

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, Nova Scotia,
January 17, 1963,
8:00 p.m.

A meeting of the City Council was held on the above date.

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

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Lane, Breen, Butler, Macdonald, Meagher, LeBlanc, Trainor, Healy, Connolly, Wyman and O'Brien.

Also present were Messrs. P. F. C. Byars, R. H. Stoddard, W. J. Clancey, D. F. Murphy, L. M. Romkey, J. F. Thomson, R. B. Grant, V. W. Mitchell, G. F. West, K. M. Munnich and Dr. E. M. Fogo.

MINUTES

MOVED by Alderman Abbott, seconded by Alderman O'Brien, that the minutes of the previous meeting be approved. Motion passed.

8:05 p.m. Council adjourned to meet as a Committee of the Whole.

PUBLIC HEARING - HALIFAX CITY CHARTER: PARTS VII, VIII, IX, X & XI

A public hearing was held at this time to consider Parts VII to XI inclusive of the proposed New City Charter as drafted by the City Solicitor.

It was agreed to consider the various parts section by section and to permit any citizen to speak on any section during its consideration.

PART VII

FINANCE

ACCOUNTING PROCEDURE - Sections 183 to 185 inc. - Approved

FISCAL YEAR - Section 186 - Approved

SURPLUS ACCOUNT - Section 187 - Approved

ANNUAL BUDGET - Sections 188 to 190 inc. -

Section 189-1 amended by inserting the words "majority of the" after the word "the" in line 21, page 109.

EXPENDITURES - Section 191 to 201 inc.

Section 191 (h) was amended by adding the words "and maintenance" after the word "repair" in line 34, page 110.

CIVIC GRANTS - Section 202 to 205 inc.

MOVED by Alderman Lane, seconded by Alderman O'Brien, that the Subcommittee consider fixing the limit as provided in Section 202 (2) to Two Hundred and Twenty Five Thousand Dollars or Two Hundred Fifty Thousand Dollars rather than Three Hundred Thousand Dollars. Motion passed.

Mr. A. A. Robertson objected to Section 202 contending that various groups could bring pressure to bear on the Council and that the amount of grants could grow larger.

These Sections were approved with the exception of 202 (2).

BORROWING

(1) CONSOLIDATED FUND - Sections 206 to 211 inc. - Approved.

(2) TEMPORARY LOANS - Section 212 to 214 inc. - Approved.

(3) INTEREST - Section 215 - Approved.

(4) SINKING FUNDS - Section 216 to 221 inc.

It was agreed to insert the words "and the City Treasurer" after the word "Manager" in line 24, page 129.

(5) MISCELLANEOUS PROVISIONS - Section 222 to 224 inc. - Approved.

MOVED by Alderman Lane, seconded by Alderman O'Brien, that Part VII as amended be approved in principle subject to reconsideration of Section 202 (2) and recommended to City Council. Motion passed.

PART VIII

TAXATION

(1) INTERPRETATION - Section 225 - Approved.

(2) REAL PROPERTY TAX - Section 226-227

His Worship the Mayor stated that another hearing would have to be held on the Taxation Provisions of the City Charter. He reported that he was preparing a written submission with respect to future tax and tax rating policies. Following completion of his report, it would be made public and the public hearing would then be held. He briefly outlined some of the basic recommendations he would be making and indicated that his written report would be available for future meetings on this matter.

Council,
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The following representations were made by citizens present:

Mr. A. A. Robertson asked that consideration be given to increasing the exemption of widows to the level of other municipalities some of which grant exemptions up to \$1000.

Mr. Fletcher Smith noted that there is no provision in the new proposed City Charter for a Gross Receipts Tax as advocated in the Pottier Report as a basis for the business tax rather than the 50% of the real property assessment. He also referred to the suggested tax rate for apartment buildings and contended that this could mean that apartment renters will pay a higher rate of tax than home owners.

Mr. J. E. Ahern, MLA. asked that Council oppose any increase in the residential tax rate as he contended that many citizens are carrying two mortgages and would be forced to sell their properties if the rate were increased.

He suggested that provision be made in the Charter for the election of the Deputy Mayor by the ratepayers as in the case of the Mayor; also that the members of the School Board be so elected and that the necessary legislation be sought.

Mr. Andrew Mathews suggested that exemptions be also provided in the new proposed Charter to cover crippled or handicapped persons and widowers with young families. He also suggested that the business tax rate be applied to apartment buildings.

Mr. Edward Roach asked if application of the new tax formula suggested by His Worship the Mayor would result in increased taxes on residential property and also if the proposal to increase the taxes on apartment buildings would have the effect of reducing the burden on residential and commercial property.

His Worship the Mayor replied that the answer to Mr. Roach's first question is subject to many factors such as the increased volume of new commercial construction and the result of a re-assessment study; also, that any increase in revenue from a change in policy with respect to taxation of apartment buildings would have an effect on the overall assessment picture which could give relief to the other two categories.

Council,
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His Worship the Mayor then suggested that consideration of Part VIII be deferred to a special meeting of Council when a complete statement on the proposed taxation policy would be submitted and citizens would again have the opportunity to express themselves.

MOVED by Alderman O'Brien, seconded by Alderman Butler, that consideration of Part VIII respecting taxation be deferred as suggested by His Worship the Mayor. Motion passed.

PART IX

ASSESSMENT

Sections 254 to 284 inc.

Mr. Andrew Mathews referred to Section 254 (1) (b) and asked that the assessment be broken down to show the value of the land and buildings separately.

His Worship the Mayor stated that he would permit Mr. Mathews to raise this question at the next meeting when the City Charter is considered.

PART X

LIENS AND TAX COLLECTIONS

Sections 285 to 338 inc.

PART XI

LICENSES

Sections 339 to 346 inc.

MOVED by Alderman O'Brien, seconded by Alderman Abbott, that Parts IX, X and XI be approved in principle as amended and recommended to City Council. Motion passed.

9:40 p.m. the Committee of the Whole adjourned.

Council re-convened with the same members being present.

RECOMMENDATIONS

COMMITTEE OF THE WHOLE RE: CITY CHARTER PARTS VII, IX, X & XI

MOVED by Alderman O'Brien, seconded by Alderman Wyman, that Parts VII, IX, X and XI of the proposed new City Charter as amended be approved in principle and that Part VIII be deferred for further consideration at a special meeting of Council. Motion passed.

9:42 p.m. Council adjourned to convene at the call of the Chair.

10:22 p.m. Council re-convened the same members being present.

RECOMMENDATIONS - FINANCE AND EXECUTIVE COMMITTEE

The following recommendations were submitted from the Finance and Executive Committee at a meeting held on January 10, 1963:

Borrowing Resolution - \$6,000,000.00

That the sum of \$6,000,000.00 be borrowed from the Royal Bank of Canada under the authority of Section 351 of the City Charter in anticipation of the fixing of the tax rate for the civic year 1963 and that the formal resolution as submitted be executed by the Mayor and City Clerk on behalf of the City.

MOVED by Alderman Trainor, seconded by Alderman Abbott, that the recommendation be approved. Motion passed unanimously.

Write-offs - Uncollectible Tax Accounts

That household tax accounts totalling \$2,211.09 as per a list submitted by the Commissioner of Finance which are deemed to be uncollectible, be written off under the authority of Section 283 (2) of the City Charter.

MOVED by Alderman Lane, seconded by Alderman DeWolf, that the recommendation be approved. Motion passed.

Special Borrowing - \$1,000,000.00

That the sum of \$1,000,000.00 be borrowed for a 90-day period from February 1, 1963, at an interest rate of 5 1/8 percent under the authority of Section 332 of the City Charter and that the formal resolution as prepared by the City Solicitor be executed by the Mayor and City Clerk on behalf of the City.

MOVED by Alderman Connolly, seconded by Alderman Abbott, that the recommendation be approved. Motion passed unanimously.

Extras - Mulgrave Park Housing Project Contract

That the City concur in the issuance of the change order to the contract of Eastern Woodworkers Limited, covering the Mulgrave Park Housing Project, in the amount of \$2,404.90.

MOVED by Alderman Connolly, seconded by Alderman Healy, that the recommendation be approved. Motion passed.

Service Charges and Family Allowance - Mulgrave Park Housing Project

That the City agree to the procedure suggested by the Province and Central Mortgage and Housing Corporation whereby the Housing Authority of Halifax will be authorized to engage an independent consultant to report on the staffing and operations of the central heating plant at the Mulgrave Park Housing Project, results of which would assist the partnership in determining the adjustment to be made on rental and service charges to the tenants.

MOVED by Alderman Healy, seconded by Alderman Connolly, that the recommendation be approved. Motion passed.

Property Settlement - (1) No. 970-72 Barrington Street
(2) No. 41 Birmingham Street

- (1) That the City accept a warranty deed in full settlement of the amount of \$686.49 owing by Mr. Ou Kuo Chong on the property at No. 970-972 Barrington Street in the Uniacke Square Redevelopment Area subject to a proper title search being made by Staff;
- (2) That an offer of August and John LaPaix to sell their property located at No. 41 Birmingham Street in the Spring Garden Redevelopment Area for the sum of \$3,000.00, be accepted.

(1) MOVED by Alderman Abbott, seconded by Alderman Connolly, that the recommendation be approved. Motion passed.

(2) MOVED by Alderman Abbott, seconded by Alderman Connolly, that the recommendation be approved. Motion passed.

Tax Concession - No. 59 Hollis Street - Halifax Longshoremen's Association

That the necessary legislation be sought to grant a tax concession to the Halifax Longshoremen's Association at No. 59 Hollis Street for the year 1963 whereby the tax payable will amount to the sum of \$300.00, and any excess amount (excluding Fire Protection Rates) will be written off.

MOVED by Alderman Meagher, seconded by Alderman Butler, that the recommendation be approved. Motion passed.

Grant - Red Cross Society Homemaker Service

A report was submitted from the City Manager respecting the Canadian Red Cross Society Homemaker Service grant in which he states that he has been advised by the Society that a balance of \$5,637.03 has accrued in this account. He suggested that the grant for the Homemaker Service should be reserved by the Society to be used up over the next few years in the same manner as in the past without payment of further grant by the City until such time as the reserve has been exhausted.

The City Manager recommended as follows:

1. That the City Council authorize the Canadian Red Cross Society to retain the balance of Homemaker Service grant on hand at the present time of \$5,637.03 and to utilize the said monies over the next few years for Homemaker Service purposes;
2. That when the amount now available for Homemaker Service grant has been expended, the City will reimburse the Canadian Red Cross Society in each year for the amount expended for this purpose by the Society in each year preceding, up to an amount not exceeding \$2,000.00 in any one year.

It was agreed that recommendation No. 1 be approved, and that the Society be required to submit an application for a grant for the amount required, not to exceed \$2,000.00 per annum, in subsequent years.

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

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Salary Scale - Director of City Hospitals

That effective January 1, 1963, the salary scale for the Director of City Hospitals be revised from \$9,000.00 - \$11,000.00 to a new scale of \$10,000.00 - \$12,000.00 and that he be placed in the first step of the scale \$10,500.00 as from January 1, 1963.

MOVED by Alderman Abbott, seconded by Alderman Wyman, that the recommendation be approved. Motion passed.

Account Appraisers' Fees - Expropriation Case

That an account in the amount of \$1,175.00 payable to Messrs. Craig and Vaughan covering appraisal fees in connection with the expropriation of the Wentzell Building, be approved.

After considerable discussion as to the justification for the rates charged by Messrs. Craig and Vaughan, the City Manager was directed to work out a basis of payment of appraisal accounts based on the assessment of the properties involved; and that he submit a list of the amount paid in 1962 for the appraisal of properties acquired by the City including this account.

MOVED by Alderman Abbott, seconded by Alderman O'Brien, that the recommendation be approved. Motion passed.

Appropriations 3160 - City Charter

That the following additional appropriations for 1962 be approved under the authority of Section 3160 of the City Charter:

Clerk of the Court	\$ 31.78
Fire Alarm	112.49
Preparation of Election Lists...	19.18

MOVED by Alderman Breen, seconded by Alderman Lane, that the recommendation be approved. Motion passed.

Guardianship of Mrs. Joseph Barrett

That a trust company be appointed as guardian for Mrs. Joseph Barrett who is an inmate at the Halifax Mental Hospital, to administer her property at No. 18 Gerrish Street.

MOVED by Alderman Lane, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

RECOMMENDATIONS - COMMITTEE ON WORKS

Payment of Claims - Mr. G. Hanna, \$25.00 & Mr. R. A. Pitts, \$32.40

His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 10, 1963, considered a report from the Commissioner of Works recommending that the City pay a claim in the amount of \$25.00 to Mr. G. Hanna for damage to his car after striking same in a slight depression in the street in front of No. 49 Rector St., and also that the City pay a claim in the amount of \$32.40 to Mr. R. A. Pitts for damage to his car which was broken when he allegedly drove into a drain excavation in front of No. 1537 (249) Robie Street.

G. F. West

Council,
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The City Solicitor, in both cases, recommends that the City pay these claims.

On motion of Alderman Connolly, seconded by Alderman Meagher, the Committee approved the reports and recommended them to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Connolly, seconded by Alderman Meagher, that the report be approved. Motion passed.

Tenders Demolitions - No. 7-9 Poplar Grove
No. 211-217 Brunswick Street

His Worship the Mayor and
Members of City Council.

The Committee on Works, at a meeting held on January 10, 1963, considered a tabulation of tenders from the City Manager and Commissioner of Works, recommending acceptance of the following tender for the demolition of (1) #7-9 Poplar Grove and (2) #211-217 Brunswick Street:

G. A. Redmond - #7-9 Poplar Grove.....\$2,399.00
 - #211-217 Brunswick St....\$1,900.00

Central Mortgage and Housing Corporation concur in this recommendation.

On motion of Alderman Connolly, seconded by Alderman Healy, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Connolly, seconded by Alderman Healy, that report be approved. Motion passed.

Tenders - Special Castings

His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 17, 1963, considered a tabulation of tenders for the supply of special castings and recommends that the following tenders be accepted:

<u>Item No.</u>	<u>Description</u>	<u>Successful Tenderer</u>	<u>Unit Price</u>
1.	Catchpit Grating	Hillis & Sons Ltd.	\$15.90
2.	Catchpit Frame for #1 New Pattern	" " " "	31.00
3.	Catchpit Adjustable Curb Section	" " " "	9.30
4.	Manhole Cover Halifax Design	" " " "	14.90
5.	Manhole Frame for #4	" " " "	19.50
6.	Silent Knight M.H. Covers	Dartmouth Iron Foundry Ltd.	25.00
7.	Silent Knight Frame	" " " "	26.70
8.	Other Castings (per pound)	" " " "	.09

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MOVED by Alderman Abbott, seconded by Alderman Connolly, that acceptance of the recommended tenders be approved. Motion passed.

RECOMMENDATIONS - TOWN PLANNING BOARD

Alteration to Subdivision - No. 6180 (66) Oakland Road

His Worship the Mayor and
Members of the City Council.

The Town Planning Board, at a meeting held on January 8, 1963, considered a report from the City Manager recommending in favour of an alteration to a subdivision at 6180 (66) Oakland Road, as shown on Drawing No. P200/877, 00-9-15577, in accordance with Section 727C of the City Charter.

On motion of Alderman Trainor, seconded by Alderman Wyman, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
Clerk of Works.

MOVED by Alderman Trainor, seconded by Alderman Wyman, that the report be approved. Motion passed.

Modification of Lot Area, Lot Frontage & Sideyard - No. 3 Fern Street

His Worship the Mayor and
Members of the City Council.

The Town Planning Board, at a meeting held on January 8, 1963, considered a report from the City Manager recommending against an application for a modification of lot area, lot frontage and sideyard requirements at No. 3 Fern Street.

On motion of Alderman Wyman, seconded by Alderman LeBlanc, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
Clerk of Works.

MOVED by Alderman Wyman, seconded by Alderman LeBlanc, that the report be approved. Motion passed.

RECOMMENDATIONS - PUBLIC HEALTH & WELFARE COMMITTEE

The following recommendations were submitted from the Public Health and Welfare Committee at a meeting held on January 10, 1963:

Tenders - Tile, Halifax Health Centre

That the tender of Robert Simpson Eastern Limited in the amount of \$390.60, being the lowest tender submitted, be accepted for the supply of one-eighth vinyl asbestos floor tile to cover specified areas in the basement at the Halifax Health Centre.

MOVED by Alderman Lane, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

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Attendance of Chief Sanitary Inspector at Civil Defence Course, Arnprior, Ont.

That Mr. Frank Graham, Chief Sanitary Inspector, be permitted to attend a Civil Defence Course at Arnprior, Ontario, the week of 25th February to 1st March, inclusive at no expense to the City.

MOVED by Alderman Butler, seconded by Alderman Healy, that the recommendation be approved. Motion passed.

Purchase of Dungarees for City Prison Inmates

That permission be granted to the Commissioner of Health to place an order for the supply of ten dozen especially-made dungarees for inmates at City Prison, at \$36.00 per dozen, notwithstanding the fact that the current estimates have not, as yet, been approved.

MOVED by Alderman Lane, seconded by Alderman Connolly, that the recommendation be approved. Motion passed.

RECOMMENDATION - SAFETY COMMITTEE

Attendance - Fire Chief - National Building Code Revision Committee - Ottawa

His Worship the Mayor and
Members of the City Council.

At a meeting of the Safety Committee held on January 8, 1963, a report was submitted from the Fire Chief advising that he has been asked to serve on the National Building Code Revision Committee. He requested permission to attend meetings of the Committee when it meets in Ottawa some time in the future at no expense to the City.

Your Committee recommends that the request be granted.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

MOVED by Alderman O'Brien, seconded by Alderman DeWolf, that the report be approved. Motion passed.

NOTICE OF MOTION

Alderman Healy Re: Compensation to Property Owners -
Uniacke Square Redevelopment Area

Alderman Healy gave notice that at the next regular meeting of the City Council he would make the following motion:

"That the City Council direct the City Manager to study the feasibility of giving a bonus to the home owners who fall into a value less than \$10,000.00 in the Uniacke Square Redevelopment Area or any future redevelopment areas where the properties are expropriated by the City and that in no case shall the amount of the settlement exceed the sum of \$10,000.00 per property and only to be given where the property is owner-occupied".

Council,
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ACCOUNTS OVER \$500.00

A report was submitted from the City Manager recommending payment of the following accounts over \$500.00 in accordance with Section 119-F of the City Charter:

<u>Dept.</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Finance	Provincial Treasurer	Further cost of Halifax Metropolitan Housing Survey to December 31, 1962	\$1,303.16
Works	E.M.I.Cossor Electronics	Repairs Sound System - Council Chamber	626.78
Health	R.A.Quinn & Co. Ltd.	Vinyl Tile - Basinview Home	1,064.00
	General Electric X-Ray Corporation Limited	Fixer and Film - Convalescent Hospital	619.74
Port & Industrial	Stevenson & Scott Ltd.	14,000 Industrial Brochures	4,412.58
			<u>\$8,026.26</u>

Alderman Macdonald referred to the account of Stevenson & Scott Limited in the amount of \$4,412.58 and he asked if the City of Dartmouth and the County of Halifax had assumed a share of the cost of the brochures.

The City Manager advised that the County of Halifax and Dartmouth had been billed for the number of copies of the brochure delivered to them and had tendered their cheques for \$701.80 and \$1,403.60 respectively.

MOVED by Alderman DeWolf, seconded by Alderman Connolly, that the accounts be approved for payment. Motion passed.

RECOMMENDATIONS - TOURIST & CONVENTION COMMITTEE

A report was submitted from the Halifax Tourist and Convention Committee recommending as follows:

1. That an advertising agency be retained for the Halifax Tourist and Convention Bureau;
2. That Stevenson & Scott Limited, 1529 Dresden Row, Halifax, Nova Scotia, be the agency retained for the Halifax Tourist and Convention Bureau;
3. That the Director proceed on a Convention Promotion Trip to Montreal, Ottawa, Toronto and Hamilton, calling on the offices of the National Executives of Associations, to attract more conventions to Halifax;

Council,
January 17, 1963.

4. That the Halifax Tourist and Convention Bureau join with the Province of Nova Scotia Bureau to entertain 50 members of the New England Branch of the American Society of Travel Agents who will be in Halifax from P.M. Friday the 8th of February to P.M. Saturday, February 9, 1963;
5. That the following members of the Committee Executive continue in their duties during 1963:

Chairman	Mr. Ralph A. Pepper
Vice-Chairman	Alderman D. LeBlanc
Hon. Secretary	Mr. K. A. Ross

6. That sustained efforts be made to commence preparation for the 1967 Centennial.

MOVED by Alderman Wyman, seconded by Alderman Abbott, that the recommendations be approved. Motion passed.

APPOINTMENTS TO BOARD OF SCHOOL COMMISSIONERS

His Worship the Mayor stated that both Alderman Greenwood and himself would prefer to be excused from further service on the School Board.

Alderman Butler nominated Alderman Burton O. Macdonald.

Alderman Lane nominated Alderman R. A. O'Brien.

MOVED by Alderman Trainor, seconded by Alderman LeBlanc, that nominations cease. Motion passed.

His Worship the Mayor then declared Aldermen Macdonald and O'Brien duly elected to the Board of School Commissioners for a term of three years, expiring December 31, 1965.

APPOINTMENTS - PORT OF HALIFAX COMMISSION

His Worship the Mayor nominated Alderman T. L. Trainor and Mr. R. W. Ferguson for appointment to the Port of Halifax Commission for further terms of three years, expiring December 31, 1965.

MOVED by Alderman Butler, seconded by Alderman Abbott, that the appointments be confirmed. Motion passed.

APPOINTMENT - VOCATIONAL HIGH SCHOOL BOARD

His Worship the Mayor nominated Alderman Greenwood for appointment to the Vocational High School Board for a further term of three years, expiring December 31, 1965.

MOVED by Alderman O'Brien, seconded by Alderman Abbott, that the appointment of Alderman Greenwood be confirmed. Motion passed.

Council,
January 17, 1963.

APPOINTMENTS - HALIFAX HOUSING AUTHORITY

His Worship the Mayor stated that the matter of appointments to the Halifax Housing Authority is under consideration and he is not yet prepared to make a recommendation. It was agreed to defer the appointments.

APPOINTMENTS - HALIFAX-DARTMOUTH BRIDGE COMMISSION

MOVED by Alderman Trainor, seconded by Alderman Meagher, that His Worship the Mayor and Alderman Wyman be re-appointed to the Halifax-Dartmouth Bridge Commission for three-year terms, expiring December 31, 1965. Motion passed.

APPOINTMENT - BOARD OF TRADE REPRESENTATIVE

His Worship the Mayor nominated Alderman Greenwood for re-appointment as the Council representative on the Board of Trade Council.

MOVED by Alderman O'Brien, seconded by Alderman Wyman, that the appointment be confirmed. Motion passed.

APPOINTMENT OF ARCHITECT - REGIONAL PRISON

His Worship the Mayor stated that the Halifax-Dartmouth Regional Authority have requested authority from the member-municipalities to engage an architect to work with a committee composed of Messrs. John Arnott and J. A. Y. MacDonald to consider the siting and design of a new regional prison, and to expend a sum not to exceed \$5,000.00 for this purpose.

MOVED by Alderman Lane, seconded by Alderman Abbott, that the request of the Halifax-Dartmouth Regional Authority be granted. Motion passed.

BRANCH LIBRARY

Halifax, Nova Scotia,
January 4, 1963.

Mr. R. H. Stoddard,
City Clerk,
City Hall,
Halifax, Nova Scotia.

Dear Sir:

With further reference to my letter of December 11, 1962, about the \$30,000.00 capital borrowing for the establishment of a library branch in rented quarters, would you advise City Council that the Halifax Regional Library Board has run into some difficulties in its negotiations for suitable space? It therefore has referred this legal matter to the City Solicitor. He advises there will be a delay of at least a month to clarify the situation.

Council,
January 17, 1963.

As soon as possible the Board will advise Council of its findings.

Very sincerely yours,

Mary Cameron,
Chief Librarian,
Halifax Memorial Library.

FILED:

HEALTH PERMIT APPLICATIONS

A report was submitted from the Public Health and Welfare Committee recommending that with respect to the issuance of permits for the operation of restaurants, beauty parlors and similar establishments, the following procedure be adopted:

Before an occupancy permit for the above uses is granted, the premises are to be inspected by the appropriate Staff member of the Health Department and if the premises comply with the Health Regulations, tentative approval be given by the Commissioner of Health to the applicant to operate his business subject to confirmation by the Public Health and Welfare Committee.

Should the Commissioner of Health refuse to give tentative approval, the applicant shall have the right of appeal to the Public Health and Welfare Committee.

MOVED by Alderman Connolly, seconded by Alderman Abbott, that the recommended procedure be approved. Motion passed.

LETTER - HALIFAX-DARTMOUTH BRIDGE COMMISSION
RE: PLANS - BRIDGE APPROACHES

Administration Building,
P. O. Box No. 40,
Dartmouth, Nova Scotia.

Mayor J. E. Lloyd,
City Hall,
Halifax, Nova Scotia.

Dear Mr. Mayor:

I acknowledge receipt of a letter dated November 28, 1962 from the City Clerk, addressed to Mr. L. J. Burke, enclosing Drawing No. SS-9-15516 showing the proposed changes to the Halifax approaches.

This plan was discussed at a meeting of the Halifax-Dartmouth Bridge Commission today. The plan was given approval by the Commission and I was directed to advise you of their decision.

Yours truly,

H. M. McInnes,
Secretary,
Halifax-Dartmouth Bridge
Commission.

FILED:

Council,
January 17, 1963.

11:00 p. m. meeting adjourned.

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J. E. LLOYD,
MAYOR & CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
January 31, 1963.
8:00 p. m.

A meeting of the City Council was held on the above date.

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

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Lane, Breen, Macdonald, Meagher, LeBlanc, Healy, Wyman, Connolly, O'Brien and Greenwood.

Also present were Messrs. L. M. Romkey, Acting City Manager; L. Mitchell, R. H. Stoddard, W. J. Clancey, K. M. Munnich, R. B. Grant, G. F. West, V. W. Mitchell, G. H. Brundige, J. F. Thomson, H. K. Randall and Dr. A. R. Morton.

MINUTES

Minutes of the previous meeting were approved on motion of Alderman Connolly, seconded by Alderman Wyman.

ILLNESS - CITY MANAGER

His Worship the Mayor advised the meeting that the City Manager is ill at home and will be absent from his duties for at least one week and possibly two weeks, and that he had appointed Mr. L. M. Romkey as Acting City Manager for the period of Mr. Byars' absence.

It was agreed that His Worship the Mayor be directed to convey to Mr. Byars the wishes of Council for a speedy recovery.

PETITION - PROPERTY OWNERS OF HEMLOCK STREET RE CHANGE OF
STREET NAME

A petition signed by 31 residents of Hemlock Street and endorsed by Alderman J. L. Connolly was submitted requesting that the name of the street be changed from Hemlock Street to Hemlock Avenue as there is a conflict between the names shown on the concrete blocks and the street signs.

MOVED by Alderman Connolly, seconded by Alderman O'Brien, that the matter be referred to the Committee on Works for consideration. Motion passed.

Council,
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PUBLIC HEARING: ZONING TO R-3 ZONE AND REZONING R-2 ZONE
TO R-3 ZONE - NO. 18-20 LYNCH STREET AND NO. 23 RECTOR STREET;
ZONING TO R-2 ZONE - NO. 16 LYNCH STREET AND NO. 27 RECTOR STREET

A public hearing was held at this time in connection with an application to zone and rezone the following parcels of land:

Parcel "A" - Portion No. 23 Rector Street from R-2 to R-3 Zone;
Parcel "B" - Southeast Side of Vestry Street between Lynch and Albert Streets from R-2 to R-3 Zone;
Parcel "C" - Northwest Side of Rector Street between Lynch and Albert Streets from R-2 to R-3 Zone;
Parcel "D" - Southwest Side of Lynch Street between Rector and Vestry Streets from R-2 to R-3 Zone;
Parcel "E" - Portion Former Dartmouth Avenue between Rector and Vestry Streets to R-3 Zone;
Parcel "F" - Northwest Side of Rector Street to R-2 Zone;
Parcel "G" - Portion Former Dartmouth Avenue between Rector and Vestry Streets to R-2 Zone.

The City Clerk advised that the matter had been duly advertised and that no written objections had been received.

It was agreed to follow the procedure of permitting any person to speak who wished to be heard for or against the proposal with respect to any parcel and then to pass separate resolutions on each parcel.

The City Clerk advised that the Town Planning Board had approved the recommendation of staff that the zoning and rezoning be approved on the understanding that the applicant will construct on the combined lots at No. 23 Rector Street and No. 18-20 Lynch Street a 21-unit apartment building in accordance with the proposals shown on Drawing No. P. 200-868/869/870.

No persons wished to be heard for or against the proposed zoning and rezoning.

Formal resolutions as prepared by the City Solicitor to give effect to the proposed zonings and rezonings were submitted.

MOVED by Alderman Connolly, seconded by Alderman LeBlanc, that Parcel A be rezoned from R-2 to R-3 Zone and that the formal resolution be approved. Motion passed unanimously.

MOVED by Alderman Wyman, seconded by Alderman Meagher, that Parcel B be rezoned from R-2 to R-3 Zone and that the formal resolution be approved. Motion passed unanimously.

MOVED by Alderman Healy, seconded by Alderman O'Brien, that Parcel C be rezoned from R-2 to R-3 Zone and that the formal resolution be approved. Motion passed unanimously.

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MOVED by Alderman Abbott, seconded by Alderman DeWolf, that Parcel D be rezoned from R-2 to R-3 Zone and that the formal resolution be approved. Motion passed unanimously.

MOVED by Alderman Macdonald, seconded by Alderman Greenwood, that Parcel E be zoned to R-3 Zone and that the formal resolution be approved. Motion passed unanimously.

MOVED by Alderman Breen, seconded by Alderman Lane, that Parcel F be zoned to R-2 Zone and that the formal resolution be approved. Motion passed unanimously.

MOVED by Alderman O'Brien, seconded by Alderman Abbott, that Parcel G be zoned to R-2 Zone and that the formal resolution be approved. Motion passed unanimously.

REPORT - FINANCE & EXECUTIVE COMMITTEE

The following recommendations were submitted from the Finance and Executive Committee at a meeting held on January 10, 1963:

Retirement - Mr. T. J. Hartnett - Fire Department

That Mr. Thomas Hartnett, an employee of the Fire Department for thirty-seven years and six months and a member of the Old Firemen's Superannuation Fund, be retired as of February 1, 1963, at an annual pension of \$2,564.22.

MOVED by Alderman Meagher, seconded by Alderman Healy, that the recommendation be approved. Motion passed unanimously.

Change Order - Westwood Park Contract

That a change order in the amount of \$2,426.35 to increase the contract of Community Enterprises Limited covering Phase I of the Westwood Park Housing Project be issued as requested by Central Mortgage and Housing Corporation.

MOVED by Alderman LeBlanc, seconded by Alderman Lane, that the recommendation be approved. Motion passed unanimously.

Property Settlements - (1) No. 1467 (47) Brenton Street
(2) Calvin Presbyterian Church
(3) No. 5517-5525 Clyde Street

That the following property settlements be approved:

(1) No. 1467 (47) Brenton Street - \$17,300.00 in full settlement of all claims and that the owners be granted a lease for one year commencing March 1, 1963, at a monthly rental of \$125.00 with the right to sub-let to approved roomers.

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MOVED by Alderman Abbott, seconded by Alderman Healy, that the recommendation be approved. Motion passed unanimously.

(2) Calvin Presbyterian Church - \$15,000.00 in full settlement of all claims arising out of the expropriation of a portion of the church property as shown on Plan No. SS-8-15460.

MOVED by Alderman Lane, seconded by Alderman O'Brien, that the recommendation be approved. Motion passed unanimously.

(3) No. 5517-5525 Clyde Street - \$21,000.00 plus interest at 5% from November 30, 1962 to the date of final payment in full settlement of all claims arising out of the expropriation of this property.

MOVED by Alderman Abbott, seconded by Alderman DeWolf, that the recommendation be approved. Motion passed unanimously.

Application for Auctioneer's License

That the application of Mr. L. E. Mader of 86 Rufus Street, Fairview, Nova Scotia, for an Auctioneer's License to auction used and damaged goods from No. 49 Duke Street, be approved.

MOVED by Alderman Healy, seconded by Alderman Meagher, that the recommendation be approved. Motion passed unanimously.

Tax Exemption - N. S. Council, Girl Guides of Canada - No. 139 Granville Street

That the necessary legislation be sought to exempt from taxation the premises owned and occupied by the Nova Scotia Council, Girl Guides of Canada at 139 Granville Street, purchased by them on September 17, 1962.

MOVED by Alderman Connolly, seconded by Alderman Meagher, that the recommendation be approved. Motion passed.

Supplementary Grants - Messrs. N. Corkum and W. Zinck

That the following supplementary grants be paid to the under-noted persons who are retired from the City employ on the dates indicated:

Mr. Norman Corkum	- City Prison	- \$597.98	- Feb. 1, 1963
Mr. Wilfred M. Zinck	- Police Dept.	- \$812.45	- Jan. 1, 1963

MOVED by Alderman Greenwood, seconded by Alderman Wyman, that the recommendation be approved. Motion passed.

Expropriation Settlement - Barrington Exchange & Basin Locker Rental

That the recommended settlement with Barrington Exchange and Basin Locker Rental, of \$48,000.00 for all claims arising out of the expropriation of their property, No. 597 Barrington Street, be not approved.

MOVED by Alderman Abbott, seconded by Alderman Wyman, that the recommendation be approved. Motion passed.

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RECOMMENDATIONS - COMMITTEE ON WORKS

Tenders - Demolition - No. 6 Wellington Court

To His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 24th, considered a tabulation of tenders as submitted by the City Manager and Commissioner of Works for the demolition of No. 6 Wellington Court.

Acceptance of the following tender was recommended:

Paul Larouche, Bedford - Will pay City \$200.00.

On motion of Alderman Abbott, seconded by Alderman Lane, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman O'Brien, seconded by Alderman Abbott, that the report be approved. Motion passed.

Final Certificate - 1962 Street Patching

To His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 24th, considered a report from the Commissioner of Works recommending payment of Certificate No. 2 (Final) for Street Patching in 1962 in the City of Halifax.

On motion of Alderman Lane, seconded by Alderman Meagher, the Committee recommended to City Council payment of Certificate No. 2 (Final) for Street Patching in the City of Halifax for the year 1962, to Standard Paving Maritime Limited, in the amount of \$1,451.44.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman LeBlanc, seconded by Alderman Healy, that the report be approved. Motion passed.

Final Certificate - Retaining Wall, Dutch Village Road - Martell's Construction Limited

To His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 24th, considered a report from the Commissioner of Works recommending payment for the construction of a reinforced concrete retaining wall, east side of Dutch Village Road at Mount Olivet Cemetery.

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On motion of Alderman Abbott, seconded by Alderman Healy, the Committee recommended to City Council payment of Certificate No. 1 (Final) re construction of reinforced concrete retaining wall, east side of Dutch Village Road at Mount Olivet Cemetery, to Martell's Construction Limited, in the amount of \$5,400.00.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman O'Brien, seconded by Alderman Breen, that the report be approved. Motion passed.

Final Certificate - Retaining Wall, Dutch Village Road (Fosberg & Mitchell)

To His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 24th, considered a report from the Commissioner of Works recommending payment for the construction of a retaining wall on the east side of Dutch Village Road between the Armdale Rotary and Lexington Avenue.

On motion of Alderman Connolly, seconded by Alderman Lane, the Committee recommended to City Council payment of Certificate No. 1 (Final) re construction of retaining wall on the east side of Dutch Village Road, between the Armdale Rotary and Lexington Avenue, to Fosberg & Mitchell Limited, in the amount of \$4,240.00.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman O'Brien, seconded by Alderman Breen, that the report be approved. Motion passed.

Street Lighting - Parkwood Terrace, Woodlawn Terrace, Kencrest Avenue,
Parkwood Place and Newbery Street

To His Worship the Mayor and
Members of the City Council.

The Committee on Works, at a meeting held on January 24th, considered a report from the City Manager recommending improved street lighting for the above streets. The total cost of purchasing and installing 38 new Mercury Vapour Luminaires on the above streets was estimated to be \$4,280.00. Funds are available in Capital Account 57-7 and no borrowing resolution is necessary.

The total increase in the cost of operation is estimated at \$278.40 and the total increase in the cost of current is estimated at \$96.57, both of which are provided for in the 1963 Current Budget.

On motion of Alderman Connolly, seconded by Alderman Abbott, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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MOVED by Alderman Macdonald, seconded by Alderman Wyman,
that the report be approved.

Alderman LeBlanc asked when action will be taken to improve
the lighting in the block bounded by Quinpool Road, Newton Avenue,
Chebucto Road and Windsor Street.

The Commissioner of Works stated that the necessary street
lighting equipment is on order and as soon as it is received, action
will be taken to make the installations.

The motion was put and passed.

RECOMMENDATIONS - TOWN PLANNING BOARD

Alteration to a Subdivision - No. 494 Kempt Road

To His Worship the Mayor and
Members of the City Council.

The Town Planning Board, at a meeting held on January 22nd
considered a report from the City Manager recommending in favour of
an alteration to a subdivision at 494-496 Kempt Road, as shown on
drawing no. P200/882, 00-9-13586, in accordance with Section 727C of
the City Charter.

On motion of Alderman Trainor, seconded by Alderman Wyman,
the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

MOVED by Alderman O'Brien, seconded by Alderman Meagher,
that the report be approved. Motion passed.

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EXTENSION TO A NON-CONFORMING BUILDING NO. 5798-5800 (178-180) SOUTH STREET

To: His Worship the Mayor and
Members of City Council.

From: Town Planning Board.

Date: January 31, 1963.

Subject: Extension to a Non-Conforming Building -
5798-5800 (178-180) South Street.

The Town Planning Board, at a meeting held on January 22nd, 1963, considered a report from the City Manager recommending against an application for the extension of a non-conforming building at 5798-5800 South Street.

After discussion, it was moved by Alderman Trainor, seconded by Alderman Wyman, that the Board approve the application and recommend the same to City Council.

The vote on the motion was 3 - 2 "in favour".

For
Alderman Trainor
Alderman Wyman
His Worship the Mayor

Against
Alderman LeBlanc
Alderman O'Brien

Motion carried.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Wyman, seconded by Alderman Connolly, that the report be approved.

At the request of Alderman O'Brien the report submitted by the City Manager to the Town Planning Board on January 22nd was read as follows:

"An application has been received from the owners of the above property for permission to add an additional unit to the existing six unit apartment building which does not conform to the Zoning By-Law requirements.

The property is located on the south side of South Street between Wellington Street and Tower Road in a R-3 Residential zone. Drawing No. P200/771 refers. The lot measures 56 feet by 124 feet for an area of 6,944 square feet. The building has a front yard of 3.5 feet and east and west side yards of 4.3 feet and 4.8 feet respectively, against the By-Law requirement of 10 feet front yard and 10 feet side yards. Vehicular access to the rear yard is provided by a 10 feet right-of-way over a vacant lot at 1173 (93) Wellington Street.

The proposal is to provide an additional apartment in the basement to be used as janitor's quarters, the existing six apartment units being located on the 1st, 2nd and 3rd floors.

On September 13, 1962, the City Council approved the modification of the Zoning By-Law requirements for the conversion of this building from a pair of semi-detached dwellings to a six unit apartment building. At that time, the applicant stated in writing that "There will be no basement apartment and an area which apparently was used as a basement apartment in one of the buildings in the past will definitely not be used for apartment purposes."

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As recommended to the Board in the previous cases of similar nature, new basement apartments should be restricted to buildings which conform fully with the minimum requirements of the Zoning By-law. It is considered that the existing use is a suitable occupancy for the property and that no further modification of the By-Law can be recommended. The provision of a seventh apartment in the basement would tend to create undesirable living conditions with the restricted space around the building.

IT IS RECOMMENDED, therefore, that the application for the extension to a non-conforming building at 5798-5800 (178-80) South Street be recommended for refusal to City Council."

Alderman Wyman stated that the Town Planning Board had been assured by the Building Inspection Supervisor that the proposed basement apartment was a reasonably good apartment and was located on the west side of the basement "where there would be the most light and air". It also had a good window on the street side and had ground-level access at the rear and it also conformed to Ordinance No. 51.

It was agreed to permit Mr. I. M. MacKeigan, solicitor for the applicant, to address the meeting.

Mr. MacKeigan stated that it was not the intention of his clients, when they acquired the property, to use the basement for apartment purposes but after seeing the condition of the basement, they felt that it would be a shame to have the space go to waste as it was easily converted and conformed to the provisions of Ordinance No. 51. He stated that it is the intention of his clients to eventually acquire the property to the west at the corner of Wellington and South Streets but until that is accomplished they plan to operate 5789-5800 South Street as a holding operation and that is why they have made the application for the extension to a non-conforming building.

The motion was put and resulted in a tie vote as follows:

<u>FOR THE MOTION:</u>	Aldermen DeWolf, Lane, Healy, Wyman, Connolly, Greenwood	- 6 -
<u>AGAINST THE MOTION:</u>	Aldermen Abbott, Breen, Macdonald, Meagher, LeBlanc, O'Brien	- 6 -

His Worship the Mayor cast his vote in favour of the motion and declared the same passed.

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MODIFICATION OF FRONT AND SIDEYARDS - NO. 6026 (2) WILLIAMS STREET

To: His Worship the Mayor and
Members of City Council.

From: Town Planning Board.

Date: January 31, 1963.

Subject: Modification of Front and Sideyards -
No. 6026 (2) Williams Street.

The Town Planning Board, at a meeting held on January 22nd, 1963, considered a report from the City Manager recommending in favour of a modification of front and sideyard requirements at 6026 (2) Williams Street, to allow the conversion of a single family dwelling to a duplex, as shown on drawings P200/883 and P200/884, in accordance with Part XV, paragraph 1(f), of the Zoning By-Law, and that no public hearing be held.

On motion of Alderman Trainer, seconded by Alderman LeBlanc, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

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

MODIFICATION OF FRONT AND SIDEYARDS AND ALTERATION TO A SUBDIVISION -
NO. 18-20 CREIGHTON STREET

To: His Worship the Mayor and
Members of City Council.

From: Town Planning Board.

Date: January 31, 1963.

Subject: Modification of Front and Sideyards and Alteration
to a Subdivision - 18 -20 Creighton Street.

The Town Planning Board, at a meeting held on January 22nd, 1963, considered a report from the City Manager recommending in favour of an alteration to a subdivision at 18-20 Creighton Street, as shown on drawing no. P200/891, 00-9-15595, in accordance with Section 727C of the City Charter, and also recommending in favour of a modification of front and sideyards at 18-20 Creighton Street to allow the conversion of two semi-detached two-family dwellings to a six-unit apartment building, as shown on drawing no. P200/891, in accordance with Part XV, paragraph 1 (f) of the Zoning By-Law, and that no public hearing be held.

On motion of Alderman Wyman, seconded by Alderman O'Brien, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

MOVED by Alderman Wyman, seconded by Alderman Connolly, that the report be approved. Motion passed.

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January 31, 1963.

MODIFICATION OF SIDEYARDS - NO. 5778 SOUTH STREET

To: His Worship the Mayor
and Members of City Council.

From: Town Planning Board.

Date: January 31, 1963.

Subject: Modification of Sideyard and Setbacks - No. 5778 (170) South Street.

The Town Planning Board, at a meeting held on January 22nd, 1963, considered a report from the City Manager recommending against an application for a modification of sideyards and setback requirements at No. 5778 (170) South Street.

On motion of Alderman LeBlanc, seconded by Alderman Trainor, the Board approved the application for modification of sideyards and setbacks at No. 5778 South Street and recommended the same to City Council.

Alderman O'Brien was recorded as being "against".

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

The City Clerk advised that two letters had been received from the abutting property owners protesting against the requested modifications. Alderman Wyman contended that they should not be submitted at this time as they were not admissible under the provisions of Sections 9, 10 and 11 of Ordinance No. 2.

His Worship the Mayor ruled it would be in order and proper for the letters to be read as they were addressed to the Council.

The City Clerk then read the following letters:

R. J. Wells, M. D.,
5770 South Street,
Halifax, N. S.
January 24, 1963.

His Worship the Mayor
Members of City Council,
c/o City Clerk's Office,
City Hall,
Halifax, N. S.

Re: Modification of Zoning By-Law
Sideyard and Set Back Requirements -
5778 South Street
Halifax, Nova Scotia.

Your Worship and Aldermen:

About seven or eight weeks ago, Doctor Lubetsky called me by phone and explained the plan for the proposed building next door to our office.

Council,
January 31, 1963.

On the basis of this plan I thought at that time, speaking for myself, that there would most probably be no objection for the distance of 5'. However, as I was only one of the owners, I stated that I would discuss the situation with the other two owners and if the approval was forthcoming at all, all three would have to agree with it.

Since that phone call there has been no other communication with Doctor Lubetsky.

I discussed this situation with Doctor F. A. Dunsworth and Doctor A. M. Shane, co-owners of Marlborough Medical Building today after reading last night's paper and the enclosed letter is the outcome of this discussion.

Sincerely yours,

R. J. WEIL, M.D.

F. A. Dunsworth, M. D.,
5770 South Street,
Halifax, N. S.,
January 24, 1963.

His Worship the Mayor
Members of City Council,
c/o City Clerk's Office,
City Hall,
Halifax, N. S.

Re: Modification of Zoning By-Law
Sideyard and Set Back Requirements -
5778 South Street,
Halifax, Nova Scotia

Your Worship and Aldermen:

In the Mail-Star, January 23, 1963, a story concerning the above matter considered by the Halifax Town Planning Board on January 22, 1963 an inaccurate statement appears.

It states " --- The modification had the approval of the property owners on the east side ----"

The Marlborough Medical Building Company, 5770 South Street, owners and business occupants of the property on the east side of the property under consideration wishes to state that we have not approved of such modifications in the existing city regulations and further we wish to record our opposition to the proposed modifications.

Sincerely yours,

F. A. DUNSWORTH, M.D.
R. J. WEIL, M.D.
A. M. SHANE, M.D.

MOVED by Alderman O'Brien, seconded by Alderman Breen, that a public hearing be held, in connection with the application of Dr. I.K. Lubetsky to modify sideyard and setback requirements to permit the construction of a 68-unit apartment building at No. 5778 - (170) South Street, at the first meeting of Council after which due notice has been given.

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The City Clerk advised that the date would be February 14, 1963.

MOVED by Alderman Macdonald that the matter be referred to the Town Planning Board for a further review. There was no seconder to the motion.

His Worship the Mayor asked the Director of Planning if, in his discussions with the applicant, he had indicated that he might be more favourably disposed to the application if the applicant would eliminate the west wing in the rear of the proposed project thereby giving more land space.

The Director of Planning stated he had held discussions with Dr. I. K. Lubetsky with a view of reaching a solution and that the provision of more open space was one of the factors which would make the application more acceptable.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that Dr. Lubetsky be permitted to address the Council in support of his application. Motion passed.

Dr. Lubetsky stated that he had acted in good faith in his dealings with the Town Planning Board and his neighbors but while he had not spoken to the three members of the neighboring Medical Centre, he had conveyed his proposals to Dr. Weil, whom he understood was acting for the members of the Medical Centre, and who had offered no objections. He referred to the press releases following the Town Planning Board meeting which he claimed had reported him incorrectly.

Dr. Lubetsky then displayed a drawing of the proposed apartment house project and pointed out that the modifications required, if granted, would result in a lot coverage of not more than 50 per cent. He said that his architect was at a loss to understand what measurements were used by the City Staff to determine that the height of the building would be 64 feet as he considered that the building will be less than 52.6 feet high.

He continued and stated that the building will enhance the area as it will be well designed and constructed of the best materials and will have two elevators, the total cost being in the vicinity of \$600,000.00.

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Dr. Lubetsky concluded by stating that, if Council does not reach a decision on the application at this meeting and decides to hold a public hearing on the matter, he would withdraw his application because he could not countenance any further delay.

His Worship the Mayor: "We will assume the application is still before us, until we receive a communication."

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

<u>FOR THE MOTION:</u>	Aldermen Abbott, Breen, Macdonald, Meagher LeBlanc, Healy, Wyman, O'Brien and Greenwood	- 9 -
<u>AGAINST THE MOTION:</u>	Aldermen DeWolf, Lane, and Connolly	- 3 -

Alderman Lane referred to the press report following the Town Planning Board meeting and contended that an injustice is done to the community by having these matters publicly reported upon before the Council reaches a decision, as the thinking of the Members of the Council who are not on the Council Committees involved might be influenced one way or another; and she asked if there is any legal way in which the matter could be controlled or, if not, if the cooperation of the various news media could be sought to obviate future similar situations.

His Worship the Mayor stated that he would discuss the question raised by Alderman Lane with the City Solicitor.

COMMUNICATION SYSTEM - HALIFAX MENTAL HOSPITAL

To His Worship the Mayor and
Members of the City Council.

At a meeting of the Public Health and Welfare Committee held on January 24, 1963, a report was submitted from the City Manager recommending that the present communication system at the Halifax Mental Hospital be replaced by a new telephone system combining external and internal communication at a monthly charge of \$142.85 plus a non-recurring installation charge of \$250.00.

The City Manager pointed out that while the monthly service charge of \$142.85 is considerably higher than the present monthly charge of \$17.40, an overall saving will be effected as two certified nursing assistants now employed in the business office to receive and relay calls will be released for normal nursing duties to replace incompetent personnel.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,
R. H. STODDARD,
CITY CLERK

Council,
January 31, 1963.

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

ACCOUNTS OVER \$500.00

A report was submitted from the City Manager recommending payment of the following accounts over \$500.00 in accordance with Section 119-F of the City Charter:

<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
National Cash Register	Office Supplies	\$1,593.65
Consolidated Alcohols	Halifax Convalescent Hospital	\$ 587.05

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the accounts be approved for payment. Motion passed.

MOTION - ALDERMAN HEALY RE: COMPENSATION TO PROPERTY OWNERS -
UNIACKE SQUARE REDEVELOPMENT PROJECT

MOVED by Alderman Healy, seconded by Alderman LeBlanc, that the City Council direct the City Manager to study the feasibility of giving a bonus to the home owners who fall into a value less than \$10,000.00 in the Uniacke Square Redevelopment Area or any future redevelopment areas where the properties are expropriated by the City and that, in no case shall the amount of the settlement exceed the sum of \$10,000.00 per property and only to be given where the property is owner-occupied. Motion passed.

His Worship the Mayor stated that there are a number of people in the gallery who are interested in the matter of property valuations and he had indicated to their spokesman that after the City Manager has made his study and reported to the Council, they would have an opportunity to express their views.

APPLICATION TO REZONE LAND - NO. 207 COBURG ROAD

Referred to Town Planning Board.

APPOINTMENTS - HOUSING AUTHORITY OF HALIFAX

His Worship the Mayor nominated the following to be members of the Housing Authority of Halifax for three-year terms expiring December 31, 1965,

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January 31, 1963.

which are acceptable to the Federal and Provincial Governments:

Mrs. John Phillips
Mr. R. Leo Simmonds
Mr. F. C. MacGillivray

Mr. Edmund A. Skinner
Mr. Peter Herschorn
Mr. R. D. Mussett

He stated that the name of the seventh nominee would be submitted at a subsequent meeting.

MOVED by Alderman Wyman, seconded by Alderman Lane, that the appointments as recommended be approved. Motion passed.

His Worship the Mayor referred to a letter from the Halifax-Dartmouth Trades and Labor Council requesting that a member of the Labor Council be appointed to the Housing Authority, and he said that he hoped the appointment of Mr. Edmund Skinner would meet the wishes of the Labor Council.

MOVED by Alderman Macdonald, seconded by Alderman Abbott, that His Worship be requested to convey to the retiring members of the Housing Authority of Halifax the appreciation of the Council for their sense of duty in rendering a valuable service to City Council and the Community during the terms of their appointments. Motion passed.

REQUEST FOR USE OF GRAND PARADE - DALHOUSIE WINTER CARNIVAL

A letter was submitted from the Chairman of the Dalhousie Winter Carnival requesting permission to use the Grand Parade on the evening of February 5, 1963, as the starting point of a torchlight parade.

MOVED by Alderman Wyman, seconded by Alderman LeBlanc, that the requested permission be granted. Motion passed.

10:00 P. M. Council adjourned for a short recess.

10:25 P. M. Council re-convened the following members being present: Aldermen DeWolf, Abbott, Breen, Macdonald, Meagher, LeBlanc, Healy, Wyman, O'Brien and Greenwood.

HALIFAX CITY CHARTER - PORTIONS OF PARTS VII, VIII, IX & XI:
PARTS XII, XIII, XIV & XV

His Worship the Mayor stated that as indicated at a previous meeting of Council he is preparing a general statement on taxation and tax rating which explains Part 8 of the Charter; and when this statement is completed, it will be distributed to the Members of City Council and released

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to the press. He reported that the Deputy Minister of Municipal Affairs had gone over the various sections of Part 8 with the City Solicitor and himself which had been explained to the sub-committee and there was a general agreement on the provisions. He said that it was proposed to consider only Parts XII to XV at this meeting and that a public hearing would be held on all parts of the Charter at a later meeting before the Charter is considered by the Legislature.

He then asked the City Solicitor to briefly outline the provisions of Parts XII, XIII, XIV and XV.

PART XII

WORKS AND CITY PROPERTY - Section 347 - Approved.

STREETS - Sections 348 to 356 inc. - Approved.

OFFICIAL PLAN - Section 357 - Approved.

STREET LINES - Sections 358 to 36 - Approved.

MISCELLANEOUS - Sections 361 to 371 - Approved.

SEWERS - Sections 372 to 376 - Approved.

LOCAL IMPROVEMENTS - Sections 377 to 393 - Approved.

LIENS FOR LOCAL IMPROVEMENT TAXES - Sections 394 to 399 - Approved.

CITY PROPERTY - Section 400 to 405 - Approved.

EXPROPRIATION OF LAND - Sections 406 to 426 - Approved.

GENERAL PROVISIONS - Sections 427 to 430 - Approved.

PART XIII

BUILDINGS

INSPECTOR OF BUILDINGS - Sections 431 to 432 - Approved.

MINIMUM STANDARDS - Sections 433 - Approved.

PERMITS - Sections 434 to 438 inc. - Approved.

DILAPIDATED BUILDINGS Section 439(1) amended by adding the words "Appointed by the Council" after the word committee in line 19, Page 242. This part was approved as amended. Section 440 - Approved.

SERVICE STATIONS - Section 441 - Approved.

SIGNS AND BILLBOARDS Sections 442 and 443 - Approved.

PENALTIES AND PROCEDURE - Sections 444 to 446 inc. - Approved.

PART XIV

PUBLIC SAFETY

COMMITTEE ON SAFETY - Section 447 - Approved

POLICE FORCE - Sections 448 to 457 inc. - Approved.

FIRE DEPARTMENT - Sections 458 to 472 inc. - Approved.

GENERAL PROVISIONS - Section 473 - Approved.

FIRE ALARM SERVICE AND ELECTRICAL SYSTEMS - Sections 474 to 476 approved
after deleting Section 475 - Page 261.

BOARD OF FIRE ESCAPES - Section 477 - Approved.

PART XV

PUBLIC HEALTH AND WELFARE

INTERPRETATION - Section 478 - Approved.

MEDICAL HEALTH OFFICER - Sections 479 and 480 - Approved.

REGULATIONS - Sections 481 to 484 inc. - Approved.

WATER - Sections 485 and 486 - Approved.

GENERAL POWERS - Sections 487 to 490 inc. - Approved.

HOSPITALS - Section 491 - Approved.

ORDINANCES - Sections 492 and 493 - Approved.

RELIEF OF PERSONS IN NEED - Sections 494 to 497 inc. - Approved.

MOVED by Alderman O'Brien, seconded by Alderman Wyman, that Parts
XII, XIII, XIV, and XV as amended be approved. Motion passed.

Meeting adjourned.

11:10 P. M.

HEADLINES

Illness - City Manager	16
Petition - Property Owners of Hemlock Street re Change of Street Name	16
Public Hearing: Zoning to R-3 Zone and Rezoning R-2 Zone to R-3 Zone - No. 18-20 Lynch Street and No. 23 Rector Street; Zoning to R-2 Zone - No. 16 Lynch Street and No. 27 Rector Street	17
Retirement - Mr. T. J. Hartnett - Fire Department	18
Change Order - Westwood Park Contract	18
Property Settlements - (1) No. 1467 (47) Brenton Street (2) Calvin Presbyterian Church (3) No. 5517-5525 Clyde Street	18
Application for Auctioneer's License - L. E. Mader	19
Tax Exemption - N. S. Council, Girl Guides of Canada - No. 139 Granville St.	19
Supplementary Grants - Messrs. N. Corkum and W. Zinck	19
Expropriation Settlement - Barrington Exchange & Basin Locker Rental	19
Tenders - Demolition - No. 6 Wellington Court	20
Final Certificate - 1962 Street Patching	20
Final Certificate - Retaining Wall, Dutch Village Road - Martell's Construction Limited	20

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Final Certificate - Retaining Wall, Dutch Village Road (Fosberg & Mitchell)	21
Street Lighting - Parkwood Terrace, Woodlawn Terrace, Kencrest Avenue, Parkwood Place and Newbery Street	21
Alteration to a Subdivision - No. 494 Kempt Road	22
Extension to a non-conforming building, No. 5798-5800 (178-180) South St.	23
Modification of Front and Side Yards - No. 6026 (2) Williams Street	25
Modification of Front and Side Yards - Alteration to a Subdivision - No. 18-20 Creighton Street	25
Modification of Sideyards - No. 5778 South Street	26
Communication System - Halifax Mental Hospital	29
Motion - Alderman Healy Re: Compensation to Property Owners - Uniacke Square Redevelopment Project	30
Accounts over \$500.00	30
Application to Rezone Land - No. 207 Coburg Road	30
Appointments - Housing Authority of Halifax	30
Request for Use of Grand Parade - Dalhousie Winter Carnival	31
Halifax City Charter - Portions of Parts VII, VIII, IX & XI Parts XII, XIII, XIV & XV	31

J. E. LLOYD,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
CITY CLERK.

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.,
February 14, 1963,
8:00 p. m.

A meeting of the City Council was held on the above date.

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

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Lane, Breen, Butler, Macdonald, Meagher, LeBlanc, Trainor, Healy, Wyman and O'Brien.

Also present were Messrs. L. M. Romkey, Acting City Manager; L. Mitchell, R. H. Stoddard, W. J. Clancey, G. F. West, R. B. Grant, J. F. Thomson, K. Munnich, V. W. Mitchell and Dr. A. R. Morton.

MINUTES

The minutes of the previous meeting held on January 31, 1963, were approved on motion of Alderman Abbott, seconded by Alderman Healy.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

The following recommendations were submitted from the Finance and Executive Committee at a meeting held on February 5, 1963:

Daylight Saving Time - April 28th to October 27th, 1963

It is recommended that approval be given for the observance of Daylight Saving Time from Sunday, April 28th at 12:01 a.m. to Saturday, October 26th at 12:00 midnight.

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

Housing Authority Budget

A report was submitted from the City Manager respecting the 1963 Budget for the Housing Authority of Halifax covering all partnership housing projects. The Budget showed the total revenue of \$462,711.50, with total expenditures amounting to \$716,115.90 which results in an operational deficit of \$253,404.40.

The City Manager recommended:

1. That the Budget submission for the Housing Authority of Halifax be approved as submitted with one exception. The Budget anticipates that the rental for the premises occupied by the Housing Authority at Mulgrave Park would be \$1,200.00 per annum. Central Mortgage and Housing Corporation suggest that a more equitable rent would be \$1,800.00 per annum. Staff have no objections to fixing the rent at \$1,800.00 and provision for this amount might, therefore, be included in the Budget;

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2. That the Budget as submitted be approved on the clear understanding that administration and maintenance expenses will be kept to a very minimum until such time as the new Housing Authority has had an opportunity to completely review the Budget;
3. That the new Housing Authority submit a revised Budget to the partnership for consideration by June 30, 1963.

It is recommended that the report be approved.

MOVED by Alderman Abbott, seconded by Alderman Wyman, that the recommendation be approved. Motion passed.

Request for Grant - Halifax Citadel Band

A letter was submitted from the Halifax Citadel Band advising that it has received an invitation to appear at the annual Band Festival in Toronto on April 27, 1963 and will render programs in Montreal, Hamilton and Ottawa.

In order to finance the trip, \$7,000.00 is required and the Central Office in Toronto is assuming all financial responsibility with the exception of \$1,600.00 of which the sum of \$400.00 is being contributed by the members of the band. The net amount of \$1,200.00 is to be raised locally. The letter requested a grant from the City. It was pointed out that the City has no legal authority to make a grant of this nature as this is not for charitable purposes.

It is recommended that Mr. H. G. Ivany, Band Secretary, be advised that the City feels that they should first make every effort to obtain the necessary funds from private sources for this purpose before making a request to the City of Halifax.

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

Write-off - Halifax Infirmary Taxes, 1960 - No. 113 Queen Street

A report was submitted from the Acting City Manager advising that the property No. 113 Queen Street was purchased by the Halifax Infirmary in 1958 and it was mutually agreed that the Infirmary would pay the taxes for 1959 and Fire Protection Rates for subsequent years. It was also agreed that the City would apply for legislation to have the taxes for 1960 written off. The Legal Department advised that the Legislation does not apply to this particular property.

He requested that legislation be sought authorizing the City to cancel the 1960 property taxes in the amount of \$356.38.

It is recommended that the legislation as requested be sought and the taxes written off accordingly.

MOVED by Alderman Healy, seconded by Alderman O'Brien, that the recommendation be approved. Motion passed.

Settlement - Business Disturbance - No. 401 Chebucto Road - \$5,600.00

It is recommended that a sum of \$5,600.00 be paid to the former owners of the property No. 401 Chebucto Road as a business disturbance settlement in full. This property was expropriated for the purposes of widening Mumford Road.

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Alderman DeWolf felt that the settlement was high and if Council approved same a dangerous precedent might be set with the possibility of residential tenants, who have been forced to find accommodation at a higher rent, submitting claims.

The City Solicitor stated that residential tenants would have no claim but that other business disturbance claims have been settled where there were grounds for such a claim.

Alderman Trainor contended that the recommended settlement is too high and questioned the amounts recommended for 'loss of stock' and 'loss of profits'.

MOVED by Alderman Trainor, seconded by Alderman DeWolf, that the matter be referred back to the Finance and Executive Committee for further consideration and report.

Alderman LeBlanc asked that the staff be directed to submit a statistical report on the number of business disturbance claims that have been settled with an indication of the character of such claims. He also asked if the claims had been subject to scrutiny by the Legal Department.

The City Solicitor said that his department receives copies of the reports prepared by the Development Department but are not requested to give advice as to any legal liability involved.

His Worship the Mayor felt that the referral back to Committee would give an opportunity for the Committee to examine the staff procedures in negotiating the settlements as well as give an opportunity to test the values.

The motion to refer was then put and passed.

Family Allowances and Service Charges - Rental Housing Projects

A report was submitted from the City Manager advising that no decision has been reached as yet with respect to the elimination of the Family Allowances in the calculation of gross family incomes of tenants in subsidized rental housing projects because of the difficulty with respect to service charges at Mulgrave Park.

The maximum income for admission to the project is now \$325.00 per month and this maximum includes Family Allowances. With the removal of Family Allowances, families with incomes up to \$325.00 per month would be permitted to gain admission to rental projects. This is desirable because the average rentals received are now below the rentals required to be obtained under the agreement with the Provincial and Federal Partners.

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The removal of Family Allowances in calculating maximum income for admission is part of the proposal to remove such allowances entirely.

The report also advised that it would seem that this portion of the procedure could be implemented immediately to the advantage of the partnership and prospective tenants without interfering with the solution of the service charge problem.

The report recommended that the City seek approval of the Provincial Government and Central Mortgage and Housing Corporation to this change in policy.

It is recommended that the Housing Authority of Halifax immediately adjust the rents for the exclusion of Family Allowances and that it promptly deal with the matter of charges for services rendered as an entirely separate matter.

MOVED by Alderman Wyman, seconded by Alderman O'Brien, that the recommendation be approved. Motion passed.

Guard Rails - Mulgrave Park

A report was submitted from the City Manager recommending that the City agree to an expenditure of \$8,000.00 to install 1000 to 1200 feet of guard rail at the hazardous locations on top of the retaining walls at the Mulgrave Park Housing Project, the cost to be shared by the partnership.

It is recommended that the report be approved and that the Acting City Manager report to Council on the design and height of the rail.

The Acting City Manager requested that this matter be deferred for further discussions by staff.

Alderman Wyman agreed that the matter requires further discussion to determine the most adequate type of protective fence that should be erected, but he urged that staff act as quickly as possible on the matter so that it could be processed by Council as soon as possible to obviate any further accidents.

MOVED by Alderman Abbott, seconded by Alderman Wyman, that the matter be deferred for further consideration. Motion passed.

Grant for 1962 Taxes - Maritime Veterans Registered - Information Bureau - 129 Roy Building - \$31.19

A letter was submitted from the above organization requesting that the tax assessed be fixed at an amount of \$30.00 for the premises occupied by it at No. 129 Roy Building.

The request was made due to the fact that no charge is made for services rendered, the Staff is composed of voluntary workers and the Veterans of Foreign Wars do not operate a licensed canteen.

It is recommended that the Maritime Veterans Registered be paid a grant of \$31.19 to offset the balance of the taxes for the year 1962 under the authority of Section 310 "D" of the City Charter.