

20(2)

COUNCIL
October 26, 1972

TO: His Worship the Mayor and
Members of City Council

FROM: C. McC. Henderson, City Manager

DATE: October 26, 1972

SUBJECT: Waiver of Easement - Shell Canada Limited -
Brunswick Street

Attached is a copy of a staff report of September 28, 1972, recommending release of an easement in favor of the City over lands now owned by Shell Canada Limited. The report was referred back to staff for advice as to whether the easement should be released for nominal consideration only, or for some other value.

It is staff's conclusion that Council should adopt the original staff recommendation. The reasons therefor are as follows:

- 1) When the City acquired from the Crown the former Pavilion Barracks lands, it acquired what was in effect a private sewer serving the then existing buildings on the land. A number of these buildings were still in existence and the sewer still in use at the time of the conveyance of the particular lot in question to R. R. Power Limited in 1955, which was the reason for retaining a sewer easement. (There was no easement on the land prior to the conveyance, since the sewer, as mentioned, was for practical purposes a private one.)
- 2) The old buildings were later demolished and an additional part of the lands sold to Citadel Properties Limited as the site for the Citadel Inn. The sewer was abandoned and no easement was retained by the City over the land sold to Citadel, which land immediately abuts the Shell Canada land. The easement in question is therefore redundant and stands in isolation.
- 3) It would certainly be possible for the City to obtain appraisals relative to the highest and best use of the land on a "before and after" basis. Such appraisals might be used to negotiate with the owners a price to be paid for the removal of the easement, assuming there would be a difference in value. On the other hand, immediate development of a six-storey office building is being planned by the purchaser of the site, which development in the

opinion of staff, probably comes very close to highest and best use of the land. Preliminary plans for the development were received by the City on September 14 and will not require zoning by-law or Floor Space Index modification by Council. The building is proposed to cover the entire lot and could not be built in its present form unless the easement is lifted. If it is not, the result will be that Shell Canada would in all probability lose this opportunity to dispose of the land and the City will have lost the particular development which in effect would satisfactorily complete the redevelopment of the old Pavilion Barracks lands.

- 4) It is understood by staff that it will be acceptable to the vendor and purchaser, Technaprint Services Limited, that the easement be released in favor of the latter subject to issuance of a building permit by the City.

It is recommended, therefore, that the City agree to release to Technaprint Services Limited the easement referred to in the staff report of September 28 for the sum of \$1.00, subject to the issuance by the Building Inspector of a permit to build on the land substantially in accordance with the revised preliminary plans submitted to the City on October 25, 1972.



C. McC. Henderson
City Manager

AWC:mn
attachment

To: His Worship, The Mayor, and
Members of City Council

From: C. McC. Henderson, City Manager

Date: September 23, 1972

Subject: Waiver of Easement -
Shell Canada Limited - Brunswick Street

In 1955 the City of Regina decided to R.R. Power Ltd a lot of land on the western side of Brunswick Street, between Rainnie Drive and Casswell Street. The City obtained an easement for a drain and possible sewer services over the land. The easement served the barracks formerly on the site of the Citadel Inn.

Shell Canada Limited, the present owner of the land, has requested that the City release this easement. It is no longer used, nor necessary.

It is recommended that the City release the easement as shown on the attached Plan - 00-4-12028 - and as described in the attached description, to Shell Canada Limited for \$1.00.

Respectfully submitted,

C. McC. Henderson
City Manager

CRG:nod

CITY COUNCIL - PUBLIC HEARING
SPECIAL MEETING
M I N U T E S

Council Chamber,
City Hall,
Halifax, N. S.,
November 8, 1972
8:05 p.m.

A Special 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, Aldermen Connolly, Hogan, MacKeen, Meagher, Moir, Stapells, Sullivan and Wentzell.

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

The City Clerk advised that the meeting was called as a Public Hearing to consider the laying down of official street lines on Main Avenue and Titus Street, as shown on Section 56B of the Official City Plan.

Public Hearing - To alter and confirm the northern and southern street lines of Main Avenue and the western street line of Titus Street

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

The City Clerk advised that the public hearing has been duly advertised and that no letters of objection or non-objection have been received.

At the request of the Chairman, Mr. Fox of the Department of Engineering and Works explained the proposal with the aid of diagrams and sketch maps.

Reference was made to the necessary acquisitions which will have to take place and Staff were instructed to contact personally before the next Regular Council meeting, the affected property owners to explain the matter.

In reply to a question from His Worship the Mayor, no person indicated a wish to speak for or against the matter.

It was MOVED by Alderman Moir, seconded by Alderman Stapells that the matter be referred to Council without recommendation. Motion passed.

At this time Alderman Connolly questioned whether meetings of City Council take preference over meetings of Homeowners upon the time of an Alderman.

CITY COUNCIL MEETING

Alderman MacKeen felt that it was necessary to have an answer to this question and he requested the City Solicitor to consider the matter and provide all members of Council and the press with a written interpretation.

The City Solicitor indicated that he would take this under advisement and reply in due course.

His Worship the Mayor raised the matter of Remembrance Day to be observed on November 11th.

the

After some discussion it was agreed that this meeting should adjourn and the discussion continued in private since it was not properly a matter before Council at this time. It was also agreed that the matter should again be raised at tomorrow's meeting of the Committee of the Whole Council.

Aldermen: Stanbury, Stapp, ... Alderman MacKeen, Heather, ...

8:35 p.m. Council adjourned.

Also present: City Clerk, and other staff

HEADLINES

Public Hearing - To alter and confirm the northern and southern street lines of Main Avenue and the western street line of Titus Street

490

Scrolls, as tokens of appreciation to the following who had retired with 30 or more years of service:

WALTER R. FITZGERALD
MAYOR AND CHAIRMAN

<u>NAME</u>	<u>DEPARTMENT</u>	<u>YEARS OF SERVICE</u>	<u>DATE OF RETIREMENT</u>
R. H. STODDARD CITY CLERK	Fire	34 yrs.	Nov. 1972
Mr. T. H. ...	Police	31 yrs.	Nov. 1972
Mr. M. F. Doherty	Police	30 yrs.	Nov. 1972
Mr. R.H. Montague	Fire	28 yrs.	Nov. 1972
Mr. M.J. Murphy	Police	22 yrs.	Nov. 1972
Mr. J.F. McCarthy	Engineering and Works	20 yrs.	Nov. 1972
Mr. F.A. Sprigge	Fire	15 yrs.	Nov. 1972
Mr. G.F. McSwaney	Fire	14 yrs.	Nov. 1972

His Worship the Mayor said he was speaking on behalf of all citizens of the City in thanking these gentlemen for their long years of service to the City.

STAFF SERGEANT MOIGNARD

His Worship the Mayor said that on November 5, 1972 Staff/Sgt. Moignard had received the Golden Certificate from the International Office of Transit Workers in recognition of being a member of that Union for over fifty years, having worked with the original Halifax Transit System. In addition, His Worship said, on November 10, 1972, Staff/Sgt. Moignard had been presented with the Fifty Year Jewel as a Master Mason, and was the only person in the Metropolitan area with such a medal. His Worship concluded by stating that on top of this, Staff/Sgt. Moignard was of course still in active service with the City.

CITY COUNCIL MEETING
MINUTES

Council,
November 16, 1972

Council Chamber,
City Hall,
Halifax, N.S.
November 16, 1972
8:00 P.M.

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

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

Present: His Worship the Mayor, Chairman; and Aldermen Bell, Connolly, Hogan, MacKeen, Meagher, Moir, Stanbury, Stapells, Sullivan, and Wentzell.

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

PRESENTATION - SCROLLS - RETIRED CIVIC EMPLOYEES

His Worship the Mayor presented Long Service Scrolls, as tokens of appreciation to the following employees who had retired with 30 or more years' service with the City:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>YEARS OF SERVICE</u>
Mr. T.H. Carroll	Fire	34 yrs. 11 mos.
Mr. R.I. Watts	Police	31 yrs. 4 mos.
Mr. L.V. Kelly	Police	31 yrs.
Mr. M.F. Doherty	Fire	30 yrs. 5 mos.
Mr. R.H. Montague	Police	36 yrs. 5 mos.
Mr. M.J. Murphy	Police	32 yrs. 8 mos.
Mr. J.F. McCarthy	Engineering and Works	30 yrs.
Mr. F.A. Spriggs	Fire	33 yrs. 8 mos.
Mr. G.F. McSweeney	Fire	39 yrs. 1 mo.

His Worship the Mayor said he was speaking on behalf of all citizens of the City in thanking these gentlemen for their long years of service to the City.

STAFF SERGEANT MOIGNARD

His Worship the Mayor said that on November 6, 1972 Staff/Sgt. Moignard had received the Goldern Certificate from the International Office of Transit Workers in recognition of being a member of that Union for over fifty years, having worked with the original Halifax Transit System. In addition, His Worship said, on November 10, 1972, Staff/Sgt. Moignard had been presented with the Fifty Year Jewel as a Master Mason, and was the only person in the Metropolitan area with such a medal. His Worship concluded by stating that on top of this, Staff/Sgt. Moignard was of course still engaged in active service with the City.

MINUTES

MOVED by Alderman Moir, seconded by Alderman Bell that Council minutes of October 26th and November 8th, 1972 be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

Council approved the City Clerk's request to add the following items to the agenda:

- 20 (a) - Bus Shelters - DREE Project No. 2(b)
- 20 (b) - Sale of City-owned Land - Maynard and Creighton Streets.
- 20 (c) - Underground Wiring - Cogswell Street
- 20 (d) - Resignation of City Treasurer and Appointment of Acting City Treasurer

and delete the following:

- 13 (a) - Procedure for Failure to Secure Health Permits

Approval was given to Alderman Hogan's request to add:

- 20 (e) - Safety Regulations - Outdoor Swimming Pools

and Alderman Stapells' request to add:

- 20 (f) - Drainage - St. Margaret's Bay Road

MOVED by Alderman Wentzell, seconded by Alderman Sullivan that the agenda, as amended, be approved. Motion passed.

DEFERRED ITEMS

ALTER AND CONFIRM THE NORTHERN AND SOUTHERN STREET LINES OF MAIN AVENUE AND THE WESTERN STREET LINE OF TITUS STREET

A Public Hearing was held regarding the subject matter on November 8, 1972, following which the matter was referred to this meeting of Council without recommendation.

MOVED by Alderman Connolly, seconded by Alderman Moir, that approval be given to alter and confirm the northern and southern street lines of Main Avenue and the Western street line of Titus Street, as advertised and as shown on Section 56B of the Official City Plan. Motion passed with Aldermen Bell and Stanbury abstaining.

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

MOVED by Alderman Connolly, seconded by Alderman Sullivan that the formal resolution, as submitted, be approved. Motion passed with Aldermen Bell and Stanbury abstaining.

MOTIONS OF RESCISSION

Motion - Alderman Moir to Rescind Resolution Approved by Council
October 12, 1972 Re: Tenders for Winter Coats - Police Department

MOVED by Alderman Moir, seconded by Alderman Stanbury, that Council rescind its motion passed at Council on October 12, 1972, accepting the tender of Gordon B. Isnor Limited, Halifax for the supply of approximately 210 winter coats for the Police Department.

Alderman Moir said that since the October 12th motion had been passed, Council members had had an opportunity to examine the superior coat which staff had recommended be purchased, and since the Police had agreed to use this coat for two years, he was satisfied that its purchase could result in a \$7,000 saving to the city over a two-year period.

Alderman Hogan however felt this would not be living up to the tender system, since the party who had submitted the lowest bid had met all the specifications. Furthermore, he said, while the superior coat might be required by the policeman engaged in outdoor duty, he did not see why those in offices or patrol cars required them.

After further discussion, the motion to rescind was put and lost, three voting for the same, and seven against it, as follows:

For	-	Aldermen Moir, Stanbury, Stapells	3
Against-		Aldermen Bell, Connolly, Hogan, MacKeen, Meagher, Sullivan, and Wentzell	7

PETITIONS AND DELEGATIONS

Petition to Address Council - Mr. Murray Warrington Re: Tenant Representation on Halifax Housing Authority

Mr. Warrington addressed Council stating that the Uniacke Tenants Association would like equal tenant representation on the Halifax Housing Authority. Instead of the present one member from the tenants, he felt there should be a representative from each of the public housing projects concerned, since the problems varied at each project and he was convinced that only those persons actually living in public housing could properly understand what these problems were. He also felt that public housing should be brought under Ordinance No. 135 and the Regional Tenancies Act, since being immune to these gave the Housing Authority too much power to make things miserable for the tenants. He cited as an example a recent case where a tenant was given a nine-hour eviction notice.

Mr. Warrington said that he also felt the way rents for public housing were calculated is an unfair manner,

and should be based on take-home pay, not gross income, unless the tenant had a portion of his wages going into savings such as Government bonds. As it was, he said, an increase in rent could be more than actual take-home pay increase.

After a brief question and answer period with Mr. Warrington, it was MOVED by Alderman Moir, seconded by Alderman Connolly, that Mr. Warrington's submission be referred to staff for a report as soon as possible to the Committee of the Whole. Motion passed.

Council also requested that Mr. Warrington and other persons involved in this matter be informed of the date of the Committee of the Whole meeting at which the item is to be discussed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of November 8, 1972 with respect to the following matters.

RECOMMENDATIONS - TAX CONCESSIONS AND GRANTS COMMITTEE

Administrative Order Number 8

MOVED by Alderman Moir, seconded by Alderman Stapells that, as recommended by the Finance and Executive Committee, Administrative Order No. 8 be amended as follows beginning with the year 1973 and the amended Order be submitted for First and Second Readings:

DELETIONS

- | | |
|----------------------------|---|
| 1588 Barrington Street | - Naval Firefighters' Assn. Building Limited |
| 2011-2015 Gottingen Street | - Local 83 of the Brotherhood of Carpenters & Joiners |
| 2662 Gottingen Street | - Halifax Police Boys' Club |
| Point Pleasant Park | - Royal Nova Scotia Yacht Squadron |
| Bedford Highway | - Rockingham Yacht Club |
| 5236 South Street | - Children's Aid Society |

ADDITIONS

- | | |
|------------------------|--|
| 2395 Barrington Street | - The Landymore Unit - 24 The Army, Navy and Air Force Social Club |
| *289 Herring Cove Road | - Duke of Kent Masonic Bldg. Co. Ltd. |
| *22 Ashdale Avenue | - Armdale Masonic Hall Limited |
| 5568 Cunard Street | - I.O.O.F. Building Joint Stock Association Limited |
| 5244 South Street | - The Atlantic Institute of Education |
| 6109 Quinpool Road | - St. Joseph's Day Care Centre |
| Devonshire Avenue | - Halifax Police Boys' Club |

Devonshire Avenue

- Ward 5 Resources Council

Arena

Drysdale Road

- Spryfield Lion's Arena Rink

* On the condition that outstanding taxes are received by the City.

Motion passed.

Nova Scotia Sports Hall of Fame

MOVED by Alderman Sullivan, seconded by Alderman MacKeen that, as recommended by the Finance and Executive Committee, a grant in the amount of \$1,800 be approved for the Nova Scotia Sports Hall of Fame for the year 1972. Motion passed.

Dover Mills Limited

MOVED by Alderman Hogan, seconded by Alderman Connolly that, as recommended by the Finance and Executive Committee, Dover Mills Limited be billed an amount equal to 50% of their applicable tax for the year 1973, and that the billing be increased by 10% each year until full taxation is reached, such account to be reviewed yearly. Motion passed.

Sport Nova Scotia

MOVED by Alderman MacKeen, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the request of Sports Nova Scotia for a grant in the amount of \$411.73 to cover 1972 taxes, be denied but that the Association be informed to make arrangements with the City Solicitor if they wish to spread the payment of such taxes over a period of time. Motion passed.

The Imperial Order Daughters of the Empire - 5677 Victoria Road

MOVED by Alderman Connolly, seconded by Alderman Stapells that, as recommended by the Finance and Executive Committee, the request of the Imperial Order Daughters of the Empire for relief from the Payment of Business Occupancy taxes, be denied. Motion passed with Alderman Stanbury against.

The Atlantic Institute of Education

MOVED by Alderman Hogan, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the application from the Atlantic Institute of Education for complete exemption of Business Realty and Business Occupancy taxes at 5244 South Street for the years 1970, 1971 and 1972 be denied, but that the Institute be placed on Administrative Order Number 8 beginning with the year 1973. Motion passed.

Halifax Women's Bureau

MOVED by Alderman Wentzell, seconded by Alderman Moir, that as recommended by the Finance and Executive Committee, the request of the Halifax Women's Bureau, 2015 Gottingen Street for relief from the payment of Business Occupancy Taxes, be denied. Motion passed.

Duke of Kent Masonic Building Co. Ltd. & Armdale Masonic Hall Ltd.

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, the Duke of Kent Masonic Building Co. Ltd. and the Armdale Masonic Hall Ltd. be included in Administrative Order No. 8 for the year 1973 on the condition that the City receives outstanding taxes. Motion passed.

Criteria for Reviewing Grant Requests

MOVED by Alderman Connolly, seconded by Alderman Hogan that, as recommended by the Finance and Executive Committee, Council approve the adoption of a set of criteria within which all requests for grants will be reviewed, as attached to the Report from the Tax Concessions and Grants Committee. Motion passed.

Possible Acquisition - 2245 Barrington Street

MOVED by Alderman Moir, seconded by Alderman Stapells that, as recommended by the Finance and Executive Committee, the property of Mr. Henry Grouse, known as Civic No. 2245 Barrington Street, required to permit the construction of Phase II of Harbour Drive and more particularly, the temporary diversion of a section of Barrington Street approved by Council February 17, 1972 be purchased for \$17,500 as settlement in full for all claims; funds to be made available from Account No. 850-726. Motion passed - Aldermen Connolly, Meagher and Stanbury against.

Possible Expropriation Settlement - 64 Withrod Drive

MOVED by Alderman Stapells, seconded by Alderman Stanbury that, as recommended by the Finance and Executive Committee, the City of Halifax settle the compensation in respect of the expropriation of 64 Withrod Drive, Kline Heights for the sum of \$15,171 as settlement in full for all claims, less the sum of \$5,750 which was paid to the owner of the property on January 3, 1972 in accordance with requirements of the Expropriation Procedure Act; funds for the remainder of this settlement to be made available from Account No. 425-454-DA018. Motion passed.

Proposed Work Training Centre

MOVED by Alderman Moir, seconded by Alderman Stapells that, as recommended by the Finance and Executive Committee, City Council approve in principle the concept of the Work Training Centre, as outlined in the staff report dated October 17, 1972. Motion passed.

Date for Hearing - Proposed repeal of Ordinance No. 121-
"Store Hours"

MOVED by Alderman Stapells, seconded by Alderman Stanbury that, as recommended by the Finance and Executive Committee, a date for a Public Hearing to consider the possible repeal of Ordinance No. 121, Respecting Store Hours, be set after January 1, 1973. Motion passed.

Tenders for Petroleum Products - 1973

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the following quotations be accepted for the supply of Petroleum Products for the 1973 calendar year, the price being the lowest in each case:

<u>PRODUCT</u>	<u>TENDERER</u>	<u>PRICE</u>
<u>72-112, Liquid Asphaltic Materials</u>		
RC-70 to 3000	Imperial Oil Ltd.	22.80¢ gal/drums 19.00¢ gal/wagon
MC-30	Imperial Oil Ltd.	12.80¢ gal/wagon
SC-70 to 3000	Imperial Oil Ltd.	18.70¢ gal/drum 15.90¢ gal/wagon
Special Primer	Imperial Oil Ltd.	17.90¢ gal/wagon
<u>72-113, Lubricants</u>		
Motor Oil - SA	Irving Oil Ltd.	\$1.19 qt/case \$.96 gal/drum
Motor Oil - SB	Gulf Oil Canada Ltd.	\$1.17 qt/case \$.94 gal/drum
Motor Oil - SC	Imperial Oil Ltd.	\$1.16 qt/case \$.93 gal/drum
Motor Oil - SD	Imperial Oil Ltd.	\$1.16 qt/case \$.93 gal/drum
Motor Oil - SE	Gulf Oil Canada Ltd.	\$1.28 qt/case \$1.05 gal/drum
Motor Oil - CA	Imperial Oil Ltd.	\$1.16 qt/case \$.93 gal/drum
Motor Oil - CB	Imperial Oil Ltd.	\$1.16 qt/case \$.93 gal/drum
Motor Oil - CC	Imperial Oil Ltd.	\$1.16 qt/case \$.93 gal/drum
Motor Oil - CD	Gulf Oil Canada Ltd.	\$1.44 qt/case \$1.21 gal/drum

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November 16, 1972

Motor Oil - SE-CC	Gulf Oil Canada Ltd.	\$1.28 qt/case \$1.05 gal/drum
Motor Oil - SD-CD	Petrofina Canada Ltd.	\$1.434 qt/case \$1.204 gal/drum
Motor Oil - CC-CD	Petrofina Canada Ltd.	\$1.434 qt/case \$1.204 gal/drum
Hoise Oil	Gulf Oil Canada Ltd.	\$1.12 qt/case \$.82 gal/drum
Transmission Fluid (Dexron)	Irving Oil Ltd.	\$1.673 qt/case \$1.443 gal/drum
Transmission Fluid (Ford M2C33F)	Irving Oil Ltd.	\$1.673 qt/case \$1.443 gal/drum
Hydraulic Transmission Fluid	Irving Oil Ltd. Shell Canada Ltd.	\$1.673 qt/case \$1.30 gal/drum
Multi-Purpose Lube 80, 90 & 140	Petrofina Canada Ltd.	\$1.68 gal/drum
Multi-Purpose Grease	Petrofina Canada Ltd.	\$.1978/lb
Universal Motor Oil to cover above sequences 10-50 weight	Gulf Oil Canada Ltd.	\$1.28 qt/case \$1.05 gal/drum

72-115A Gasoline and Diesel Fuel

Marked Gasoline Grade I	Shell Canada Ltd.	\$.2049/gal
Marked Gasoline Grade II	Texaco Canada Ltd.	\$.1694/gal
Kerosene	Imperial Oil Ltd.	\$.2940/gal
H.S. Diesel Fuel	Petrofina Canada Ltd.	\$.1644/gal

Motion passed.

Tenders for Fuel, Stove, Bunker "A" and Bunker "C" Oils, etc. 1973

This matter was referred to Council without recommendation from the Committee pending an answer from the City Solicitor with respect to a point raised respecting the possible disqualification of the tenders of Shell and Irving because they omitted to quote on the hourly service rates.

A staff report dated November 13, 1972 was submitted reading in part: "The Tender Form does not state, however, that failure to bid on all items will disqualify a bidder's complete tender".

MOVED by Alderman Meagher, seconded by Alderman Sullivan, that the following tenders be awarded:

<u>72-111</u>	<u>Imperial</u>	<u>- Fuel Oil</u>	<u>.1449/gal.</u>
	<u>Shell</u>	<u>- Stove Oil</u>	<u>.1725/gal.</u>
	<u>Texaco</u>	<u>- Bunker "A"</u>	<u>.0975/gal.</u>

Addendum

<u>72-11</u>	<u>Imperial</u>	<u>- Bunker "C"</u>	<u>.0929/gal.</u>
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The staff recommendation had been that the fuel

oil be awarded to Gulf at the same price of .1449/gal, on the basis that the rate for service had been quoted 50¢ cheaper than by the Imperial, even though staff recognized that service was not required very often so that this difference in service rate was not of great significance.

A discussion followed regarding the fact that there had been some irregularity in Imperial's tender, insofar as a signature was missing, but both Alderman Sullivan and Meagher questioned whether it was of a nature to disqualify the tender.

Alderman Meagher said that Imperial Oil employed many people in Halifax in a main office, and for this reason he felt they should be given the tender when it was at the same price as Gulf, except for the minor difference in service rate which was negligible in view of the fact that the City did not use the service very often. Alderman Connolly, however, did not feel that the question of how many employees one tenderer had as opposed to another had anything to do with the awarding of tenders, since this could tend to discriminate against small businesses. All business, he said, who paid a business occupancy tax to the City were good corporate citizens, regardless of how many employees they had on their payrolls.

After further discussion it was MOVED by Alderman Sullivan, seconded by Alderman Stanbury, that Council permit the Solicitor for one of the company's involved, to address the Council.

However, this motion was not put to a vote, since the Chairman ruled it would be contrary to procedure to hear from someone after Council had debated the matter. Such a request, he said, should have been made before Council had its debate.

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

For: Aldermen MacKeen, Meagher, Stanbury, and Sullivan4

Against: Aldermen Bell, Connolly, Hogan, Moir, Stapells, and Wentzell6

MOVED by Alderman Connolly, seconded by Alderman Stapells that the following tenders be awarded, representing the lowest bidders:

72-111	Gulf	- Fuel Oil	.1449/gal.
	Shell	- Stove Oil	.1725/gal.
	Texaco	- Bunker "A"	.0975/gal.
Addendum			
72-111	Imperial	- Bunker "C"	.0929/gal.

Motion passed, six voting for the same, and four against, as follows:

For - Aldermen Bell, Connolly, Hogan, Moir,
Stapells, and Wentzell 6

Against - Aldermen MacKeen, Meagher, Stanbury,
and Sullivan 4

Tenders for Cars - Police Department

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the Finance and Executive Committee, authority be granted for the purchase of eight vehicles for the Halifax Police Department from Wood Motors (N.S.)Ltd., being the lowest tender, at a unit price of \$3,525.70. Motion passed.

Titus Smith Recreation Area - Fairview

MOVED by Alderman Hogan, seconded by Alderman Moir that, as recommended by the Finance and Executive Committee:

1. the Centennial Arena Commission, in consultation with City Staff, be given permission to proceed with the landscaping and repair work of the monument or monuments and the area immediately surrounding them, with the costs being borne by the Commission;
2. the Centennial Arena Commission be advised that it is the intention of the City to use the Titus Smith playground area as a public park and children's play area, as shown on the agreed plan for the work now under way; and that they be advised that construction of any large buildings on the site is inappropriate;
3. meetings be held with Centennial Arena Commission in the near future, to establish possible alternate locations for their proposed rink and swimming pool.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report from the Committee on Works, with respect to the following matters:

Street Encroachment - Planter Box & Steps - Lot B, Brunswick St.

The recommendation from the Committee on Works was that the encroachment be approved on the condition that the

applicant remove same at his own expense on 30 days' notice from the City.

MOVED by Alderman Stapells, seconded by Alderman Connolly, that the application for a street encroachment at Lot B - Brunswick Street, for the purpose of constructing a planter box 45' long and 6' wide, a podium and entrance steps on Brunswick Street at the front of a proposed office building to be built on the Lot, be approved, for an annual encroachment fee of \$143.88, on the stipulation that should the City require removal of the encroachment in the future, the applicant will remove same at his own expense on sixty days' notice from the City.

Alderman MacKeen questioned the sixty days' notice since the usual practice was to grant encroachments on an annual basis.

Alderman Stapells said it was to protect the City in the event it wanted to get a widening project underway immediately at some time in the future, without having to wait a year for the encroachment license to expire. He said it was up to the applicant if he wished to accept it on these terms, since there was the possibility it might be many years before the land was required.

Alderman Moir said he was against this practice, since he felt it was easier to refuse it at this time than to try and get rid of it once it was an actuality.

Alderman Sullivan asked if the City was responsible should an accident occur on such steps because they encroached on City property.

The City Solicitor said that probably the owner's public liability would cover such a situation, but in any event the matter could be covered in any agreement signed by the City.

After further discussion the motion was put and passed, with Alderman Moir against.

Take-Over - Bridge Approach Road by Province of Nova Scotia

MOVED by Alderman Connolly, seconded by Alderman Sullivan that, as recommended by the Committee on Works, the Council adopt a resolution requesting the Province of Nova Scotia to take over the MacKay Bridge approach roads in the City of Halifax in their entirety and assume all responsibilities for maintenance and operation of the approach road system in Halifax, including the operation and maintenance items currently being carried out by the City, based on the following:

1. **The MacKay Bridge approach road system within Halifax is a fully controlled access system, one of the requirements the Province stresses for roadways which are to be assumed by them.**

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARD AND
COMMISSIONS

2. The MacKay Bridge approach road system within Halifax is the logical extension of the Province's 100% highway system in the Dartmouth side of the MacKay Bridge (i.e. Lakeview Drive and the Dartmouth circumferential highway).
3. It has been indicated recently that the Province will be assuming the Bridge Commission deficit, since the deficit arises because of the approach road networks. Therefore since they recognize the approach road system as an item for which they should assume deficit responsibility, they should also recognize the responsibility to operate and maintain the approach roads rather than the City being saddled with the major portion of these costs.

Motion passed unanimously.

After further discussion, it was decided that a Public Hearing should be held on Wednesday, January 10th, 1973.

The motion was put and passed.

His Worship the Mayor said that a suitable location must be found in which to hold the Public Hearing so that all those who wish might attend.

Ordinance Number 155 - Truck Routes - Second Reading

MOVED by Alderman Connolly, seconded by Alderman Stanbury that Ordinance Number 155, Respecting Truck Routes, be read and passed a Second Time.

At the request of Alderman Stanbury, His Worship the Mayor clarified the points that have been raised with the Canadian National Railways with respect to a fortification of Comaught Avenue and to MacLean Street.

Alderman Sullivan spoke at some length of his concern that Robie Street, Agricola Street, Gortingen Street and Barrington Street have all been designated as truck routes. He contended that some arrangement could be made whereby only Robie and Barrington Streets should be designated truck routes.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that Agricola Street, Gortingen Street and South Road be deleted from the designated truck route list.

After some discussion on this and other possible changes, the City Solicitor reported that the Solicitor representing the Nova Scotia Light and Power Company and Maritime Telegraph and Telephone Company has requested permission to speak on the Ordinance when it was to be

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND
COMMISSIONS

Municipal Development Plan - Date for Hearing

MOVED by Alderman Bell, seconded by Alderman Moir that the "Municipal Development Plan" as attached to the staff report dated November 9, 1972, be approved in principle by City Council and that a date be set for a Public Hearing on the matter.

Some discussion ensued on this matter and Alderman Sullivan urged all members of Council to go through the Plan very carefully before a final decision is made.

December 12th or 13th were suggested as suitable dates for a Public Hearing but the City Manager pointed out that the Plan must be printed and copies made available to any interested persons some two weeks prior to the Hearing date.

After further discussion, it was decided that a Public Hearing should be held on Wednesday, January 10th, 1973.

The motion was put and passed.

His Worship the Mayor said that a suitable location must be found in which to hold the Public Hearing so that all those who wish might attend.

Ordinance Number 155 - Truck Routes - Second Reading

MOVED by Alderman Connolly, seconded by Alderman Stanbury that Ordinance Number 155, Respecting Truck Routes, be read and passed a Second Time.

At the request of Alderman Stanbury, His Worship the Mayor clarified the points that have been raised with the Canadian National Railways with respect to a portion of Connaught Avenue and to MacLean Street.

Alderman Sullivan spoke at some length of his concern that Robie Street, Agricola Street, Gottingen Street and Barrington Street have all been designated as truck routes. He contended that some arrangement could be made whereby only Robie and Barrington Streets should be designated truck routes.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that Agricola Street, Gottingen Street and Kempt Road be deleted from the designated truck route list.

After some discussion on this and other possible changes, the City Solicitor reported that the Solicitor representing the Nova Scotia Light and Power Company and Maritime Telegraph and Telephone Company has requested permission to speak on the Ordinance when it was to be

considered by Council. He advised that the Solicitor was not informed about this meeting and was not present.

After further discussion, it was MOVED by Alderman Hogan, seconded by Alderman Stapells that the matter be referred back to the next meeting of the Committee of the Whole Council to be held on Wednesday, November 22, 1972,

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

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 8, 1972 with respect to the following matters:

Rezoning - Civic Nos. 5740-5746 Spring Garden Road and 1462-1488 Tower Road

His Worship the Mayor advised that the City Solicitor is of the opinion this matter should not be considered at this time.

MOVED by Alderman Connolly, seconded by Alderman MacKee that the matter be referred to the next meeting of the Committee of the Whole Council. Motion passed.

Extension to a Non-conforming Building - 73 Main Avenue

MOVED by Alderman Hogan, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application to permit the construction of a 16.5' x 23' carport on the west side of Civic No. 73 Main Avenue, as shown on Plan No. P200/5398 of Case No. 2757, be approved. Motion passed.

Street Acceptance - Westerly Portion of Bayview Road

MOVED by Alderman Hogan, seconded by Alderman Bell that, as recommended by the City Planning Committee, the portion of Bayview Road between the northern street line of Lacewood Drive and the northern limit of Lots 31 and 49, be accepted by City Council for ownership by the City of Halifax. Motion passed.

Subdivision and Resubdivision - Lands of Victor Harris, Williams Lake Road

This matter was referred to Council without recommendation and with instruction to staff to submit a further report at that time.

A Staff Report was submitted, dated November 14, 1972.

Alderman Moir was of the opinion that the applicant and members of City Council should have an opportunity to study the report thoroughly, and it was

MOVED by Alderman Moir, seconded by Alderman Meagher that the matter be referred back to the next meeting of the Committee of the Whole Council. Motion passed.

Rezoning from R-3 Residential to C-2 General Business - Nos. 2176-2180 Robie Street (Date for Hearing)

The recommendation of the City Planning Committee reads as follows:

"It is recommended that a date be set for a Public Hearing, and persons in the affected area be notified of the date."

Alderman Hogan felt that unless members of Council look favourably upon a proposed rezoning then it should not go to the expense of holding a public hearing. In this particular case he contended that any rezoning would be the worst kind of spot rezoning.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that a date be set for a Public Hearing and persons in the affected area be notified of the date.

Alderman MacKeen spoke against the motion and contended that this area is one which is suitable for high-rise apartment development around the Commons and not for commercial operations.

Alderman Sullivan spoke to the motion and said that he was in favour of hearing from the residents of the area on this matter.

Alderman Moir was opposed to the motion and felt that if the rezoning is approved it will be contrary to the Master Plan.

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

For:	Aldermen Bell, Connolly, Meagher, Stanbury, Stapells and Sullivan	6
Against:	Aldermen Hogan, MacKeen, Moir and Wentzell	4

At this time, Alderman Stapells asked whether this matter is of such great urgency that the Public Hearing cannot be held until after the new year.

After some discussion, it was agreed that the Public Hearing should be held on January 17th, 1973.

Zoning of Former Portions of Windsor Street, Kempt Road and Lady Hammond Road (Date for Hearing)

MOVED by Alderman Connolly, seconded by Alderman

November 16, 1972

Bell that, as recommended by the City Planning Committee, the zoning of former portions of Windsor Street, Kempt Road and Lady Hammond Road be approved as follows, that a date for a Public Hearing be set and persons in the affected areas be notified of the date:

- (1) Parcel "A" - situated on the southeast corner of Strawberry Hill Street and Windsor Street, and containing 481.42 square feet, be zoned C-2 General Business.
- (2) Parcel "B" - situated on the northeast corner of Strawberry Hill Street and Windsor Street, and containing 5785.31 square feet, be zoned C-2 General Business.
- (3) Parcel "C" - situated on the east side of Windsor Street between Kempt Road and Strawberry Hill Street, and containing 239.93 square feet, be zoned C-2 General Business.
- (4) Parcel "E-F" - situated on the southeast corner of Windsor Street and Kempt Road, and containing 24,895.11 square feet, be zoned C-2 General Business.
- (5) Parcel "G" - situated on the southeast corner of Windsor Street and Kempt Road, and containing 61.06 square feet, be zoned C-2 General Business.
- (6) Parcel "Q" - situated on the south side of Kempt Road abutting the land now leased to Maritime Warehousing Ltd., be zoned C-2 General Business.
- (7) Parcel "J" - situated on the southeast corner of Kempt Road and Lady Hammond Road, and containing 11,084.96 square feet, be rezoned from C-2 General Business to C-3 Industrial.

Motion passed.

The City Clerk advised that the Public Hearing will be held on January 17, 1973.

Zoning of Former Portions of Acadia Street and Dartmouth Avenue to "P" - Park and Institutional (Date for Hearing)

MOVED by Alderman Stapells, seconded by Alderman Bell that, as recommended by the City Planning Committee the zoning of former portions of Acadia Street and Dartmouth Avenue, as shown on Plan No. TT-17-20075 be approved as follows, that a date be set for a Public Hearing and persons in the affected area be notified of the date:

Parcel "A" - a former portion of Acadia Street situated between Dartmouth Avenue and Union Street and containing approximately 2,160 square feet be zoned P - (Park and Institutional).

Parcel "B" - a former portion of Acadia Street situated between Devonshire Avenue and Roome Street and containing approximately 13,500 square feet be zoned P - (Park and Institutional).

Parcel "C" - a former portion of Dartmouth Avenue situated between Devonshire Avenue and Roome Street and containing approximately 33,600 square feet be zoned P - (Park and Institutional).

Motion passed.

The City Clerk advised that the Public Hearing will be held on January 17, 1973.

MISCELLANEOUS BUSINESS

Appointments to Committees, Boards and Commissions

His Worship the Mayor submitted the following nominations for appointment to various Committees, Boards and Commissions:

Point Pleasant Park Commission 1 year appointments

Alderman Sullivan
Mrs. H. P. MacKeen
Mr. Hector Porter
Mr. E. Spafford

Court House Commission 1 year appointments

Alderman Moir
Mr. David Chipman
Mr. H. W. Butler
Mr. Elwin McNeil (Law Dept. City of Halifax)

Board of Management, Abbie J. Lane Hospital

Alderman Moir 1 year appointments
Alderman Meagher
Mr. J. S. Cowan
Mr. S. D. Bryson
Mr. Max Forman
Mr. Alan R. Abraham
Mr. Frank Milne, Sr.

Halifax Civic Hospital Board 1 year appointments

Alderman Meagher
Mrs. J. Blumenthal
Mr. F. B. Wickwire
Mr. A. M. Butler
Mr. Peter Andrewes
Mr. Donald Grant
Mr. Edward Fitzpatrick

Recreation Committee 1 year appointments

Mr. Richard MacLean
Mrs. Marlene Mullenger
Mr. Jack Gray

MAPC (Metropolitan Area Planning Committee

Alderman L. E. Moir 1 year appointments
Mayor W. R. Fitzgerald

Retirement Committee 1 year appointment

Alderman L. E. Moir

Board of Directors, Neptune Theatre

Mayor Walter R. Fitzgerald

After some discussion, it was MOVED by Alderman Meagher, seconded by Alderman Connolly that the nominations of His Worship the Mayor, with the exception of those for the Recreation Committee, be approved. Motion passed with Alderman Sullivan voting against.

It was agreed that the appointments to the Recreation Committee should be discussed in private after all other items on the Order of Business have been dealt with.

Purchase of Vehicles - Engineering and Works Department

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

The report recommended that City Council accept the tender of Harbour Motors Limited for the supply of two 1973 truck chassis with combination salt and dump bodies with one way plows at a total tender price of \$34,218.36, being the lowest tender received.

Alderman Stapells questioned whether the slight difference in price warranted the acceptance of a Dartmouth firm since it seems reasonable to expect that the truck would have to be taken to Dartmouth for servicing.

The Director of Engineering and Works explained that the recommended tender is for a superior type vehicle than the next lowest tender.

After some discussion, the City Manager said that the point raised by Alderman Stapells was a valid one and deserved staff consideration and a report.

It was agreed that the matter should be referred to the next regular Committee of the Whole Meeting.

10:20 p.m. Alderman Moir retires.

QUESTIONS

Question Alderman Wentzell Re: Applications for Carson Street Public Housing

Alderman Wentzell reported that during the last couple of weeks he has had a number of calls from people who are living in the Spryfield area and who have made application for Carson Street Public Housing. He said that these people have expressed some concern since they have been offered accommodation in Mulgrave Park which is far removed from the general area in which they wish to reside and have been informed that if they refuse the accommodation offered they will be struck off the waiting list. He asked if Staff could report on the matter so that he can explain the position to these people.

His Worship the Mayor said that he had received a number of similar calls. He said that the opening of Carson Street has been delayed because of the refusal of the Housing Authority to accept the units until some minor deficiency has been corrected. He said that if applicants require housing accommodation immediately, then the Authority will do their best to place them in any project where there is a vacancy. He suggested that if the accommodation for these persons is not a matter of great urgency, they might remain on the priority list for Carson Street and he expected that the first 50 persons will be moving in within a month.

The City Manager said that the Carson Street Housing Units are of a larger type and might be too large for some of the applicants, in which case they are offered a place in another project.

His Worship the Mayor said that he will be talking with the Housing Authority on this matter.

Question Alderman Wentzell Re: Traffic Lights - Corner Old Sambro Road and Herring Cove Road

Alderman Wentzell said that he had received a memorandum from Mr. R. G. Chaboyer after asking a question some months ago in October about this same subject, informing him that the installation work will begin in October. He reported that to date nothing has been done and he is beginning to feel rather foolish after having given out the information as contained in the memorandum to concerned citizens. He asked when the traffic lights will be installed and why was he not notified of the delay.

The Director of Engineering and Works advised that there has been a change in that the lights will be activated in conjunction with the Fire Station which has meant some delay.

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Alderman Wentzell said that he considered he should have been informed of the change immediately instead of being made to look ridiculous.

Question Alderman Wentzell Re: Will-o-dale Street

Alderman Wentzell referred to a number of complaints from the residents of this street about the condition of the roadway and he considered that it should be treated as a matter of priority. He understood that the developer has not put the street into satisfactory condition for the City to take it over and he asked what can be done.

The Director of Engineering and Works said that in this particular case he did make an effort to contact the Alderman to explain the position, but was unable to get in touch with him.

The City Manager felt that this was a matter which should not be discussed in a public manner.

He further said that he would supply an answer to Alderman MacKeen's question relating to the fact that Alderman Wentzell was not informed of changes in timing with respect to the traffic lights. He said that it is extremely difficult to keep track of all the questions asked and the answers and he apologized for this. He contended that the remark made by Alderman Wentzell that the October report was irresponsible is not true, the report was factual at that time and the difficulties arose afterwards.

Question Alderman Sullivan Re: Crosswalks - Young and Gottingen Streets and Stanley Place and Gottingen Street.

Alderman Sullivan said that after many months a crosswalk has finally been installed at Young and Gottingen Streets and in the report it was stated that a crosswalk would also be installed at Stanley Place and Gottingen Street. To this date, he reported, the Stanley Place crosswalk has not been installed and he asked that this be done without delay.

The City Manager said this would be looked into.

Question Alderman Sullivan Re: Comparison of Public Housing Projects

Alderman Sullivan took members of Council to task for comparing the Mulgrave Park Public Housing Project unfavourably with other public housing projects in the City. He said that some people when moving into public housing request a place at Mulgrave Park over other projects. He said that, in his opinion, this unfavourable comparison did a disservice to those living there.

Alderman Meagher asked if the City has found any money to repair the sidewalk in front of Murphy's Drug Store on Quinpo - 511 -