

CITY OF HALIFAX

MINUTES OF CITY COUNCIL

1951

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Write-Off Accts. Works Dept.	461
Charges Poplar Grove	461

- Z -

Zoning By-Law	693,790,796
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EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N. S.,  
January 8, 1951,  
8:00 P. M.

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

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Breen, Adams, Redmond, Fox and Vaughan.

The meeting was called especially to consider a report of the Finance and Executive Committee re Salaries etc. which was deferred from the Council Meeting held on December 14, 1950.

Moved by Alderman Fox, seconded by Alderman Vaughan that Council resolve itself into a Committee of the Whole. Motion passed.

8:05 P. M. Council adjourned.

10:10 P. M. Council reconvened, the following members being present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Breen, Adams, Redmond, Fox and Vaughan.

REPORT RE SALARIES ETC.

A report was submitted from the Committee of the Whole Council as follows:

Halifax, N. S.,  
January 8, 1951.

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

Gentlemen:-

A committee of the Whole Council at a meeting held on the above date considered reports from the Finance and Executive Committee, His Worship the Mayor and Halifax Memorial Library Committee, respecting salaries, etc. and submits the following recommendations for Councils approval.

January 8, 1951.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
1. Superintendent of Health	\$ 3,500.00	\$ 4,500.00
2. Treasurer's Assistant	2,500.00	3,500.00
3. Deputy Chiefs Fire Department	4,000.00	4,500.00
4. " Chief of Police	4,000.00	4,500.00
5. City Treasurer	4,000.00	4,500.00
6. City Collector	4,000.00	5,000.00
7. Deputy City Collector	3,400.00	4,000.00
8. Chief Accountant	3,500.00	4,500.00
9. Internal Auditor	3,500.00	4,500.00
10. Clerk of Courts	3,000.00	3,500.00
The Staff of this office be placed under the direction of the City Solicitor's Department and the salaries respecting the staff, be referred to the Committee on Job Specifications etc. for review and report.		
11. Deputy Commissioner of Finance	4,500.00	5,500.00
12. Welfare Officer	3,500.00	4,000.00
13. Pg. 69 of the original report, establishment of the Dept. of Finance & Accounts, Accounting Division, Clerk Grade IV in the Division to be changed to Clerk Grade V.		
14. Public Health Nurses, report Pg. 24.		
(1) Supervisor of Nurses	2,400.00	2,700.00
(2) Public Health Nurses	1,860.00	2,400.00
(3) Nurses	1,560.00	1,800.00
(4) Living Out Allowance \$300.00		
15. Matron T. B. Hospital	2,200.00	2,500.00
(1) Assistant Matron T. B. Hospital	1,860.00	2,100.00
(2) Matron Infectious Diseases Hospital	1,860.00	2,100.00
16. Assistant Superintendent Public Gardens	1,800.00	2,400.00
17. Draughtsman Assessor's Department	3,000.00	3,400.00
18. Assistant Deputy City Clerk (Male) to be graded as Clerk Grade V instead of Clerk Grade III.		
19. Attendants (City Home)		
(1) The minimums and maximums for all attendants to be increased by \$200.00.		
(2) Female Attendant in charge of Disturbed Ward to receive additional \$10.00 per month.		
(3) Male Attendant in charge of Disturbed Ward to receive additional \$5.00, per month.		
20. Matron (City Home)	1,000.00	1,500.00
	Plus H. & S.	
21. Assistant Solicitors	3,600.00	4,800.00
22. Secretary to the Mayor	2,000.00	2,500.00
23. Business Manager (Housing)	2,500.00	3,000.00
24. Clerk (Housing) to be changed from Clerk Grade III to Clerk Grade IV.		
25. Clerks (Engineers) to be changed from Clerk Grade IV to Clerk Grade V.		
26. Clerks (Accounting) (Works Department) report Pg. 44, to be changed from Clerk Grade III to Clerk Grade IV.		

January 8, 1951.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
27. Clerk (Senior-female) report Pg. 42 <span style="float: right;">\$</span> strike out Clerk Grade III and substitute the following Clerk Grade IV - one Clerk Grade III- two		
28. Superintendents of Fleming Park, Cemeteries (3), report Pg. 46	1,800.00	\$ 2,800.00
29. Night Janitor (City Hall) report Pg.47	1,800.00	2,100.00
30. Comfort Station Attendants, Pg.48 \$1,700.00 Plus Cost of Living Bonus.		
31. Janitor (Memorial Library) Pg. 61	1,800.00	2,100.00
32. Deputy Chief Accountant	2,500.00	3,300.00
33. Deputy City Electrician	3,300.00	3,800.00
34. Draughtsmen (Works Department) Pg.45 add the following: <u>Junior Draughtsmen</u> <u>Qualifications:</u> Same as above. <u>Duties:</u> Same as above except no supervisory duties. \$7.00 per day.		
35. Helper (Electrician) report Pg. 9 <u>Qualifications:</u> Same as Night Troublem. <u>Duties:</u> As assigned by superior officer. The person holding this office to be made permanent.	1,800.00	2,100.00
36. Market Clerk It is also recommended that this scale be reviewed when the new Police Station is completed.	1,160.00	1,600.00
37. Deputy Assessor	4,000.00	5,000.00
38. <u>Halifax Memorial Library</u>		
(1) Deputy Chief Librarian	3,300.00	3,800.00
(2) Chief Cataloguer	2,500.00	3,200.00
(3) Cataloguer	2,100.00	2,800.00
(4) Typist	1,300.00	1,660.00
(5) Chief Reference Librarian	2,500.00	3,200.00
(6) Reference Librarian	2,100.00	2,800.00
(7) Chief Children's Librarian	2,500.00	3,200.00
(8) Children's Librarian	2,100.00	2,800.00
(9) Chief Circulation Librarian	2,500.00	3,200.00
(10) Circulation Librarian	2,100.00	2,800.00
(11) Order Librarian	2,000.00	2,300.00 (Gr. 1)
	2,100.00	2,800.00 (if 1 (B.P.S) L.S)
(12) Young People's Librarian	2,100.00	2,800.00
(13) Audio-Visual Librarian	2,100.00	2,800.00
(14) Sub-professional Library Assistant	1,500.00	2,200.00
(15) Clerical	1,080.00	1,300.00 (Cler (Gr. 1)
(16) Secretary	1,660.00	2,000.00 (Gr. 1)
(17) Page	Minimum hourly wage rate. 3	
39. <u>Departmental Heads</u>		
(1) Commissioner of Finance	5,500.00	6,500.00
(2) Commissioner of Health	5,500.00	6,500.00
(3) Commissioner of Works	5,500.00	6,500.00
(4) City Solicitor	5,500.00	7,800.00
(5) City Assessor	5,500.00	6,500.00
(6) City Electrician	3,500.00	5,000.00
(7) Chief of Police	4,500.00	6,000.00
(8) Chief of Fire Department	4,500.00	6,000.00
(9) City Clerk	3,500.00	5,500.00

Respectfully submitted,

W. P. Publicover, CITY CLERK.

January 8, 1951.

Moved by Alderman DeWolf, seconded by Alderman Breen that the report of the Committee of the Whole Council be approved and adopted.

Moved in amendment by Alderman Adams, seconded by Alderman Redmond that the salary of the City Solicitor be increased by \$200.00. The amendment was put and lost three voting for the same and four against it as follows:

FOR THE AMENDMENT

Alderman Moriarty  
Adams  
Redmond

AGAINST IT

Alderman DeWolf  
Breen  
Fox  
Vaughan

- 3 -

- 4 -

Moved in amendment by Alderman Fox, seconded by Alderman Redmond that the salary of the City Collector be set at \$5,500.00 per annum.


This was ruled out of order.

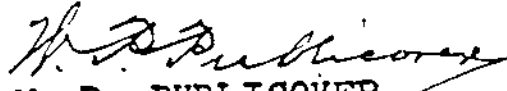
The motion was then put and passed unanimously, the following Aldermen being present and voting therefor: Aldermen Adams, Breen, DeWolf, Fox, Moriarty, Redmond and Vaughan.

Moved by Alderman Vaughan, seconded by Alderman Fox that this meeting do now adjourn. Motion passed.

Meeting adjourned.

10:30 P. M.

  
Gordon S. Kinley,  
MAYOR AND CHAIRMAN.

  
W. P. PUBLICOVER,  
CITY CLERK.

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CITY COUNCIL MEETING  
THURSDAY  
JANUARY 11, 1951

A G E N D A

Prayer.  
Minutes.

Public Hearing re Closing Greenwood Ave. between Oakland & Belmont Rds.  
" " Official St. Line Brunswick St. (Rainnie Drive North).  
" " Rezoning Quinpool Rd. (S/S Connaught & Rosebank Aves.)  
" " " Block bounded by Allen, Yukon Sts. Monastery Lane & Harvard Sts.)

Accounts.

Report Fin. & Exec. Comm. re	Accounts	Special Items.
" " "	Tag Day.	
" " "	Poll Tax Report.	
" " "	Tax Write-Offs.	
" " "	Superannuation Refunds.	
" " "	Jury Fees.	
" " "	Borrowing Current Account.	
" " "	Appointments Etc. Halifax Memorial Library.	
" " "	Tenders for Land.	
" " "	Buildings #937-947 Gettingen St.	
" " "	Tenders for Sprinkler System City Hall.	
" " "	Farrow Vs. City of Halifax.	
" " "	Honorariums School Board Commissioners.	
" " "	Superannuation Trust Agreement.	
" " "	Medical Examination (Superannuation).	
" " "	Grant Hoseman Brushette.	
" " "	" G. W. Durrant.	
" " "	Municipal Franchise.	
" " "	Provincial Grants (Schools).	
" " "	March of Dimes.	
" " "	Financial Statement Prefab Houses.	
Report Safety Committee re	Accounts over \$200.00.	
" " "	Account for Insurance Late Hoseman Power.	
Report Public Health & Welfare Committee re	Accounts over \$200.00.	
" " "	Wages Late Jessie Barry.	
" " "	Welfare Assistance.	
" " "	Agreement Can. Liquid Air Co. Ltd.	
Report Housing Accommodation Comm. re	Accounts over \$200.00.	
Report Prefab Committee re	Account over \$200.00.	
Report Committee on Works re	Accounts over \$500.00.	
" " "	Fiscal Certificate.	
" " "	Street Lighting.	
" " "	Illuminated Signs.	
" " "	Claim Mrs. D. Hinds.	
" " "	Tenders for Coal.	
" " "	License C. N. R.	
" " "	Sewer & Water Beaufort Avenue.	
" " "	Expropriation Watershed Properties.	
" " "	Tenders for Land Rainnie Drive Etc.	
" " "	Tenders for Trenching.	
Report Town Planning Board re	Rezoning Duncan Street.	
Ornamental Tree List.		
Account Point Pleasant Park over \$200.00.		
Letter His Worship the Mayor re	Bridge Appointments.	
Questions.		
Approvals Ordinances Etc.		
Report Chief Accountant re	Tax Collections for the month of December 1950.	
" " "	Appropriations.	

EVENING SESSION

Council Chamber,  
City Hall,  
Halifax, N. S.,  
January 11, 1951,  
8:00 P. M.

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

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Breen, Abbott, Adams, Redmond, Duffy and Vaughan.

The meeting was called to proceed with business standing over and the transaction of other business.

The following named papers were submitted.

MINUTES

Moved by Alderman Duffy, seconded by Alderman Redmond that the minutes of the previous meetings be approved. Motion passed.

CLOSING GREENWOOD AVENUE BETWEEN OAKLAND AND BELMONT ROADS

December 12th, 1950.

Re Closing of Greenwood Ave.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Town Planning Board held on Dec. 11th, the attached report from the City Solicitor was considered.

The Committee recommended that this be forwarded to City Council to set a date for a public hearing.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

Moved by Alderman DeWolf, seconded by Alderman Moriarty that legislation be obtained at the next session of the Legislature

January 11, 1951.

to enable the City to close Greenwood Avenue between Oakland and Belmont Roads.

There were no objectors present at this meeting.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen DeWolf, Moriarty, Breen, Abbott, Adams, Redmond, Duffy and Vaughan.

OFFICIAL STREET LINE BRUNSWICK ST. FROM RAINNIE DRIVE NORTHERLY

W H E R E A S the City Council has considered the relocation of a portion of the western official street line of Brunswick Street, between Cogswell Street and Rainnie Drive;

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter, public notice of the intention to vary such street line has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City, the first of such notices having been published at least three clear weeks before the 11th day of January, A. D. 1951, that being the day appointed by the Council to consider the matter;

AND WHEREAS the said notice stated the intention of the City Council to vary the said official street line, and the date of the meeting of the Council appointed for the consideration of the matter, and that the plan proposed to be altered and the proposed changes thereof may be inspected at the Office of the Commissioner of Works at any time during office hours up to the day so appointed for the consideration of the matter as aforesaid;

AND WHEREAS the Council has considered the said matter and has determined to vary the said official street line in the manner set out on the said plan filed in the Office of the Commissioner of Works as Sheet Number 18 of the Official City Plan;

BE IT THEREFORE RESOLVED that, pursuant to the authority in it vested by section 551A of the City Charter as aforesaid, the Official City Plan of the City be amended by relocating the



January 11, 1951.

western official street line of Brunswick Street between Cogswell Street and Rainnie Drive, in the manner shown on Sheet Number 18 of the official plan;

AND BE IT FURTHER RESOLVED that the Official street line of Brunswick Street between Cogswell Street and Rainnie Drive so varied be so indicated on the Official Plan of the City and upon the copy thereof filed in the Office of the Registrar of Deeds at Halifax, Nova Scotia.

AND BE IT FURTHER RESOLVED that in accordance with the provisions of section 549 of the City Charter, the Commissioner of Works do forthwith set up adequate bounds or monuments to mark the said official street line and make a record of the date of the setting up of such bounds or monuments and the location and nature of the same.

Moved by Alderman DeWolf, seconded by Alderman Moriarty that the resolution as submitted be approved.

There were no objectors present at this meeting.

The motion was put and passed.

REZONING QUINPOOL ROAD SOUTH SIDE BETWEEN CONNAUGHT AVENUE  
AND ROSEBANK AVENUE

City Solicitor: "I am advised by the Department of Municipal Affairs that a question arises as to the sufficiency of the notice in the press calling for the public hearing on these matters. It will be necessary to re-advertise these and I suggest that the Council fix the next regular meeting of the Council to hear any written objections and those of similar nature approved by the Council at the last regular meeting and the matter referred back to the Town Planning Board for a report to that meeting of Council."

Alderman Adams: "When did we get that notice from the Department of Municipal Affairs?"

City Solicitor: "This afternoon about 3 or 4 o'clock."

January 11, 1951.

Alderman Adams: "Will McLean Street be taken up?"

City Solicitor: "The ones that were before the Council that were passed are in question. They should be brought back."

His Worship the Mayor: "The Department of Municipal Affairs have ruled that the advertisement is insufficient. It is deferred until the next regular meeting of Council."

This was agreed to by Council.

REZONING BLOCK BOUNDED BY ALLEN, YUKON, MONASTERY  
LANE AND HARVARD STREETS

Deferred until the next regular meeting of Council.

#### ACCOUNTS

A resolution concerning the accounts of the various Committees was submitted as follows:

RESOLVED that this Council approve for payment the bills and accounts of expenditures submitted to this meeting by the Finance & Executive Committee amounting to \$12,092.61; the Committee on Safety amounting to \$2,144.67 chargeable to Fire Alarm; \$28,771.25 chargeable to Fire Department; \$28,186.53 chargeable to Police Department; the Committee on Public Health & Welfare amounting to \$47,856.92 chargeable to Health Department; \$18,514.01 chargeable to City Home; \$4,204.16 chargeable to City Prison; the Committee on Works amounting to \$32,234.44; the Directors of Point Pleasant Park amounting to \$1,846.97; the Recreation Committee amounting to \$468.19; the Housing Accommodation Committee amounting to \$7,949.39 and the Prefabricated Housing Committee amounting to \$2,324.31 under the provisions of Section 315 of the City Charter.

Moved by Alderman Breen, seconded by Alderman Adams that the resolution as submitted be approved. Motion passed.

#### ACCOUNTS SPECIAL ITEMS

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

January 11, 1951.

At a meeting of the Finance and Executive Committee held on the above date the following accounts were approved and recommended for payment:

William M. Mercer Limited	\$ 1,000.00
Halifax Shipyards Limited	1,348.11
Ives Engraving & Printing Co.	685.43
The Book Room Limited	1,222.72
Moore Business Forms Ltd.	336.74

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman that the report be approved. Motion passed.

TAG DAY

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

The Finance and Executive Committee at a meeting held on the above date agreed to recommend that the Honourable Edward Cornwallis Chapter I. O. D. E. be permitted to hold a tag day on Saturday, June 9, 1951.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved. Motion passed.

POLL TAX REPORT

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

The attached report from the Commissioner of Finance respecting Poll Tax Collections for the quarter year ending December 31, 1950, was submitted to the Finance and Executive Committee at a meeting held on the above date.

January 11, 1951.

It was agreed to forward same to Council for its information and filing.

Respectfully submitted,

W. P. Phillover,  
CITY CLERK.

POLL TAX COLLECTIONS FOR THE CIVIC QUARTER YEAR ENDING  
DECEMBER 31st, 1950.

	<u>CURRENT</u>	<u>ARREARS</u>	<u>PEN. &amp; INT.</u>	<u>TOTAL</u>
	\$10,601.59	\$7,527.72	\$1,866.61	\$18,001.02
	<u>1950</u>	<u>Pen. &amp; Int. 1949</u>	<u>1950 Pen. &amp; Int. 1950.</u>	
Oct.	\$7,982.10	\$ 544.79	\$8,532.54	\$670.14
Nov.	4,506.02	514.55	4,998.88	655.68
Dec.	3,525.82	688.68	3,202.99	540.79
	<u>\$16,013.94</u>	<u>\$1,527.99</u>	<u>\$16,154.41</u>	<u>\$1,866.61</u>
TOTAL COLLECTIONS	1950		\$16,001.02	
		1949	17,341.37	
Quarterly increase			\$ 139.65	

COLLECTED BY STREET COLLECTORS

Mr. Beckwith	\$2,445.00		
Mr. O'Neil	2,365.00		
Mr. Frawley	1,321.00		
Mr. Darrach	846.00		
Mr. Yates	272.00	Part	Time
Mr. Barrett	248.00	"	"
Mr. Waley	87.00	"	"
Mr. McDonald	111.00	"	"
Mr. Phillips	164.00	"	"
Mr. Poirier	104.00	"	"
Mr. Fraser	113.00	"	"
Mr. Tynan	184.00	"	"

TOTAL \$ 7,181.00

PAID AT OFFICE 10,820.02

TOTAL \$18,001.02

TOTAL COLLECTIONS FOR YEAR

	<u>1949</u>	<u>1950</u>
Current	\$71,463.84	\$72,642.99
Arrears	24,467.18	34,024.73
Pen. & Int.	<u>4,667.76</u>	<u>6,947.47</u>
Total	\$100,598.78	\$213,615.19

Increase for year \$13,016.41

FILED

January 11, 1951.

TAX WRITE-OFFS

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Commissioner of Finance submitting a list of uncollectible tax accounts amounting to \$141.26 was considered.

Your Committee recommends that the taxes be written off under the authority of Section 233, Sub-section 2 of the City Charter.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved. Motion passed.

SUPERANNUATION REFUNDS

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, the attached report from the Commissioner of Finance respecting requests from employees for refunds of their contributions to the Superannuation Plan was considered.

Your Committee recommends that the requests be granted and the refunds made.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

January 8, 1951.

Chairman,  
Finance and Executive Committee,  
City Hall.

Dear Sir:-

I have received requests from the following City employees for refunds of their contributions to the proposed Superannuation Plan:

January 11, 1951.

Fire Department

B. A. Yeoman  
Richard J. Young  
Hartley Hushard  
L. F. Power  
W. L. Jolemore  
F. A. Duffy  
G. J. Branch  
H. S. Boutilier  
G. J. Whalen  
John Vaughan  
Kenneth J. Kehoe  
James E. Hayes  
Gordon G. Purcell  
Chester A. Dauphinee  
R. J. Kiely  
Thomas Mulchay  
Margaret Annie Power - Widow  
of the late Vincent Power  
Patrick G. Dunn

Fire Alarm

Lester Josey  
Gordon Haley  
Peter A. Lewis  
Philip E. Peek  
F. J. Locke  
Wm. H. Hushard

Police Department

Wm. MacDonald  
Sydney Clark

Administration

R. H. Gass  
Miss Mary Martin  
R. H. Stoddard  
Miss Eva Burton

While the above employees are asking for a refund of their contributions, the majority of them are continuing their pay-roll deductions, indicating their intention to remain as contributors to the fund.

Yours very truly,

M. L. Bellew,  
COMMISSIONER OF FINANCE.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved.

Alderman Vaughan: "Should not the door now be closed on these refunds? Are these people looking on this as a drawing account? This plan is set up now. It should be a closed account."

City Solicitor: "That money can be withdrawn. They are entitled to have that back."

8:05 P. M. Alderman Kitz arrives.

Alderman Vaughan: "I just wonder if anyone has explained the case to the employees when they ask for this money. Perhaps the 5 year credit will be well needed in 20 years' time. When these requests come in it should be shown to them."

The motion was then put and passed.

January 11, 1951.

JURY FEES

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the City Solicitor respecting a resolution from the Union of Nova Scotia Municipalities dealing with jury fees in civil cases was considered.

Your Committee recommends that the present system be not interfered with.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Katz, seconded by Alderman Adams  
that the report be approved. Motion passed.

BORROWING CURRENT ACCOUNT

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date the attached report from the Commissioner of Finance respecting borrowing from the Royal Bank of Canada in anticipation of the fixing of the tax rate for the civic year 1951 was considered.

Your Committee recommends that the report be approved.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

January 8, 1951.

His Worship the Mayor and Members  
of the Finance and Executive Committee,  
City Hall.

Gentlemen:

For the purpose of providing funds necessary to meet the expenditures as defined in Section 351 of the City Charter, in anticipation of the fixing of the tax rate for the civic year 1951, I recommend that the City Council authorize the borrowing, under the same section, from the Royal Bank of Canada the sum of \$1,500,000.00 and as sums have been advanced under the several

January 11, 1951.

authorities of the Department of Municipal Affairs to the Capital Account pending the issuance of debentures, I would recommend that the City Council authorize the borrowing from the Royal Bank of Canada the sum of \$1,000,000.00 under Section 318 B of the City Charter, in all a total of two and one-half million dollars.

Yours very truly,

M. L. Bellew,  
COMMISSIONER OF FINANCE.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Alderman Abbott, Adams, Breen, DeWolf, Duffy, Egan, MacLennan, Raymond and Vaughan.

APPOINTMENTS ETC. HALIFAX MEMORIAL LIBRARY

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date the attached report from the Halifax Memorial Library Committee respecting appointments, etc., was considered.

Your Committee recommends that the report be concurred in.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

January 5, 1951.

Mr. W. P. Publicover,  
City Clerk,  
City Hall,  
Halifax, N. S.

Dear Mr. Publicover:

At a meeting of the Halifax Memorial Library Executive and Personnel Committee held on January 4, 1951 the following motions were passed for recommendation to the Finance and Executive Committee:

Miss Campbell reporting for the Personnel Committee told of Miss Anne Thexton's resignation as typist as of January 15. Applicants had been interviewed and Mrs. Kathleen Rowbottom was recommended by the Personnel Committee on the grounds of ability, experience, personality and need. It was moved by Mayor Kinley and seconded by Mrs. Chipman that Mrs. Rowbottom be appointed as



January 11, 1951.

typist (Clerk Grade 11) at a salary of \$1300 plus cost of living bonus, duties to commence January 15, 1951.

Mrs. MacIntosh made the following report for the Memorial Committee. It was recommended that the City bear the expenses for:

4 murals	at \$250 each	\$1000
1 bronze plaque		350
2 plate glass fronted cases for flags	at \$200 each	400
Labour to a cost of Contingencies		200
		50

Making a total of

\$2000

In addition Mrs. MacIntosh pointed out that the cost of a book of remembrance to be displayed in the library was to be borne by the Halifax County Chapter of the Silver Cross Women of Canada. Mrs. MacIntosh herself was assuming the cost of a replica of the Silver Cross to be placed in the library. This, she was presenting to the library in the name of all holders of the Silver Cross in Halifax City and County. Mrs. MacIntosh moved the adoption of this report. Seconded by Mr. Ahern.

Very respectfully yours,

Mary Cameron,  
Chief Librarian.

Moved by Alderman Breen, seconded by Alderman Adams  
that the report be approved. Motion passed.

#### TENDERS FOR LAND

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, tenders for the sale of several parcels of city owned land were considered and it was agreed to recommend that the following tenders be approved.

- (1) W. A. Andrews offering to pay the sum of \$650.00 for a lot of land 50 x 75' on the east side of Connaught Avenue.
- (2) W. A. Andrews offering to pay the sum of \$1,000.00 for land on the western side of Basinview Drive containing approximately 30,000 sq. ft.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams  
that the report be approved.

Alderman Redmond: "Was this land advertised?"

January 11, 1951.

City Assessor: "Yes sometime ago."

Alderman Vaughan: "I want to have time to examine that. The City has certain plans there and I would like to be sure that our interests are protected."

Moved in amendment by Alderman Vaughan, seconded by Alderman Duffy that this matter be deferred for one month.

The amendment was put and passed by voting for the same and 2 against it as follows:

FOR THE AMENDMENT

Alderman DeWolf  
Moriarty  
Abbott  
Kitz  
Redmond  
Duffy  
Vaughan

- 7 -

AGAINST IT

Alderman Breen  
Adams

- 2 -

BUILDINGS 937-943 GOTTINGEN ST.

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the Committee on Works recommending that an agreement be entered into between the City and the Halifax Relief Commission respecting the purchase of buildings at 937-943 Gottingen Street, was considered.

Your Committee concurs in this recommendation.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Dec. 18th, 1950.

Whereas it has become necessary for the completion of the plans for Fort Needham Memorial Park, to remove the buildings known as 937 and 943 Gottingen Street and the Halifax Relief Commission has agreed to reimburse the City for the purchase of said buildings, it is agreed that:-

In consideration of the Commission reimbursing the City for the purchase of 937 and 943 Gottingen Street the City agrees to sell to the Halifax Relief Commission said building and all equipment and other appurtenances belonging to same.

The City agrees to allow said buildings to remain on the

January 11, 1951.

sites of their present location until such time as the new site on the eastern side of Dartmouth Avenue between Daffus and Rector Streets has been prepared for them, including the provisions of sewer service by the City and water service by the Public Service Commission.

The City further agrees that all rents payable by the tenants as from January 1, 1951 shall be paid to the Commission and the Commission agrees to assume responsibility for maintenance of the buildings including insurance and taxes as from January 1, 1951.

The Commission further agrees to vacate said buildings as expeditiously as possible after the site on Dartmouth Avenue above referred to is made ready for their removal to it.

Moved by Alderman Broad, seconded by Alderman Adams  
that the report be approved. Motion passed.

TENDERS FOR SPRINKLER SYSTEM CITY HALL

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date the attached report from the Committee on Works respecting tenders for sprinkler system in the City Hall was considered.

Your Committee recommends that the report be approved and application made to the Department of Municipal Affairs for authority to borrow a sum not exceeding \$15,000 required for this purpose.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

January 9th, 1951.

His Worship the Mayor and  
Members of Finance & Executive Committee.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th 1951, the following tenders for the supply and installation of a sprinkler system in the City Hall were considered:-

Scotia Sprinklers Ltd. - \$ 10,600.00  
Sales Tax Included

"Automatic" Sprinkler Co. of Canada  
Ltd. 10,315.00

The Committee recommended to your Committee that the

WHEREAS by section 8 of Chapter 6 of the Acts of the Province of Nova Scotia 1945, The Municipal Affairs Act, it is enacted among other things, in effect, that notwithstanding any of the provisions of any general or special Act of the Legislature of Nova Scotia, the City of Halifax shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the said City such sum or sums of money as the Council thereof deems necessary for the purpose of **erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for public schools, hospitals, public libraries, fire department, police office, lockups, prisons, city hall, city home, asylums for the harmless insane or other city purpose.**

AND WHEREAS by said section 8 of said The Municipal Affairs Act it is enacted among other things, in effect, that no money shall be so borrowed until such proposed borrowing has been approved by the Minister of Municipal Affairs.

AND WHEREAS by said The Municipal Affairs Act the said sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as such Council deems necessary to raise such sum.

AND WHEREAS it is deemed necessary by the City Council of the City of Halifax to borrow a sum not exceeding **Fifteen Thousand Dollars (\$15,000.00)** for the purpose of installing a sprinkler system in City Hall and a fire alarm connection therewith.

AND WHEREAS the said Council deems that the issue and sale of debentures of the City to an amount not exceeding **Fifteen Thousand Dollars (\$15,000.00)** will be necessary to raise that sum.

AND WHEREAS it is deemed expedient to postpone the issue of such debentures and to borrow from any bank, fund, person or account available such sums not exceeding **Fifteen Thousand Dollars (\$15,000.00)**

as may be necessary for the purposes aforesaid, the said sums to be repaid from the proceeds of the debentures when sold.

**BE IT THEREFORE RESOLVED** that under and by virtue

of said The Municipal Affairs Act the said City do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City the said sum of **Fifteen Thousand Dollars (\$15,000.00)** for the purposes aforesaid.

**THAT** under and in accordance with said The Municipal Affairs Act the said sum be borrowed or raised by the issue and sale of debentures of the City to the said amount of **Fifteen Thousand Dollars (\$15,000.00)**.

**THAT** the issue of said debentures be postponed and that the said City do under and by virtue of the provisions of section 318B of the Halifax City Charter of 1931 borrow from **the General Current Account** a sum or sums of money not exceeding **Fifteen Thousand Dollars (\$15,000.00)**.

**THAT** the said sum or sums be so borrowed for a period not exceeding ~~twelve~~ <sup>**Twelve**</sup> ~~nine~~ months, with interest thereon to be paid at a rate not exceeding three and one-half per centum, and that the amount so borrowed together with the amount of any interest which may have accrued thereon be repaid **the said General Current Account** from the proceeds of the said debentures when sold.

**THIS IS TO CERTIFY** that the resolution of which the foregoing is a true copy was duly passed at a **Regular** meeting of the City Council of the City of Halifax held on the **11th** day of **January, A.D. 1951**.

**GIVEN** under the hands of the Mayor and City Clerk and under the corporate seal of the said City this **11th** day of **January, A.D. 1951**.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

January 11, 1951.

lower tender be accepted and that a new water meter be installed at an estimated cost of \$1,000.00 and that an amount of \$15,000.00 be borrowed to cover the cost of the above installations.

Respectfully submitted,

W. P. Foulkerson,  
CITY CLERK.

Per J. S. [Name]  
Clerk [Name]

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved.

The motion was put and carried and the following Aldermen being present and voting: Alderman Abbott, Adams, Breen, DeWolf, Duffy, Moran, Moriarty, and Vaughan.

A formal Borrowing Resolution for the sum of \$15,000.00 covering the above item was adopted and a copy of the original copy of these matters.

Moved by Alderman Breen, seconded by Alderman Adams that the resolution as submitted be approved.

The motion was put and carried and the following Aldermen being present and voting: Alderman DeWolf, Moriarty, Breen, Abbott, Adams, Moran, Redden, Duffy, and Vaughan.

FARROW vs. CITY OF HALIFAX

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

The attached report respecting the case of Farrow vs. the City of Halifax was considered by the Finance and Executive Committee at a meeting held on the 11th inst.

It was agreed to recommend payment of the amount of Judgment and include same in the Estimates next, to be prepared after payment in accordance with the provisions of Section 31, "B" of the City Charter.

Respectfully submitted,

W. P. Foulkerson,  
CITY CLERK.

January 11, 1951.

January 3, 1951.

To His Worship the Mayor and  
Members of the Committee on Works.

Dear Sirs:-

I am this morning advised that His Honour Judge P. J. Pottier has handed down a decision in favor of the plaintiff in the above case. The amount awarded by the Court for damages is as follows:

Special damages \$ 100.00  
General damages \$ 100.00

This claim arose out of a fall sustained by the plaintiff over protruding street car rails at the intersection of Oxford Street and Quinpool Road. The accident occurred on October 19th, 1949 in the afternoon.

In my opinion this decision does not affect the general principle governing the City in respect of protrusions in the streets because in this case there was something foreign to the street in the street, which foreign substance was caused by the City, and since it was not kept in repair the City became liable.

It is a matter to which attention should be given, however, that since we have in our streets substantial mileage of street car rails we must either do one thing or the other:

- (1) remove the rails;
- (2) or else carefully maintain the surface of the street over the rails.

I have not had an opportunity of examining the judgment in this case, but if I consider an appeal should be launched I will submit a further report on the matter.

Yours very truly,

Carl P. Bethune,  
CITY SOLICITOR.

Moved by Alderman Breen, seconded by Alderman Adams that  
the report be approved. Motion passed.

HONORARIUMS SCHOOL BOARD COMMISSIONERS

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, a report from the Board of School Commissioners requesting that the necessary legislation be obtained to permit the Board to pay an allowance of \$5,000.00 to Commissioners for the year 1950 was considered.

January 11, 1951.

Your Committee recommends that the request be declined with regret.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Kitz, seconded by Alderman Adams that the report be approved. Motion passed.

SUPERANNUATION TRUST AGREEMENT

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, a report from the City Solicitor, submitting a redraft of the Trustee's Agreement respecting the Superannuation Plan was considered.

Your Committee recommends that the Agreement, as redrafted, be approved and the Mayor and City Clerk authorized to execute same on behalf of the City.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved. Motion passed.

MEDICAL EXAMINATION SUPERANNUATION PLAN

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, the matter of requiring new employees of the City to undergo a medical examination before being accepted for employment was considered.

It was agreed to recommend that the Commissioner of Health be requested to submit a report giving his recommendations in the matter.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.



January 11, 1951.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved. Motion passed.

GRANT EX-HOSEMAN R. BRUSHETT

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the Safety Committee recommending that Mr. R. Brushett a former member of the Fire Department, be granted an allowance of \$80.00 per month.

Your Committee concurs in this recommendation, same to be effective as from January 1, 1951 and the necessary legislation obtained.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Adams that the report be approved.

Alderman Vaughan: "We now have a good superannuation scheme. We find ourselves paying grants to people not under the scheme. If we make grants then what is the intent of the scheme. Some of the employees are going to say 'why should I pay into it if I can get a grant.' Mr. Brushett is certainly getting more than 32% which he would be entitled to under the plan. I think we are being over generous in this case. It can well undermine our superannuation plan. I believe it is time we stopped these grants and pay out only what we must pay legally."

Moved in amendment by Alderman Vaughan, seconded by Alderman Kitz that Mr. Brushett be granted a retirement allowance based upon a formula now in effect in the City's superannuation scheme, such formula to assume that Mr. Brushett had contributed through all the years of his service.

This amendment was withdrawn and the following submitted.

Moved in amendment by Alderman Vaughan, seconded by Alderman Kitz that this matter be deferred for one month. Amendment passed.

January 11, 1951.

GRANT C. W. DURRANT

It was agreed to defer this matter for one month.

MUNICIPAL FRANCHISE

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, the matter of granting Municipal Franchise in the City of Halifax to all persons was considered.

It was agreed to recommend that a Committee be appointed from members of the City Council, to consider the matter and report.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Breen that the report be approved. Motion passed.

His Worship the Mayor then nominated the following to comprise the Committee: Aldermen Vaughan, Kitz and Adams.

Alderman Kitz declined and nominated Alderman MacDonald in his stead.

The Committee comprising Alderman Vaughan, Adams and MacDonald was then agreed to by Council.

PROVINCIAL GRANTS FOR SCHOOLS

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, the matter of seeking financial assistance from the Provincial Government, to assist in defraying the cost of education, was considered.

It was agreed to recommend that a Committee be appointed from Members of the City Council, to act with a Committee from the Board of School Commissioners, to wait on provincial authorities with a view to discussing Provincial Grants, to assist in the cost of education.

Respectfully submitted,

W. P. Publicover, CITY CLERK.

January 11, 1951.

Moved by Alderman DeWolf, seconded by Alderman Breen that the report be approved. Motion passed.

His Worship the Mayor then nominated the following to comprise the Committee: Aldermen Abbott, Vaughan and DeWolf.

Alderman DeWolf declined and Alderman Fox was nominated in his stead.

The Committee comprising Alderman Abbott, Vaughan and Fox was agreed to by Council.

MARCH OF DIMES REQUEST

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

Mr. John A. McCurdy representing the Canadian March of Dimes, appeared before the Finance and Executive Committee, at a meeting held on the above date, and requested that authority be granted to attach a card to Parking Meters, requesting persons using same to deposit dimes for support of the Campaign, which is being conducted during the present month.

Your Committee recommends that the request be granted.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Breen that the report be approved. Motion passed.

FINANCIAL STATEMENT PREFABRICATED HOUSES

Halifax, N. S.,  
January 9, 1951.

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

Gentlemen:-

The attached financial statement respecting the Prefabricated Houses was submitted to the Finance and Executive Committee, at a meeting held on the above date and it was agreed to forward same to Council for its information and filing.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

January 11, 1951.

STATEMENT

Re Prefabricated Houses

as of December 30th, 1950.

Net price of houses		\$ 1,409,525.00
Total received on houses July 1 - Dec. 30/50.		<u>59,415.75</u>
		\$ 1,468,940.75
Net purchase price of houses		<u>787,000.00</u>
Net profit on Capital		\$ 681,940.75
<u>EXPENSES</u>		
Operating costs including salaries, interest, stationery, printing, operating office, office equipment	\$ 17,988.81	
Insurance (on houses while under lease)	600.00	
Taxes	4,000.00	
Final Legal Expenses	3,000.00	
Surveying Costs	<u>8,000.00</u>	
		\$ <u>33,588.81</u>
Net Profit		\$ 648,351.94
Future operations:-		
Difference in interest between Bank Borrowings and balance due from purchasers:		
5% of \$1,100,000.00 due from purchasers		55,000.
3% of 500,000.00		<u>15,000.</u>
Gross profit on interest item		\$ 40,000.
Less administration Costs		<u>7,500.</u>
Net profit on interest		\$ 32,500.
This will be reduced yearly as instalments reduce balance owing.		
Estimated increase in tax revenue		\$ 35,000.
Breakdown of 1950 receipts:		
Cash received on down payments		\$ 201,144.81
" " " completed sales		76,180.00
Rentals " to Dec. 30/50		59,415.75
Instalments received to Dec. 30/50		<u>33,582.88</u>
		\$ 370,323.44

Alderman DeWolf explained the statement for the benefit  
of Council.

January 11, 1951.

8:20 P. M. Alderman Fox arrives.

Alderman Kitz: "We must realize that the sale of the prefabricated is a continuing thing and the equity that the City has in the large sale is a continuing thing also. I am going to say that as far as I am concerned that the ultimate solution of the foundation question is not necessarily at an end. It may be after the time has elapsed Council might well then reconsider the feasibility of putting foundations under the ones not completed. I have always been in favor so long as the purchaser pays a part of the costs."

Moved by Alderman Kitz, seconded by Alderman Breen that the report be accepted and filed. Motion passed.

ACCOUNTS OVER \$200.00

Halifax, N. S.,  
January 4, 1951.

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

Gentlemen:-

At a meeting of the Safety Committee held on the above date the following accounts were approved and recommended for payment:

Imperial Oil Limited	\$ 225.73
Bickle-Seagrave Limited	820.30

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Moriarty, seconded by Alderman Breen that the report be approved. Motion passed.

INSURANCE ACCOUNT LATE HOSEMAN POWER

Halifax, N. S.,  
January 4, 1951.

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

Gentlemen:-

At a meeting of the Safety Committee held on the above date, the attached account amounting to \$230.26 payable to the Northern Life Assurance Company covering the City's contribution respecting premiums due the Company on account of the late Hoseman Power, was approved and recommended for payment.

Respectfully submitted,

W. P. Publicover, CITY CLERK.

January 11, 1951.

Moved by Alderman Moriarty, seconded by Alderman Breen  
that the report be approved. Motion passed.

ACCOUNTS OVER \$200.00

Halifax, N. S.,  
January 3, 1951.

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

Gentlemen:-

At a meeting of the Public Health and Welfare Committee  
held on the above date the following accounts were approved and  
recommended for payment:

TUBERCULOSIS HOSPITAL

Parke, Davis & Company, Ltd.	\$ 682.47
J. A. Leaman & Co. Limited	1,805.01
Nivea Pharmaceuticals Limited	217.50
Cogswell's	214.00
Carter & Smith, Limited	402.11

CITY HOME

J. A. Leaman & Co. Ltd.	\$ 2,471.30
Ernscliff & Co.	456.06
R. B. Colwell Limited	870.80
Canada Packers Limited	1,083.85
Scotia Flour & Feed Co., Ltd.	904.40
Northern Electric	377.60

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Fox, seconded by Alderman Duffy that  
the report be approved. Motion passed.

WAGES LATE JESSIE BARRY

Halifax, N. S.,  
January 3, 1951.

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

Gentlemen:-

At a meeting of the Public Health and Welfare Committee  
held on the above date the matter of paying wages due the late  
Miss Jessie Barry who was employed at the Halifax Tuberculosis  
Hospital was considered.

Your Committee recommends that the wages in question be  
paid to Mrs. Jessie Findlay Barry, mother of Miss Jessie Barry,  
deceased, providing she will give a proper release to the City.

Respectfully submitted,

W. P. Publicover, CITY CLERK.

January 11, 1951.

Moved by Alderman Fox, seconded by Alderman Duffy that the report be approved. Motion passed.

WELFARE ASSISTANCE

Halifax, N. S.,  
January 3, 1951.

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

Gentlemen:-

The Public Health and Welfare Committee at a meeting held on the above date considered the matter of paying welfare assistance by cheque in certain cases rather than by the order system as at present.

It was agreed to recommend that welfare assistance be paid by cheque in cases approved of by the Welfare Officer and if it is found the privilege is being abused that the order system be reverted to.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Fox, seconded by Alderman Duffy that the report be approved.

Alderman DeWolf: "When this was in Committee it sounded like a good idea and I was in favor of it. Since then I have been called by different people in connection with this and I am not so sure that it is a good idea to give the people the cash. I was advised that when that was done the cash did not always reach the spots where it was intended for."

The motion was put and lost 4 voting for the same and 6 against it as follows:

FOR THE MOTION

Alderman Duffy  
Kitz  
Moriarty  
Vaughan

AGAINST IT

Alderman Abbott  
Adams  
Breen  
DeWolf  
Fox  
Redmond

January 11, 1951.

AGREEMENT CANADIAN LIQUID AIR COMPANY LIMITED

Halifax, N. S.,  
January 3, 1951.

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

Gentlemen:-

The Public Health and Welfare Committee at a meeting held on the above date considered the matter of renewing the agreement with the Canadian Liquid Air Company Limited for the supply of Oxygen and Medical Gases to the Halifax Tuberculosis and Infectious Diseases Hospitals.

Your Committee recommends that the agreement be renewed for a further period of one year from January 1, 1951 and the Mayor and City Clerk authorized to execute same on behalf of the City.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Fox, seconded by Alderman Duffy that the report be approved. Motion passed.

ACCOUNTS OVER \$200.00

Halifax, N. S.,  
January 5, 1951.

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

Gentlemen:-

At a meeting of the Housing Accommodation Committee held on the above date the following account was approved and recommended for payment:

C. S. Barkhouse                      \$540.40

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman DeWolf that the report be approved. Motion passed.

ACCOUNT OVER \$200.00

Halifax, N. S.,  
January 4, 1951.

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

Gentlemen:-

At a meeting of the Prefabricated Housing Committee held on



January 11, 1951.

the above date, it was agreed to recommend that Mr. J. F. McManus be paid an honorarium of \$500.00 for services rendered on behalf of the Committee.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Breen that the report be approved. Motion passed.

ACCOUNTS OVER \$500.00

January 5th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 2nd 1951, the following Accounts over \$500.00 were approved, subject to audit, and recommended to City Council for payment:

R. S. Allen	\$ 560.00
Hillis & Sons Limited	1,961.04
Judge & Ward	797.17
Municipal Spraying and Contracting Ltd.	922.00
Nova Scotia Light & Power Co. Ltd.	784.00
The Roofers Supply Co. Ltd.	1,710.00
Wm. Stairs Son & Morrow Ltd.	558.85
Fleming Bros.	500.00

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

Moved by Alderman Breen, seconded by Alderman Vaughan that the report be approved. Motion passed.

FINAL CERTIFICATE

January 9th, 1951.

His Worship the Mayor and  
Members of the City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th, 1951, the attached certificate payable to the Standard Paving Maritime Limited, for the sum of \$82,369.04, being final payment in full for paving on various streets in the City of Halifax was approved and recommended to City Council for payment.

Respectfully submitted,

W. P. Publicover, CITY CLERK.  
Per J. B. Sabeau, Clerk of Works.

January 11, 1951.

Moved by Alderman Breen, seconded by Alderman Vaughan that the report be approved. Motion passed.

STREET LIGHTING

January 9th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th, 1951, the attached report from the City Electrician recommending that 3-250 C.P. lights be installed on Roxton Road at an approximate cost of \$203.55 was approved and recommended to City Council for adoption.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

January 8th, 1951.

A. C. Harris,  
Commissioner of Works.

Dear Sir:

I have received a request for Street Lighting on Roxton Road, I went over this street and I recommend that 3 - 250 C.P. Lights be installed on this street.

Installation cost approximately	\$ 203.55
Increased maintenance cost for balance of year	55.11
Increased maintenance cost for full year, approximately	60.00

The installation cost to be charged to Capital Borrowing for \$10,000. for street lighting new Subdivision.

Yours truly,

A. P. Flynn,  
City Electrician.

Moved by Alderman Breen, seconded by Alderman Vaughan that the report be approved. Motion passed.

January 11, 1951.

ILLUMINATED SIGNS

January 9th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th, 1951, the attached report from the Building Inspector, recommending that the following illuminated signs be allowed to be installed, was approved and recommended to City Council.

Halifax Neon Signs - #22 Morris St.	\$ 5.00
Halifax Neon Signs - #108 Morris St.	5.00
L. A. Beck - #4 Buckingham St.	5.00

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabean,  
Clerk of Works.

Moved by Alderman Breen, seconded by Alderman Vaughan that  
the report be approved. Motion passed.

ILLUMINATED SIGNS

January 11th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held today the  
attached report from the Building Inspector recommending that  
permission be granted to install the following illuminated sign,  
was approved and recommended to City Council.

Balcon Chittick Ltd. #299 Quinpool Road -	\$ 5.00
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Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabean,  
Clerk of Works.

Moved by Alderman Breen, seconded by Alderman Vaughan  
that the report be approved. Motion passed.

January 11, 1951.

CLAIM MRS. D. HINDS

January 5th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 2nd, 1951, the attached report from the Commissioner of Works recommending payment of \$37.90 to Mrs. Dorothy Hinds in settlement of her claim for injuries received from falling over a raised block of concrete sidewalk on Oxford Street, near North Street, was considered.

The Committee approved the report and recommended same to Council for adoption.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

Moved by Alderman Breen, seconded by Alderman Vaughan that the report be approved. Motion passed.

TENDERS FOR COAL

January 9th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th, 1951, the attached report from the Commissioner of Works recommending that the resolution which passed Council in December be amended, was considered.

The Committee approved the report and recommended same to City Council for adoption.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

January 8th, 1951.

To His Worship the Mayor, Chairman  
and Members of the Committee on Works.

Gentlemen:-

Since the last meeting of the Committee on Works matters pertaining to the Coal Contracts for the current year were dis-

January 11, 1951.

cussed with Andrew Mathews of the Mathews Coal Company. Such items as supply and deliveries were talked over following which Mr. Mathews asked the Department to withdraw his tender.

Should the Committee agree, I recommend that the Resolution which passed Council in December be amended to read as follows:-

The following types of coal be supplied by S. Cunard & Company, Limited:

Welsh Blower Coal	\$22.00 per ton.
Welsh Anthracite	26.50 per ton.
American Anthracite	27.25 per ton.
Acadia Forge	14.60 per ton.
Acadia - Albion- Allan Run-of-Mine	13.80 per ton.
Bras D'or Run-of-Mine	12.15 per ton.
Bras D'or Screened	13.65 per ton.
Inverness Screened	15.00 per ton.
Dominion Run-of-Mine	13.60 per ton.

The following types of coal be supplied by the Archibald Coal Company, Limited:

Dominion Prepared Stoker Oil Treated	\$14.57 per ton.
Dominion Run-of-Mine	13.60 per ton.
Inverness Imperial Run-of-Mine	13.00 per ton.
Emery Slack	11.87 per ton.
Inverness Slack	9.00 per ton.
Dominion Coke	20.50 per ton.
Sydney Run-of-Mine	12.50 per ton.

The following types of coal be supplied by the Union Coal Company:-

Dominion Screened	\$13.89 per ton.
Dominion Slack	11.81 per ton.
Bras D'or Oil Treated Stoker Pea	13.74 per ton.
Dominion Sydney Prepared Stoker Pea	14.51 per ton.

Respectfully submitted,

A. C. Harris,  
COMMISSIONER OF WORKS.

Moved by Alderman Breen, seconded by Alderman Vaughan that the report be approved. Motion passed.

The Commissioner of Works explained the background of this matter at the request of Alderman Kitz.

LICENSE C. N. R.

January 8th, 1951.

Revised License - C. N. R.  
Under Track Crossing Robie Street - Mile 0.93

His Worship the Mayor and  
Members of the City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January

January 11, 1951.

8th, 1951 the attached report from the Commissioner of Works recommending that the Surrender Clause of Agreement No. 12579 be endorsed and the new agreement be executed by the City, at an annual rental of \$10.00 was considered.

The Committee approved and recommended same to City Council to be signed by the Mayor and City Clerk on behalf of the City.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

January 8th, 1951.

To His Worship the Mayor and  
Members of Committee on Works.

Dear Sirs:-

In connection with the sewerage of the so-called Hartlen Division off the northern part of Robie Street, it was necessary to install a 21 inch sewer under the C. N. R. Tracks, to replace a former 12 inch sewer.

Attached herewith is a revised License dated November 17th, 1950 from the Canadian National Railways, annual rental of ten (\$10.00) dollars, containing terms similar to existing leases for under track crossings.

It is recommended that the surrender clause of the agreement No. 12579 be endorsed and the new agreement be executed by City.

Respectfully submitted,

A. C. Harris,  
COMMISSIONER OF WORKS.

Moved by Alderman Breen, seconded by Alderman Vaughan  
that the report be approved. Motion passed.

SEWER AND WATER BEAUFORT AVENUE

December 20th, 1950.

Beaufort Avenue - Re-Location of Sewer and Water

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on December 19th 1950, the attached report from the Acting Commissioner of Works relative to report and drawing No. D354 from the Public Service Commission was approved and recommended to City Council for adoption.

Respectfully submitted,  
W. P. Publicover, CITY CLERK.  
Per J. B. Sabeau, Clerk of Works.

January 11, 1951.

December 18th, 1950.

To His Worship the Mayor, Chairman,  
and Members of the Committee on Works.

Gentlemen:-

The estimated cost of relocation of the sewer and water on Beaufort Avenue from Roxton Road northerly to the newly subdivided Road about 300 lineal feet, is

Sewer	-	\$3,260.00
Water	-	1,200.00
Total	-	<u>\$4,460.00</u>

This has been approved by Council and the work begun but to clarify the financing and to submit the plan of the Public Service Commission (attached) I again wish to submit this report.

The sale of property, three lots, was approved at the December meeting of Council (\$6,500.00) and I recommend the funds received be used to pay for this project. It will be necessary, in the meantime, to place sewer charges against Sewer Capital, and water charges, as Mr. Macnab states, in his report.

Respectfully submitted,

F. O. Woods,  
Acting Commissioner of Works.

601 Barrington St.,  
Halifax, Nova Scotia.  
December 11th, 1950.

Mr. F. C. Woods,  
Acting Commissioner of Works,  
and  
Mr. M. L. Bellew,  
Commissioner of Finance,  
City Hall,  
HALIFAX, Nova Scotia.

Gentlemen:-

I am enclosing herewith a copy of our Drawing D-354 showing the proposed extension of water main along Beaufort Avenue.

This work is being proposed at this time because of the city's decision to reduce the width of the street in this area heretofore known as Connaught Avenue and make available certain lots along this new Beaufort Avenue. It is also understood that the Eastern Trust is opening up this whole area as a subdivision.

Shown on the plan marked in yellow is an existing 8" main along what was formerly the eastern side of Connaught Avenue. This will have to be moved to the location shown in red and it is understood that the city will pay the cost of moving this 8" main. It will be noted that the new line shown in red is proposed as a 12" line. This 12" line is being installed because of the over-all plan to increase the distribution facilities in

January 11, 1951.

the southern part of the city. Eventually it is planned to continue this 12" line northerly to tie in to the existing 12" at the corner of Oakland Road and Oxford Street. The cost to the city will only be the cost of moving the 8" line, the Commission to pay the difference between the 8" and the 12".

This project was approved by the Public Service Commission at its meeting held on Monday, November 27th.

The approval of the City Council is respectfully requested for this project. No borrowing will be necessary at this time as any money which may be required will be secured from the bank and any financing necessary will be done when the total year's construction work has been completed.

Yours very truly,

Ira P. Macnab,  
General Manager.

Moved by Alderman Breen, seconded by Alderman Vaughan that the report be approved. Motion passed.

EXPROPRIATION WATERSHED PROPERTIES

January 9th, 1951.

Expropriation of Bishop and  
Johnson Properties - Watershed  
Prospect Road

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th 1951, the attached report from the Commissioner of Works recommending expropriation of the properties of Effie Bishop and Harold W. Johnson as shown on Plan No. QQ-1-11617, and that the sum of \$1.00 to Effie Bishop and \$1,000.00 to Harold W. Johnson be paid into Court for this purpose, was approved and recommended to City Council for adoption.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabean,  
Clerk of Works.

RESOLUTION

W H E R E A S the Commissioner of Works has submitted a report dated January 6th, A. D. 1951, and also a plan and description covering the expropriation of certain land on the Prospect Road on the Watershed, in the County of Halifax, for the purpose of the Water Supply of the City;



January 11, 1951.

AND WHEREAS the Committee deems it necessary that the said land and interests therein be expropriated;

THEREFORE BE IT RESOLVED and it is recommended to the City Council that the said land and interests therein, hereinafter more fully described be expropriated;

AND BE IT FURTHER RESOLVED that the price or compensation to be paid to Effie L. Bishop and Harold W. Johnson, the apparent owners of the said land or to the person or persons who may be found to be the owner or owners of the said land herein expropriated be the sum of One Dollar (\$1.00) and One Thousand Dollars (\$1,000.00), respectively;

The following is a description of the land and interests therein hereinbefore referred to, to be expropriated by the City:

ALL that certain lot, piece or parcel of land situated, lying and being at Goodwood, in the County of Halifax and Province of Nova Scotia and more particularly described as follows:-

Beginning at the intersection of the eastern boundary of the old Prospect Road and the southern boundary of property formerly owned by Frank Umlah and now owned by the City of Halifax; Thence south twenty-five degrees thirty minutes east along the said southern boundary line of property formerly owned by Frank Umlah one hundred and sixty-six point five feet or to the western boundary of the new diversion of the said old Prospect Road; Thence south twenty-two degrees fifteen minutes west along the western boundary of said new diversion twenty-two point seven feet to the northern boundary of land formerly owned by John W. Miller and now owned by the City of Halifax; Thence north thirty-three degrees no minutes west along the said northern boundary of land formerly owned by the said John W. Miller thirty-three feet; Thence south fifty-seven degrees no minutes west along the western boundary of said land formerly owned by John W. Miller thirty-four feet; Thence north fifty-four degrees fifteen minutes west, ninety-nine point five feet to the said eastern boundary of the old Prospect Road; Thence northeasterly along said eastern boundary of the old Prospect Road one hundred and twenty-three feet to the place of beginning;

The above described property being shown bordered in red on plan entitled "Expropriation Plan of Certain Land required by the City of Halifax for the purpose of Water Supply on Prospect Road - Harold W. Johnson - Effie L. Bishop Property" said plan being dated January 5th, A. D. 1951 and filed in the Commissioner of Works Office at Halifax, Nova Scotia, as Plan # QQ-1-11617;

January 11, 1951.

RESOLVED that this Council do hereby adopt the recommendation of the Committee on Works for the Expropriation of certain land and interests in land on the Prospect Road, in the County of Halifax, on the Watershed, and that the land and interests in land set out in the Resolution adopted by the Committee on Works at a Meeting held on the 8th day of January, A. D. 1951, be and the same are hereby expropriated;

IT IS FURTHER RESOLVED that the price or compensation named in the said Resolution for the said land and interests therein to be paid to the said owners of the said land be forthwith paid to the Prothonotary of the Supreme Court at Halifax, Nova Scotia.

Moved by Alderman Breer, seconded by Alderman Vaughan that the report be approved.

Alderman Duffy: "A party in the north end owns a property on the Bay Road. He has had a tenant there who damaged the house. He wants to know if he should repair it or not."

His Worship the Mayor: "You can take that up with the Public Service Commission and they will give you all the particulars."

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen DeWolf, Moriarty, Breen, Abbott, Adams, Kitz, Redmond, Fox, Duffy and Vaughan.

TENDERS FOR LAND RAINNIE DRIVE ETC.

January 9th, 1951.

Tenders for Land - Rainnie Drive - Brunswick Street - Cogswell Street and Gottingen Street

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held on January 8th, 1951, the following tenders for land as advertised were considered:

Messrs. Rutledge, MacKeigan and Cragg, on behalf of Maritime Auto

January 11, 1951.

Supply Co. Ltd., for a portion of Lot No. 4, as shown on Plan, situate near the corner of Brunswick Street and Rainnie Drive - \$13,250.00.

For the entire parcel of land situate at the southeast corner of Gottingen Street and Cogswell Street;

Ralph Gould	\$12,750.00
Messrs. Daley, Phinney & Ritchie -	28,975.00
Messrs. Burchell, Smith, Jost, Meagher and Burchell -	20,100.00
A. W. Smith -	18,750.00

The Committee recommended to Council that the tenders received from Messrs. Rutledge, MacKaigan and Cragg on behalf of the Maritime Auto Supply Company, and from Messrs. Daley, Phinney and Ritchie be accepted, subject to a report from the City Solicitor, whether the City is restricted from selling the land for commercial use.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabean,  
Clerk of Works.

Moved by Alderman DeWolf, seconded by Alderman Vaughan that the report be approved.

Read letter from the City Solicitor as follows:

January 11, 1951.

To His Worship the Mayor and  
Members of the Committee on Works.

Dear Sirs:-

At the last meeting of your Committee I was requested to advise what, if any, restrictions applied to the sale of land on Citadel Hill as transferred to the City pursuant to the exchange of land agreement with the Government of Canada and the land now comprising Rainnie Drive which extends diagonally across the Citadel.

Both of these portions of land were acquired at separate times and after independent negotiations.

As to the acquisition of Rainnie Drive, I find that the letters Patent conveying this land contains only the following condition, namely:

"That the said lands are to be used for the purpose of connecting and extending certain streets to relieve traffic congestion in the City of Halifax."

With regard to the exchange of land, thirteen separate parcels of land were involved. The City received statutory authority to sell any portion of the land received by the City from the Crown and I can find no restrictions existing in any agreement between the City and the Crown respecting the exchange of land. It is not improbable that in some of the negotiations

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certain pieces of land were regarded as being desirable for park purposes but this thought, if it did exist, was not translated into any agreement and therefore in my opinion there is no legal objection to the sale by the City of the portion of land on Citadel Hill received from the exchange of lands.

As to Rainnie Drive, on the other hand, I do not think that the City can ever close the street and sell off the land without either a release from the Dominion Government or permissive legislation or both.

Yours very truly,

Carl P. Beckett,  
CITY SOLICITOR.

Alderman Kitz: "Is there any building line laid down for these lots or how close to the north easterly side of Rainnie Drive can buildings be erected?"

Mr. Harris: "On Rainnie Drive right to the line except at the corner of Gottingen Street where the building must be back 45 ft."

Alderman DeWolf: "It might be pertinent to say at this time that this whole block was purchased for not over \$40,000.00 and up to date including these sales the City will have recovered over \$90,000.00 and still have quite a bit left."

Alderman Kitz: "I feel that when we laid out Rainnie Drive and put that road across the Hill, it gave a beautiful view from the crest of the Hill looking over the City below. It is with some regret to see that the new Provincial Building can be built right to the edge of Rainnie Drive and the lots sold on Brunswick St., and Rainnie Drive allows building right up to the line. That can't help but block the view. With the land already sold to the Provincial Government and them building right to the road, that probably kills the view. It seems a pity that we did not safeguard the view a little more closely. Do you know what the Province intends to do? If anything can be done to encourage them to move northerly we should do so."

City Assessor: "They only intend to put up a building for motor equipment. The rest of the land will be used for parking. It will be on the higher grade towards Rainnie Drive."

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The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Adams, Breen, DeWolf, Duffy, Fox, Kitz, Moriarty, Redmond and Vaughan.

TENDERS FOR TRENCHING

January 11th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Committee on Works held today, the attached report from the Commissioner of Works recommending that the Standard Paving Maritime Limited be awarded the contract for trenching, backfilling, laying of sewer pipe, etc., for the City of Halifax for the year 1951 at the prices quoted in their tender was considered.

The Committee approved the report and recommended same to the City Council for adoption.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

Moved by Alderman DeWolf, seconded by Alderman Vaughan that the report be approved.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen DeWolf, Moriarty, Breen, Abbott, Adams, Kitz, Redmond, Fox, Duffy and Vaughan.

REZONING DUNCAN STREET #134

January 8th, 1951.

His Worship the Mayor and  
Members of City Council.

Gentlemen:-

At a meeting of the Town Planning Board held on January 5th, 1951, the attached report from the Town Planning Engineer recommending against an application from Gordon A. Stevens to change the zoning from Second Density Residential to Commercial of the block bounded by Duncan Street, Harvard Street, Lawrence Street and Chebucto Lane, was approved and recommended to City Council.

Respectfully submitted,  
W. P. Publicover, CITY CLERK.  
Per J. B. Sabeau, Clerk of Works.

January 11, 1951.

January 5th, 1951.

To Town Planning Board.

Sirs:

Attached please find an application from Gordon A. Stevens requesting to change the zoning from second density residential to commercial of the block bounded by Duncan St., Harvard St., Lawrence St. and Chebucto Lane.

I would recommend against this application for the following reasons:

1. the block is predominately second density residential
2. the surrounding district is residential
3. the Board has already refused a similar request one block south.

Respectfully submitted,

W. A. G. SNOOK,  
Town Planning Engineer.

Moved by Alderman DeWolf, seconded by Alderman Vaughan that Council fix Thursday, February 15, 1951, at 8:00 P. M. in the Council Chamber as the time and place for the hearing.

Alderman Kitz: "Can you instruct me just what is the procedure? If a hearing is to be held can the Town Planning Board kill the matter? Does the applicant pay the cost of advertising?"

City Solicitor: "There is no requirement by law to make the person pay for the add. All objections to the proposed By-Law are to be in writing and in the hands of the City so it can consider them. The written objections are forwarded to the Minister when the matter goes to the Department of Municipal Affairs."

He then read the section of the Charter dealing with this matter.

Alderman Kitz: "Who has the power to get it to the stage for a public hearing?"

City Solicitor: "The Council. The Council should refer it to the Town Planning Board for a report. They should make up their minds whether it is a good thing or not and advise the

January 11, 1951.

Council. In the future the Town Planning Board should make a recommendation one way or the other for the guidance of Council."

Alderman Kitz: "If I owned a property on Oakland Road, can I ask that the whole of Oakland Road be rezoned and then we get a hearing?"

City Solicitor: "No. The Council must be convinced itself before it throws it open to the public for a hearing."

Alderman Kitz: "The way it is going people have an idea to get a change, so a hearing will be held. Who brings it to the stage whereby a public hearing is held?"

City Solicitor: "It comes to the Council by a report from the Town Planning Board and Council decides whether it wants a hearing. The Council does not have to have a public hearing. I don't think any Committee can turn down a request coming to the Council. It is a request to the Council to change the Zoning By-Law. The Council asks the Town Planning Board and their report is merely the opinion of a group that is specializing in it every month. That does not prevent any person from speaking."

Moved in amendment by Alderman Kitz, seconded by Alderman Abbott that the report of the Town Planning Board be approved and that there be no public hearing.

Mr. R. A. Donohue representing the applicant spoke on his behalf as follows: "The property under discussion is #134 Duncan Street, which is a rather wide property with considerable frontage. Mr. Stevens says he will not have any objections in the least if Council puts on restrictions to some type of use which not in any way interferes with the comfort of the neighbors. It has been put to more or less commercial use since its inception. It is unfortunate that the application has come to Council in the form of an entire block. He only wants the commercialization of one building. I would ask you to consider his problem. It is adapted for commercial use. If he is not permitted to make use of it, it means a substantial loss of revenue to him. He

January 11, 1951.

feels it can be used without undue discomfort to the people in the area."

Alderman Vaughan: "Could this not be put in the non-conforming uses?"

City Solicitor: "It was originally built in the Residential district. The Council some years ago agreed to permit it to be used for other than residential purposes by amending Section 815 of the City."

He then read Section 815 for the information of the Council.

The amendment was then put and passed.

ACCOUNT OVER \$200.00

An account of Nova Scotia Body Building & Paint Works amounting to \$275.00 for making and supplying a wagon to the Directors of Point Pleasant Park was submitted.

Moved by Alderman Breen, seconded by Alderman Moriarty that the account be approved for payment. Motion passed.

APPOINTMENTS BRIDGE COMMISSION

Read letter from His Worship the Mayor as follows:-

January 11, 1951.

Members City Council,  
Halifax, Nova Scotia.

Gentlemen:-

The Provincial Government having made its appointments to the Halifax-Dartmouth Bridge Commission, it becomes necessary for the Council to make the two city appointments.

From the time the Provincial Government appointments were made public, I have given much thought to the City's position. I have come to the conclusion that it would strengthen the city's position greatly if these appointments were made from citizens outside of Council. After serious consideration of all the factors involved, I am submitting the names of two outstanding citizens who will bring to the Bridge Commission a wealth of practical knowledge of outstanding value to the City's position in this necessary development to the progress of our city.

I submit the names of Mr. Daniel Scouler and Mr. D. F. McIsaac and respectfully request unanimous support of City Council in this matter.

Yours very truly,

Gordon S. Kinley,  
MAYOR.



January 11, 1951.

Alderman Kitz nominated Alderman DeWolf.

Alderman DeWolf declines the nomination.

Alderman Abbott nominated Mayor Kinley.

His Worship the Mayor declined the nomination and stated that he had recommended 2 good practical men who would do a good job.

Alderman Fox: "I will second Alderman Abbott's motion.

Alderman Abbott: "The work you Your Worship have done during the past 2 years will bring help to the Commission. I would like you to leave your name before Council."

Alderman Kitz agreed with the suggestion of Alderman Abbott.

Moved by Alderman Fox, seconded by Alderman Redmond that Council vote on each name starting with His Worship the Mayor. Motion passed.

The vote was then taken 7 voting for His Worship the Mayor and 3 against as follows:

FOR THE MOTION

Alderman DeWolf  
Abbott  
Adams  
Kitz  
Redmond  
Fox  
Duffy

AGAINST IT

Alderman Moriarty  
Breen  
Vaughan

- 7 -

- 3 -

Alderman Adams nominated Mr. D. F. McIsaac.

Alderman Fox nominated Alderman DeWolf.

Alderman Adams: "I will withdraw my nomination if Alderman DeWolf will accept."

Alderman DeWolf then agreed to accept the nomination and Alderman Adams withdrew his nomination.

Council then agreed that His Worship the Mayor and Alderman DeWolf should represent the City of Halifax on the Halifax-Dartmouth Bridge Commission.

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9:10 P. M. Alderman Redmond retires from the meeting.

INCREASE IN ASSESSMENTS

Alderman Fox: "Was the rise in assessments discussed by the Finance and Executive or the Advisory Committees before the rate was raised? I am representing a Ward where there are a lot of people struggling to buy their homes. I got a lot of calls and complaints. A lot feel that it is not at all fair. A Moran Street man got hooked for \$800.00."

His Worship the Mayor: "I can say this that the matter of assessments whether they rise or fall never come before any Committee of Council. That is the prerogative of the Assessing Department obtained by law. There is recourse for citizens if they feel they are wrongly used and that is the Court of Appeal. It has nothing to do with any Alderman or any Committee."

Alderman Fox: "Wards 1, 2 and 3; did they get the same?"

His Worship the Mayor: "I don't know whether the Assessor is ready to divulge that."

City Assessor: "We did not go into the finalization of Wards 1, 2 and 3 like we did with 4, 5, 6 and 7. It is a very common practice to pick out a section of the City and re-assess it. It just happened to be Wards 4, 5, 6 and 7. We have to make our assessments based on the evidence we have before us and set forth in the law. Any person has the right to appeal within 14 days after the date of the assessment."

Alderman Fox: "It seems strange that the Assessor took that on his own after a Sales Tax was refused."

City Assessor: "That is my job and I have to make the decisions. The Assessor must do it absolutely independent from Council or any Committee."

Alderman Kitz: "The people in Wards 4, 5, 6 and 7 are most unhappy this year. The north end will be paying higher taxes, until the rest of the City catches up."

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City Assessor: "Not necessarily. The assessments were lower."

Alderman Kitz: "In this case he has not been up to his usual excellent standard. He might have found it difficult to re-assess the whole City. Additional help could have done it at once. Not only would the City have garnered greater revenue but one-half of the City is left feeling they are carrying on a greater share of the load."

Alderman Breen: "I have had my assessments increased the last two years. Alderman Fox's statement where a man was hooked for \$800.00 is misleading. I think the assessment was raised \$800.00 but the tax amounts to \$28.00."

Alderman Fox: "One man directly across the street from me is up \$1400.00. The Sales Tax was brought up."

His Worship the Mayor: "It is a dead issue. Why talk about it."

City Assessor: "Before the Sales Tax was considered, I was working on increased assessments."

His Worship the Mayor: "If the Court of Tax Appeals is any good at all, they should have all these cases before them."

City Assessor: "There are 48 appeals out of 32000 assessments."

Alderman Vaughan: "Would you go down to Ward One and start off there?"

City Assessor: "Yes. We have done the south end one year and the north end the next. I am quite sincere in my belief that nobody is injured in my re-assessment."

His Worship the Mayor: "I want the Assessor to definitely assure this Council and the Citizens of this City that there was no collusion with the Mayor or any Alderman due to the Sales Tax. It is all in the hands of the Assessor."

January 11, 1951.

Alderman Duffy: "Have we any assurance that Wards 1, 2, and 3 will get it next year?"

REZONING BLOCK BOUNDED BY ALLEN, YUKON,  
MONASTERY LANE AND HARVARD STREET.

Alderman Abbott: "Can we kill that? I would like a ruling from the Solicitor on it."

City Solicitor: "You will have to rescind your motion. You have already taken action to fix a date for a hearing."

His Worship the Mayor: "You have to give a Notice of Motion."

Alderman Kitz: "Do you need the unanimous vote of all Aldermen or those present?"

City Solicitor: "I presume a matter decided in the affirmative is subject to a Notice of Reconsideration. That would come up at the next meeting of Council the same time as the hearing."

Alderman Kitz gave Notice that at the next regular meeting of the Council he would move that the resolution passed by the Council at this meeting to hold a public hearing on the rezoning of property on Allen Street, be rescinded and moved a Stay of Proceedings which was seconded by Alderman Vaughan.

City Solicitor: "That report is in favor of rezoning."

Mr. Snook: "It is against."

City Solicitor: "Then it would kill it."

His Worship the Mayor: "I believe a motion to rescind requires 30 days notice."

City Solicitor: "The Notice of Reconsideration can only be given at the same meeting when the motion was passed with a Stay of Proceedings. I would suggest a Stay of Proceedings be ordered pending consideration of a Notice to Reconsider that motion at the next meeting of Council and there be no advertising done on that item."

The motion was amended accordingly and on being put, passed unanimously the following Aldermen being present and voting therefor: Alderman DeWolf,

January 11, 1951.

Moriarty, Breen, Abbott, Adams, Kitz, Fox, Duffy and Vaughan.

SERVICE MEN'S PAY

Alderman Duffy: "Regarding the men who were employed by the City and went into the service. Some of them have not been paid. Mr. Bellew was going to bring in a report."

Mr. Romkey: "We are compiling a report and it will be up to the next meeting of the Finance and Executive Committee."

QUALIFICATIONS ALDERMAN REDMOND

The following letters were read.

Halifax, N. S.,  
January 11, 1951.

His Worship G. S. Kinley,  
Mayor of the City of Halifax, and  
Members of the City Council,  
City Hall,  
Halifax, N. S.

Dear Sirs:

I have been requested to write to you by Mr. Wm. E. White, 455 Gottingen Street, this City, with reference to a letter dated December 7, 1950, which he sent to Mayor Kinley.

This letter calls the Mayor's attention to the fact that the Maritime Elevator and Equipment Company of 730 Barrington Street entered into a contract with the City of Halifax, and that one of the registered partners of this Company was Alderman B. J. Redmond.

On December 8, 1950, Mayor Kinley replied to my client's letter stating that the facts of the case did not support information in his letter, but that the matter was being referred to the City Solicitor, Mr. Carl P. Bethune, K. C.

Since no further word has been received by Mr. White as to what action, if any, is to be taken in this matter, Mr. White has asked me to write this letter to you and to advise you that a copy of the previous correspondence, as well as a copy of this letter is being forwarded today to the Halifax Chronicle and Halifax Mail Star.

This appears to be a matter of urgent public interest and I am, therefore, requested to ask you that this letter be read before Council at this evenings meeting.

Yours respectfully,

Richard A. Donahoe.

January 11, 1951.

Halifax, Nova Scotia,  
December 7th, 1950.

To His Worship the Mayor,  
City Hall,  
Halifax, Nova Scotia.

Dear Sir:

May we call your attention to the fact that the Maritime Elevator & Equipment Company of 730 Barrington Street, Halifax, Nova Scotia, of which Alderman B. J. Redmond is one of two registered partners having entered into a contract with the City of Halifax renders the said Alderman B. J. Redmond disqualified as a member of the Halifax City Council under Section 18, Clause (a) of the Halifax City Charter.

This matter is being called to your attention for appropriate action.

Yours very truly,

W. E. White.

December 8, 1950.

Mr. W. E. White,  
455 Gottingen Street,  
Halifax, Nova Scotia.

Dear Sir:

I am in receipt of your registered letter this morning with reference to the Maritime Elevator and Equipment Company of 730 Barrington Street, Halifax, Nova Scotia and Alderman B. J. Redmond.

I have discussed this matter with Alderman Redmond and he informs me that the facts do not support the information in your letter.

In view of this information, I am withholding any action in the matter pending an investigation and opinion from the City Solicitor C. P. Bethune on his return to the City next week.

Yours very truly,

Gordon S. Kinley,  
MAYOR.

January, 11, 1951.

From:  
Carl P. Bethune, K. C.,  
City Solicitor.

To:  
Gordon S. Kinley, Esq.,  
Mayor of Halifax.

Dear Sir:-

With reference to your request to me, on December 8th, 1950, enclosing a letter addressed to you by Mr. W. E. White, 455 Gottingen Street, dated December 7th, 1950, and relating to the disqualification of Alderman Redmond, I wish to refer you to section 19 of the City Charter, which is as follows:

19. If any person disqualified or declared incapable of being

January 11, 1951.

elected, or of being, a mayor or alderman by any of the preceding provisions of this Act, nevertheless sits or votes, or continues to sit or vote in the Council, he shall thereby forfeit the sum of fifty dollars for each and every day on which he so sits or votes, and such sum shall be recoverable from him by any person who sues for the same in any court of competent jurisdiction.

You will note that this section refers to the two phrases "disqualified" and "declared incapable of being elected or of being." Nothing in this section gives the Mayor or Council or any Committee the right to require any mayor or alderman to vacate his seat.

Section 18A, however, gives the Mayor the right to declare a seat vacant where an alderman ceases to be qualified as a voter or ceases to hold the assessment qualifications required by the Charter and this reference to a "de lation" probably applies to the procedure under this section (see section 19).

This situation is the situation set out in section 18A) does not appear to exist in the case referred to in Mr. White's letter.

The only remedy, therefore, which is provided if Mr. White's allegations are correct, is for some person to take legal proceedings to enforce the penalty provided in section 19 above. It is in my opinion a matter for private action rather than action by the City itself or the Council or any officials of the City as such. It is the right of any person who sues.

I do not think it is proper for me to express any opinion as to the qualification of any alderman to sit in Council.

I enclose a copy of this letter in the event you wish to forward it to Mr. White.

I return Mr. White's letter herewith.

Yours very truly,

Carl P. Bethune,  
CITY SOLICITOR.

City Solicitor: "The principle is this; that where the Statute enacts a remedy for that offence that remedy and that alone is the only one available."

His Worship the Mayor: "You are advising Council that the remedy is the civil court by a citizen."

City Solicitor: "This Council has not the right to sit as a court to judge whether an Alderman is eligible to sit."

His Worship the Mayor: "The matter is closed until civil action is taken."

City Solicitor: "You can send a copy of my letter to Mr. White. If the charge in this case is correct I do not think the

January 11, 1951.

Council has any authority to oust any member of this Council that is a matter for the court."

His Worship the Mayor: "As Mayor in asking any Alderman a question, I take it that they give me the correct answer. I immediately called Alderman Redmond and he says that is not a fact. I did not consider it my duty that I should explore to see whether he was telling me a lie or not. The matter of the qualifications as a voter and his assessment has not been attacked. Alderman Redmond says it is not a fact. It must be proven in a court. I would take that procedure with any Alderman. The Solicitor's reply will go to Mr. White and it will be in their hands for further action."

APPROVAL OF BORROWINGS

The following borrowing approvals were submitted:

\$ 5,000.00 additional Westmount School.  
86,000.00 St. Agnes School.  
90,000.00 Purchase School Site Windsor St. & Quinpool Rd.  
35,000.00 Equipment Works Department.  
11,000.00 Furniture & Equipment New Library.

FILED

APPROVAL AMENDMENT TO ORDINANCE # 1

Halifax, December 28, 1950.

Mr. W. P. Publicover,  
City Clerk,  
City Hall,  
Halifax, Nova Scotia.

Dear Mr. Publicover: Re: Amendment to Ordinance No. 1

I enclose for your records copy of the above amendment on which the approval of the Minister of Municipal Affairs is indicated.

Yours very truly,

W. E. Moseley,  
Deputy Minister.

FILED



January 11, 1951.

APPROVAL ORDINANCE # 7A

Halifax, January 9, 1951.

Mr. W. P. Publicover,  
City Clerk,  
City Hall,  
Halifax, Nova Scotia.

Dear Mr. Publicover:      Re: Ordinance No. 7A

I enclose one copy of the above ordinance which was passed by your City Council on November 16 and December 14, 1950.

We have discussed with the City Solicitor the contents of Section 19 which provide a penalty. This penalty is not authorized by the City Charter and was apparently included by an oversight. Section 943 of the City Charter fixes a penalty for violation of this Ordinance.

The Minister has approved this Ordinance on January 8, 1951 with the suggested amendment that Section 19 of the Ordinance be deleted and that Section 20 be renumbered "19". The Ordinance is therefore returned to you pursuant to Section 941 of the City Charter with that suggested amendment.

Yours very truly,

W. E. Moseley,  
Deputy Minister.

Moved by Alderman DeWolf, seconded by Alderman Adams that the Ordinance with the suggested amendment to Section 19 be adopted.      Motion passed.

January 11, 1951.

TAX COLLECTIONS MONTH OF DECEMBER 1950

Civic Year	Reserves	O/S Bal. Nov. 30/50.	New Accounts and Adjustments.	December Collections.	O/S Bal. Dec. 31/50
1947	\$47,797.10	\$ 12,372.39		\$ 597.68	\$ 11,774.71
1948	58,738.42	70,723.40		4,369.03	66,354.37
1949	70,633.11	173,313.29		8,494.13	164,819.16
1950	70,050.84	453,258.22	Dr. 76.67	68,895.92	384,438.97
		<u>\$709,667.30</u>	Dr. 76.67	<u>\$ 82,356.76</u>	<u>\$627,387.21</u>

Poll Taxes

1943-44	22,596.39			31.36	22,565.03
1944-45	3,341.96			31.11	3,310.85
1950	4,094.14		Dr. 22.00	1,654.13	2,462.01

Additional Collections:

	<u>1950</u>	<u>1949</u>
Arrears 1925-26 to 1946	122.31	
Corresponding Period Last Year		2,314.09
Collection as per statement above	82,356.76	
Corresponding Period Last Year		88,484.42
	<u>\$82,479.07</u>	<u>\$90,798.51</u>

Collection Poll Taxes Jan 1st to Dec. 31/50	106,667.73	
Corresponding Period Last Year		<u>96,097.07</u>

Respectfully submitted,

H. R. McDonald,  
CHIEF ACCOUNTANT.

FILED

January 11, 1951.

APPROPRIATIONS AS OF DECEMBER 1950

TO THE CITY COUNCIL:

The following is the state of Civic Appropriations on the above date after deducting unpaid orders:

APPROPRIATIONS	LEDGER BALANCE	UNPAID ORDERS	BALANCE LESS UNPAID ORDERS
City Home	\$ 8,786.09	\$ 6,369.00	\$ 2,417.09
Memorial Park	3,212.22	150.26	3,061.96
Public Gardens	4,463.40	1,028.76	3,434.64
St. Pleasant Park	233.42		233.42
Library	526.72	2,530.74	2,004.02 Dr.
St. B. Hospital	5,291.61	8,064.10	2,772.49 Dr.
Inf. Disease Hosp.	117.05	1,65.55	948.50 Dr.
Public Health	5,601.74	1,622.65	3,979.09
Welfare Department	5,232.19 Dr.		5,232.19 Dr.
Police Department	9,675.76		9,675.76
City Prison	1,074.56		1,074.56
Parks, Salaries & Bonus	316.90 Dr.		316.90 Dr.
Streets	11,028.88 Dr.	4,690.48	15,719.36 Dr.
Office Supplies	283.57 Dr.	328.67	612.24 Dr.
Town Planning	2,808.34 Dr.	93.55	2,901.89 Dr.
Clean Paved Sts.	10,843.01 Dr.		10,843.01 Dr.
Internal Health	42,169.67	8,770.89	33,398.78
Sewer Maintenance	3,139.67 Dr.	103.40	3,243.07 Dr.
Snow Removal	6,307.85 Dr.		6,307.85 Dr.
St. Lighting	13,758.79	779.58	12,979.21
Traffic Lights	1,038.31	82.01	956.30
Firing Inspection	214.99	3.00	211.99
Market	595.44		595.44
Public Baths	974.94 Dr.		974.94 Dr.
City Property	17,413.08	612.89	16,800.19
Fuel	447.40 Dr.	566.72	1,014.12 Dr.
Insurance	1,736.21	10.40	1,725.81
City Hall Light	921.63		921.63
Telephones	173.59		173.59
Recreation Committee	196.62	482.00	196.62
Fire Department	3,068.30		2,586.30
Fire Alarm	1,153.73		1,153.73
Printing & Stationery	793.93	6,026.00	5,232.07 Dr.
Fairview Cemetery	733.72	96.37	637.35

Respectfully submitted,

H. R. MCDONALD,  
CHIEF ACCOUNTANT.

January 11, 1951.

Moved by Alderman Abbott, seconded by Alderman Kitz that  
this meeting do now adjourn. Motion passed.

Meeting adjourned.

9:35 P. M.

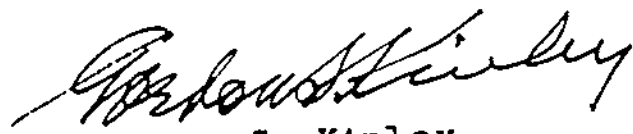
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January 11, 1951.

Approval Amendment to Ordinance # 1  
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Gordon S. Kinley,  
MAYOR AND CHAIRMAN.



W. P. PUBLICOVER,  
CITY CLERK.

Council Chamber,  
City Hall,  
Halifax, N. S.,  
January 15, 1951  
8.10 P. M.

A meeting of the City Council was called for the above date.

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen Moriarty, Breen, Abbott, Redmond, Duffy and Vaughan.

The meeting was called specially as a Public Hearing re Soft Drink Vending Machines.


As a quorum was not present it was moved by Alderman Vaughan, seconded by Alderman Moriarty that Council adjourn until 8.30 P. M. or until a quorum appears. Motion passed.

8.30 P. M. Council reconvened the following members being present: His Worship the Mayor Chairman; Aldermen Moriarty, Breen, Abbott, Redmond, Duffy and Vaughan.

As there was no quorum Council stood adjourned.

8.30 P. M.

  
Gordon S. Kinley,  
MAYOR AND CHAIRMAN.

  
W. P. PUBLICOVER,  
CITY CLERK.

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N. S.,  
January 29, 1951,  
8:00 P. M.

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

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Deputy Mayor Chairman; Aldermen DeWolf, Moriarty, Abbott, Adams, Fox, Duffy and Vaughan.

The meeting was called specially to consider the following items:

1. Election Returns.
2. Public Hearing re Soft Drink Vending Machines.

ELECTION RETURNS

January 25, 1951.

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

Gentlemen:-

Agreeably to the provisions of the Halifax City Charter and Acts and Amendments thereto in respect to the elections of Mayor and Aldermen for the City of Halifax, I herewith submit the original nomination papers of William A. Downie, of the City of Halifax, Chief Clerk C.N.R., Richard L. Fry of the City of Halifax, Musical Director, Byron M. Hatfield of the City of Halifax, Barrister, John E. Lloyd of the City of Halifax, Chartered Accountant, A. Herman MacMillan of the City of Halifax, Manufacturer, for the office of Alderman of Ward 7, together with the polling books containing the returns of the presiding officers at the several polling places in the said ward for the election of two Aldermen for the said Ward held on the 24th day of January, 1951; said returns showing as follows:

	<u>Downie</u>	<u>Fry</u>	<u>Hatfield</u>	<u>Lloyd</u>	<u>MacMillan</u>
A1	176	108	241	162	210
A2	149	80	248	131	188
B	81	35	210	54	108
C	52	38	119	134	102
	458	261	818	481	608

January 29, 1951.

Majority for Byron M. Hatfield over A. Herman MacMillan	210
Majority for Byron M. Hatfield over John E. Lloyd	337
Majority for Byron M. Hatfield over William A. Downie	360
Majority for Byron M. Hatfield over Richard L. Fry	557
Majority for A. Herman MacMillan over John E. Lloyd	127
Majority for A. Herman MacMillan over William A. Downie	150
Majority for A. Herman MacMillan over Richard L. Fry	347
Majority for John E. Lloyd over William A. Downie	23
Majority for John E. Lloyd over Richard L. Fry	220
Majority for William A. Downie over Richard L. Fry	197

As provided by Section 13 (3) of Chapter 67 of the Acts of 1950, Byron M. Hatfield, who received the larger number of votes, shall hold office until the 1st day of May, A. D., 1953, and A. Herman MacMillan, who received the lesser number of votes, shall hold office until the 1st day of May, A. D., 1952 or until their respective successors are elected and sworn into office.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

The City Clerk then declared Mr. Byron M. Hatfield and Mr. A. Herman MacMillan duly elected Aldermen for Ward #7 for the City of Halifax, the former to hold office until May 1, 1953 and the latter to hold Office until May 1, 1952.

After being duly declared elected Aldermen Hatfield and MacMillan were sworn into office by the Deputy Mayor by taking the Oaths of Allegiance, of Office of Alderman and Justice of the Peace and after signing the Aldermanic Roll took their seats in Council.

The Deputy Mayor extended a welcome to the new Aldermen and hoped that they would be most diligent in representing Ward 7 while serving the City Government.

PUBLIC HEARING RE: SOFT DRINK VENDING MACHINES

An application from the Coca Cola Ltd. to amend the City Charter so as to permit the sale of soft drinks by vending machines was submitted.

Mr. Donald McInnes, K. C. representing the Coca Cola Ltd. submitted a petition in favor of the application and stated that it was signed by 510 business people in the City of which 282 were dealers. He spoke at length in support of the application and urged the Council to grant the request.



January 29, 1951.

Mr. Turner of the Coca Cola Ltd. also spoke in support of his Company's application.

Mr. Andrew Mathews spoke in support of the application and urged the Council to seriously consider same.

The Manager of the "Elms" stated that he would like to buy one of the machines and therefore supported the application.

Mr. Gordon Cowan, K.C. appeared and stated he represented the Halifax County Wholesale Tobacco Distributors Association and presented a petition and brief against the application which he stated was signed by 171 persons of which 165 were tax payers. He said that when the matter was presented 10 months ago the Finance and Executive Committee had rejected the application and he saw no great change in that short time that would warrant the Council to alter that decision now. He urged that the application be rejected.

Mr. Gordon Graham appeared on behalf of certain merchants, restaurant owners and operators and submitted and read a brief opposing the application.

Mr. McInnes was given an opportunity to reply to the opposition and gave his reasons in support of the application and a rebuttal to those opposing the same.

Alderman Abbott: "Can other types of bottles be used and if so suppose a small store owner were buying one on time payment would he be permitted to put in other bottles?"

Mr. Turner: "They will take 2 or 3 other types of bottles. I believe there is a better chance of those dealers paying for the machines if they put in coca cola because the sales are greater."

Alderman Fox: "How was that list obtained on Mr. McInnes' petition? I see a man's name on the petition that lives across the street from me and he is not in business."

Mr. McInnes: "They are not all dealers."

January 29, 1951.

Alderman Vaughan to Mr. Poulson: "Mr. M. J. Melvin of 51 Robie Street, is he an employee of Coca Cola Ltd?"

Mr. Poulson: "No."

Alderman Vaughan: "Was he ever?"

Mr. Poulson: "No sir."

Alderman Hatfield: "How does the machine work at 7 cent

Mr. Turner: "They are in Montreal installing the new mechanism and it will work with 7 cents."

Read letter from T. H. Berry, Chairman of the Retail Committee of the Board of Trade opposing any amendment to the present legislation respecting automatic vending machines.

Read letter from R. L. Perry, President of the Halifax Retail Druggists Association opposing the application.

Alderman Duffy: "Can these machines be rented?"

Mr. Turner: "They must be bought."

Alderman Hatfield: "Suppose those machines are sold and there is a change in the tax rate, can those machines be changed on the spot?"

Mr. Turner: "The mechanism being put in those machines is such that they can be changed in about 10 minutes. They can go to 8 cents."

The petitions and briefs referred to above were filed with the City Clerk.

Moved by Alderman Hatfield that Section 510 D of the City Charter be amended by adding the words "soft drinks or carbonated beverages."

There was no seconder to this motion.

Moved by Alderman Vaughan, seconded by Alderman Fox that this meeting do now adjourn. Motion passed.

Meeting adjourned.

9:30 P. M.

LIST OF HEADLINES

Election Returns  
Public Hearing Re: Soft Drink Vending Machines

58  
59

*W. P. Publicover*  
W. P. PUBLICOVER  
CITY CLERK.

J. H. Breen,  
DEPUTY MAYOR AND CHAIRMAN.

- 61 -

*Gordon Kinley* Mayor.

*approval.*

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 8, 1951,  
8:00 P. M.

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

After the meeting was called to order by the Chairman, and before proceeding with the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Abbott, Kitz, Fox, Duffy, Vaughan, Hatfield and MacMillan.

The meeting was called specially to consider Report Special Committee re City Manager.

Read report from the City Manager Committee as follows:

Halifax, N. S.,  
February 2, 1951.

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

Gentlemen:-

The Halifax City Manager Committee recommends as follows:

1. That the position of City Manager be created.
2. That the City Manager shall be appointed by a majority vote of the Council, and shall hold office during pleasure.
3. Subject to the provisions of Section 119 (2) and (3) of the City Charter, the City Manager may be removed by the Council by a two-thirds vote of its Members.
4. The duties, responsibilities and the purpose of the position of City Manager, shall be:
  - (a) To administer, plan and supervise the administration of the City in accordance with policies formulated by Council.
  - (b) To prepare plans for Council consideration for the maintenance and construction of City property, facilities and services, and for its development, expansion and improvement.
  - (c) To co-ordinate and supervise programmes approved by Council.

February 8, 1951.

- (d) To develop and maintain policies for the efficient operation of all City Departments.
  - (e) To prepare reports by which performance and costs of City activities may be judged and made more efficient.
  - (f) To prepare and present to Council recommendations for Departmental operations which require Council approval, and to propose legislation if necessary.
  - (g) To direct the preparation and compilation of the annual estimates.
  - (h) To direct control over all Departments in the exercise of their approved appropriations.
  - (i) To administer contracts which the City has with Labour Unions, and to recommend to Council agreements concerning wages, salaries and working conditions.
  - (j) To keep informed and when necessary advise Council on the service maintained by Public Utilities in the City, and see that all franchises, permits and privileges granted by the City are faithfully performed and observed.
  - (k) To obtain information regarding all Boards and Commissions which affect the interests of the City, and to keep the Council advised when he deems it necessary.
5. The City Manager shall be empowered, and it shall be his duty to:
- (a) Nominate Department Heads to the Council for approval or rejection and in case of rejection to nominate another candidate at the next regular meeting.
  - (b) Appoint, employ, suspend or dismiss, after consultation with the respective Department Heads, and subject to any contractual obligations entered into by the City, and City employee, except Department Heads.
6. The City Manager shall attend all Council and be permitted to attend all Committee meetings, and shall have the right to speak subject to the rules of procedure, but shall have no vote.
7. The City Manager shall for the purpose of carrying out the objects of his office, be entitled to the services of all City Employees and Heads of Departments.
8. And without limiting the foregoing, the Manager shall do and perform the duties and exercise the powers, which from time to time, may be assigned to or vested in him by the Council.
9. For the purpose of putting the foregoing into effect, the City Solicitor shall, where and if necessary, prepare necessary legislation for presentation to the ensuing 1951 sittings of the Nova Scotia House of Assembly.

February 8, 1951.

10. The Committee upon the passage of legislation implementing this resolution in its present or amended form, may engage the services of Kellogg & Stephenson, Consultants, for the purpose of obtaining and investigating nominations at an annual salary not to exceed \$10,000.00 for the position of Halifax City Manager.

L. A. Kitz,  
CHAIRMAN.

Moved by Alderman Kitz, seconded by Alderman Fox that the report be approved.

Alderman Moriarty: "Will the Committee have the authority to make the appointment after receiving nominations from the firm of Kellogg & Stephenson, for the position of City Manager?"

Alderman Kitz: "The Committee would have no power to hire the officer for that position. If you read that section, second last line, you will see that they merely sift and weigh and give us their report. The final appointment must necessarily rest with the Council."

The motion was then put and passed 8 voting for the same and 1 against it as follows:

FOR THE MOTION

Alderman DeWolf  
Abbott  
Kitz  
Fox  
Duffy  
Vaughan  
Hatfield  
MacMillan

- 8 -

AGAINST IT

Alderman Moriarty

- 1 -

Moved by Alderman Vaughan, seconded by Alderman Fox that this meeting do now adjourn. Motion passed.

Meeting adjourned.

8:10 P. M.

*W. P. Publicover*  
W. P. PUBLICOVER,  
CITY CLERK.

*Gordon S. Kinley*  
Gordon S. Kinley,  
MAYOR AND CHAIRMAN.

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 9, 1951,  
8:00 P. M.

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

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Abbott, Adams, Kitz, Fox, Duffy, Vaughan and Hatfield.

The meeting was called specially to consider Legislation for 1951.

Moved by Alderman Adams, seconded by Alderman Duffy that Council resolve itself into a Committee of the Whole. Motion passed.

8:05 P. M. Council then met as a Committee of the Whole.

11:55 P. M. Council reconvened the following members being present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Breen, Abbott, Adams, Kitz, Fox, Duffy, Vaughan and Hatfield.

LEGISLATION 1951.

Read report of the Committee of the Whole Council as follows:

Halifax, N. S.,  
February 9, 1951.

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

Gentlemen:-

At a meeting of a Committee of the Whole Council held on the above date the attached legislation as prepared by the City Solicitor was considered.

It was agreed to recommend that the legislation be approved with the following amendments.

1. Paragraph 5 Item 46  
Delete word "net" and substitute therefor the figures \$750.00.

1951 LEGISLATION

1. (Item 4)

Subsection (3) of Section 16 is repealed and the following substituted therefor:

(3) The oaths shall be administered to the Mayor Elect by the Governor or, in his absence or inability to act, by the Administrator of the Government or by the Chief Justice or by one of the Judges of the Supreme Court; the oaths shall be administered to the aldermen by the Mayor or by any of the persons empowered to administer the oaths to the Mayor. The aldermen or the aldermen elect shall be entitled to be present when the Mayor is sworn into office.

(Explanatory note: The present section does not provide for the swearing in of the Mayor by any person other than the Governor except in the absence of the Governor. This amendment is for the purpose of providing a means of swearing in the Mayor when the Governor, although not "absent from the province", is unable to act. It could cover illness or absence from the City, etc. The section is further altered by providing that if desired the Governor, Administrator, Chief Justice or any Supreme Court Judge, as well as the Mayor, shall have power to swear in the aldermen.

2. (Item 49)

(1) Clause (d) of Section 30, as that clause is enacted by Section 2 of Chapter 72 of the Acts of 1945 and amended by subsection (3) of Section 3 of Chapter 66 of the Acts of 1950, is further amended by striking out the words "the day before" in the fifth line thereof.

(2) Subsection (3A) of Section 31, as that subsection is enacted by subsection (3) of Section 4 of Chapter 66 of the Acts of 1950, is amended by striking out the words "the day before" in the seventh line thereof.

(Explanatory notes: The first amendment above permits voters to become qualified to vote by payment of taxes up to the day before the election instead of up to two days before.

The second amendment above permits companies to file nominations of voting agent up to the day before the election instead of two days before.

These amendments were suggested by the City Collector.)

3. (Item 24)

Section 370 is amended by adding thereto the following:

- (j) The real property situated on the north side of College Street and known as civic number 83, owned by The Children's Hospital of Halifax, during such time as the same is owned by the said Children's Hospital and is used by it for its own purposes.

4. The City may write off and cancel the real property and other taxes assessed against the Children's Hospital of Halifax for the year 1950 in respect of its ownership and occupancy of the real property known as civic number 83 College Street in the City of Halifax.

(Explanatory note: This property is used as an adjunct to the Hospital as a nurses' residence. It is considered proper to exempt it from taxation so long as it is being used for this purpose.)

5. (Item 46)

Section 375 is amended by striking out the word "net" in the second line thereof.

(Explanatory note: The use of the word "net" results in practically nullifying the effect of this legislation which is intended to relieve widows without children from payment of taxes for school purposes upon real property to the extent of ~~\$500.00~~ if her "net" income is less than ~~\$500.00~~.)

150.00

6. (Item 8)

Subsection (3) of Section 425 is amended by striking out the period following the word "instalments" in the second line thereof and adding to the said subsection the following:

"or on payments of real property taxes in respect of any property upon which the taxes for any preceding year are unpaid at the time of such payment."

(Explanatory note: The purpose of this amendment is to require all arrears of taxes on any property to be paid before any taxpayer shall be entitled to a discount for prompt payment of current taxes on that property.)

7. (Item 36)

Section 426 is amended by inserting therein between the words "taxes" and "and" in the third line



thereof the words "and license fees imposed under the authority of Sections 361 and 361A,".

(Explanatory note: This amendment is to enable the City to collect the license fees on companies and certain businesses by the same methods used in the collection of taxes - namely, by warrant of distress and legal action or both..)

8. (Item 31).

Section 522 is amended by adding thereto the following subsection:

(4) In any case in which, due to the relocation of official street lines, certain land, lying between the new official street line and the former street line, is conveyed by the City to the owner of the land abutting upon the land so conveyed by the City, such land so conveyed shall upon delivery of such conveyance form a part of the land so abutting upon the same and shall be subject to all liens and encumbrances existing upon such abutting land at the date of the delivery of such conveyance to the same extent and in the same manner as if such land had formed a part of such abutting land at the date of the coming into existence of such lien or encumbrance.

(Explanatory note: The City through relocation of street lines causes certain land to appear between the new and old street lines. It has been the practice of the City to convey these pieces of land to the owner of the abutting property as they are of no use to any other person. Frequently, however, the abutting properties are subject to mortgages and tax liens and in the event of these encumbrances being foreclosed or enforced a serious question of title can arise. In order that these small parcels of land will go along with the main lot the above section is intended to declare that they are automatically subject to the same lien as the main lot and follow any disposition of the same by legal process.)

9. (Item 26)

The Charter is amended by inserting therein, immediately following Section 524F thereof, the following Sections:

524G. The City may accept as City streets the portions of Streets, hereinafter set out, as laid out on the Official City Plan, notwithstanding that the same do not terminate at both extremities either on another street or at tidal water:

Huron Street from Micmac Street to dead end;  
Micmac Court from Micman Street to dead end;  
Ward Street from Heinish Avenue to dead end;  
Windston Place from Edward Arab Avenue to  
dead end.

10.

(Item 19)

524H. The City may accept Isner Avenue as shown on the "plan showing portion A-3 of New Westmount Subdivision", dated June 26, 1950, and approved conditionally by the Town Planning Board of the City of Halifax on July 4, 1950, said plan being Plan No. 00-2-11379 filed in the Office of the Commissioner of Works, notwithstanding that the said Isner Avenue is less than sixty feet in width and does not terminate at both extremities either on another street or at tidal water.

(Explanatory note: Re: Section 524G. It is not possible at the present time to extend the above streets to intersect another street at the "dead end". It is necessary, however, to care for these streets and give service to the people who have built on these streets. This can only be done by the City taking them over, <sup>and</sup> because the Charter requires streets to either end on other streets or tidal waters before they can be accepted, this special legislation is necessary.)

(Explanatory note: Re: Section 524H. This subdivision is adjacent to the Westmount Subdivision in which roads 40 feet wide were permitted because service streets are also provided. The dead end in this case is caused by the boundary of the property under subdivision being reached. However, the road in question does abut on a foot roadway.)

11.

(Item 39)

Section 578A is repealed and the following substituted therefor:

578A. (1) The owner or occupier of any lot of land, except lands under cultivation for farming or gardening purposes, shall keep the same free from all dry or inflammable grass or weeds by cutting and removing the same.

(2) The owner or occupier of any lot of land shall keep the same free at all times from any accumulation of wood shavings, paper, sawdust or other combustible materials.

(3) Every person who fails to remove from such lot of land such grass or weeds or other accumulation of combustible materials within forty-eight hours after receipt of a request to do so from the Commissioner of Works shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars and in default of payment to imprisonment for a period not exceeding three months, and every day during which such failure to so remove such grass or weeds or combustible materials continues after receipt of such request shall constitute a fresh offence.

(4) The request of the Commissioner of Works

shall be made by a registered letter, addressed to such owner or occupier at his last known address.

(Explanatory note: This section is redrafted to include combustible materials, other than grass or weeds, such as shavings, sawdust, paper, etc. These are a potential fire hazard and this section is necessary in order to provide a control and a means of eliminating the same.)

12.

(Item 50)

Section 670 is amended by adding thereto the following:

Such regulations or by-laws may provide for penalties for violation of or non-compliance with any of the provisions thereof. Such penalties, however, shall not exceed in respect of any one offence the sum of one hundred dollars and, in default of payment, imprisonment for a period not exceeding thirty days.

(Explanatory note: Some doubt exists as to the right of the Directors of Point Pleasant Park to prescribe penalties for violation of the regulations of the Park. Although the regulations do contain penalty clauses, the amounts of the penalties are considered quite inadequate and in order to deal with the matter on a sounder basis it is desirable to have the question of the right to impose penalties clearly defined.)

13.

(Item 21)

(1) Subsection (3) of Section 675, as that Section is enacted by Section 25 of Chapter 72 of the Acts of 1945, is amended by striking out the word "One" in the fourth line thereof and substituting therefor the word "Five" and by striking out the words "sixty days" in the fifth line thereof and substituting therefor the words "six months".

(2) Subsection (4) of said Section 675 is amended by striking out the words "foregoing provisions" in the fourth line thereof and substituting therefor the words "provisions of this Section".

(3) Subsection (6) of said Section 675 is amended by adding thereto the following:

Every day that any person maintains or continues upon any such land a building or structure, erected, constructed or placed thereon, without having received permission therefor as hereinbefore provided, shall be deemed a separate offence.

(Explanatory note: The above sections so amended deal with the protection of the watershed of the

City of Halifax. The first amendment increases the maximum penalty from \$100.00 to \$500.00 for violating any provisions and the penalty for failure to pay the monetary penalty from sixty days imprisonment to six months imprisonment.

The second amendment extends the right of the Commissioner of Works and the Public Service Commission to take such action as is necessary to protect the watershed over all of the subsections of the section, ... some of which have been added. Subsection (4), however, was formerly the last section and only applied in its terms to the "foregoing" sections. This amendment makes it apply to all the sections.

The third amendment provides that every day of violation shall constitute a separate offence.)

14.

(Item 15.)

Subsections (3) and (4) of Section 690 are repealed.

(Explanatory note: Subsection (3) so repealed provides that the minimum valuation for fire protection rate shall be \$1000.00 rather than the actual assessed value. The adjusting of these various valuations takes up a great deal of time and since the total amount collected from these properties would only be lessened in 1950 by \$182.17 if actual valuations were used, it is considered an economy to forego the \$182.17, charge on the actual assessment and save this time.

Subsection (4) so repealed requires a building which is used as flats to be divided into two assessments. Hereafter such a building will be assessed as one unit.)

15.

(Item 11)

Section 733 is amended by adding thereto the following subsection:

(2) The inspector may also refuse to issue a permit for the alteration or repair of or the addition to any building, if, in his opinion, such alteration, repair, or addition will result in such building, when so altered, repaired or added to, being unsuitable in design or appearance for the locality in which it is situated.

(Explanatory note: The present section appears to allow the inspector to refuse a building permit for the construction of a new building where he is of the opinion that its design or appearance is unsuitable for the locality in which it is proposed to be erected. This new subsection extends this authority to alterations, repairs and additions to existing buildings.)

16.

(Item 32)

Section 816 is repealed and the following substituted therefor:

816. Except as herein otherwise provided, no premises situated on any part of Young Avenue or in the Miller property as hereinafter defined shall be used for any purpose other than a private residence, but any building now erected on Young Avenue or in the Miller property, as hereinafter defined, may be altered for use as an apartment building, and apartment buildings may be erected on Young Avenue and in the Miller property aforesaid and when so altered or erected may be used for that purpose, provided that any such building when so altered or erected shall not contain more than four apartments exclusive of caretaker's quarters.

17.

Section 820 is repealed and the following substituted therefor:

820. No building at any time erected on Young Avenue, or within one hundred and eighty feet thereof, shall be used as a shop, hotel, house of entertainment, boarding house, livery stable, garage, or for any purpose other than a private dwelling house or apartment house, provided that no building used as an apartment house shall contain more than four apartments, exclusive of caretaker's quarters.

(Explanatory note: The foregoing sections permit the erection of apartment houses in the Young Avenue, Miller Property district of the City. At the present time the Charter permits the remodeling of existing dwellings into apartment buildings with a limit of four apartments exclusive of janitor's quarters. This legislation permits the erection of new apartment buildings containing four apartments and caretaker's quarters each. The Zoning of the District will change from R/1 to R/2 or R/3.)

18.

(Item 42)

The Charter is amended by inserting therein, immediately following Section 851 thereof, the following Section:

851A. (1) The chief officer may demand admission into any pier, wharf, warehouse, retail store, or industrial premises and into any building, structure or open space in which combustible materials are handled, stored, manufactured, processed or sold, for the purpose of inspecting and ascertaining the degree of risk of fire therein.

(2) If the chief officer is of the opinion that conditions existing in any of the places enumerated in the preceding subsection justify the

prohibition of smoking as a means of reducing the risk of fire in such places he may order the owner or occupant in writing to post suitable signs or placards, approved by him, in each room, building, structure or place in which such prohibition of smoking shall be enforced.

(3) Any such order may be delivered to the owner or occupant personally or may be sent by registered letter addressed postpaid to the owner or occupant and upon receipt of such order such owner or occupant shall forthwith post such signs or placards as directed by such order.

(4) The opinion of the chief officer as to the risk of fire in any of the places hereinbefore enumerated shall be conclusive.

(5) All such signs so posted shall state that the prohibition of smoking is ordered by the Chief of the Fire Department of the City of Halifax.

(6) Every person who smokes or is found smoking in any of the places where signs or placards have been posted under an order of the chief officer prohibiting smoking in such place shall be guilty of an offence.

(7) The chief officer may permit smoking in such special rooms or portions of a building or structure as he may from time to time designate and under such restrictions as he may impose, and such rooms or portions shall be designated by appropriate signs.

(8) It shall be an offence for any person to remove, deface, alter or mutilate any sign placed under the order of the chief officer as above set out without the consent of the chief officer.

(9) For the purpose of this Section, the expression "smoking" shall include the carrying of a lighted pipe, cigar, cigarette or tobacco in any form.

(10) Any person who fails to comply with any order of the chief officer to post such signs or placards, or fails to comply with any of the provisions of this Section, or who is found guilty of an offence under this Section, shall be liable to a penalty not exceeding one hundred dollars and in default of payment to imprisonment for a period not exceeding one month.

(Explanatory note: This legislation is intended to give the Chief of the Fire Department authority to require owners or occupiers of property in which in his opinion smoking increases the fire hazard to post "No Smoking" signs and to enforce his orders. This is recommended by the Chief of the Fire Department.)

19.

(Item 51)

Clause (a) of subsection (5) of Section 887A, enacted by Section 34 of Chapter 46 of the Acts of 1943, is amended by striking out the word "Three" in the twenty-eighth line thereof and substituting therefor the word "Four".

(Explanatory note: In December 1950 the City Council authorized an increase in the per diem rate for patients in the Infectious Diseases Hospital from Three Dollars to Four Dollars to coincide with the rates charged public ward patients in the Victoria General Hospital. This amendment is necessary to enable the City to charge this new rate to municipalities in respect of patients having a settlement in such municipalities. The new rate of \$4.00 is already in effect for patients in Halifax City.)

20.

(Item 37)

Clause (b) of Section 942 is amended by striking out the following words:

"provided that, unless it is expressly otherwise provided, no such money penalty shall exceed one hundred dollars and no such imprisonment shall be for a longer period than three months".

(Explanatory note: It has been found that this section is in conflict with Section 943 which places a limit of \$500.00 and 6 months on penalties. For this reason the proviso of clause (b) of Section 942 is submitted for repeal).

21.

(Item 23)

Subsection (1) of Section 2 of Chapter 75 of the Acts of 1945, "An Act to enable the City of Halifax to take Plebiscites", as that subsection is amended by Section 47 of Chapter 69 of the Acts of 1947, is further amended by striking out the words "affirmative" in the tenth line thereof, and substituting therefor the word "a".

(Explanatory note: At the present time, the above section provides that before a matter can be submitted to a vote of the ratepayers by a plebiscite, the City Council must first vote in favor of the matter. This amendment is sought to enable the opinion of the ratepayers to be secured on any decision the Council may make in the matter - whether such decision or resolution of the Council is in favor of the matter or opposed to the same.)



22.

(Item 20)

Subsection (1) of Section 71 of Chapter 66 of the Acts of 1950 is amended by striking out the words and figures "1943 Pavement - Interest..... 37.96" in the tenth line thereof and substituting therefor the words "1943 Sidewalk - Interest ..... 37.96".

(Explanatory note: This section is to correct an error in last year's legislation where the word "Pavement" was used instead of "Sidewalk".)

23.

(Item 16)

(1) The City may refund to each of the persons who jointly paid to F. W. Bissett, K.C., the sum of Fourteen Hundred and Thirty Dollars, charged by him to such persons for services rendered by him to such persons as Mayor and Aldermen of the City during the investigation by the Judge of the County Court for District Number One into the circumstances surrounding the proposed purchase of Snow Blowers by the City during the year 1949, the proportion of the said sum of Fourteen Hundred and Thirty Dollars actually paid by such persons.

(2) Any sums required by the City for the purposes hereinbefore set out shall be shown as an expenditure by the City in the civic year 1951.

24.

(Item 18)

(1) Notwithstanding the provisions of the City Charter respecting the same, the amounts to be charged against the Board of Trustees of Pine Hill College, the owner of certain lands lying on the east and west sides of Francklyn Street and the south side of Pine Hill Drive in the City of Halifax, in respect of sewer proposed to be laid in said Francklyn Street and Pine Hill Drive in the year 1951, as set out on profile plan No. PP-6-11424 on file in the office of the Commissioner of Works, shall not be payable to the City nor shall the said Board of Trustees be liable therefor until the said land lying on the east side of Francklyn Street and the land lying on the south side of Pine Hill Drive, or any part thereof, and fronting on the said sewer shall become connected with the said sewer and in such event the said Board of Trustees shall become liable to pay only the sewer charges applicable to the said land lying on the east side of Francklyn Street and the south side of Pine Hill Drive and which fronts upon the said sewer.

(2) Notwithstanding the provisions of the said Charter, the City shall have no lien upon any of the said real property until such time as such connection shall be made and upon such connection being made to any part of the said land lying on the east side of Francklyn Street and the south side of Pine Hill Drive as now owned by the said Board of Trustees, the Commissioner of Works shall file with the City Collector a certificate setting out the date of such connection and the filing of such certificate



shall have the same force and effect in respect of the said land and the owners thereof as the filing of the plan and list referred to in subsection (2) of Section 599 and all the provisions of the Charter relating to the payment of assessments for sewer shall apply.

(Explanatory note: In order to provide for proper drainage for this area, the City proposes to lay a new sewer on Pine Hill Drive. Pine Hill College owns all of the land fronting on this sewer, but the College property on the west side of Francklyn Street is already served by the North West Arm sewer and will receive no benefit from the new sewer. The property on the east side of Francklyn Street and the south side of Pine Hill Drive is used as a park and the above legislation relieves this property from liability until it becomes connected in whole or part with this sewer. At the present time the sewer will be of no benefit to this property.)

25.

(Item 14)

The City may write off and cancel the betterment charges assessed against Thomas P. McCartney in respect of the laying of a sewer in Rockcliffe Street in the year 1948, amounting to the sum of fifty dollars and the accrued interest thereon and which said charge is known as account 11149, and refund any sums paid thereon to the said Thomas P. McCartney or his assignee.

(Explanatory note: The sewer in question passes in front of a 20 foot right-of-way leading from Rockcliffe Street to a lot in the rear of the other lots fronting on Rockcliffe Street, which cannot be served by the sewer in question. The lot of land cannot be used for building as it is a right-of-way and the lot in question is served by another sewer.)

26.

(Item 12)

The City may write off and cancel the betterment charges assessed against Esther Schlossberg in respect of the laying of a sewer in the year 1949 in front of the property known as 7 Armcrescent East, amounting to the sum of one hundred and fifty dollars, together with the accrued interest thereon.

(Explanatory note: By reason of an error in the issuing of a tax certificate in respect of the above property, in which the existence of the sewer was omitted, the City is now estopped from enforcing payment of this betterment charge from the owner of the property in question to whom the certificate was issued.)

27.

(Item 13)

(1) The City shall pay to A. L. Theakston, upon his retirement from employment with the Department of Works of the City, for the remainder of his life, a monthly allowance of one hundred dollars as and from the first day of May, A. D. 1951, which shall be paid to him in monthly payments, in advance, on the first day of each month, and the sums required to pay the said allowance during the civic year 1951 shall be included in the estimates for the civic year 1952 and all sums required to pay such allowance for subsequent years shall be included in the estimates for the civic year in which the allowance is to be paid.

(2) The City shall pay to W. H. Orton, upon his retirement from employment with the Department of Works of the City, for the remainder of his life, a monthly allowance of one-twelfth of one thousand dollars as and from the first day of May, A. D. 1951, which shall be paid to him in monthly payments, in advance, on the first day of each month, and the sums required to pay the said allowance during the civic year 1951 shall be included in the estimates for the civic year 1952 and all sums required to pay such allowance for subsequent years shall be included in the estimates for the civic year in which the allowance is to be paid.

28.

(Item 7)

The City may expend a sum not exceeding twenty-five thousand dollars for the purpose of defraying the cost of a survey of the sewer system of the City and any sums required for this purpose may be borrowed by the City from time to time from any bank or fund available and with any interest thereon repaid in equal instalments extending over not more than five years from the date of the borrowing of the same by including the instalment to be paid in any year in the annual estimates of the City for that year, or in the alternative the City may borrow such sum as may be required for the said purpose under the authority of the Municipal Affairs Act and repay the same in five equal annual instalments, and such purpose shall be deemed to be a City purpose within the meaning of the said Act.

(Explanatory note: This section is to provide the City with authority to expend up to \$25,000 to make a survey of the sewer system of the City. The necessary funds may be borrowed by the City from a bank and repaid in instalments within five years and in the alternative may also be borrowed by means of debentures repayable in five equal instalments issued under the Municipal Affairs Act.)

29.

(Item 17)

The City may borrow the sum of one hundred thousand dollars and pay the same to the Children's Hospital, Halifax, Nova Scotia, as a grant towards the cost of the construction of an addition to the existing hospital, and any sums required by the City for the foregoing purpose shall be deemed to be sums required by the City for a City purpose within the meaning of the Municipal Affairs Act and may be borrowed by the City under the provisions of and in the manner provided by the said Act, and any sums so borrowed as aforesaid shall be repaid within twenty years from the date of the borrowing of the same, provided however, that the City shall not make such grant as aforesaid unless and until a grant of a sum of not less than three hundred thousand dollars has been made to the said Hospital for the purpose above set out by the Province of Nova Scotia.

(See Council Minutes, July 27th, 1950.)

30.

(Item 22)

The City may pay to the Halifax Infant's Home as a grant a sum sufficient to defray the amount of the assessment made by the City against the Halifax Infant's Home for street paving laid in the year 1948, amounting to \$967.86, and the accrued interest thereon, and any sums required for this purpose shall be included in the estimates for the civic year 1952.

31.

(Item 48)

(1) The Council may by resolution close to public use that portion of Greenwood Avenue lying between the southern line of Oakland Road and the northern line of Belmont Road and upon the passage of such resolution the right of the public to use the said portion of Greenwood Avenue shall be terminated and extinguished.

(2) Upon the passage of the said resolution the City may release and convey any interest it may have to the lands included in the said portion of Greenwood Avenue to such person or persons and for such sum as it may determine.

(Explanatory note: Since this portion of Greenwood Avenue is such that a street cannot be made over it due to the height of the grade, it has been decided to close it off and remove the official street lines and convey any interest the City may have therein to the owners of the properties fronting on such portion of Greenwood Avenue.)

32.

(Item 47)

(1) The Council may by resolution close to public use that portion of Vestry Street (now known as Woodbine Avenue) lying to the east of the eastern official street line of Highland Avenue, and upon the passage of such resolution the right of the public to use the said portion of Vestry Street (now known as Woodbine Avenue) shall be terminated and extinguished.

(2) Upon the passage of the said resolution the legal title to the lands comprising the said portion of said Vestry Street so closed extending eastwardly from Highland Avenue a distance of seventy-five feet more or less or to the western boundary line of property now or formerly owned by one Aubrey B. Zinck and having a width of sixty feet more or less shall vest in the City and the City may sell and convey such land for such sum as it may determine and give a good and sufficient deed therefor.

(Explanatory note: It is not possible to extend this street through and it is considered in the best interests of the district not to permit the same to be left unused. Therefore it is necessary to discontinue any rights which may exist to use this portion as a street and to secure authority to sell the same.)

33.

(Item 29)

(1) The Council may by resolution close to public use that portion of Roxton Road lying between the western side line of Bellevue Avenue and the eastern side line of Beaufort Avenue, and upon the passage of such resolution the right of the public to use the said portion of Roxton Road shall be terminated and extinguished.

(2) Upon the passage of the said resolution the legal title to the lands comprising the said portion of Roxton Road so closed shall vest in the City and the City may sell and convey such land for such sum as it may determine and give a good and sufficient deed therefor.

(Explanatory note: This is a short piece of street cutting diagonally across the intersection of Bellevue Avenue and Beaufort Avenue in the Marlborough Woods. It crosses approximately 40 feet from the intersection and interferes with the laying out of several lots. It is not needed as a street. It is proposed to close this portion and exchange the same for another parcel of land adjacent which is required for street purposes. The City will retain a sewer easement through the land in question.)

34.

(Item 52)

(1) Every person who for gain engages in the business of a building contractor in the City and who is not assessed for business taxes by the City in respect of such business for the year in which such person engages in such business, and who employs in connection with such business any person who was not a resident of the City continuously for one year immediately preceding his entering into such employment or who has not been assessed for and paid a real property tax, business tax, household tax or poll tax to the City in respect of the civic year immediately preceding his entering into such employment, shall upon employing such person forthwith pay to the City Collector on behalf of such person so employed a tax of ten dollars.

(2) Every person who, being liable to pay the said tax as hereinbefore provided, fails to pay the same to the City Collector within forty-eight hours after becoming liable to do so shall be liable to a penalty of one hundred dollars and in default of payment to imprisonment for a period not exceeding one month and shall in addition be liable to pay the said tax which may be recovered from him by the City Collector by the issue of a warrant of distraint and the seizure and sale thereunder of any goods and chattels or by an action in the name of the City as if the same were a debt due to the City or by both forms of remedy.

35.

(Item 45(1))

Subsection (2) of Section 361 is amended by adding thereto the following clause:

(s) Every person who enters into any contract for the construction, alteration or repair of or for the addition to any building within the City, or who for or on behalf of any other person commences to construct, alter, repair or add to any such building, or who for gain engages in the business of a building contractor in the City, upon entering into such contract, commencing to construct, alter, repair or add to such building or to engage in such business, \$200.00: provided however, notwithstanding the provisions of subsection (1), if any such person, in respect of any year, has been assessed for and has paid a business tax to the City in respect of the business of a building contractor carried on by him, such person shall be entitled to demand and receive from the City a rebate of such license fee of \$200.00 paid by him in respect of that year to the amount of the business tax so paid by him.

(Explanatory note: In order to secure some revenue from persons carrying on the construction business in the City and who do not occupy any real property for such purpose and who cannot therefore be taxed, the above amendment is submitted. It imposes a \$200.00 license fee on all such contractors, whether assessed or not, and provides for a rebate against the license fee of such sums as are paid by way of business tax in the same year.)

36.

(Item 45(2))

Said Section 361 is further amended by inserting therein, immediately following subsection (2) thereof, the following subsection:

(2A) Every person liable to pay a license fee under the provisions of this Section and who fails to pay the same within twenty-four hours after demand is made therefor by the Collector shall be liable to a penalty of double the amount of such license fee, which may be recovered under the provisions of the Nova Scotia Summary Convictions Act or by the issue of a warrant of distraint and the seizure and sale thereunder of any goods and chattels, or by action in the name of the City as if the same were a debt due to the City or by both forms of remedy.

(Explanatory note: Since the special taxes imposed upon various types of business by Section 361 were changed to license fees by the Dominion-Provincial Agreement, the provisions of the Charter relative to the collection of taxes might not apply. The above Section is intended to provide a means of enforcing payment of the license fees.)

37.

(Item 53)

The Superannuation Plan for the employees of the City, including the officers and members of the Police Department and Fire Department, which was approved and adopted by the Council at a meeting thereof held the 28th day of December, 1950, is hereby ratified and confirmed and such approval and adoption is declared to have been within the power and authority of the City and the provisions of the said Plan are hereby declared to be binding upon the City and upon all persons entitled to participate in and receive any benefit under the provisions of such Plan.

(Explanatory note: The City adopted a Superannuation Plan at a meeting of the Council held December 28th, 1950. It is desirable that the action of the Council and the provisions of the Plan be ratified and approved by the Legislature in order to ensure that the provisions of the Plan will be binding on the parties to the Plan and that the rights of those parties will be safeguarded.)

38.

(Item 54)

(1) Subsection (5) of Section 398 is amended by striking out the words and figures "One Hundred Dollars (\$100.00)" in the fifth line thereof and substituting therefor the words "three hundred dollars".

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on

the first day of January, A. D. 1951.

(Explanatory note: This amendment increases the remuneration payable to the three members of the Court of Tax Appeals from \$100.00 per year to \$300.00 per year, effective from January 1st, 1951.)

39. The City may expend the respective sums set out in Schedule "A" hereto for the purposes set out opposite each item. The sums so expended shall be shown as an expenditure made by the City in the year in which the same were expended.

SCHEDULE "A".

- (Item 25). To pay as a grant to the Walter Callow Wheel Chair Coach Fund the sum of ..... \$ 500.00
- (Item 27). To pay as a grant to the Nova Scotia Opera Association to assist in defraying any deficit a sum not exceeding .... 500.00
- (Item 33). To pay as a grant to the Halifax Community Chest the sum of ..... 5,000.00
- (Item 38). To pay as a grant to the Halifax Infirmary to assist in defraying the costs of operating the said Hospital the sum of .... 10,000.00



(Item 3)

B I L L NO. \_\_\_\_\_

An Act to Amend Chapter 47 of the Acts of 1944, The Halifax Public Service Commission Act.

BE IT ENACTED by the Governor and Assembly as follows:

1. Clauses (a) and (b) of subsection (4) of Section 14 of Chapter 47 of the Acts of 1944, The Halifax Public Service Commission Act, are repealed and the following substituted therefor:

(4)(a) The City of Halifax is empowered to and may guarantee unconditionally the payment of the principal and interest or the principal or the interest only of the bonds or debentures issued by the Commission or of such of the bonds or debentures issued by the Commission as the City may by resolution of the Council determine, and the City may also guarantee the due performance by the Commission of all terms, provisions, covenants and conditions of every Deed of Trust or Mortgage made by the Commission securing the same, and upon such guarantee being given by the City, the City shall be liable according to the terms of the same for such payment or such due performance to the same extent and in all respects whatsoever as if the City were the principal debtor.

(b) Such guarantee if given shall be in form similar to the following, with such variations as may be necessary, and shall be endorsed on every such bond or debenture issued by the Commission which is subject to any such guarantee:

"The City of Halifax, pursuant to the Halifax Public Service Commission Act, hereby unconditionally guarantees to the lawful holder or holders hereof due payment of the principal (and/or interest) of the within debenture according to its tenor, and, if a Deed of Trust or Mortgage is made, due performance by Public Service Commission of Halifax of the Deed of Trust or of the Mortgage securing the same dated \_\_\_\_\_ in favor of \_\_\_\_\_  
Dated at Halifax, Nova Scotia, 19 \_\_\_\_\_

IN WITNESS WHEREOF the said City has caused its Corporate Seal to be hereunto affixed and this Guarantee to be signed by its Mayor and City Clerk.



February 9, 1951.

2. Paragraph 15, Item 11.  
To be redrafted to provide for an appeal to the Committee on Works this also to apply to Section 733 (1).
3. Paragraph 16, Item 32.  
Deferred for redrafting.
4. Paragraph 17.  
Deferred for redrafting.
5. Paragraph 18, Item 42.  
Deferred.
6. Paragraph 21, Item 23.  
Deferred.
7. Paragraph 34, Item 52.  
Deferred.
8. Paragraph 35, Item 45 (1)  
To be redrafted.

The following item was also submitted and approved.

Item 55.

- (1) Section 309 is amended by inserting between clauses (q) and (r), on page 101 of the Halifax City Charter of 1931, the following clause:  
  
(qq) establishing and maintaining a civil defence organization in the City;
- (2) Any expenditures made by the City in the civic years 1950 and 1951 for the purposes of civil defence are hereby ratified and confirmed and declared to have been lawful expenditures by the City.

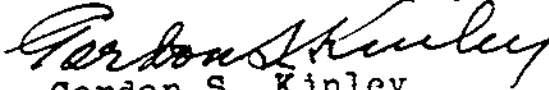
Respectfully submitted,


W. P. Publicover,  
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Abbott  
that the report be approved. Motion passed.

Moved by Alderman Vaughan, seconded by Alderman Duffy  
that this meeting do now adjourn. Motion passed.

Meeting adjourned. 12 o'clock midnight.

  
Gordon S. Kinley,  
MAYOR AND CHAIRMAN.

  
W. P. PUBLICOVER,  
CITY CLERK.

CITY COUNCIL MEETING

THURSDAY,  
FEBRUARY 15, 1951.

A G E N D A

Prayer.  
 Minutes.

Public Hearing re Rezoning Portion of Citadel Hill from P Zone to C2 Zone.  
 " " Conversion of Dwelling #304 Quinpool Road.  
 " " Rezoning e/s of Creighton St., Black to North Sts.  
 " " " Portion of the w/s of Brenton St.  
 Motion by Alderman Kitz to rescind Resolution Rezoning Block bounded by  
 Allen, Yukon Sts., Monastery Lane & Harvard St.

Accounts.

Report Fin. & Exec. Comm. re Accounts Special Items.  
 " " " Post War Fund.  
 " " " Prefab Account.  
 " " " Prefabricated Houses (Foundations).  
 " " " Purchase of Houses Highland Park.  
 " " " Public Housing North Park Street.  
 " " " Additional Borrowing Cattle Shed.  
 " " " Additional Borrowing Morris Street School.  
 " " " Purchase of Land Fairview.  
 " " " Sale of Land to No. 9 Platoon H.C.E.C.  
 " " " Purchase of Books Halifax Memorial Library.  
 " " " Sub-Appropriations.  
 " " " Site College of Art.  
 " " " Assessment Halifax Council of Social Agencies.  
 " " " Tax Write-Offs.  
 " " " Refunding Loans.  
 " " " Unemployment Insurance.  
 " " " Superannuation Refunds.  
 " " " Salaries.  
 " " " Tag Days.  
 " " " Use of City Crest.  
 " " " Watershed.  
 " " " Medical Examination new employees.  
 " " " Superannuation Fund.  
 Report Public Health & Welfare Comm. re Accounts over \$200.00.  
 " " " " Tenders for Heating Storeroom  
 (T. B. Hospital).  
 " " " " Tenders for Groceries.  
 Report Safety Committee re Accounts over \$200.00.  
 " " " Tenders for Uniforms etc. Fire Department.  
 Report Committee on Works re Accounts over \$500.00.  
 " " " Final Certificate.  
 " " " Adjustment Account Street Lighting.  
 " " " Claim for Damage to Sidewalk.  
 " " " Claim Mr. E. K. MacKay.  
 " " " Tenders for Fire Alarm System City Hall.  
 " " " Tenders for Murray Building Quinpool Road.  
 " " " Street Acceptance.  
 " " " Street Lighting.  
 " " " Sewer Extension Shirley Street.  
 " " " " Inglis Street Etc.  
 " " " Illuminated Signs.  
 " " " Ornamental Tree List.  
 Report Town Planning Board re Resubdivision Zinck Property Bayers Rd. Etc.  
 Report Housing Accommodation Comm. re Accounts over \$200.00.  
 Report Special Committee re Municipal Franchise.  
 Report re Civil Defence Committees.  
 Appointments to Committees.  
 Letter Halifax North Civic Improvement Assoc. re Street Paving.

Letter Halifax North Civic Improvement Assoc. re Qualifications Alderman  
Redmond.

Petition re Rents Wellington Court.  
Questions.

Approval of Borrowing.

Report Chief Accountant re Tax Collections month of January.

Deferred Items:

- 1) Tenders for Land.
- 2) Legislation.

EVENING SESSION

Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 15, 1951,  
8:00 P. M.

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

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen Moriarty, Breen, Abbott, Adams, Macdonald, Kitz, Fox, Vaughan, Hatfield and MacMillan.

The meeting was called to proceed with business standing over and the transaction of other business.

The following named papers were submitted.

MINUTES

Moved by Alderman Vaughan, seconded by Alderman Kitz that the minutes of the previous meetings be approved. Motion passed.

It was agreed that Item #5 on the agenda be now considered.

✓ MOTION ALDERMAN KITZ TO RESCIND RESOLUTION Re: REZONING  
BLOCK BOUNDED BY ALLEN, YUKON STS. MONASTERY LANE AND  
HARVARD STREET

Moved by Alderman Kitz, seconded by Alderman Macdonald that the Town Planning Board's decision not to rezone this area be upheld and that our Building Inspector be instructed to take action against this building which is illegally erected on these premises.

Alderman Kitz: "The item I rise on has been an irritant in the sides of the people who are there. The motion that was made last month was to rescind the motion of the Council acting on the Town Planning Board's resolution to have a hearing to consider this matter. In 1948 an application was made to Mr. Dumaresq, then Town Planning Engineer, to rezone this section.

February 15, 1951.

It was turned down. When the Master Plan was being proposed there was another application and it was turned down. Somewhere along the line a building was illegally erected there. In the summer of 1950 the action of this City was tested by the owner claiming we had no authority to declare that as a residential district. No action has been taken on the Judgment rendered in the Supreme Court."

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Moriarty, Breen, Abbott, Adams, Macdonald, Kitz, Fox, Vaughan, Hatfield and MacMillan.

EXEMPTION ZONING REGULATIONS # 120 ALLEN STREET

February 15th, 1951.

Re: Mrs. Lillian Wonnacott -  
Allen Street.

His Worship the Mayor and  
Members of the City Council.

Gentlemen:-

At a meeting of the Town Planning Board held on February 12th, 1951, the attached letter from the City Solicitor in regard to Mrs. Wonnacott's application for exemption of her property, #120 Allen Street, from the present zoning regulations was considered.

The Committee recommended that this be forwarded to City Council to be dealt with.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Per J. B. Sabeau,  
Clerk of Works.

February 9th, 1951.

To His Worship the Mayor and  
Members of the Town Planning Board.

Gentlemen:-

This matter was deferred at the last meeting of the Town Planning Board in order that the Council minutes could be consulted, to see how the matter stood.

I find that at the meeting of the Council on January 11th, 1951, Alderman Kitz gave notice that at the next regular meeting

February 15, 1951.

of the Council he would move that the resolution passed by the Council at this meeting to hold a public hearing on the rezoning of property on Allen Street, be rescinded and that a Stay of Proceedings be ordered. It was moved and seconded that a Stay of Proceedings be ordered pending consideration of a Notice to Reconsider at the next meeting of the Council and that there be no advertising done.

Until this Notice of Reconsideration is dealt with, no decision can be made on Mrs. Wonnacott's request for legislation. Her request could be forwarded to Council to be dealt with if necessary, after the Notice of Reconsideration has been first decided.

Yours very truly,

CARL P. BETHUNE,  
CITY SOLICITOR.

Per T. C. Doyle.

February 5, 1951.

His Worship the Mayor and  
Members of the Town Planning Board.

Gentlemen:-

I, Lillian Wonnacott, a resident of the City of Halifax, assessed for business and residential realty taxes on the property known as Civic Number 120 Allen Street, Halifax, N. S. do hereby apply for exemption from the present zoning regulation now in effect on my property.

The City of Halifax has already secured legislation to exempt properties from the residential district regulations (see sub sections 6B and 6C of Section 815 of the City Charter) and I respectfully request that I be given the same consideration by the Town Planning Board.

The present zoning regulations permit the continuance of non-conforming buildings in a residential zone and inasmuch as I have been assessed for business tax on my property for the last five years, I do believe that my property should be treated as a non-conforming property.

We have carried on our business in this location without any challenge from the city of Halifax for the last five years and I do now petition the Town Planning Board to consider my request that legislation be secured to allow me to continue to operate from my present location without the necessity of having the whole neighbourhood rezoned to a commercial district.

Yours respectfully,

(sgd.) Lillian Wonnacott  
George Wonnacott  
120 Allen St., Halifax, N. S.

Moved by Alderman Macdonald, seconded by Alderman Kitz that this application to rezone this property to a non-conforming use be not considered.

February 15, 1951.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Adams, Breen, Fox, Hatfield, Kitz, Macdonald, MacMillan, Moriarty and Vaughan.

PUBLIC HEARING REZONING PORTION OF CITADEL HILL  
FROM "PARK AND INSTITUTIONAL" TO "COMMERCIAL"

February 15, 1951.

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

IN THE MATTER of the Rezoning of a portion of Citadel Hill from P. Zone (Park and Institutional) to C 2 Zone (General Business Zone.)

Gentlemen:-

Pursuant to instructions received by me from the City Council at the last regular meeting, I caused a notice of the intention of the Council to amend the Zoning By-Law of the City, which was approved by the Council on May 11, 1950, to be inserted as an advertisement in the Halifax Mail-Star on the 22nd day of January, 1951 and the 29th day of January, 1951. The first of such notices being published at least three clear weeks prior to the 15th day of February, 1951, the date fixed for the consideration of objections to such amendment to the said Zoning By-Law, and the said advertisement being inserted at least once a week for two successive weeks as required by Section 13 of the Nova Scotia Town Planning Act.

Suitable provision was made for inspection of the proposed amendment to the said By-Law by interested persons as set out in the said notice and no written objections have been received.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Macdonald that the block bounded by Rainnie Drive, Brunswick, Cogswell and Gottingen Streets be hereafter designated as a "C-2" General Business Zone.

And be it further resolved that the Zoning Map annexed to the Zoning By-Law passed on May 11, 1950, be amended by showing thereon the said use for the area hereinbefore referred to.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Moriarty,

February 15, 1951.

Breen, Abbott, Adams, Macdonald, Kitz, Fox, Vaughan, Hatfield  
and MacMillan.

PUBLIC HEARING CONVERSION OF DWELLING #304 QUINPOOL RD.

Halifax, N. S.,  
February 15, 1951.

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

Gentlemen:-        Re: Rezoning 304 Quinpool Road

Pursuant to instructions received by me from the City Council at the last regular meeting, I caused a notice of the intention of Council to amend the existing legislation affecting the types of buildings that may be erected in Rosebank Park in order to permit the converting of a dwelling at #304 Quinpool Road into a set of flats, to be inserted as an advertisement in the Halifax Mail-Star on the 22nd day of January, 1951 and the 29th day of January, 1951; the first of such notices being published at least three clear weeks prior to the 15th day of February, the date fixed for the consideration of objections to this procedure. No objections have been received.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Macdonald that the application to convert a single family dwelling at 304 Quinpool Road into a set of flats be approved and the necessary legislation obtained.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Moriarty, Breen, Abbott, Adams, Macdonald, Kitz, Fox, Vaughan, Hatfield and MacMillan.

PUBLIC HEARING REZONING EAST SIDE OF CREIGHTON STREET BETWEEN NORTH AND BLACK STREETS FROM "THIRD DENSITY RESIDENTIAL" TO "COMMERCIAL"

Halifax, N. S.,  
February 15, 1951.

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

IN THE MATTER of the Rezoning of a portion of the east side of Creighton Street between Black and North Streets from R 2 Zone (3rd Density Residential) to C 2 Zone (General Business Zone)



February 15, 1951.

Gentlemen:-

Pursuant to instructions received by me from the City Council at the last regular meeting, I caused a notice of the intention of the Council to amend the Zoning By-Law of the City, which was approved by the Council on May 11, 1950, to be inserted as an advertisement in the Halifax Mail-Star on the 22nd day of January, 1951 and the 29th day of January, 1951; the first of such notices being published at least three clear weeks prior to the 15th day of February, 1951, the date fixed for the consideration of objections to such amendment to the said Zoning By-Law.

Suitable provision was made for inspection to the proposed amendment to the said By-Law by interested persons as set out in the said notice, and no written objections have been received.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Mr. R. A. Donahoe, K. C., appeared on behalf of a number of residents who opposed the application to rezone the area. A petition signed by 22 persons against the rezoning was submitted at this time of which Mr. Donahoe stated 15 were property owners and the other 7 resided as tenants. He said that these property owners had been assessed for sidewalk in the block concerned and to allow a commercial area to take place would diminish the value of the properties of the people living on the west side of Creighton Street. As there is one commercial establishment there now it is hoped that in time to come that that one would be discontinued and the district be used for home ownership.

Mr. R. McInnis, K. C., appeared on behalf of Mr. L. McIsaac and stated it was unfair to minimize the situation which existed. "All I am asking is that it be one thing or the other. It is unfair that a man be tied down to a residential area with a junk yard next door. I am therefore asking that the east side of Creighton Street between North and Black Streets be made Commercial."

Moved by Alderman Moriarty, seconded by Alderman Fox that the east side of Creighton Street between North and Black Streets be hereafter designated as a C-2 General Business Zone.

February 15, 1951.

And be it further resolved that the Zoning Map annexed to the Zoning By-Law passed on May 11, 1950 be amended by showing thereon the said use for the area hereinbefore referred to.

Alderman Vaughan: "The junk yard exists there because a resident on Gottingen Street purchased the property some years ago. The building is now being used by the owner for the storage of marine goods which was inherited by him. It would appear that this is a matter of spite or a way of forcing Council to take some action on the junk yard. It is not fair that the whole neighborhood be reclassified. One man bought a property on Black Street with the assurance that it was going to be retained as a residential area. Some houses on South Park Street are older than on Creighton Street. It is unfair to have this matter of a junk yard thrown into the discussion. Legislation would have to be secured to amend the Ordinance before we could deal with the junk yard question."

Alderman Abbott: "Did the Town Planning Board recommend the rezoning of this district?"

Alderman Moriarty: "It is not the intention of the applicant to throw this area into a Commercial Zone. He is only asking the privilege to allow the east side of Creighton Street which is recommended by the Town Planning Engineer. With that thought in mind, I made the motion to have that area made into Commercial."

Alderman Abbott: "Was it recommended by the Town Planning Board. I did not understand it that way?"

His Worship the Mayor: "The Department of Municipal Affairs ordered that this be re-advertised and that is why it is back here."

Alderman Macdonald: "Was the same petition with the same number of names on it presented before when this matter came up?"

Alderman Abbott: "There is no recommendation from the Town Planning Board for or against. I did not hear it read."

February 15, 1951.

Alderman Moriarty: "The Town Planning Board was here when they voted for it."

The motion was put and passed 9 voting for the same and 1 against it as follows:

FOR THE MOTION

Alderman Abbott  
Adams  
Breen  
Fox  
Hatfield  
Kitz  
Macdonald  
MacMillan  
Moriarty

AGAINST IT

Alderman Vaughan

- 9 -

- 1 -

PUBLIC HEARING REZONING BRENTON STREET, WEST SIDE  
BETWEEN MORRIS STREET AND BRENTON PLACE FROM THIRD  
DENSITY RESIDENTIAL TO COMMERCIAL

Halifax, N. S.,  
February 15, 1951.

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

IN THE MATTER of rezoning a portion of  
the east side of Brenton Street between  
Morris Street and Brenton Place from  
R 3 Zone (3rd Density Residential) to  
C 2 Zone (General Business Zone)

Gentlemen:-

Pursuant to instructions received by me from the City Council at the last regular meeting, I caused a notice of the intention of Council to amend the Zoning By-Law of the City, which was approved by the Council on May 11, 1950, to be inserted as an advertisement in the Halifax Mail-Star on the 22nd day of January, 1951 and the 29th day of January, 1951; the first of such notices being published at least three clear weeks prior to the 15th day of February, 1951, the date fixed for the consideration of objections to such amendment to the said Zoning By-Law.

Suitable provision was made for inspection of the proposed amendment to the said By-Law by interested persons as set out in the notice.

A written objection to the said amendment to the Zoning By-Law, signed by 36 persons, was received by me on February 12, 1951.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

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February 15, 1951.

Mr. W. H. Jost addressed Council as follows: "I am appearing for the applicant. There are 27 property owners who have signed the petition. They are along Brenton Street and Brenton Place. It is significant that the people who are most intimately concerned have not seen fit to register any complaint.

The applicant has been for 30 years the owner of property at the Corner of Brenton and Morris Streets. They have a modern fire proof garage. About 5 years ago the Company purchased property on Brenton Street to the north which has a frontage of 65 feet. The Company has used the house as a store-room and has used the ground in back of it as additional parking facilities. That was not included in the business zone when the plan was brought into effect. While we may use it for commercial purposes now we can't tear down and put up a new building which is what the Company would like to do eventually. It is most desirable to do that and a proper fire proof building be erected. The Company is asking that the lot be rezoned Commercial, so it can be used as a parking lot. The grounds taken against this is that it will detract from the appearance of Brenton Street. I submit that the use of the property for this purpose will have no such effect. Spring Garden Road is a business section. It is for an extension of a commercial zone which already exists there. The use of it as a parking lot or putting up a modern building is scarcely likely to detract from the adjoining properties. It will improve the street. The traffic hazard will be improved because all cars now parked on the street will be removed. It will increase the value of the properties on the street for residential purposes.

I have heard that an apartment building will be constructed at the corner of Brenton Street and Brenton Place. I presume that is on the north west corner. You will note it will be screened by one tear of houses on the other side of Brenton Street. If apartments are put there one problem will arise under the By-

February 15, 1951.

Law and it is, where are they going to find parking space of the householders? Section 10 of the By-Law says the owner must provide 160 sq. ft. for every two dwelling units. Where are they going to find that land, I don't know. Those are the objections. I submit they are not substantial in character. This matter was advertised before. On the previous occasion there was no objection. It should not be allowed to interfere with the legitimate use of the property for a legitimate business. The nature of the locality is going to be improved. To get rid of these rows of parked cars is a good argument in favor of this."

Moved by Alderman Breen, seconded by Alderman Moriarty that the west side of Brenton Street for a distance of 316 feet more or less northerly from Morris Street be hereafter designated as a C-2 General Business Zone.

And be it further resolved that the Zoning Map annexed to the Zoning By-Law passed on May 11, 1950 be amended by showing thereon the said use for the area hereinbefore referred to.

The motion was put and passed 9 voting for the same and 1 against it as follows:

FOR THE MOTION

Alderman Moriarty  
Breen  
Abbott  
Adams  
Macdonald  
Kitz  
Fox  
Hatfield  
MacMillan

AGAINST IT

Alderman Vaughan

- 9 -

- 1 -

ACCOUNTS

A resolution covering the accounts of the various Committees was submitted as follows:

RESOLVED that this Council approve for payment the bills and accounts of expenditures submitted to this meeting by the Finance & Executive Committee amounting to \$25,414.88; the Committee on Safety amounting to \$2,993.24 chargeable to Fire Alarm; \$33,521.96

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February 15, 1951.

chargeable to Fire Department; \$29,166.50 chargeable to Police Department; the Committee on Public Health and Welfare amounting to \$41,850.06 chargeable to Health Department; \$16,246.49 chargeable to City Home and \$3,364.01 chargeable to City Prison; the Committee on Works amounting to \$38,956.92; the Directors of Point Pleasant Park amounting to \$1,488.69; the Recreation Committee amounting to \$1,155.91; the Housing Accommodation Committee amounting to \$6,059.46 and the Prefabricated Housing Committee amounting to \$1,950.40 under the provisions of Section 315 of the City Charter.

Moved by Alderman Breen, seconded by Alderman Adams that the resolution as submitted be approved. Motion passed.

ACCOUNTS SPECIAL ITEMS

Halifax, N. S.,  
February 13, 1951.

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

Gentlemen:--

At a meeting of the Finance and Executive Committee held on the above date, the following accounts were approved and recommended for payment:

Phillips & Marshall	\$ 616.11
The Ballet Guild	250.00
The City Press Co.	250.00
The Ross Print Limited	305.10
Victoria General Hospital	4.00
Halifax Infirmary	25.00
Dr. John Merritt	67.00
Victoria General Hospital	20.00
Baldwin-Beckwith Ltd.	290.55
Seaman-Cross Ltd.	254.90
Soulis Typewriter Co., Limited	410.25

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved. Motion passed.

February 15, 1951.

POST WAR FUND

Halifax, N. S.,  
February 13, 1951.

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

Gentlemen:-

The attached report from His Worship the Mayor respecting the Post War Fund was considered by the Finance and Executive Committee, at a meeting held on the above date.

It was agreed to recommend that the report be concurred in.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

February 13, 1951.

Members Finance and Executive Committee,  
Halifax, Nova Scotia.

Dear Aldermen:

I hereby request that you recommend the following resolution to Council:

Whereas a great proportion of the rehabilitation of the schools is definitely a part of the program of the Post War Planning Committee on the matter of Schools, be it hereby resolved that \$300,000 be taken from the Post War Fund and added to the 1951 revenue of the City for the purpose of holding the tax rate.

Yours very truly,

Gordon S. Kinley,  
M A Y O R

Moved by Alderman Kitz, seconded by Alderman Macdonald that the report be approved.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Adams, Breen, Fox, Hatfield, Kitz, Macdonald, MacMillan, Moriarty and Vaughan.

Legislation covering the above item was submitted as follows:

Item 57.

The inclusion by the City in the estimates of the City for the civic year 1951 of the sum of three hundred thousand dollars from the funds in the Post War Rehabilitation Account, established by Section 24 of Chapter 46 of the Acts of 1944, for the purpose of paying the annual charges due by the City in such civic

February 15, 1951.

year for the repayment of principal sums on loans made for public works instituted since the year 1945 and the expenditure thereof for such purpose are hereby ratified and confirmed and declared to have been within the authority of the City.

(Explanatory note: The above section permits the City to use a portion of the Post War Fund to pay off instalments of loans made for the construction of public works since the end of the war, which fall due in 1951. It is considered that an application of this money for this purpose is within the intention of the statute setting up the fund as it is being applied in reduction of capital debt.)

Moved by Alderman Kitz, seconded by Alderman Macdonald that the legislation as submitted be approved.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Adams, Breen, Fox, Hatfield, Kitz, Macdonald, MacMillan, Moriarty and Vaughan.

PREFABRICATED HOUSING ACCOUNT

Halifax, N. S.,  
February 13, 1951.

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

Gentlemen:-

The attached report from His Worship the Mayor respecting the capital profit on the sale of Prefabricated Houses was considered by the Finance and Executive Committee at a meeting held on the above date.

Your Committee recommends that the report be approved.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

February 13, 1951.

Members Finance & Executive Committee,  
Halifax, Nova Scotia.

Dear Aldermen:

I hereby request the Finance and Executive Committee to forward to Council the following resolution:

RESOLVED

(a) That the capital profit on the sale of the Prefabricated Houses as supported by the contracts now in the possession of the city be set up to the credit of such capital amount in the books of the City.

(b) That fifty percent of this capital credit be allotted as revenue for the year 1951 in arriving at a balance to strike



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the tax rate.

Yours very truly,

Gordon S. Kinley,  
M A Y O R.

Moved by Alderman Kitz, seconded by Alderman Macdonald that the report be approved.

Alderman Fox: "I would like some information on the prefab committee. Does it stand? It was appointed by this Council to administer, sell and manage the prefabricated houses. There has not been a meeting for a month. The Council said that committee would be in power until May 1, 1951. I want to know if it is being ignored or what has happened?"

His Worship the Mayor: "I respect your submission but I thought the real work of the Committee had ceased at the last meeting."

Alderman Fox: "Has a committee of this Council the right to abolish itself?"

His Worship the Mayor: "This came from Committee to Council for action."

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Moriarty, Breen, Abbott, Adams, Macdonald, Kitz, Fox, Vaughan, Hatfield and MacMillan.

FINANCIAL ASSISTANCE TO PURCHASERS OF PREFABRICATED  
HOUSES FOR FOUNDATIONS AND CHIMNEYS

Halifax, N. S.,  
February 13, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from His Worship the Mayor submitting a resolution respecting an advance to purchasers of prefabricated houses to assist them in placing foundations under the houses and extending the chimneys was considered.

It was agreed to recommend the following resolution for approval:

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- (a) That the City of Halifax advance to original purchasers of the prefabricated houses sold to them by the city the amount of 85% of the cost of the foundation and extension of chimneys, such sum to become part of the mortgage and to be amortized as to principle and interest along the same terms as the original mortgage, the cost of foundation and extension of chimney being deemed to be \$1,000.00.
- (b) That the sums required be borrowed in the prefab account.
- (c) That these sums be advanced to the original purchasers of the prefabs on application accompanied by specifications and contract by a regular contractor in the City of Halifax.
- (d) That these sums be also advanced to original purchasers who have completed or are now in the process of completing foundations and extension of chimneys on application.
- (e) That on approval of the contract by the Committee on Works on recommendation of the Commissioner of Works 25% of such advance be withheld from the contractor until the job is completed and passed by the Building Inspector.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved and the necessary legislation obtained.

Alderman Macdonald: "I understood that these houses were undertaken by the City for the sole purpose of providing low cost homes but I notice in recent weeks there seems to be quite a lot of speculation going on with regard to these houses. They have gone up in price considerably. They are advertised at 50 to 75 percent above the original price. In the new agreement to be drawn up could a clause be inserted to prohibit the sale of those houses within a certain period of time? Could that be done? If they bought them to sell I don't think it is right."

His Worship the Mayor: "It is to deal with the original purchasers of those homes. It is a sound thought to assist any persons who have bought those homes. At the time we purchased the houses and we sold them we went along on a firm policy that we were not going to do anything with foundations. The houses were bought and sold now we are willing to look ahead and find ways and means to assist the original purchasers of the homes."

Alderman Macdonald: "The speculation in regard to these

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houses may go a long way yet. Whether it is a good thing or not it does not look good to me."

Alderman Vaughan: "With regard to selling above the original purchase price, who is the first offender but the City itself?"

Alderman Macdonald: "The people who bought them got a good buy."

Alderman Abbott: "I gather from that resolution that we are going to advance the purchaser the money to do his own work. I wonder if it would not be better for the City to put the foundations under them all at once. Would we not save a lot of money?"

His Worship the Mayor: "That is a good thought but I would like to see the independent contractors of the City get a chance."

Alderman Kitz: "I feel that the going sale price of these houses is sufficient surety to ourselves that there is plenty of value there and we are not taking any risk in lending this money. If we do this ourselves we will have a pack of trouble. Our Committee was afraid of that. If we pin it on the persons themselves nobody will watch it closer than they. I think the original resolution is sound. I am sure that everyone will be glad to support that."

Alderman Fox: "I would be quite willing to go along providing some provision is put in whereby the funds are for bonifide buyers."

His Worship the Mayor: "It is the original buyers."

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Adams, Breen, Fox, Hatfield, Kitz, Macdonald, MacMillan, Moriarty and Vaughan.

Legislation covering the above item was submitted as follows:

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Item 58

The City may advance by way of loan to any purchaser of a prefabricated house sold by the City under the authority of Section 64 of Chapter 66 of the Acts of 1950 upon such terms and conditions as it may determine a sum equal to eighty-five percent of the contract price of constructing a foundation wall and chimney in the prefabricated house owned by such purchaser, provided that such sum shall not exceed, in the case of any one house, the amount of one thousand dollars, and any sums required by the City for the purpose aforesaid are hereby declared to be sums required for a City purpose within the meaning of Section 8 of the Municipal Affairs Act and such sums may be from time to time borrowed by the City under the authority of and in accordance with the provisions of the said Act.

(Explanatory note: Many of the purchasers of these houses are financially unable to pay out at once the sum required by the City in order to provide a foundation and proper chimney in the house. The cost is in the vicinity of \$1000.00 and the above legislation is for the purpose of enabling the City to advance the sum to the purchaser by way of a mortgage repayable along with the regular instalments of the purchase price of the house.)

Moved by Alderman Breen, seconded by Alderman Adams that the legislation as submitted be approved.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Adams, Breen, Fox, Hatfield, Kitz, Macdonald, MacMillan, Moriarty and Vaughan.

PURCHASE OF HOUSES HIGHLAND PARK

Halifax, N. S.,  
February 13, 1951.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from a special committee on Prefabricated Houses respecting the purchase of 25 houses in the Highland Park area was considered.

Your Committee recommends that authority be granted for the transfer of the sum of \$50,000.00 from the Prefab account to the Post War Fund.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Breen, seconded by Alderman Adams that the report be approved. Motion passed.