporate certain amendments in the new

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Zoning By-law when it is prepared. Motion passed.

Rezoning R-2 to R-3 Zone - 3890 (Lot 17) Kencrest Avenue

MOVED by Alderman LeBlanc, seconded by Alderman

Black that, as recommended by the Town Planning Board:

1. City Council approve the rezoning of 3890 (Lot 17) Kencrest Avenue from R-2 Residential to R-3 Residential, as shown on Drawings No. P200/2251 and P200/2260, to permit the conversion of a four-unit apartment building into a six-unit apartment building;
2. a date for a public hearing be set;
3. the area outlined on the plan attached to the Staff Report dated June 30, 1967, be designated as the area within which people will be notified of the public hearing.

In reply to a question, the City Clerk advised that the Public Hearing will be held on September 26, 1968.

The motion was then put and passed.

Litter Receptacles

MOVED by Alderman Fitzgerald, seconded by Alderman Ivany that, as recommended by the Town Planning Board, approval in principle be given to the agreement with Panel Ads of Nova Scotia for the offer of 25 free litter receptacles, subject to:

1. the inclusion of a clause respecting panels promoting City beautification;
2. the approval of specific locations for the receptacles;
3. the power of veto of the City over the content and form of the advertisements placed thereon.

Motion passed with Alderman Black voting against.

Extension to a Non-conforming Building and Modification of Front Yard Requirements - 6204-6206 Almon Street

MOVED by Alderman Connolly, seconded by Alderman

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Sullivan that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of front yard requirements at 6204-6206 Almon Street, as shown on Drawing No. P200/2478, be approved with respect to the following additions only:

1. a two storey addition to the side for a stairway, and
2. an addition to the existing second floor at the rear to provide for two additional bedrooms.

Motion passed.

Extension to a Non-conforming Building and Modification of Front and Side Yard Requirements - 2562 Elm Street

MOVED by Alderman Fitzgerald, seconded by Alderman Abbott that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of front and side yard requirements at 2562 Elm Street, as shown on Drawing No. P200/2474, to permit a two storey addition at the rear and to convert the single family dwelling to a duplex be approved, provided the existing garage is removed after Council approval of the addition and conversion. Motion passed.

Extension to a Non-conforming Building and Modification of Front Yard, Side Yard, Lot Frontage and Lot Area Requirements - 5655 Macara Street

MOVED by Alderman LeBlanc, seconded by Alderman Black that, as recommended by the Town Planning Board, the application for an extension to a non-conforming building and modification of front yard, side yard, lot frontage and lot area requirements at 5655 Macara Street, as shown on Drawing No. P200/2479, to permit the construction of a one storey addition be approved, on condition the existing garage

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is removed after Council approval of the application.

Motion passed.

New Street Lines on Forrester Street

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board, City Council authorize Staff to take the necessary steps to move the street line of Forrester Street thirty feet south of its present alignment to widen the eastern portion of the new City Field site. Motion passed.

Development of Trailer Parks

MOVED by Alderman LeBlanc, seconded by Alderman Ivany that, as recommended by the Town Planning Board, representations be made to the appropriate department of the Provincial Government with respect to the development of the Rockingstone Park area and the acquisition and development of the Mill Cove area as trailer parks. Motion passed.

Vacant Buildings - West Side of Windsor Street between Summit and Seaforth Streets

MOVED by Alderman Abbott, seconded by Alderman Fitzgerald that, as recommended by the Town Planning Board, Staff prepare a report setting out a course of action which the City can take, including legislation if necessary, to eliminate the unsightly premises on the west side of Windsor Street between Summit and Seaforth Streets. Motion passed.

MOTIONS

Motion - Alderman LeBlanc Re: Stationery for Aldermen

Alderman LeBlanc did not put his motion since stationery for Aldermen has now been provided, but he did comment on the fact that the stationery is not of the best quality and the

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crests on the letterhead and on the envelopes are of different colours and different sizes.

MISCELLANEOUS BUSINESS

Question - Alderman Black Re: Halifax Relief Commission

A report was submitted from Staff relating to a request from Alderman Black that Staff ascertain the following information from the Halifax Relief Commission:

1. The names and addresses of members of the Halifax Relief Commission.
2. Financial statement of the Commission for the year 1967.
3. Terms of Reference of the Commission.
4. A copy of the Commission's agreement with the City of Halifax respecting Fort Needham.

The report set out the following comment which was received from the Secretary-Manager of the Commission:

"We view the situation as unusual that one member of Council could make a request of this kind on behalf of the whole Council without affirmation from the Council on a matter unrelated to civic affairs. For this reason we prefer to respond to a resolution of the Council."

The report also advised that a copy of the agreement referred to in request number 4 above, is on file in the Office of the City Solicitor.

Council took no action on the Staff report.

Resignation of Mr. Alex Halse from Housing Committee

In view of the fact that the matter of the selection of Consultants for the preparation of a Development Plan for the City Prison Lands is still unresolved, Council agreed to defer this matter until the next regular meeting of City Council.

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QUESTIONS

Question Alderman Fitzgerald Re: Financial Arrangements with  
Respect to Annexation

Alderman Fitzgerald asked if the City had made any representations to the Province or the Board of Commissioners of Public Utilities with respect to the financial arrangements for annexation in the light of the Sandford Report.

His Worship the Mayor said that the matter has been discussed with the Province and the Board of Commissioners of Public Utilities on several occasions and that at the present time the City Manager is continuing discussions with the Deputy Minister of Municipal Affairs who is now prepared to place some matters before his Minister.

Question Alderman Sullivan Re: Fence - Fort Needham

Alderman Sullivan asked when the rest of the fence will be erected at Fort Needham.

The City Manager said he would report on this matter.

Question Alderman Ahern Re: Numerical Strength of Council

Alderman Ahern asked His Worship the Mayor if he plans to call a meeting of Council to discuss the reduction in numbers of Council as set out in the Order from the Board of Commissioners of Public utilities.

His Worship the Mayor replied in the negative.

Alderman Ahern felt that the matter should be discussed since many citizens are concerned that there will only be ten Aldermen on Council after annexation.

After a short discussion, it was agreed to refer

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the matter to the Finance and Executive Committee for consideration.

Question Alderman Connolly Re: Soot Nuisance

Alderman Connolly asked if any further reports have been received with respect to the Soot Nuisance.

The City Manager advised that he had expected a report would have been received while he was away but it did not materialize. He said that further information has been received which has been forwarded to the Nova Scotia Technical College for study.

Question Alderman Ivany Re: Air Pollution

Alderman Ivany asked if Staff would attend the Town Planning Board and Committee on Works meetings prepared to discuss the air pollution problem in the northern portion of South Street which is caused by some of the chimneys from the apartment buildings in the area. He also asked if Staff would look carefully at the barricading of construction sites in the area.

NOTICES OF MOTION

Notice of Motion - Alderman Matheson Re: Use of Committee of the Whole Council Meetings

Alderman Matheson gave notice that, at the next regular meeting of City Council, he will move or cause to be moved a resolution to the effect that from September 1st, 1968 until Council otherwise decides, no meetings of the Standing Committees be held except when and to the extent that the law requires action to be taken by one of the Standing Committees

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and that during this period the duties and functions of these Committees to the extent that the law permits be undertaken and performed by the Committee of the Whole Council which shall meet regularly twice monthly on the Thursdays preceding the regular meetings of City Council.

The City Solicitor was directed to review Committee Ordinance #105 prior to next Council meeting, for any possible amendments to permit use of the Committee of the Whole.

Notice of Motion - Alderman Fitzgerald Re: Amendments to Ordinance No. 109 - the Lord's Day Ordinance

Alderman Fitzgerald gave notice that at the next regular meeting of City Council he will move that Ordinance Number 109, the Lord's Day Ordinance, be amended to provide that when an application for a Lord's Day Permit is made, the City Clerk will ascertain the amount of the business occupancy assessment, thus eliminating the inconvenience to the applicant in obtaining a certificate of assessment from the City Assessor.

ADDED ITEMS

Expropriation - Property - West, Maynard and James Streets - Site for New Central Fire Department Headquarters

The following report was submitted from Staff:

"Staff has now completed the acquisition of all the properties required for the site of the Central Fire Department Headquarters, with the exception of a piece of vacant land assessed to the Devises of Margaret Grandison, being Civic Number 170-172 Maynard Street.

Because of inability to provide clear title to this particular property, it is necessary that the City expropriate the property, allowing compensation therefor in the amount of \$3,500.00

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In order that the City be ensured of clear title in the site as a whole, it is therefore recommended that the City expropriate the area outlined in red on City of Halifax Plan No. TT-9-17370, which includes the property 170-172 Maynard Street."

MOVED by Alderman Abbott, seconded by Alderman Ivany that the Staff report be approved. Motion passed.

A Formal Expropriation Plan and Resolution was submitted giving effect to the foregoing motion of City Council.

MOVED by Alderman Matheson, seconded by Alderman LeBlanc that the Expropriation Plan and Resolution, as submitted, be approved. Motion passed.

Compensation - Seventy-five Percent (75%) William Collings  
& Sons Limited

The following report was submitted from Staff:

"City Council, at its meeting of May 30, 1968, expropriated the above noted properties of William Collings & Sons Ltd. for the purpose of Harbour Drive - Interchange. The amount of compensation set out in the expropriation resolution is \$60,750.00.

The Company has requested payment of 75% of the compensation, pending final settlement of the compensation.

I would therefore recommend that Council authorize the payment to William Collings & Sons Ltd. of \$45,562.50, being 75% of the compensation allowed for the properties."

MOVED by Alderman Abbott, seconded by Alderman Meagher that the Staff Report be approved. Motion passed.

Resolution - 1969 Canada Games

MOVED by Alderman LeBlanc, seconded by Alderman Ahern that Council pass the following resolution:

WHEREAS the 1969 Canada Games will commence officially in the Cities of Halifax and Dartmouth one year from this date, namely August 15, 1969; and

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WHEREAS the official ceremonies marking the occasion of one year to August 15, 1969 were conducted on this date; and

WHEREAS the 1969 Canada Games will be the biggest and best sports attraction ever conducted in the Dominion of Canada;

THEREFORE BE IT RESOLVED that the City Council of Halifax does, on this date, wholeheartedly endorse and support the efforts of the Chairman, Executive, Canada Games Staff, and all citizens who are contributing their services as Committee Members; and

BE IT FURTHER RESOLVED that all citizens of Halifax promote support and participate in this great sporting event.

Motion passed.

Parking Around North Common

Alderman Connolly referred to the fact that there are No Parking Any Time signs along the Cunard Street side of the North Common and he asked if it would be possible to change the signs to No Parking Between the Hours of 7:30 a.m. and 6:00 p.m. so that spectators and players of the various ball games on the North Common would have a place to park their cars without receiving tickets.

His Worship the Mayor said that he had referred the possibility suggested by Alderman Connolly to the Traffic Engineering Department who are investigating.

The Traffic Analyst indicated that Staff are studying the matter, and do not appear to have any objections to the signs being changed.

11:48 p.m. Meeting adjourned.

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ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

ORDER OF BUSINESS

CITY COUNCIL

AUGUST 29, 1968

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: August 15 and 20, 1968
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items:
  - (a) Motion - Alderman Ivany Re: Expropriation Procedures
  - (b) Appointments - Board of Visitors - Basinview Home
  - (c) Resignation - Mr. Alex Halse from Housing Committee
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings: NONE
9. Petitions & Delegations
10. Report - Finance & Executive Committee:
  - (a) Lane Memorial Hospital - Funding Under Municipal Hospitals Loan Act
  - (b) Numerical Strength of Council After Annexation
  - (c) Application for Auctioneer's License
  - (d) Business Taxes and Area Rates in Annexed Areas
  - (e) Property Acquisition - 2054-58 Upper Water Street
  - (f) Expropriation - Mahar's Transfer and Express Limited -  
2111 Upper Water Street
  - (g) Demolition - 2540 Barrington Street
  - (h) Request for Additional Funds - Section 316C, City Charter -  
Port of Halifax Commission
  - (i) Rental Winter Accommodation - Visitors and Convention Bureau
  - (j) Property Acquisition - 2427 Creighton Street
11. Report - Committee on Works:
  - (a) Annexation - Snow and Ice Control
12. Report - Safety Committee: NONE
13. Report - Public Health and Welfare Committee: NONE
14. Report - Committee of the Whole Council, Boards & Commissions:
  - (a) Amendments - Ordinance #55 Re: Tag Days, Etc. - SECOND READING- DEFER

*Record*

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council,  
August 20, 1968

Alderman Moir, seconded by Alderman Abbott  
that, as recommended by the Finance  
Committee, the firm of Consort  
be awarded the contract to prepare a plan  
for the City Prison Lands to a price  
based on costs and that Staff negotiate an  
agreement which will be submitted to City Council  
before the meeting.

Council Chamber,  
City Hall,  
Halifax, N. S.,  
August 20, 1968,  
4:05 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 Black, Abbott, Moir, Ivany, Matheson, Meagher, LeBlanc, Ahern, Connolly, Doyle and Fitzgerald.

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

The City Clerk advised that the meeting was called to consider the Staff Report - Development Consultants - City Prison Lands.

The report reads as follows:

"The question before Council at its meeting of August 15, 1968 regarding Development Consultants for the Prison Lands was whether or not to accept the price of \$147,000 as proposed by Consort Consultants Limited. Council resolved that "the matter be deferred for two weeks pending receipt of a staff report as to whether the price is reasonable for what the City requires". Staff is of the opinion that this price is too high in view of what the City requires."

A report was also submitted from His Worship the Mayor which set out several courses of action which City Council might take with respect to the matter.

His Worship the Mayor advised that the following motion is before City Council at this time:

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MOVED by Alderman Moir, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, the firm of Consort Consultants Limited be awarded the contract to prepare a development plan for the City Prison Lands to a maximum of \$147,000.00 based on costs and that Staff negotiate a detailed agreement which will be submitted to City Council before execution.

Alderman Moir referred to his motion, as set out above and said that in the light of the Staff Report he would be unable to vote for the motion.

Some discussion ensued with respect to the word "negotiate" which His Worship the Mayor considered has been used rather loosely in both the staff report and the Council motion.

The motion was put and lost, all members of Council present voting against it.

It was then MOVED by Alderman LeBlanc, seconded by Alderman Doyle that the firm of Project Planning Associates be awarded the contract for the development of the City Prison Lands and that City Staff negotiate a detailed agreement to be submitted to Council before execution.

Alderman LeBlanc spoke to his motion and reiterated in part the report of the special sub-committee which was appointed to study the proposals and bring forth a recommendation.

During the discussion which followed, Council felt that the price should be included in the motion, also the fact that the price includes the development of the seven acres of land of which the Allen Property and the Maritime Fleetway property form part.

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Alderman LeBlanc, with the approval of his seconder agreed to amend his motion accordingly.

It was then MOVED by Alderman Ahern, seconded by Alderman Abbott that Council hear from Mr. George Robertson representing the firm of Consort Consultants Limited.

After considerable discussion on the motion to hear Mr. Robertson, during which time several Aldermen considered that no useful purpose would be served by hearing from the representative, the motion was put and passed, six voting for the same and four against it as follows:

For: Aldermen Abbott, Moir, Meagher, Ahern,  
Connolly and Fitzgerald 6

Against: Aldermen Ivany, Matheson, LeBlanc and Doyle 4

Alderman Black was excused from voting and from the discussion since his firm is associated with one of the bidders and he retired from the meeting.

Alderman LeBlanc suggested that if Council has agreed to hear from Mr. Robertson on behalf of Consort Consultants Limited, then it should also agree to hear from representatives of any other of the firms who have submitted proposals present at the meeting.

His Worship the Mayor ascertained that representatives of Project Planning Associates and Candeb, Fleissig were present and wished to be heard.

Council agreed to hear from the representatives.

Mr. George Robertson addressed Council on behalf of Consort Consultants Limited and reiterated the points which were set out in a letter dated August 19, 1968 from

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August 20, 1968

him to His Worship the Mayor and Members of the City Council. He was of the opinion that City Staff did not comply with the resolution of Council which was passed on July 25, 1968.

The City Solicitor addressed Council in rebuttal of the remarks contained in the letter from Mr. Robertson and he outlined to members of Council the procedures which Staff followed during the discussions with the firm of Consort Consultants Limited and the reasons why such procedures were followed.

Some discussion followed upon the remarks of the City Solicitor.

Mr. Alan K. S. Lorimer of the firm of Project Planning Associates addressed Council and urged favourable consideration of the firm for the development of the City Prison Lands.

Mr. George Piercey addressed Council on behalf of Candeub, Fleissig and reviewed briefly the principals connected with the firm and he said that he was certain that the firm could do a good job for the City.

Alderman Moir referred to the report submitted from His Worship the Mayor which indicated that the firm of Candeub, Fleissig quoted a total price of \$160,000.00 and he considered that in the light of City Staff's statement that the sum of \$147,000.00 submitted by Consort Consultants is too high for what the City requires, he could not support the appointment of the firm.

In reply to a question from Alderman Moir, Alderman

Council,  
August 20, 1968

LeBlanc explained that the special sub-committee considered all aspects of the various proposals before recommending the firm of Project Planning Associates to prepare the development plan for the City Prison Lands.

During the discussion which followed, Alderman Ahern suggested that the whole matter be referred back to the Town Planning Board for further consideration.

At the request of His Worship the Mayor, the City Clerk read the motion, as amended, as follows:

MOVED by Alderman LeBlanc, seconded by Alderman Doyle that:

1. the firm of Project Planning Associates be awarded the contract for the development of the City Prison Lands and the additional seven acres of which the Allen Property and the Maritime Fleetway Property form part at a total price of \$76,000.00 which will include Phase #8;
2. City Staff negotiate a detailed agreement to be submitted to City Council before execution.

Since there was no further discussion, the motion was put and passed with Alderman Connolly voting against.

5:20 p.m. Meeting adjourned.

ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK