

CITY OF HALIFAX

MINUTES OF CITY COUNCIL

1956

1956

PART I

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EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.,  
January 5, 1956,  
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, Dunlop, Lane, Macdonald, Adams, Fox, Ferguson, O'Malley, Ahern, Wyman, Vaughan, Hatfield and Greenwood.

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, T.C. Doyle, L.M. Romkey, V.W. Mitchell and Dr. A. R. Morton.

The meeting was called specially to consider the following items:

1. Rehabilitation Centre in Part of T.B. Hospital.
2. Public Hearing Re: Housing Project.

REHABILITATION CENTRE T.B. HOSPITAL ✓

January 4, 1956.

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

At a meeting of the Public Health and Welfare Committee held on the above date a report was submitted from the Commissioner of Health recommending that the first and second floors, west wings, with the exception of the rooms occupied for Mass X-Ray Surveys, of the Tuberculosis Hospital, be made available to the Rehabilitation Council of Nova Scotia so they may carry out their plans of organization and further that the details of an Agreement be worked out by the City Solicitor and signed by the duly authorized signatories for the City and the Rehabilitation Council for this space.

Your Committee concurs in this recommendation; the amount of rental to be determined by the City Manager and the Commissioner of Health.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

January 5, 1956.

January 3, 1956.

His Worship, L.A. Kitz, and  
Members of City Council.

Rehabilitation Centre

At the Special Meeting of the Health Committee held before the December Meeting of City Council, a Sub-Committee consisting of Alderman Dunlop, Alderman Greenwood, Mr. DeBard, City Manager, and myself, were appointed to confer with the Rehabilitation Council in respect to quarters. This Meeting was held at the Tuberculosis Hospital on Monday, December 19, 1955.

In the meantime, I had discussed the whole situation with Dr. Beckwith. Whereas in December of 1954, there were seventy-one Halifax City patients and a total of one hundred and three patients in the Hospital, and whereas on December 15th, 1955, there were ninety-five patients in the Hospital, forty-nine of which were Halifax City patients and a further number of these would be ready for discharge before the end of the month; it left a number of empty beds in this Institution far in excess of those we anticipate we will be requiring for the treatment of extra pulmonary Tuberculosis.

I had invited Dr. J.S. Robertson, Deputy Minister of Health to attend the Meeting and he assured us that the Government Policy would continue towards the Tuberculosis Hospital the same as now, if we were not in a position to admit all applicants from the County of Halifax. It was, therefore, felt that the space could be found at the Tuberculosis Hospital to accommodate the Rehabilitation Council on a temporary basis anyway, in order to begin their operations, and obtain equipment and personnel.

Two different sections of the Hospital were inspected by the Group present and it was decided to recommend to the Health Committee and City Council that for the time being, the Rehabilitation Council be given the full use of the first floor, west wing, now occupied as an auditorium and the sun porch extending out from this. If necessary, that they be allowed to expand and occupy the complete second floor, west wing, above this auditorium and sun porch, and this would include the large ward, sun porch, utility room, diet kitchen, bath room, wash room, and toilet room, as well as three single rooms; and that they be permitted to use a separate entrance, now being used as an entrance to the Mass X-Ray Survey Section and the elevator situated in this section of the building, when and if they require the use of the second floor.

This will enable them to obtain from the Federal Health Grants, funds to purchase their equipment, set up their treatment and therapy rooms and to advertise for and obtain the physiotherapists, occupational physiotherapists, and other personnel.

It would appear that if tuberculosis bed requirements diminish that possibly the Rehabilitation Council may require to take over even more of the Hospital; but for the time being, the first and second floors, west wing, with the exception of the present rooms occupied for Mass X-Ray Surveys, should be made available to them.

January 5, 1956.

I have had a rough estimation made of the total volume of the Hospital, which is roughly 677,000 cubic feet. The first floor wing amounts to 21,500 or 3.2 per cent of a total. The whole of the first and second floors, west wing, amounts to 90,000 cubic feet or 10 per cent of the total volume of the Hospital. This would give a rough idea of the cost of heating, also of lighting and other services supplied.

These percentages will have to be worked out in more detail and a formal Agreement drawn up by the Solicitor's Department including such amounts as City Council may decide.

I have pleasure in recommending that the Health Committee recommend to City Council the use of the facilities described above to the Rehabilitation Council of Nova Scotia, effective immediately; so that they may carry out their plans of organization, and further that the details of an Agreement be worked out by the City Solicitor and signed by the duly authorized signatories for the City and the Rehabilitation Council for this space.

Respectfully submitted,

Allan R. Morton, M.D., C.M., M.P.  
COMMISSIONER OF HEALTH & WELFARE

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

#### HOUSING PROJECT ✓

A Public Hearing into the matter of a proposed housing project for the area bounded by Cogswell St., North Park St., Cornwallis St., and rear of properties on the west side of Gottingen St. was held at this time.

His Worship the Mayor made it clear to those present that no property was owned by any member of the City Council or himself in the area proposed for the housing development. He then gave a background of the events that had transpired which led to the present recommendation of the Public Housing Committee. He then called for speakers either in favor or against the project.

The following appeared in favor expressing their views orally or by the submission of a written brief:

Mr. Gordon S. Black, Chairman of the Advisory Committee.  
Mrs. Waddell, President of the Jr. League.  
Mrs. James, President Local Council of Women.  
Mr. Andrew Mathers  
Mr. Gordon Colles  
Mr. R.D. Mussett, C.P.A.C.

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Mr. J.M.C. Duckworth, Y.M.C.A.  
Mr. H.D. Grant, Halifax Poppy Committee  
Rev. A. Langley, Ministerial Association  
Mr. H.W.L. Doane  
Rev. C.H. Nicholson, United Church Minister

The following appeared against the proposal expressing their views orally or by the submission of a written brief:

Mr. H. Hoare  
Mr. J.D. Connolly  
Mr. Jack Wilson  
Mr. H. Soper  
Mr. H. Freeman  
Mr. A. Mathews  
Mr. E. McKenzie  
Mr. W. Alcocky  
Mr. J.J. Leydon  
Mr. A.A. Robertson  
Mr. J. Pennill  
Mr. Sinclair Allen  
Mrs. G. Benfield  
Mr. J.K. Bell

Both Mr. H. Hoare and Mr. H. Freeman when questioned by Alderman Vaughan as to where they lived advised they did not live in the area concerned.

Alderman Vaughan: "This meeting was called as a hearing and I think in fairness to the Council as it is a matter of six or eight million dollars I would suggest that the matter be deferred for further consideration."

Moved by Alderman Vaughan, seconded by Alderman Ferguson that the matter be deferred for further consideration.

Alderman Ferguson: "I wonder if we could have a factual survey of the people in the area for or against. There seems to be a dead-set opposition to it. The survey should be done by the Advisory Committee."

Alderman Ahern: "The people are confused. I am amazed that Mr. Black would come here without a plan. I think we should meet privately and devise a plan and present it to the Council and permit the people to again be heard. We are all for new housing and I don't think we should insist that any member is not in favor of re-developing that area of the City. The people would

January 1, 1956.

like to know what rent they would be called upon to pay. We have not received that information. I will hazard a guess that the rent will be \$45.00 per month. The Advisory Committee carried out a good job and should not be criticized."

Alderman Lane felt that the suggestion of Alderman Ferguson was a good one.

Alderman Dunlop: "We have heard owners and it would be most interesting to get the most unbiased opinion from the tenants. I would suggest that when the survey is made the Aldermen be given the facts as to who are tenants and owners."

Alderman Fox: "All the speakers for this project, each and everyone said the home owner would be treated O.K. I would like to know what treatment could be given to any person worse than taking the home away from them. They will have to come under the hammer of a landlord."

Alderman O'Malley: "A year or two ago when the project was brought forward to rehabilitate some of the other districts, I claimed they should have sold the idea to the people in the area. We should start public housing on some of our own city-owned land. There is the Prison Farm area. The Maynard, Charles Streets area was pointed out to be in the worse condition and should be dealt with first. We have already on Bowers Road subsidized housing. I would like to know the average rental paid there? It is said that over a 5 year period the Fire Department was called out to this area 19 times as many times as to other residential districts in Halifax. If that is so, it should be supported under the signature of the Chief of the Fire Department. I hope that when we deal with this matter we will have the public support of the people in the area or at least it before this Council."

Alderman Hatfield: "I don't think the Advisory Committee would appreciate those remarks after all the work they have done."

January 5, 1956.

If you read the resolution you will see the appointment of an advisory committee and that committee will bring the facts to Council. That is what we want before we make the decision."

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

Meeting adjourned. 10:45 P.M.

LIST OF HEADLINES

Rehabilitation Centre T.B. Hospital  
Housing Project

1  
3

L.A. Kitz,  
MAYOR AND CHAIRMAN.

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



COUNCIL MEETING

THURSDAY  
JANUARY 12, 1956.

A G E N D A

Prayer.  
Minutes.

1. Public Hearing - Rezoning Dominion Store Property Popperell Street.
2. " " Altering Street Lines N/W Corner North Street and Lorne Terrace.
3. " " Laying Down Official Street Lines North Street.
4. " " Legislation to continue Non-conforming use of Property Coburg Road & Seymour Street.
5. Motion by Alderman Dunlop Re: Amending Ordinance #48 Private Parking Areas.
6. Accounts Over \$500.00.
7. Rezoning's Date for Hearing
  - (a) Ben's Ltd. Shirley Street
  - (b) Parkdale Realties Ltd. Oxford Street.
8. Undersized Lot 53 Wellington Street.
9. Resubdivision Lot 29A Howe Avenue.
10. Sewer Pipe Line License (C.N.R.)
11. Acquisition of Land South End of Stanford Street.
12. Rent 352 Windsor Street.
13. Exemption Sewer Assessment Desmond Avenue.
14. Final Certificates:
  - (a) Standard Paving Maritimes Ltd.
  - (b) R.S. Allen Ltd.
15. Attendance of Chief of Police at Course Northwestern University.
16. Fire Alarm Signal Box Brunswick and Jacob Streets.
17. Write Off Streptomycin Accounts \$5,755.81.
18. Canadian March of Dimes.
19. Surgical Cases T.B. Hospital from P.E.I.
20. Supplementary Appropriations:

(a) 14-65 Nova Scotia Hospital & County Hospital	\$6,000.00
(b) 14-66 Victoria General & Local Hospital	14,000.00
(c) 21 Recreation Commission	1,100.00
21. Budget Halifax Housing Authority
22. Overhanging Signs.
23. Billboards.
24. Canopies.
25. Snow Plow Purchase.
26. Gasoline Service Stations.
27. Supplementary Retirement Allowance.
28. Borrowing \$2,000,000.00 (Fixing of Tax Rate).
29. Commutation of Common Lot (Barnstead)
30. Appointment of Coal Weigher.
31. Grant Nova Scotia College of Art.
32. Tenders for Land.
33. Legislation.
34. Application to Rezone St. Patrick's Home Property T. Eaton Co. (Maritime) Ltd. (To T.P. Board).
35. Appointments:
  - (a) Regional Library Board.
  - (b) Recreation & Playgrounds Commission.
36. Questions.

DEFERRED ITEMS

Motion Alderman Dunlop Re: Amending Sections 17 & 17A of the City  
Charter.  
Section 248-1 Clause F Motor Vehicle Act (Taxi Cabs).  
Improvements Hydrostone Area.

ITEMS FOR INFORMATION ONLY

City Manager's Administrative Report.  
Tax Collections  
Prefab Statistical Report.  
Approvals Minister of Municipal Affairs.  
Poll Tax Report.  
Payment by Parking Lot Committee for 1955.

EVENING SESSION

Council Chamber,  
City Hall,  
Halifax, N.S.,  
January 12, 1956,  
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 the Deputy Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Lane, Macdonald, Adams, Fox, Ferguson, Ahern, Wyman, Vaughan, Hatfield and Greenwood.

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., L.M. Romkey, J.L. Leitch, V.W. Mitchell, A.P. Flynn, G.F. West and Dr. A.R. Morton.

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 Lane that the minutes of the previous meeting be approved. Motion passed.

ALDERMAN LANE ✓

The Deputy Mayor congratulated Alderman Lane on her appointment as Chairman of the Board of School Commissioners and remarked as follows: "This I believe is a tribute to her worthwhile contributions made during the years of service as a member of the Board. I hope for the newly elected chairman that through her guidance and capable leadership that the School Board will have a successful year equally as successful as that achieved by the previous chairman Alderman Wyman."

Alderman Ahern agreed with the remarks of the Deputy Mayor and said the City was fortunate to have a Council representative as chairman.

Alderman Lane then expressed her thanks for these remarks.

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TAX APPEAL COURT

Alderman Vaughan: "I would like to introduce a matter that is not on the agenda."

Moved by Alderman Hatfield, seconded by Alderman Greenwood that the Rules of Order be suspended for the purpose of discussing the matter of the Tax Appeal Court. Motion passed.

Alderman Vaughan: "There are in the hands of the City Clerk some 1200 Appeals. If the Court moves along at the rate it is, it will take nearly a year to hear all the appeals. What is the position of the person who has not been heard after the setting of the tax rate?"

City Solicitor: "He is entitled to have his appeal heard. If the Council has struck a rate while appeals are outstanding, I would say that if the action of the Court is to reduce the valuation, that person's tax would be accordingly reduced. I have a feeling that a substantial number may have been put in pending a more careful inquiry in relation to the assessments and sale value of the property. Twenty appeals were heard. The best I could see could be 15 minutes for an appeal. Of course there may be some that will take half a day. Although the court can't sit until the 30th of this month we have arranged with some of the appellants to come in ahead of time by agreement that the evidence taken prior to the time will be admissible when it is legally able to sit. They will not give a decision on these cases until the end of the month. The City Clerk and myself are also expected to carry on our ordinary departmental work. It is going to be a struggle to make an impression on this number of appeals. The only suggestion I have is to have a Court start at 9 a.m. and continue through until 5 p.m. That is about all the average person can take day in and day out."

Alderman Vaughan: "Would it be possible to have some sessions from 7 to 9 on some evenings and that they be paid additional compensation? Who decides that?"

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City Solicitor: "The Tax Appeal Court."

Alderman Vaughan: "I would suggest that the Court consider meeting one or two evenings a week to hear some Appellants."

City Solicitor: "I think if enough requests came in on a postcard to be heard we could have a docket lined up for the evenings. Any person desiring to be heard should notify the Clerk in writing and let the Court take it from there, then the docket could be made up for those particular persons."

Alderman Dunlop: "I think it is far too early to anticipate we are going to have difficulty. I would suggest that the Court sit the regular hours; ten till one, 2:15 to 4:30 or 5:00. The first few appeals decided a great many appeals. I would not get alarmed at this stage that the Court will not get it done in time. I believe a lot of those people are afraid what the rate will be and that is why there are so many appeals. I believe the Court is Master of its own procedure. They can decide if an evening session is suitable. In Dartmouth they meet in the evenings. I would suggest that the City Solicitor and City Clerk be relieved of other duties pending the completion of this work."

Alderman Ahern: "Suppose on February 26 there are a lot of appeals that have not been heard and the Mayor says he will budget for a deficit?"

City Solicitor: "You are not allowed to budget for a deficit."

Alderman Ahern: "Suppose we find ourselves in an awkward position?"

Alderman Dunlop: "By that time the Court will have a good idea where it is going."

Alderman Ahern: "You will not have more than twenty appeals a day and it is only 6 weeks to go."

The Deputy Mayor: "Can we notify the court of the discussion that took place tonight?"

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Alderman Dunlop: "I think the City Solicitor is the key man in getting them before the Court."

City Solicitor: "It is the City Clerk."

Alderman Ferguson: "There are certain appeals I understand involving recent sales within the last year. There has been a definite value established. I was wondering if this procedure could be followed where there is a definite evidence in the last year of definite sales and the City Assessor and the parties involved agree, then the Assessor could present those appeals in block to the Court for consideration."

City Solicitor: "That is now being done. The basis of assessment is what you can sell your property for on today's market at a free sale and that the vendor and purchaser must be under no pressure. It must be a price that is mutually agreeable to both parties. The assessment should be 100% of that amount. That assessment probably will not be disturbed at today's standard of values. The value in dollars has increased. The increase since 1945 may be as much as 40%."

PUBLIC HEARING Re: REZONING DOMINION STORES: PROPERTY PEPPERELL<sup>✓</sup>  
STREET FROM R-2 TO C-2

A Public Hearing into the matter of the Rezoning of a portion of the North side of Pepperell Street from R-2 Zone to C-2 Zone was held at this time.

Mr. R.A. Kanigsberg, C.C. appeared against the proposed rezoning on behalf of the Shear Shalom Congregation and remarked as follows: "Those lots were acquired knowing they were residential. We cannot go along with a warehouse or garage being put up against our lot. We have no assurance that if Council were to change this restricting the use that in 6 months or 6 years another application might be made to lift that. We are opposed that Pepperell Street be closed. What guarantee have we that some future Council will not open it again? We have no assurance that

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the store will not come up flush with our building. We have kept faith with the City and we want the Aldermen to keep faith with us. If it were to be confined to parking itself it should be confined to the present density and some assurance that we would be guaranteed that it would never be used commercially or that the street would not be opened up."

Mr. Donald McInnes, Q.C. appeared in support of the proposed rezoning on behalf of the Dominion Stores Limited and remarked as follows: "The Company is prepared to have no entrance on Pepperell Street at all. They are prepared to put up a hedge to be sure there is no access that way and for further assurance we would be quite prepared to put up a fence. We are prepared to guarantee that this is properly landscaped. We will have the control of the parking lot under the jurisdiction of the Town Planning Board. A lot of the residents have come to us and said we are prepared to go along with it if you will block off the entrance. We have placed a plan on your desks. There is a parking lot on Spring Garden Road and we hear no complaints from it. We have been held up building this building for nearly a year. The building is going to add taxes to the City. It would be a bitter mistake if this were unfortunately turned down. I would ask the approval of the Council to the application."

Alderman Ferguson: "I am prepared to move the rezoning subject to certain conditions."

Moved by Alderman Ferguson, seconded by Alderman Fox that the application be granted subject to the following: (a) that the land be used for a parking lot only and that no entrance or exit be made on the Pepperell Street side (b) that any building erected will be of a residential nature only conforming to the present Zoning By-Law and further (c) that the City Council pass this resolution subject to the Dominion Stores Limited giving its undertaking to Shaar Shalom Congregation that these terms be observed

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by all and that this change in zoning take place when the agreement is filed in the Registry of Deeds at Halifax.

Alderman Ferguson: "Dominion Stores Limited should have no objection to this resolution. It should meet all the objections of the owners and the Synagogue. This agreement should be tied in with someone that is permanent and I think Shalom Shalom Congregation will be much more permanent than anyone else who are subject to moving."

The Deputy Mayor: "The City Solicitor indicated to me that the motion was not quite in order", he then ruled the motion out of order.

City Solicitor: "That is not the procedure to follow. The Town Planning Act does not contemplate zoning in that manner. I would suggest that legislation be drafted that notwithstanding the Zoning By-Law and Town Planning Act that the area in question be used solely for the purpose of a synagogue lot to service the area which is zoned commercially with a 'C' district."

Mr. McInnes: "We will enter into all the undertakings that you require. I will give the undertaking in writing."

City Solicitor: "I don't think the Town Planning Act contemplates the acceptance by the City of undertakings. These are laws and I would feel it should be done either by the Legislature or within the powers of the Town Planning Act by a Zoning By-Law. I don't think we should consider it on the basis of an undertaking."

Alderman Hatfield: "I think the undertaking by the Dominion Stores placed on the records of the City should be suitable and any future date the owners could look it up and see their undertaking."

Moved by Alderman Lane, seconded by Alderman Greenwood that the application of the Dominion Stores for rezoning of their property on Pepperell Street for the purpose of a synagogue lot be granted.



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Alderman Lane: "Certain other properties owned by this Company bring in as much as \$16,000.00 in taxation to this City. I know their lots are used for off-street parking and no objection has been raised by this Company. I think every consideration has been given to the Shaar Shalom Congregation when they asked for a special parcel of land when they wanted to build a Church. I am sure that Dominion Stores will do as they say."

Alderman Macdonald: "I would be agreed if the mover would agree to adding certain conditions to it. The residents in that area were very much concerned. Since that time I think the Dominion Stores have made some new conditions that might be implemented to protect the people of the area."

He then suggested the following: "That the applicant, Dominion Stores Limited, be required to landscape, hedge and construct a chain link fence to protect the hedge along the western and southern boundaries of the area rezoned and that this work be carried out and completed on the completion and occupancy of the building. That a bond of \$2,500.00 be posted with the City to the satisfaction of the Town Planning Engineer to guarantee carrying out of the work. That there shall be no entrance or exit to this property from Pepperell Street from the date of the resolution."

Alderman Lane said she could not agree to certain of those conditions being included in the motion. She mentioned the fact that this particular piece of land was in an area where there is a dearth of open playgrounds for children and that a chain link fence was an expensive matter and if it were erected the children would have only one means of egress and that would be on Guinpool Road. If a hedge were wanted she felt sure the Dominion Stores Ltd. would provide that.

Alderman Macdonald stated that he had been advised by the representative of the Dominion Stores Ltd. that they would be prepared to do what he had suggested.

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Alderman Lane said he did not tell her that.

Alderman Greenwood: "I am sure that the Dominion Stores Ltd. will do what they say in the minutes of this Council. The residents are not now in any danger of traffic congestion on Pepperell Street."

Alderman Ferguson: "Cannot the Dominion Stores Ltd. come back and say this is not working out well and we want to change it to go out on Pepperell Street?"

City Solicitor: "In my opinion that type of By-Law is not authorized by Section 12 of the Town Planning Act."

Alderman Ferguson: "I think a legal undertaking is what we want. Nobody wants to give a binding agreement."

Alderman DeWolfe: "Is there something that can be done by way of a non-conforming use? Can you create that?"

City Solicitor: "It can be done by legislation."

Alderman Ahern: "Supposing they said to us we are not going to build and we are going to have a green market, what is the position of the City?"

City Solicitor: "Subject to the provisions of the Health Regulations, I think they could do it."

Alderman Dunlop: "If this is a parking lot I would be in favor of it without restrictions. We have the traffic authority here and we did not hear from him. If it were made into a parking lot the situation would be better if there was an entrance on Pepperell Street. We know the hours of the Dominion Stores. They are closed every summer evening. I am unable to vote for this for the same reason as before. This property was sold as residential. The former Council decided these 3 lots were going to be sold as residential and they called for tenders. I wanted it zoned commercially. The company took another course and I can't in the face of the decision of the Council made last year, although I favor the parking lot, I can't vote for it."

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The Deputy Mayor: "The Chief of Police has expressed himself that it is desirable to have an entrance on Pepperepp Street."

Alderman Dunlop: "We have to consider the City as a whole and the condition of traffic. To put 14 cars on Guinpool Road at the busy time will create a traffic hazard. If they went on Pepperell Street there are several ways they could get out into the City. Ben's Limited is only a little distance away from it. If the Council will vote to rezone Ben's Limited, I will vote for this. I would suggest the two things are pretty well linked together."

Alderman Ahern: "I am definitely against going into Pepperell Street. I think everybody is satisfied that the new plan is acceptable. I talked to residents on Pepperell Street."

Moved by Alderman Lane, seconded by Alderman Greenwood that the application for rezoning a section of Pepperell Street owned by the Dominion Stores Limited for the purpose of building a parking lot be granted in accordance with the plan submitted.

City Solicitor: "You are just creating a non-conforming use. You are not rezoning. You could obtain legislation to create a non-conforming use."

All previous motions were withdrawn at this time.

Moved by Alderman Lane, seconded by Alderman Greenwood that the City of Halifax rezone the lot of land as requested by the Dominion Stores Limited from R-2 Zone to C-2 Zone.

The motion was put and passed 8 voting for the same and 5 against it as follows:

FOR THE MOTION

Alderman Ahern  
Wyman  
Vaughan  
Hatfield  
Greenwood  
DeWolf  
Lane  
Adams

AGAINST IT

Alderman Moriarty  
Dunlop  
Macdonald  
Fox  
Ferguson

APPROVED  
AS TO FORM

W.P.  
CITY CLERK

W H E R E A S the City Council of the City of Halifax has considered the relocation of the northern official street line of North Street and the western official street line of Lorne Terrace at the intersection of these street lines as shown on Section 11-D of the Official City Plan.

AND WHEREAS the City Council has received a report from the Town Planning Board of the City of Halifax recommending the relocation of the said official street lines in the manner shown on Section 11-D of the Official City Plan.

AND WHEREAS pursuant to the provisions of Section 551A of the Halifax City Charter public notice of the intention to vary such street lines has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City of Halifax, the first of such notices being published at least three clear weeks prior to the 12th day of January, 1956, that being the day appointed by the Council to consider the matter.

AND WHEREAS the said notice stated the intention of the said City Council to vary the said northern official street line of North Street and the western official street line of Lorne Terrace at the intersection of these street lines in the manner shown on Section 11-D of the Official City Plan, and the date of the meeting of the City Council appointed for the consideration of the matter and that the plan proposed to be altered and the proposed changes therein may be inspected at the office of the Commissioner of Works, City Hall, Halifax, Nova Scotia, on any day during office hours.

AND WHEREAS the City Council has considered the said matter and has determined to vary or alter the said official street lines in the manner shown on Section 11-D of the Official City Plan filed in the office of the Commissioner of Works of the City of Halifax, whereon the said official street lines as altered are shown in solid blue color.

BE IT THEREFORE RESOLVED that, pursuant to the authority in it vested by Section 551A of the Halifax City Charter as aforesaid, the Official Plan of the City be amended by relocating the said northern official street line of North Street and the western official street line of Lorne Terrace at the intersection of these street lines in the manner shown on Section 11-D of the Official City Plan.

AND BE IT FURTHER RESOLVED that the said northern official street line of North Street and the western official street line of Lorne Terrace at the intersection of these street lines as shown on Section 11-D of the Official City Plan, 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 Halifax City Charter the Commissioner of Works do forthwith set up adequate bounds or monuments to mark the said official street lines as varied and make a record of the date of the setting up of such bounds or monuments and the location and nature of the same.

January 12, 1956.

Moved by Alderman Lane, seconded by Alderman Greenwood that the By-Law as prepared by the City Solicitor be approved.

The motion was put and passed 8 voting for the same and 5 against it as follows:

FOR THE MOTION

Alderman Wyman  
Vaughan  
Hatfield  
Greenwood  
DeWolf  
Lane  
Adams  
Ahern

AGAINST IT

Alderman Moriarty  
Dunlop  
Macdonald  
Fox  
Ferguson

- 8 -

- 5 -

PUBLIC HEARING Re: ALTERING STREET LINES N/W CORNER NORTH STREET  
AND LORNE TERRACE

A Public Hearing into the matter of the alteration of the above Street Lines was held at this time.

No persons appeared for or against.

A formal resolution was submitted from the City Solicitor and same is attached to the original copy of these minutes.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the resolution be approved. Motion passed.

PUBLIC HEARING Re: LAYING DOWN OFFICIAL STREET LINES NORTH STREET

A Public Hearing into the matter of the laying down of the above Street Lines was held at this time.

No persons appeared for or against.

A formal resolution was submitted from the City Solicitor and same is attached to the original copy of these minutes.

See Pages 20 and 21.

PUBLIC HEARING Re: LEGISLATION TO CONTINUE NON-CONFORMING USE OF  
PROPERTY COBURG ROAD AND SEYMOUR STREET

1956 Legislation

(1) Notwithstanding the provisions of subsection (3) of Section 18 of Chapter 292 of the Revised Statutes of Nova Scotia 1954,

January 12, 1954.

The Town Planning Act, the lawful use of the premises known as 48-50 Coburg Road for the sale by retail of meats, fruits, vegetables and groceries may be extended throughout the lands and premises more fully hereinafter described, and such structural alterations or additions may be made to the buildings now situated upon the said lands, for the purpose of such use, as may be approved by the Council.

(2) The lands referred to in the preceding subsection are more fully described as follows:

ALL that certain lot, piece and parcel of land situate in the peninsula of Halifax and being a portion of lot marked and designated as Lot Number Three on the plan of division of Uniacke's Field, signed by William G. Anderson and filed in the office of the Surveyor General at Halifax, and which lot hereby conveyed is more particularly described as follows that is to say: Beginning at the southwest angle of Coburg Road and Seymour Street; thence running westerly on Coburg Road sixty-five feet six inches, more or less, or to Lot Number Four on said plan; thence southwardly on the east line of said Lot Number Four fifty feet, more or less, or to the northern boundary line of the lot of land conveyed by one Albro Mumford to Isiah Moser by deed dated the thirty-first day of March, A.D. 1913, and recorded at the office of the Registrar of Deeds at Halifax in Book 429, page 146; thence easterly by the said northern boundary line of said lot of land so conveyed by Albro Mumford to Isiah Moser sixty-five feet six inches, more or less, or to Seymour Street, thence northerly on Seymour Street, fifty feet, more or less, or to the place of beginning; being a portion of the property conveyed by Albert H. Hiltz, Trustee of Mary A.E. Crookes et al to said Albro Mumford by deed dated the sixth day of May, A.D. 1909, and recorded in the office of the Registrar of Deeds in Book 394, pages 741 to 744.

EXCEPTING THEREFROM that certain lot, piece or parcel of land situate, lying and being on the southern side of Coburg Road and the western side of Seymour Street in the City and County of Halifax and being Lot Number One on a plan of subdivision of the property of Annie E. Choat, made by George T. Bates, Provincial Land Surveyor, and on April 4th, 1949, the said Lot Number One being more particularly described as follows:

Beginning at the intersection formed by the southern side of Coburg Road and the western official street line of Seymour Street; thence westerly along the southern side of Coburg Road thirty-six and one-tenth feet (36.1') to the dividing line between the walls of Civic Numbers 50 and 52 Coburg Road; thence southerly along said dividing line and a line in continuation thereof fifty feet (50') or to the northern boundary of property conveyed by Albro Mumford to one Isiah Moser by deed dated March 31st, 1913, and recorded in the Registry of Deeds at Halifax in Book 429, page 146; thence easterly along the northern boundary of said Moser property thirty-six and one-tenth feet (36.1') to the western official street line of Seymour Street aforesaid; thence northerly along the said western official street line of Seymour fifty feet (50') or to the place of beginning.

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The above described lot being the eastern portion of the lot conveyed to George U. Rafuse by W.M.P. Webster by deed dated 28th April, 1921, and recorded in the Registry of Deeds at Halifax in Book 538, page 221.

(3) The use of the said land or premises, or extension pursuant to the provisions of this Section, shall be deemed to be a lawful use of premises existing on the date of the first publication of the advertisement of the intention of the Council to pass the Zoning By-Law which was passed by the Council on the 11th day of May, A.D. 1950, and approved by the Minister of Municipal Affairs on the 14th day of August, A.D., 1950.

(4) Nothing in this Section shall be construed to permit the non-conforming use permitted by this Section to be changed to any other non-conforming use, and all of the provisions of the said Town Planning Act restricting the extensions and changes of non-conforming uses shall apply.

The Deputy Mayor asked if anyone were appearing for or against the proposed legislation to which there was no reply.

The City Solicitor explained the legislation for the benefit of the members of Council.

Moved by Alderman Hatfield, seconded by Alderman Greenwood that the legislation be approved.

Alderman Dunlop: "Is the Traffic Authority satisfied with the conditions that will exist when this work is done?"

Chief of Police: "I think it is desirable to have off-street parking. While we did make a spot check and there was no congestion but I could expect one to exist in the future without the provision of off-street loading facilities."

Alderman Dunlop: "I would like to see the legislation left open so that the Council could say 'you have to provide off-street loading'. The Company can use every inch of that land for building the way it is worded now."

Alderman Vaughan: "Now is the time to include the provision for an off-street parking area. If there are large trucks delivering groceries to the store you are getting a traffic congestion. I think it is the proper thing for us to do what Alderman Dunlop has suggested."



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Mr. Nathan Green appeared on behalf of the Capitol Stores and stated: "We will relieve the expected situation the Chief anticipates and will present a much happier situation for traffic than what exists today. The store is such that they have to use the lower level basement area for their refrigeration in packaging of meat. Dry groceries cannot be brought in on the Seymour Street chute with the result that merchandise must be brought in through the main entrance of the store and taken downstairs. The only merchandise taken in on the Coburg Road entrance would be meats and vegetables. There is a morning delivery and maybe 2 or 3 of meats on the Coburg Road side. The other items would be delivered on the Seymour Street side. If you cut off 12 or 14 feet we will not be able to accomplish the idea we have in mind and we will have the same problem we have now. If we are permitted to carry it through we could accomplish the desired result and give the public a better service. If you have 3 different continuing types of business, it is natural to expect that one outlet for one type of business would reduce traffic congestion."

He submitted a plan numbered #2 for the information and perusal of Council.

Alderman Dunlop: "If we pass this legislation tonight it is final and there is no review by the Traffic Authority. I would much rather prefer to see the legislation that before they could get the permit that the Traffic Authority and Building Inspector would have some say whether the store should provide it or not."

Alderman Lane: "There is a non-excavated portion, would it be that you could gain space for unloading?"

Mr. Green: "The buildings are old and you can't tear them down. We have to repair and extend them. We feel it would be impractical."

Alderman Dunlop: "Let us get legislation so they can tear down the old buildings and put up a new one."

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City Solicitor: "That could be included in the legislation to make it possible to tear down the old ones and build a new one."

Mr. Green: "We want to maintain a corner grocery. If we are permitted to tear the old ones down and build a new one, we would be very happy. It is not going to help us."

Alderman Hatfield with the permission of the seconder withdrew his motion.

Moved by Alderman Ferguson, seconded by Alderman Ahern that the application be granted and that the legislation include a permission to the owner to tear down the present buildings and erect a new one. Motion passed.

GRANT NOVA SCOTIA COLLEGE OF ART ✓

January 9, 1956.

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

At a meeting of the Finance and Executive Committee held on the above date a letter was submitted from the Nova Scotia College of Art respecting a grant from the City of Halifax to assist the college in acquiring a building for its purpose.

Your Committee recommends that legislation be secured at the next session of the Legislature enabling the City to make a grant of \$80,000.00 to the Nova Scotia College of Art for the purpose of assisting it to acquire a building in the City and also to increase the annual grant of \$1,500.00 to \$3,000.00.

These grants are contingent upon the College turning over to the City its property at the corner of George and Argyle Streets.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

REMOVAL OF STREET LINES DIAGONAL STREET UNDER ANGUS L. MACDONALD  
BRIDGE ✓

City Solicitor: "I would suggest that the resolution dealing with the removal of the street lines in connection with the diagonal street under the Bridge be referred to the Town Planning Board for a report to Council."

January 17, 1956.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the suggestion of the City Solicitor be approved.

Motion passed.

AMENDING ORDINANCE #48 PRIVATE PARKING AREAS ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: January 5th., 1956.  
Subject: Re: Private Parking Areas.

At a meeting of the Committee on Works held on the above date a report from the City Solicitor relative to parking on private property without permission was considered.

The Committee recommended that the Ordinance vest power to permit parking on City Property with the City Manager, and the Act be amended accordingly.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per. J.B. Sabean,  
Clerk of Works.

OFFICE OF THE CITY SOLICITOR  
CITY HALL, HALIFAX, NOVA SCOTIA.

December 28, 1955.

His Worship the Mayor and Members  
of the Committee on Works.  
City Hall,  
Halifax, N.S.

Your Worship and Aldermen: Re: Private Parking Areas.

In 1954 the City secured legislative authority to enact an ordinance providing a penalty for those persons who park on private parking areas or property without permission.

The ordinance made thereunder has provided the protection to private property as was intended.

It is necessary, however, to make some minor changes both in the legislation and in the ordinance in order to take care of certain developments which experience has shown are not covered by the legislation and ordinance.

In the first place there is no prohibition for parking on City-owned property as such. Section (21) of the Charter enables the City to make ordinances regulating and managing City-owned property. No such ordinances have as yet been made. Section (2) of the draft legislation (clause (a) (1)), and Section 1 of

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the draft revised ordinance attached deal with this matter. Whether the permission should be granted by the City Manager, Committee on Works or the City Council should be determined.

Secondly, it has been found difficult to prosecute the owner of a vehicle for placing the vehicle in such private parking area, since no one may have seen who actually placed the vehicle. Section (2) (b) of the legislation and Section 3 of the draft revised ordinance deal with this matter, making the owner liable unless the vehicle was used without his permission.

Section (2)(c) of the legislation and Section 4 of the ordinance provide a definition of "owner".

At the last meeting of Council Alderman Dunlop referred to this ordinance and intimated that the penalty should be reduced to \$1.00. I have redrafted the same and after consultation with him have provided a penalty not exceeding \$5.00 instead of the present penalty "not exceeding \$50.00."

This is sent to you in advance of the meeting in order that you may have time to familiarize yourself with these proposals.

The revised ordinance should not be submitted to the Council until the new legislation is enacted. It should be possible to have this ordinance in effect by the middle of May if the legislation is approved.

Yours very truly,

CARL P. BETHUNE,  
CITY SOLICITOR.

Moved by Alderman Greenwood, seconded by Alderman Ferguson that the report and legislation as submitted be approved.

Motion passed.

ACCOUNTS OVER \$500.00

To: His Worship, L.A. Kitz, and Members  
of City Council.

From: City Manager, A.A. DeBard, Jr.,

Date: January 10, 1956

Subject: Accounts over \$500.00

In accordance with section 119F of the City Charter, the following accounts are submitted for Council's approval. These accounts have been certified and audited.

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Finance (Stores)	W. & A. Moir, Limited	Steel Plates	\$619.50
T.B. Hospital	Cogswell's Photo Supplies Ltd.	X-Ray Films, X-Ray Fixer X-Ray Developer	\$626.25

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Works	Department of Highways & Public Works	Maintenance of Dutch Village Road for Summer & Winter	2,330.12
Works	The Gillis Co. Ltd.	Elgin Sweeper Parts	736.00
Works	Riley Engineering Sales Limited	Drive Frame Assemblies	813.30
Works	Workmen's Compensation Board of Nova Scotia	Audited Adjustment of Assessment for 1953 and Audited Adjustment of Assessment for 1954	893.14
			<u>\$6,048.31</u>

A.A. DeBard, Jr.,  
CITY MANAGER.

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

REZONING BEN'S LIMITED PROPERTY SHIRLEY STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: December 29, 1955.  
Subject: Re: Application for Rezoning - Ben's Limited, Shirley St.

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending refusal of an application from Ben's Limited to rezone their property on Shirley Street from R2 Residential to C2 Commercial to permit the expansion of their plant.

The Board recommended that this be referred to City Council for a public hearing.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per. J.R. Sabeau,  
Clerk of Works.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the report be approved and Council sit Thursday, February 16, 1956 in the Council Chamber, City Hall, Halifax, N.S. at 8:00 P.M. as the time and place for the hearing. Motion passed.

January 12, 1956.

REZONING PARKDALE REALTIES LTD. OXFORD STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: December 29, 1955.  
Subject: Re: Application - Parkdale Realities Limited.

At a meeting held on the above date the Town Planning Board considered an application from Parkdale Realities Limited for permission to erect three four unit apartments on three lots on Oxford Street.

After discussion the applicant agreed to withdraw this application and re-apply for rezoning from R2 Residential to R3 Residential to permit the construction of one large apartment building.

The Board agreed to recommend this rezoning to City Council and that a public hearing be held at the February meeting.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per.. J.B. Sabean,  
Clerk of Works.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the report be approved and Council fix Thursday, February 16, 1956 in the Council Chamber, City Hall, Halifax, N.S. at 8:00 P.M. as the time and place for the hearing. Motion passed.

UNDERSIZED LOT #53 WELLINGTON STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: December 29, 1955.  
Subject: Re/Undersize Lot - 53 Wellington Street.

At a meeting of the Town Planning Board held on the above date, the Town Planning Engineer recommended approval of an application for permission to build a single family dwelling on a lot 36' x 120' at 53 Wellington Street.

The Board approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per.. J.B. Sabean,  
Clerk of Works.

January 12, 1956.

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

RESUBDIVISION LOT 29A HOWE AVENUE ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: December 29, 1955.  
Subject: Re: Resubdivision of Lot 29A - Howe Avenue.

At a meeting of the Town Planning Board held on the above date the Town Planning Engineer submitted a plan of resubdivision showing Lot 29A being amended in lot frontage from 101.5 to 91.5 feet to correct a survey error.

He recommended approval of the subdivision and that no public hearing be held.

The Board approved same as shown on Plan No. 00-8-13315.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per.. J.B. Sabean,  
Clerk of Works.

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

SEWER PIPE LINE LICENSE C.N.R. ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: December 29, 1955.  
Subject: Re: Sewer Pipe Line Privileges, - C.N.R. Mile 3.37

At a meeting of the Committee on Works held on the above date, the attached report from the City Engineer relative to a Canadian National Railway license to lay a 12" sewer connection on their right-of-way to serve a portion of the Pinewood Acres Sub-division was considered.

The Committee approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per.. J.B. Sabean,  
Clerk of Works.

January 12, 1956.

To: His Worship the Mayor, Chairman, and Members of the  
Committee on Works.  
From: A.C. Harris, City Engineer.  
Date: December 29, 1955.  
Subject: Sewer Pipe Line License - C.N.R. Mile 3.37.

An application was made to the Canadian National Railways to make a 12" sewer connection to serve a portion of the Pinewood Acres Subdivision. The sewer to receive the 12" pipe connection was on land of the Canadian National Railways' right-of-way, permission having been granted by License No. 23005, dated October 20th, 1948.

The Railway replied to our request for the 12" pipe connection that the original License be cancelled and replaced by a new License at the same amount per annum as the original License. Since the original License was cancelled, lands have been leased to MacCulloch & Company, Limited, and the new Railway License becomes subject to Lease No. 30016 to the MacCulloch & Company Limited.

It is, therefore, recommended that authority be granted to the Mayor and City Clerk to sign the new license and that further authority be granted to obtain permission from the MacCulloch and Company, Limited for the pipe line privileges as outlined in the Canadian National Railways License.

We have contacted Mr. MacCulloch and he has agreed to granting the necessary permission. It now becomes necessary for the City Solicitor to prepare a document between the City and the MacCulloch and Company, Limited, and when signed would be accepted.

A.C. Harris, P. Eng.,  
CITY ENGINEER.

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

ACQUISITION OF LAND SOUTH END OF STANFORD STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: December 29, 1955.  
Subject: Re: Acquisition of Land on Stanford Street.

At a meeting of the Committee on Works held on December 29, 1955, the attached report from the City Solicitor recommending acceptance of Mr. C.A. Hiseler's offer to sell to the City a piece of land on Stanford Street for the sum of \$300.00 was considered.

The Committee report was received and read to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per. J.B. Sabean,  
Clerk of Works.



January 12, 1956.

To: His Worship the Mayor and Members of the Committee on Works.  
From: C.P. Bethune, C.C., City Solicitor.  
Date: December 27th., 1955.  
Subject: Property on Stanford Street - Mr. C.A. Hiseler.

The City Council on April 11, 1955, laid down lines for the proposed extension of Stanford Street. At that time Mr. C.A. Hiseler, who was the owner of the property, was considering a subdivision. However, there is no record of any plan of such subdivision, and subsequently he sold lots which included part of the proposed street. There still remains a piece of the proposed street, which ends on Mumford Road. He has now offered this to the City for the sum of \$800.00.

While there may be some question of dedication, I would recommend however, that his offer be accepted as a very reasonable compromise.

Yours very truly,

CARL P. BETHUNE,  
CITY SOLICITOR

Per...T.C. Doyle.

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

RENT #552 WINDSOR STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: January 4, 1956.  
Subject: Rent of No. 552 Windsor Street.

The Committee on Works, at a meeting held on December 29, 1955, agreed to recommend that the house at No 552 Windsor Street be rented at \$40.00 per month.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabean,  
Clerk of Works.

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

EXEMPTION SEWER ASSESSMENT DESMOND AVENUE ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.

January 12, 1956.

Date: December 29, 1955.

Subject: Re: B.D. Stevens - Sewer Assessment Exemption,  
Desmond Avenue.

At a meeting of the Committee on Works held on December 29, 1955, the attached report from the Commissioner of Works recommending that Mr. B.D. Stevens be relieved of assessment of 458 feet of sewer, \$1145.00 and the necessary legislation be obtained to make this action possible was considered.

The Committee approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabeau,  
Clerk of Works.

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

From: G.F. West, Commissioner of Works.

Date: December 29th., 1955.

Subject: Mr. B.D. Stevens - Sewer Assessment - Exemption Desmond  
Avenue

On May 19th, 1954, City Council approved a report from the Committee on Works recommending that Mr. B.D. Stevens be relieved of sewer assessment on Desmond Avenue, if he constructed a storm sewer in conformity with plans approved by the City Engineer.

Mr. Stevens recently completed 458' of reinforced concrete culvert, 6' x 4½', which is acceptable in size and grade to our Engineers.

In 1954, as owner of 995' of property fronting on Desmond Avenue, he was assessed a total of \$2,487.50. The assessment on 458' would be \$1,145.00.

In view of City Council's decision of May 18th, 1954, it is recommended that Mr. Stevens be relieved of assessment of 458' of sewer or \$1,145.00, and appropriate steps be taken to obtain the Legislation necessary to make this action possible.

G.F. West,  
COMMISSIONER OF WORKS.

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

FINAL CERTIFICATES

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

From: Committee on Works.

Date: Jan. 5th., 1956.

Subject: Final Payments.

January 12, 1955.

At a meeting of the Committee on Works held, on the above date, the following Final Certificates were approved and recommended for payment.

STANDARD PAVING MARITIME LTD.

Paving \$41,088.03

R.S. Allen.Ltd.

Retaining Wall \$9,150.00

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabeen,  
Clerk of Works.

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

FINAL CERTIFICATE

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

From: Committee on Works.

Date: December 29, 1955.

Subject: Re: Final Certificate - Standard Paving Maritime Limited.

At a meeting of the Committee on Works held on the above date the following Final Certificate was approved and recommended to City Council for payment.

Standard Paving Maritime Limited.  
Asphalt Patching - 1955 - \$8317.59.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabeen,  
Clerk of Works.

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

ATTENDANCE OF CHIEF OF POLICE AT COURSE NORTHWESTERN UNIVERSITY ✓

January 4, 1956.

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

The Safety Committee at a meeting held on the above date considered a request from the Chief of Police for permission to

January 12, 1956.

attend two courses (Personnel Management and Supervision of Personnel) at Northwestern University, Evanston, Illinois from February 20 to March 16, 1956 and granted a sum not to exceed \$800.00 to cover expenses in connection therewith.

Your Committee recommends that the request be granted and the funds provided from the current estimates of the Police Department.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

FIRE ALARM SIGNAL BOX BRUNSWICK & JACOB STREETS ✓

January 4, 1956.

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

The Safety Committee at a meeting held on the above date agreed to recommend for approval the attached report from the City Electrician respecting "Master Fire Alarm Signal Box Miner Rubber Company".

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

To: A.A. DeBard, Jr., City Manager.  
From: A.P. Flynn, City Electrician.  
Date: January 3rd, 1956.  
Subject: Master Fire Alarm Signal Box.

Attached is a request from the Miner Rubber Company to have their master fire alarm signal box connected to the City fire alarm system which in turn will be connected to their sprinkler system in their building at the corner of Jacob and Brunswick Streets.

I would recommend that this application be granted without yearly charge as this box will be located on the north east corner of Brunswick and Jacob Streets replacing City owned box now located on the south east corner.

All costs concerned to be borne by Miner Rubber Company and the equipment to be approved by the City Electrician. The City reserves the right to disconnect this service at any time it may be in its interest to do so.

A.P. Flynn,  
CITY ELECTRICIAN.

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

January 12, 1956.

WRITE-OFF STREPTOMYCIN ACCOUNTS \$5,755.81 ✓

January 9, 1956.

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

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the Commissioner of Health recommending that Uncollectible Accounts for Streptomycin totalling the sum of \$5,755.81 be written off.

Your Committee concurs in this recommendation.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

CANADIAN MARCH OF DIMES ✓

January 8, 1956.

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

The Safety Committee at a meeting held on the above date considered a request from the Chairman of the Canadian March of Dimes for permission to use City Parking Meters as a means of raising funds during the period of the campaign viz: January 15 to 31 inclusive.

Your Committee recommends that the request be granted and all dimes deposited in the parking meters during the above period be turned over to the March of Dimes.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

SURGICAL CASES T.B. HOSPITAL FROM P.E.I. ✓

January 7, 1956.

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

At a meeting of the Public Health and Welfare Committee held on the above date a report was submitted from the Commissioner of Health respecting the admission of patients to the T.B. Hospital from the Charlottetown Sanatorium who require surgery.

January 12, 1956.

Your Committee recommends that such patients be accepted and that an agreement be entered into between the City and the P.E.I. Government at the per diem rate of \$10.00 per day and that they make special arrangements in regard to fees with the Surgeons and Anaesthetists.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Moved by Alderman Macdonald, seconded by Alderman Greenwood that the report be approved. Motion passed. ✓

SUPPLEMENTARY APPROPRIATIONS

January 9, 1956.

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

The attached report from the City Manager respecting over-expended appropriations 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 approved.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

To: His Worship, L.A. Kitz, and  
Members of City Council.

From: City Manager, A.A. DeBard, Jr.,

Date: January 9, 1956.

Subject: Overexpended Appropriations.

The Commissioner of Finance informs me the following appropriations need supplementation to the extent indicated below:-

14-65	Nova Scotia Hospital & County Hospital	\$6,000.00
14-66	Victoria General & Local Hospital	14,000.00
21	Recreation Commission	1,100.00
		<u>\$21,100.00</u>

These amounts should be provided under authority of Section 316C of the City Charter.

A.A. DeBard, Jr.,  
CITY MANAGER.

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

January 12, 1956.

BUDGET HALIFAX HOUSING AUTHORITY ✓

January 9, 1956.

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

At a meeting of the Finance and Executive Committee held on the above date a report from the City Manager submitting a proposed budget totalling the sum of \$21,394.62 of the Housing Authority of Halifax for the year 1956 was considered.

Your Committee recommends that the item of Honorarium \$11,000.00 be deleted and the budget approved for the total sum of \$14,894.62.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

OVERHANGING SIGNS ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: January 5th., 1956.  
Subject: Overhanging Signs.

At a meeting of the Committee on Works, held on the above date, the attached report from the Commissioner of Works, recommending that permission be granted to erect thirteen (13) Overhanging Signs was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabean,  
Clerk of Works.

To: His Worship the Mayor and Members of the Board of Works.  
From: G.F. West, Commissioner of Works.  
Date: January 4th., 1956.  
Subject: Sign License - Hanging Signs.

The following have applied for applications to erect overhanging signs which encroach over the street line.

In accordance with Ordinance 21 it is recommended that permission be granted for these signs.

January 12, 1956.

Colwell Brokerage 991 Barrington St.	\$5.00
Mr. Samuel Koch 172 Gottingen St.	5.00
Sally Shops Ltd., 413 Barrington St.	5.00
Halifax Provision Co., 200 Chebucto Road	5.00
G.A. Reno, 18½ Quinpool Road	5.00
C.E. Mitchell 139 Windsor St.	5.00
Mar. Radio Distributors Ltd. 67 Water Street	5.00
James McGrath 3 Argyle Street	5.00
Day Nite Neon Signs Cunard St. (West End Supplies)	9.00
Shoe Hospital 288 Barrington St.	5.00
Hollis Pharmacy, 2 Hollis St.	5.00
C. Zlatin 44 Birmingham St.	5.00
Rainbow Tavern C.J. Hollett, 418 Gottingen St.	5.00

G.F. West,  
Commissioner of Works.

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

BILLBOARDS ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: January 5th., 1956.  
Subject: Billboards.

At a meeting of the Committee on Works held on the above  
date, an application for permission to erect three (3) Billboards  
for a used car lot on the Cossar property facing on Windsor  
Street was considered.



January 12, 1956.

The Committee recommended that permission be granted.  
Alderman Wyman dissenting.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabeau,  
Clerk of Works.

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

CANOPIES

To: His Wbrship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: Jan. 5th, 1956.  
Subject: Canopy.

At a meeting of the Committee on Works, held on the above  
date, an application from Mr. C.E. Mitchell, for permission  
to erect a Canopy at #139 Windsor Street, corner of North  
Street, was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per..J.B. Sabeau,  
Clerk of Works.

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

SNOW PLOW PURCHASE ✓

Mr. West: "We asked permission to trade in one or two of  
the old ones and with the capital we have left to purchase a  
new one we are not satisfied with the trade in. The Department  
of Highways is interested in these. We will have to defer this  
matter."

Moved by Alderman Vaughan, seconded by Alderman Hatfield  
that this matter be deferred. Motion passed.

GASOLINE SERVICE STATIONS ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.

11. Any person in the employ of the City on the first day of January, A. D. 1941, and who was in the employ of the City prior to that date, and who was eligible to become a member of the City of Halifax Superannuation Plan adopted by the Council on the twenty-eighth day of December, A. D. 1939, and who has, in respect of the years commencing with the first day of January, A. D. 1941, contributed to the Fund provided by the said Plan in the manner set out therein, and who has not contributed to the said Fund towards past service benefits in respect of all of the years between the first day of January, A. D. 1942, and the thirty-first day of December, A. D. 1943, shall be entitled to receive from the City, upon retiring from employment with the City, as a grant, in addition to any sums payable to such person under the said Plan, an annual allowance equal to three-quarters of one percent of the gross earnings by such person from the City in such years, which shall be payable to such person from the date of his employment completed prior to the thirty-first day of December, A. D. 1944, commencing with the first day of January, A. D. 1945, and who has been eligible to become a member of the said Plan and who has then in fact

12. Any person who has contributed to this Section of the City of Halifax Superannuation Plan and who has contributed to the said Fund in respect of any year or years of employment prior to the first day of January, A. D. 1944, shall be entitled to receive from the City, as a grant, in addition to any sums payable to such person under the said Plan, a supplementary allowance of such amount and under the conditions hereinafter set forth.

13. Any person in the employ of the City on the first day of January, A. D. 1941, and who was in the employ of the City prior to that date, and who was eligible to become a member of the said City of Halifax Superannuation Plan and who has, in respect of the years commencing with the first day of January, A. D. 1941, contributed to the Fund provided by the said Plan in the manner set out therein, and who has not contributed to the said Fund towards past service benefits in respect of all of the years between the first day of January, A. D. 1945, and the thirty-first day of December, A. D. 1950, the full sum of five percent of the gross earnings by such person from the City in such years, shall be entitled to receive from the City, upon retiring from employment with the City, as a grant, in addition to any sums payable to such person under the said Plan, a supplementary allowance of such amount and under the conditions hereinafter set forth.

14. Every such person who, within one year after the coming into force of this Section, commences to contribute to the City a sum equal to five percent of the gross earnings by such person from the City (in yearly instalments or not less than ten percent of such sum) in respect of such of the years or portions of the years 1945 to 1950 inclusive in which such person was employed by the City and in respect of which he did not contribute to the said Fund towards past service benefits, and who, within one year from the commencement of the said contribution to the City, has contributed to the City an amount of ten percent of such sum and has during each subsequent year of his employment contributed an amount of ten percent of such sum, which contributions, however, shall not in the aggregate thereof exceed the total amount of such sum, shall be entitled to receive from the City, upon retiring from employment with the City, as a grant, in addition to any sums payable under the said Plan, an annual allowance equal to three-quarters of one percent of each year's earnings for each of the years 1945 to 1950 inclusive in which such person was employed by the City and in respect of which such person did not contribute to

said Fund towards past service benefits and a further allowance equal to three-quarters of one percent of the earnings received from the City by such person in the year 1944 for each year of continuous employment completed prior to the thirty-first day of December, A. D. 1944.

(3) In computing the number of years of continuous employment, where a period of continuous employment ends in a fractional period of six months or more, such fraction shall be deemed to constitute a full year of employment.

(4) Any sums paid to the City pursuant to the provisions of subsection (2) of this Section shall constitute part of the general revenue of the City.

(5) No such person as hereinbefore referred to who failed to commence to contribute to the City in respect of the years 1945 to 1950 inclusive, as hereinbefore provided, shall be entitled to receive any grant from the City for the purpose of supplementing any benefits to which such person may be entitled under the said Plan.

(6) The City may pay to any employee of the City, who, because of age, was ineligible to become a member of the said Plan, upon his retirement, a retiring allowance equal to seventy-five percent of the amount such employee would have been entitled to receive if he had become a member of the said Plan and had made the contributions to the Fund as therein provided in respect of the entire period of employment with the City.

(7) From and after the date of the coming into effect of this Section, no person eligible to become a member of the said Plan on the first day of January, A. D. 1951, shall make any contributions to the Fund towards past service benefits, but all such contributions shall be made to the City.

(8) No female person over sixty years of age and no male person over sixty-five years of age on the date that such person entered the employment of the City shall be entitled, upon retirement from such employment, to receive any retiring allowance from the City.

ILLUSTRATION OF SECTION (1)(a).

Employee A:

Born June 1st, 1902. Joined City's staff June 1, 1932,  
aged 30 years.

Normal retirement date - June 1, 1967.

Salary in 1944 - \$2500.00.

Average salary, January 1, 1945 to December 31, 1950 - \$3000.00

Average salary, January 1, 1951 to June 1, 1967 - \$3500.00

He contributed to Fund 5% of annual salary from January 1,  
1951 to June 1, 1967.

PENSION as at June 1, 1967 -

(Contributory)	(a) 2% of each year's salary Jan.1/51 to June 1/67 (2% of \$3500 x 16½) .....	\$1,155.00
(Non-contributory. Past Service Benefits).	(b) 1¼% of each year's salary Jan.1/45 to Dec. 31/50 - average salary \$3000 (1¼ x 3000 x 6).....	225.00
(Non contributory. Past Service Benefits).	(c) 1¼% of 1944 salary for each year from one year after date of employment to December 31/44 (1¼ x 2500 x 12).....	375.00

Total normal pension under Plan .... \$1,755.00

The plan provides for augmenting pension in respect of any year from 1¼% to 2% if the employee contributes 5% of salary of any year prior to January 1, 1951. If the above employee had so contributed to the fund for the period January 1, 1945 to December 31, 1950, his pension for that period would have been increased by \$135.00  
(¾ of 1% x 3000 x 6)

His total pension from the fund would then be \$1,890.00.

Section (1)(a) of the proposed legislation provides that an employee such as above, who contributed for the period January 1/45 to December 31/50, will receive a further supplemental pension, payable by the City and not the fund, of an additional amount of \$225.00.

(¾ of 1% x 2500 x 12)

This is in respect of the non-contributory years prior to January 1, 1945.

This additional sum would be payable by the City out of current revenue.

The total pension would be \$2,115.00 for an employee with 35 years service and who was receiving \$3500.00 on the date of his retirement. Of this pension, the sum of \$225.00 is paid from the City's funds to supplement the amount received by the employee from the Superannuation Fund.

ILLUSTRATION OF SECTION (2).

If the above employee had not contributed for the period January 1, 1945 to December 31, 1950, but commences to make such payments to the City within a year of the coming into effect of this legislation, at the rate of at least 10% of the total amount of the total to be paid (or \$90.00 per year), he will be entitled to receive from the City a supplementary pension of  $\frac{3}{4}$  of 1% of his average salary during this period, which would amount to \$135.00 per year. He would also be entitled to receive a further additional sum from the City of \$225.00 per year, representing the increased pension from  $1\frac{1}{4}\%$  to 2% for the years from the beginning of his employment to December 31, 1944. The total annual cost to the City for such a person would be \$360.00, for which the City would have received the sum of \$900.00 if the employee had 10 years to go to reach 65.

If an employee with the same salary earnings, but who would reach 65 years of age in less than 10 years from the coming into force of the legislation, who commences within a year of such coming into force to contribute to the City for the past service benefits between January 1, 1945 and December 31, 1950, he will not be able to pay up the full amount at the rate of 10% per year. If the total to be paid is, say, \$900.00, he may only pay perhaps six of such \$90.00 instalments, or a total of \$540.00. The legislation considers in this case that he has paid the full \$900.00 and on this basis he becomes entitled to receive from the City a supplementary pension of  $\frac{3}{4}$  of 1% of his average salary for the period January 1, 1945 to December 31, 1950, and a further supplementary pension at the same rate on his 1944 salary for each year of employment prior to January 1, 1945.

January 12, 1956.

Date: January 5th., 1956.

Subject: Re: Gasoline Service Stations.

The Committee on Works at a meeting held on the above date, recommended that the regulations of the Public Utilities Board be amended to permit service stations to sell gasoline at night in cases of emergency.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per. J.B. Sabean,  
Clerk of Works.

Moved by Aldermen Dunlop, seconded by Alderman Hatfield that the report be approved. Motion passed.

Alderman Dunlop submitted and read the following resolution:

WHEREAS the sale of gasoline in the City of Halifax is not now permitted between the hours of 9 p.m. and 8 a.m. which causes inconvenience to many residents of the City:

AND WHEREAS gasoline is sold outside the City at all hours, day and night.

BE IT RESOLVED that the BOARD OF COMMISSIONERS OF PUBLIC UTILITIES be requested to amend the Gasoline Licensing Regulations so as to provide for the sale of gasoline within the City of Halifax on a 24 Hour schedule.

Moved by Alderman Dunlop, seconded by Alderman Hatfield that the resolution be approved. Motion passed.

LEGISLATION SUPPLEMENTARY RETIRING ALLOWANCE ✓

Draft legislation as prepared by the City Solicitor and recommended by the Finance and Executive Committee respecting Supplementary Retiring Allowances was submitted and same is attached to the original copy of these minutes.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the legislation as submitted be approved. Motion passed. ✓

BORROWING \$2,000,000.00 FIXING TAX RATE ✓

January 9, 1956.

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

The Finance and Executive Committee at a meeting held on the above date concurred in the recommendation of the Commissioner of Finance that a sum not exceeding \$2,000,000.00 be borrowed

January 18, 1956.

from the Royal Bank of Canada under authority of Section 351 of the City Charter in the anticipation of the fixing of the tax rate of the Civic Year 1956.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

COMMUTATION OF COMMON LOT (BARNSTEAD) ✓

January 9, 1956.

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

The attached report from the City Solicitor respecting the commutation of 414 Tower Road 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.

To: His Worship the Mayor and Members of the Finance and Executive Committee.

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

Date: January 9th, 1956.

Subject: Commutation of 414 Tower Road.

Mr. A.S. Barnstead, owner of the above premises, has asked for a commutation of this property, which was formerly a portion of Lot No. 1 and Lot No. 2 of the Common Lots on Tower Road.

Would you please recommend the same to Council subject to the title being searched.

Yours very truly,

CARL P. BETHUNE,  
CITY SOLICITOR.

Per..T.C. Doyle.

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

APPOINTMENT OF COAL WEIGHER ✓

January 9, 1956.

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

Item #  
Council  
Jan 12, 1950

To: His Worship, T. A. Pitt, and  
Members of City Council.

From: City Manager, A. A. De Bard, Jr.

Date: January 11, 1950

Subject: List of Bidders, Last Sale January 9, 1950.

No.	Name
(1)	Winnies, Cooper, 107 Bedford Row
(2)	Frank R. Aubley, 171 Smith Street
(3)	Stephen H. Cook, 140 Stanley Street
(4)	Louis F. Carr, 357 Long Street
(5)	Harry C. Freeman, 74 DuRoi Road
(6)	Howard C. Stockwell, 112 Larkin Street
(7)	Ronald W. Mills, Apt. 2, 40 Green Street
(8)	A. N. Cohn, Green Eastern Building, Barrington Street
(9)	Edward J. Brunt, 4, Connolly Street
(10)	B. F. Reghall, 17 Suffolk Street
(11)	A. A. MacCallum, 68 Grandport Avenue
(12)	A. Font, 92 Innes Street
(13)	Earle H. Young, 100 Waterloo Road
(14)	W. Valler, 27, Connaught Avenue
(15)	K. F. Grain, 13, West Street
(16)	Quentin Houston, 61 George Lambine Avenue
(17)	Gordon L. Mackay, 10 Shaw Lane, Lonsdale
(18)	Lynn A. Trelice, 11, Stanley Street
(19)	Stewart, 101, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



- (40) J. A. Little, 2211 1/2 St. W.
- (41) E. J. Little, 2211 1/2 St. W.
- (42) J. L. Little, 2211 1/2 St. W.
- (43) J. L. Little, 2211 1/2 St. W.
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- (78) J. L. Little, 2211 1/2 St. W.
- (79) J. L. Little, 2211 1/2 St. W.
- (80) J. L. Little, 2211 1/2 St. W.

*A. G. Little*  
 2211 1/2 St. W.



MEMORANDUM FOR THE DIRECTOR  
 SUBJECT: [Illegible]

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1 - Index	2 - Index	3 - Index	4 - Index	5 - Index	6 - Index	7 - Index	8 - Index	9 - Index	10 - Index	11 - Index	12 - Index	13 - Index
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(105) [Illegible] (106) [Illegible] (107) [Illegible]

20.	21.	22.	23.	24.	25.	26.	27.	28.	29.	30.
Lot 10	Lot 11	Lot 12	Lot 13	Lot 14	Lot 15	Lot 16	Lot 17	Lot 18	Lot 19	Lot 20
...	...	...	...	...	...	...	...	...	...	...

25.	26.	27.	28.	29.	30.	Any Lot	Any Lot
Lot 21	Lot 22	Lot 23	Lot 24	Lot 25	Lot 26	bestmount	Any
bestmount	bestmount	bestmount	bestmount	bestmount	bestmount	Lot 26	lot 28

7) 12,000.-	9) 12,000.-	11) 12,000.-	13) 12,000.-	15) 12,000.-	17) 12,000.-	19) 12,000.-	21) 12,000.-	23) 12,000.-	25) 12,000.-	27) 12,000.-	29) 12,000.-	31) 12,000.-	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...

9) 12,000.- (7) 12,000.- (11) 12,000.- (13) 12,000.- (15) 12,000.- (17) 12,000.- (19) 12,000.- (21) 12,000.- (23) 12,000.- (25) 12,000.- (27) 12,000.- (29) 12,000.- (31) 12,000.-

Assigned #26 Lot 15 since he bid on all lots, and has said he wants this one.

(1) 3,000.- Has lot G - George Goughline this one.

(77) 2,861.- Has bid on all lots, has said he wants lot #29, lot 23.

(72) & (73) 2,500.- out

(79) 3,025.- but has been awarded #28 lot 22 since he bid on this one individually.

(5) 11,800.-

(79) 3,525.-

January 12, 1956.

The Finance and Executive Committee at a meeting held on the above date agreed to recommend for approval an application from the Archibald Coal & Oil Co. Limited to have Mr. J. Harrigan appointed as a City coal weigher.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

TENDERS FOR LAND ✓

Reports attached to original copy of these minutes.

The Deputy Mayor: "I think they should be deferred for review by the Finance and Executive Committee. I would suggest that the matter be deferred."

Alderman Ferguson: "Was the highest tender recommended?"

City Manager: "Yes."

Moved by Alderman Ferguson, seconded by Alderman Dunlop that the highest tender be accepted.

Alderman Dunlop: "We should deal with it now so there will not be anything said about juggling. We have advertised them for public sale. If one man bought them all I would be for it if he was the highest."

Alderman Macdonald stated that acceptance of the highest bids was the policy in the past.

Alderman Vaughan: "Do the tenders exceed the valuations placed on them by the City Assessor?"

City Manager: "I don't know."

Alderman Vaughan: "We should not accept anything less than the valuation. I think the Council should feel we are getting full value."

Moved in amendment by Alderman Lane, seconded by Alderman Vaughan that Council accept the highest tender in every case where it is at least the amount of the assessed value and that if it is under the assessed value that it be re-advertised.

January 10, 1956.

Alderman Ferguson with the permission of his recorder withdrew his motion.

City Manager: "These are good prices."

Alderman Lane: "We should get the assessed value."

Alderman Dunlop: "There are no cheap lots. Nobody is getting any bargain."

The Deputy Mayor: "We should not sell them unless we get the assessed value."

The amendment then became the motion and on being put was passed.

LEGISLATION AGREEMENT DARTMOUTH FERRY COMMISSION AND CITY OF HALIFAX

The following legislation was submitted:

1. Notwithstanding the provisions of the Bonus Act, for the purpose of assessment and taxation the Dartmouth Ferry Commission in each year, beginning on the first day of January 1956, as part of the consideration for the Agreement hereinafter referred to, and during the term of such agreement and any renewal thereof, shall pay a real property tax to the City of Halifax of the sum of one hundred dollars and a business tax in respect of the real property in the City occupied by the Commission for the purposes of the trade or other calling of the Commission of the sum of one thousand five hundred dollars.
2. The Memorandum of Agreement entered into between the City of Halifax and the Dartmouth Ferry Commission and dated the 16th day of December, A.D. 1955 is hereby ratified, confirmed and declared to be binding upon both parties thereto.
3. Section 36 of Chapter 54 of the Acts of 1955 is repealed.

Approved.

DRAFT LEGISLATION 1956 ✓

Draft Legislation for 1956 was submitted by the City Solicitor and considered item by item. Same is attached to the original copy of these minutes.

<u>Item # 2</u>	Approved.
<u>Item # 7</u>	"
<u>Item # 10</u>	"
<u>Item # 11</u>	"

Section 17

(1) Section 17 is amended by inserting the words "Notwithstanding" and "the" in the first line and the word "that" in the second line.

(2) Said Section 17 is further amended by inserting the word "and" in the seventh line.

(Explanatory note: The proposed amendment is intended to improve the readability of the section by clarifying the meaning but does not change the substance of the section.)

may convey to the City of Halifax, Nova Scotia such lands, situate in Sir Sandford Park, as may be required for the widening and straightening of the road known as Cove in the County of Halifax, and Her Majesty to the City of Halifax, as required by the City of Halifax, for an Airport adjacent to the said road.

(Explanatory note: The proposed amendment is intended to clarify the purpose of the section for the acquisition of land for the Airport site at Sir Sandford Park. The land to be acquired is approximately 400 acres. This legislation is necessary for the acquisition of land for the Airport site at Sir Sandford Park and for the City to sell land adjacent to the said road.)

Section 18

(1) Section 18 is amended by inserting the words "land" and "the" in the first line and the words "property of the City of Halifax" in the second line.

(2) This Section shall be deemed to have been given effect as if it had been enacted on the 1st day of January, A. D. 1955.

(Explanatory note: The proposed amendment is intended to assess the value of the property tax on the present time value of the property liable to be assessed. The matter is of importance to the City-owned property because of the fact that the property is situated in the City of Halifax and is subject to the Agreement of Sale and Purchase. It is made possible to sell the property and to impose taxation on the property.

(1) Subsection (1) of Section 510E is amended by striking out the word "nor" in the eighth line thereof and substituting therefor the words "nor postage stamp vending machines nor".

(2) Clause (c) of subsection (4) of said Section 510E is amended by striking out the words "or identification discs or tags, or postage stamps, or photographs, or soft drinks or beverages when the automatic machine vending such soft drinks or beverages is located within the premises of a permanent business establishment or social organization" inserted in that clause by subsection (1) of Section 20 of Chapter 54 of the Acts of 1955, and substituting therefor the words "or identification discs or tags, or photographs, or soft drinks or beverages when the automatic machine vending such soft drinks or beverages is located within the premises of a permanent business establishment or social organization".

(Explanatory note: This amendment removes from the definition of an automatic vending machine those used for vending postage stamps, which are now liable to an annual license fee of \$1.00. Under this amendment such machines will require no license.)

Item 15.

Section 805 is repealed and the following substituted therefor:

805. Illuminated signs, advertisements or displays having colored lights or glass shall be hung at such height above the sidewalk or street pavement as may be approved by the Inspector of Buildings but no such sign, advertisement or display shall be hung at a height less than eight feet above such sidewalk or street pavement.

(Explanatory note: Under present legislation the signs mentioned above must be at least 25 feet above the street. It is felt that this height requirement works a hardship on small store owners as well as on the firms installing such signs. The amendment leaves it to the Building Inspector to fix the height in each case - not to be less than 8 feet above the street.)

Item 16.

Notwithstanding the provisions of Sections 535 and 540, the City may permit the owner of the property situated at the northeast corner of Gottingen Street and Falkland Street to construct an addition at the rear of the existing building, notwithstanding that such addition when constructed will constitute an encroachment over the northern official street line of Falkland Street, provided, however, that if the said property shall be removed or so destroyed as to require the re-erection thereof the same shall not be rebuilt or replaced so as to constitute an encroachment on Falkland Street.

(Explanatory note: Through inadvertence, believing that a permit would be issued, the owner of the property in question proceeded to commence the erection of an addition to his property which fronts on Gottingen Street. In 1954 a new official street line was laid down on Falkland Street and this prevents the owner from proceeding with his work. The effect of the legislation is to enable the owner to complete the work, part of which is already done.)



Item 17.

(1) The Retirement Committee of 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, and which was ratified and confirmed by Section 29 of Chapter 67 of the Acts of 1951, may, subject to the approval of the Council, admit as members of the Plan such full-time employees of The Recreation and Playgrounds Commission for the City of Halifax and The Port of Halifax Commission in respect of whom the said respective Commissions have made suitable arrangements with the Retirement Committee respecting contributions to the Fund, as in the said Superannuation Plan is more fully set out.

(2) The said The Recreation and Playgrounds Commission is hereby vested with the authority to and shall include in the annual estimates of such Commission such sum as may be required to be paid by such Commission in respect of the employees of such Commission admitted to the said Plan, as hereinbefore provided, and such contributions shall be made by such Commission on the same basis and in the same manner as the City of Halifax is required to contribute to such Plan in respect of its employees who are members of such Plan.

(3) The City of Halifax may grant to the Port of Halifax Commission such sum as may be required to be paid by such Commission in respect of the employees of such Commission admitted to the said Plan, as hereinbefore provided, and such contributions shall be made by such Commission on the same basis and in the same manner as the City of Halifax is required to contribute to such Plan in respect of its employees who are members of such Plan.

(Explanatory note: This section is intended to enable full-time employees of the above mentioned Commissions to be admitted to the City's Superannuation Plan and to provide for the necessary financial contributions.)

Item 18

The City may pay to Flying Officer J. A. English a sum not exceeding two hundred and fifty dollars as compensation for damage to his automobile incurred while the same was in use in an emergency at the request of a police constable.

(Explanatory note: The automobile in question was used at the request of a police constable to convey an injured child to a hospital when it was involved in an accident. The City Council is of the opinion that the owner of the vehicle should be compensated for the damage suffered.)

Item 19.

Section 927 is repealed.

(Explanatory note: This Section provided that sections 79 and 80 of the Education Act (RSNS 1900) should not be affected by any provision of the Charter. The sections in question dealt with the liability of property in one municipality to be assessed for School Rates in another municipality when the owner resided in such last municipality. The sections 79 and 80 of RSNS 1900 were re-enacted as Sections 83 and 84 of Chapter 2 of the Acts of 1911 and later as Sections 74 and 75 of Chapter 9 of the Acts of 1918. They were repealed by Section 9 of Chapter 68 of the Acts of 1920.)

The amount of taxes to be paid to the City by Marden-Wild of Canada Limited for Business Taxes in each of the years 1956, 1957, 1958, 1959 and 1960 in respect of its occupancy of the Abattoir Property (so-called) while a tenant of the City, for the purposes of its trade, profession or other calling carried on for purposes of gain, shall not exceed the annual sum of two thousand one hundred dollars.

(Explanatory note: This Company has been a tenant of the City in this property since 1933 under several leases of various terms. The latest lease, commencing January 1st, 1956, runs for 5 years at an annual rental of \$2100.00, out of which the City is to be paid any business tax assessed against the Company during the term of the lease. It is necessary, therefore, to fix the dollar amount of taxes to be paid in order that the same will not exceed \$2100.00.)

#### Item 21

Section 370 is amended by adding thereto the following subsection:

(16)(1) Notwithstanding the provisions of the Bonus Act, the lands and premises known as civic number 84 Morris Street shall be exempt from real property taxation by the City during such time as the same are owned by The Sisters of Charity of Mount Saint Vincent and used by the said Sisters of Charity for the purpose of a home for aged ladies.

(2) Notwithstanding the provisions of the Bonus Act, the Sisters of Charity of Mount Saint Vincent shall not be liable to be assessed in respect of their occupancy of the said lands and premises known as civic number 84 Morris Street while the same are used by the said Sisters of Charity for the purposes of a home for aged ladies.

(Explanatory note: This legislation exempts from real property and occupancy tax the Sisters of Charity of Mount Saint Vincent in respect of the ownership and occupancy of the premises 84 Morris Street while the same is used as a home for aged ladies.)

The City may write off and cancel any real property taxes and taxes in respect of the occupation of real property assessed for the civic years 1955 and 1956 against The Sisters of Charity of Mount Saint Vincent in respect of the ownership and occupation of the lands and premises known as 84 Morris Street.

(Explanatory note: See above.)

#### Item 22.

The City may write off and cancel the tax assessed against the Maritime Conservatory of Music for the year 1954 in respect of its occupancy of real property for the purposes of the said Maritime Conservatory of Music.

(Explanatory note: By Section 16 of Chapter 54 of the Acts of 1955 an exemption from taxation in respect of occupancy of real property was provided for the Maritime Conservatory of Music. At the time of the enactment of the legislation the Conservatory of Music had been assessed for the year 1954. It is desired to cancel this tax.)

Item 23

The City may write off and cancel the tax assessed against Hadassah Organization of Canada (Halifax Branch) for the year 1954 in respect of its occupancy of real property designated as number 33 Agricola Street for the charitable purposes of the said Organization.

(Explanatory note: Legislation was secured in 1955 by Section 10 of Chapter 54 to exempt the above Organization from taxation at #33 Agricola Street commencing with 1955. The Organization had, however, been assessed for these premises for 1954 and this legislation is required to cancel the tax for that year.)

Item 25.

The City may cancel the assessments for Business Tax assessed to J. F. Connolly for the years 1951, 1952, 1953, 1954 and 1955 in respect of the premises 32 Blowers Street and may refund to the said J. F. Connolly any sums paid by him in respect of the taxes levied pursuant to such assessments. Any sums required for the foregoing purpose may be taken from the general revenues of the City and shall be shown as an expenditure for the year in which the same are paid.

(Explanatory note: Through an error the above named person was assessed for Business Tax for the years set out above although he was not carrying on business. Through a further error the taxes levied in pursuance of such assessments were paid. The City desires to refund the said taxes paid in error.)

Item 27.

(1) The Board of School Commissioners for the City of Halifax may include in its annual estimates a sum sufficient to enable the said Board to pay to William Rozee, a retired employee of the said Board, for the remainder of his life, as and from the first day of May, A. D. 1956, an annual allowance of four hundred and thirty-five dollars and thirty-five cents, which shall be paid to him in monthly instalments, in advance, on the first day of each month, and the sums required to pay the said allowance in the year 1956 may be provided by the City to the Board under the authority of Section 316C upon the request of the said Board and paid to the Board at such times as the City may determine.

(2) The payment of any sums by the said Board to the said William Rozee as a retiring allowance prior to the coming into force of this Section is ratified and confirmed.

(Explanatory note: This legislation authorizes the payment of a retiring allowance to the above named retired employee of the School Board.)

Item 31

The City may in each of the years 1956, 1957, 1958, 1959 and 1960 pay, as a grant, to the Children's Hospital (Halifax), to assist that Hospital to defray certain capital expenses, the sum of Five Thousand Dollars, and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

(Explanatory note: This section authorizes the City to pay a total sum of \$25,000.00 to the Children's Hospital in annual payments of \$5,000.00 in each of the years 1956 to 1960 inclusive.)

Item 40.

The City may in each of the years 1956, 1957, 1958, 1959 and 1960 pay, as a grant, to Dalhousie University, to assist that University in its Expansion Appeal, the sum of eight thousand dollars, and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

(Explanatory note: This section authorizes the City to pay a total sum of \$40,000.00 to Dalhousie University in annual payments of \$8,000.00 in each of the years 1956 to 1960 inclusive.)

Item 39.

Notwithstanding the provisions of the Bonus Act, the First Church of Christ, Scientist, shall not be liable to be assessed in respect of its ownership or occupancy of the real property situated at the northwest corner of South Park Street and Inglis Street for the civic year 1956 and for so long as the said real property is owned and used by the said First Church of Christ, Scientist, for the purposes of that Church.

The City may write off and cancel any real property taxes and taxes in respect of the occupation of real property assessed for the years 1955 and 1956 against the First Church of Christ, Scientist, in respect of the ownership and occupation of the lands and premises owned by the said First Church of Christ, Scientist, and situated at the north west corner of South Park Street and Inglis Street.

(Explanatory note: The foregoing legislation provides a tax exemption from real property and occupation taxes for the above Church.)

Item 48

(1) Section 366B, as that Section is enacted by Section 12 of Chapter 57 of the Acts of 1940 and amended by Section 14 of Chapter 56 of the Acts of 1946, is further amended by striking out the words "Commencing with the poll taxes assessed in the civic year 1940-1941" in the first and second lines thereof and substituting therefor the following:

(1) Subject to the provisions of subsection (2) of this Section

(2) Said Section 366B is further amended by adding thereto the following subsection:

(2) Where the notice to pay poll taxes is given subsequent to the first day of September in any year and such poll tax is unpaid at the expiration of one month from the date of the giving of such notice, the penalty of ten percent shall thereupon be payable and from and after the expiration of two months from the date of the giving of such notice interest shall be payable on the amount of such tax and penalty then unpaid at the rate of six percent until the same is paid, and payment of such penalty and interest may be enforced in the same manner provided for the enforcement of the payment of poll taxes.

(Explanatory note: Section 366B at present provides for the payment of penalty on poll taxes unpaid on October first and interest on poll tax and penalty if unpaid on November first. In some cases the tax is not imposed until late in the year and sometimes after October first. The above amendment provides in these cases for the penalty to arise if the tax is not paid within thirty days and interest to be charged if not paid within sixty days after receipt of notice of the tax.)

January 12, 1936.

Item # 15 Approved after deleting the word "credit" between the words "than" and "feet" in the last line thereof and substituting the word "then".

Item # 16 Approved.

Item # 17

Alderman Vaughan: "Should we not include such other commissions as may be created? There is the Industrial Commission.

City Solicitor: "Any future commissions may not bear that relation to the City. Add other commissions created by legislation as may be from time to time approved by the City Council."

Alderman Dunlop: "I think we should be slow as to who we should admit. I would be agreed to say 'The Retirement Committee and the City Council may admit'."

The item was then approved after including the suggestion by Alderman Dunlop.

Item # 18 Approved

Item # 19 "

Item # 20 "

Item # 21 "

Item # 22 "

Alderman Dunlop stated he would like to see the A.S. tax exempt as well.

Alderman Alera brought up the case of the International Christian Mission and stated that their request should be granted as well.

Both matters were referred to the Joint Meeting of the Finance and Executive Committee.

Item # 23 Approved

Item # 24 "

Alderman Dunlop: "Council is a very small committee of legislation. It covers everything."

January 10, 1956.

Item # 27

Approved

Item # 31

"

Item # 40

Alderman Vaughan suggested the following inclusion in the item: "that such sums be for the construction of buildings rather than for maintenance."

The item was then approved.

Item # 32

Approved.

Item # 48

"

LEGISLATION DANGEROUS MACHINES ✓

The following legislation was submitted:

The Council may by ordinance regulate and control the operation of dangerous machines and prescribe therein safeguards and precautions to be taken by the owners or operators thereof for the protection of persons therefrom and may also define the meaning of the words "dangerous machine" as used in such ordinance.

Alderman Dunlop: "That should be brought to the attention of the Legislature to make it general. We may be getting ourselves loaded down with some other kind of inspectors."

The City Solicitor was requested to discuss this legislation with the Department of Labor.

The item was not approved.

APPLICATION TO REZONE ST. PATRICK'S HOME PROPERTY T. RAYON COMPANY

Referred to the Town Planning Board for a report.

APPOINTMENTS REGIONAL LIBRARY BOARD ✓

To: W.P. Publicover, City Clerk.

From: L.A. Kitz, Mayor.

Date: January 10, 1956.

Subject: Appointments to Library Board (Halifax Regional)

Dear Mr. Publicover:

Appointments are to be made to the Halifax Regional Library Board and I recommend the following:

Alderman W.C. Dunlop  
" J.E. Ahern  
Mr. F.W. Bissett

Januray 10, 1956.

Mrs. Angus L. Macdonald  
Mrs. Denis Forster  
Mrs. S.L. Gibson

I have been in touch with all of these persons. They are prepared to act and I am able to personally recommend them highly.

Yours very truly,

L.A. Kitz,  
MAYOR.

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

APPOINTMENT RECREATION & PLAYGROUNDS COMMISSION ✓

To: W.P. Publicover, City Clerk.

From: L.A. Kitz, Mayor.

Date: January 10, 1956.

Subject: Appointment to Recreation & Playgrounds Commission.

Dear Mr. Publicover:

Due to the Resignation of Mr. H.L. Livingstone, I nominate Mr. Greg Donovan.

L.A. Kitz,  
MAYOR.

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

Alderman Vaughan: "I want to commend the Mayor for his choice. I am sure Mr. Donovan has experience and has much to offer."

The motion was put and passed.

PUBLIC HOUSING COMMITTEE ✓

Alderman DeWolf: "There was a short meeting held by the Housing Committee and it was decided that the Mayor while in Ottawa should discuss with the proper authorities the possibility of erecting housing units on some part of Citadel Hill so as to take care of those temporarily displaced by slum clearance so as to be able to more readily make progress in slum clearance and rehabilitation whether it be the area recently discussed or some other area."



January 12, 1946.

RESIGNATION AND APPOINTMENT COURT HOUSE COMMISSIONERS ✓

Alderman Adams stated that he found it necessary due to pressure of business to resign from the Court House Commissioners for the City of Halifax.

Moved by Alderman Vaughan, seconded by Alderman Macdonald that the resignation be accepted. Motion passed.

Moved by Alderman Adams, seconded by Alderman Ahern that Alderman Hatfield be appointed to fill the vacancy.

Motion passed.

ASSESSMENT BETTERMENT CHARGES IN THE HYDROSTONE DISTRICT ✓

A report was submitted from the Commissioner of Works relative to the above matter and same was distributed to all members of Council for their information.

Alderman Vaughan: "The information is not consistent with the minutes of the City Council at a meeting held on August 14, 1947."

Moved by Alderman Vaughan, seconded by Alderman Greenwood that the matter be deferred and the Council furnished with an extract of the City Council minutes under date of August 14, 1947. Motion passed.

CULVERT UNDER HOWE AVENUE ✓

Alderman Greenwood submitted a petition signed by 22 property owners in the area embracing Spruce Street, Ashburn Avenue, Elliott Street and Abbott Drive respecting a culvert erected by the City under Howe Avenue which at various times throughout the past year did discharge a large and excessive volume of water onto the lands of the above mentioned.

Moved by Alderman Greenwood, seconded by Alderman Hatfield that the petition be referred to the Committee on Works for consideration. Motion passed.

January 12, 1956.

PARKING ON COMMONS ✓

Alderman Greenwood: "A fence has been erected there and these people are not able to park on the Commons. I would request the City Manager investigate."

Mr. West: "The Police Department and our Department have been anxious to control it on the Commons and it is to mark it off."

The Deputy Mayor: "It is to restrict them to a certain area."

1956 BUDGET MEETINGS ✓

Alderman Vaughan asked when the 1956 Budget Meetings would start as there was only 6 weeks available to the end of February.

The Deputy Mayor stated he would speak to His Worship the Mayor on his return from Ottawa.

ENGINE HOUSE SPRING GARDEN ROAD ✓

Alderman Ahern: "Alderman Dunlop and I visited the Spring Garden Road Engine House and no car has been made as no deal is pending. We are shortly making a report to Council. There is no such question of renting the building pending."

DIAGONAL STREET ✓

Alderman Macdonald asked what progress had been made with respect to the construction of the diagonal street. He said it would link up the Gattinen and Barrington Streets business sections. He also said that Federal help was available and that parking could be provided for possibly 200 cars which might eliminate the necessity of putting an extra storey on the Grafton Street parking lot. There would also be tax revenue realized from commercial establishments on the street. He requested that the matter be referred to the City Manager and Committee on Works for consideration.

Alderman Hatfield suggested that it be referred to the Public Hearing Committee.

It was then agreed that it would be referred to the Committee on Works and referred to the Public Hearing Committee.

January 12, 1956.

TAX COLLECTIONS MONTH OF DECEMBER 1955

CIVIC YEAR	RESERVES	O/S BALANCE NOV. 30/55	NEW ACCOUNTS & ADJUSTMENTS	DECEMBER/55 COLLECTIONS	O/S BALANCE DEC. 1955
1953	71,291.42	126,523.02		5,787.60	120,735.34
1954	75,550.00	317,651.36	Dr. 7.01	16,031.49	301,626.88
1955	76,239.86	913,678.82	Dr. 18,401.95	103,668.75	828,412.02
		1,357,853.20	Dr. 18,408.96	125,487.92	1,250,774.24
Tax Years Prior to 1953 (covered by reserves)				1,213.54	
				<u>126,701.48</u>	

POLL TAXES

1954	23,464.88			816.43	22,648.45
1955	26,007.22	Dr.	30.45	2,645.36	23,392.31
Roll Taxes Other Than Listed Above				3,461.79	
				546.64	
				<u>4,008.43</u>	

Total Collections in December 1955 130,709.89  
 Total Collections in December 1954 160,527.21

Current Taxes Collected  
 Jan. 1st to December 31, 1955 6,589,552.95  
 Corresponding Period 1954 6,318,265.41

Tax Arrears Collected  
 Jan. 1st to Dec. 31, 1955 647,386.20  
 Corresponding Period 1954 685,312.59

Poll Tax Collections  
 Jan. 1st to Dec. 31, 1955 119,919.25  
 Corresponding Period 1954 120,696.73

7,356,858.40 7,124,274.73

AMOUNT COLLECTED  
 JANUARY 1ST.  
 To December 31st \$

Tax Levy 1955	7,437,406.78	6,589,552.95	88.60
Tax Levy 1954	7,036,505.98	6,318,265.41	89.79
Tax Arrears Jan. 1st, 1955	1,119,041.92	647,386.20	57.85
Tax Arrears Jan. 1st, 1954	1,118,470.92	685,312.59	61.27
Total Collections to December 31st, 1955		7,236,939.15	97.30
Total Collections to December 31st, 1954		7,003,573.00	99.53

Respectfully submitted,

H.R. McDonald  
 CHIEF ACCOUNTANT.

To: His Worship, L. A. King, and  
Members of City Council,

From: City Manager, A. A. De Bari, Jr.,

Date: January 19, 1956

Subject: Monthly Administrative Report for December, 1955

1. Electricians' Department

254 wiring inspections made, repair orders 3805.02  
 1 new light - Tower Road & Bridge Street  
 2 lights changed location

Fire Alarm Telegraph

273 alarm boxes tested and inspected.  
 Fulgrave Park School connected to waste alarm system.  
 Semi-actuated lights at Chestnut Road and Connaught Avenue  
 went into operation December 9.  
 Initiation of flashing lights at Art Bridge Rotary.

2. Building Permits

	<u>Number</u>	<u>Value</u>
Dwellings, new	4	\$66,500.00
Garages, new	3	1,750.00
Commercial, new	4	259,200.00
Dwellings, repairs	26	4,226.00
Commercial, repairs	12	201,225.00
Institutional repairs	2	.00
		<u>1,472,150.00</u>

3. Streets and Sewers

Tons of hot water used on paved streets	2.5
" " cold " " " stoned & oil & grease	4.5
Square yards of sidewalk repairs	40
Lineal feet of curb and gutter repairs	10
Number of catchbasins constructed	8
" " manholes repaired	3
" " " constructed	1
" " junctions installed	27
Files of streets swept by hand	50
" " " machine	87
Number of catchbasins cleaned	40
Lineal feet of new sewer	45

4. Garbage

3,009 tons of garbage and refuse were collected of which 704 tons were burned, together with 2,013 tons of privately collected materials. Total amount processed, 2,317 tons with incinerator in operation 449 hours. Hired trucks 24 hours collecting 42 tons.

5. Snow Removal

463 miles of streets were salted using 9,268 bags of salt. 1,400 miles of streets were plowed and 9,926 cubic yards of snow were removed. Ex conditions for the year to date were as follows:-

December  
1955

Salting Streets	\$4,101.50
Plowing Snow	5,149.71
Clearing City Prop. Crosswalks, catchbasins	5,613.52
Removing Snow	4,026.53
Sanding Sts. and filling sandboxes	167.20
Making & Repairing Sandboxes	127.28
Miscellaneous	67.22

Salt Purchases	\$9,005.16
Sand Purchased	176.75
Stores	258.41
Equipment Rental	6,316.40

\$ 35,059.68

6. Claims

Grafton St. parking lot fence	\$17.68
Damage to Police car	86.65

7. Prefab Housing

Houses completely paid	304
Current accounts	508
Original number of houses	812

Mortgages Receivable 11/30/55	\$1,213,887.96
" " 12/31/55	1,194,454.66
" paid during month	19,433.00

Owing City General Funds	\$500,000.00
Bank Overdraft	3,658.72

Total Borrowing \$503,658.72

83 accounts two or more months in arrears (effect of Christmas spending) 9,598.40

8. Sewer - Progress Report No. 8

Sewer Capital

<u>Street</u>	<u>Size</u>	<u>Started</u>	<u>Completed</u>
Connaught	42" Conc.	November 15, 1955	40%
Clinton	Pump House	November 2, 1955	90%
Third St.	12" Conc.		December 23, 1955

Sewer Rehabilitation

Freshwater			
Brock	60" Aruco)	July 15, 1955	
	54" " )	Manhole at Queen	
	48" " (	St. to be	85%
	60" " )	completed	

Hurd-			
Brunswick St.	24" Conc.	September 13, 1955	December 6, 1955

North St. -			
under Railway			
Tracks	36" Conc.	October 24, 1955	November 29, 1955

9. Status of Armdale Rotary

Listed below are the approximate completion percentages on items listed under this contract.

Clearing and Grubbing.....	100%
Excavation (Common & Solid Rock).....	87%
Borrow placed.....	65%
Foundation Excavation (Common).....	85%
" " (Solid Rock).....	87%
Catch Basins complete.....	35%
Concrete Sewer Pipe.....	70%
Concrete Class "A".....	85%
Reinforcing Steel.....	85%
Trench Excavation & Backfill.....	65%
Removal of Seawall.....	90%
Base Course.....	12%

No work has been done on the remaining items, curb and gutter, sidewalks, pavement or sodding.

Progress in the month of December has been slow. The Contractor has concentrated mainly on placing Base Course and excavating for the last section of the 6' x 8' culvert, approximately 120' in length, which crosses through the intersection.

A. A. DeBard  
City Engineer.

/en

January 13, 1956.

WANDERERS' CLUB LEASE ✓

Alderman Ahern asked what progress was being made with respect to the termination of the Wanderers' Club Lease.

Alderman DeWolf: "There was an indication from the Club that they would be open for a further meeting on the matter. It may be necessary to hold one or more meetings."

It was agreed that His Worship the Mayor call the next meeting of the Wanderers' Club Committee.

MOTION ALDERMAN DUNLOP Re: AMENDING SECTIONS 17 & 17A OF THE CITY CHARTER

Further deferred.

SECTION 246.1 CLAUSE "F" MOTOR VEHICLE ACT (TAXI CABS)

Further deferred.

CITY MANAGER'S ADMINISTRATIVE REPORT

A report was submitted from the City Manager for the month of December and same is attached to the original copy of these minutes.

Copies of the report were furnished the members of the City Council previous to the meeting.

FILED

PREFAB HOUSING STATISTICAL REPORT

Houses completely paid	304
Current Accounts	508
Original Number	812

Mortgages Receivable	11/30/55	\$1,213,841.96
"	12/31/55	<u>1,198,414.66</u>
" paid during month		19,433.30

Owing City General Funds	\$500,000.00
Bank Overdraft	<u>3,658.72</u>

Total Borrowing \$503,658.72

83 Accounts two or more months in arrears \$9,598.40  
(effect of Christmas spending)

FILED

APPROVAL DEPARTMENT OF MUNICIPAL AFFAIRS REZONING

It was reported that the Department of Municipal Affairs

January 11, 1956.

had given approval to the rezoning of the area bounded on the south by the north line of property of Her Majesty The Queen (H.M.C.S. Stadacona), on the east by the west line of Beaufort St., on the north by the south line of Richmond Street and the west and south line of Devonshire Avenue and on the east by the eastern line of Gottingen Street from R-1 Zone to R-2 Zone excluding thereout the areas now zoned as Park and Institutional Zone and General Business Zone.

FILED

POLL TAX REPORT

A report on Poll Tax Collections for the Civic Quarter ending December 31, 1955 was submitted as follows:

Current Poll Tax Collections	\$14,391.00
Arrears	4,829.09
Penalty and Interest	<u>1,936.59</u>
	\$21,156.68
Same period previous year	\$22,579.69
DECREASE.....	1,423.01
Total collections for Civic Year 1955	127,257.38
Same period previous year	128,374.39
DECREASE.....	1,116.01
Collections current Poll Taxes for year	6,816.14
INCREASE.....	51.09
Amount collected by Street collector for 3 months' period	5,638.09
Amount paid at Collector's Office	<u>15,178.59</u>
Total collections as shown above	21,156.68

FILED

PAYMENT PARKING LOT COMMITTEE FOR 1955 ✓

A letter was submitted from His Worship the Mayor advising that the Parking Lot Committee of the Downtown Mercantile Section of the Halifax Board of Trade had left with him a cheque in the amount of \$11,000.00 payment by them for use of the Parking Lot under their agreement with the City of Halifax.

FILED



January 10, 1956.

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

Meeting adjourned. 10:30 P.M.

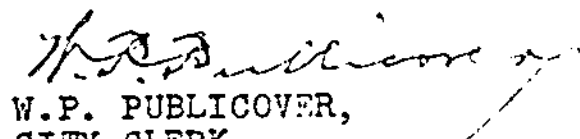
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John A. O'Malley,  
DEPUTY MAYOR & CHAIRMAN.

  
W.P. PUBLICOVER,  
CITY CLERK.

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.,  
January 19, 1956.,  
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, Morinay, Dunlop, Lane, Adams, O'Malley, Ahern, Wyman, Vaughan and Hatfield.

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, T.C. Doyle, L.M. Romkey, J.L. Leitch and Dr. A.R. Morton.

The meeting was called specially to consider the following items:

1. Tenders for Sale of Land.
2. 1956 Budget - School Board and Grants to Organizations.

PASSING CAPTAIN EARL FOX ✓

His Worship the Mayor drew attention to the sad news that Captain Earl Fox of the Fire Department had passed away at the scene of a fire on January 15, 1956.

It was unanimously agreed that His Worship the Mayor write to Alderman Fox as well as Mrs. Earl Fox expressing the sympathy of the City Council.

TENDERS FOR SALE OF LAND ✓

To: His Worship, L.A. Kitz, and Members of City Council.  
From: City Manager, A.A. DeBard, Jr.,  
Date: January 13, 1956.  
Subject: Tenders on Land Sales.

Since Council met last night, I have discovered that the lots were awarded to Edward J. Brunt who actually wants only one lot. His bid was made in such a way that he did not indicate a choice. Had the time for objection not been so short I would have noticed his cheque covered only one lot, but unfortunately I didn't. My apologies.

January 19, 1956.

The tabulation below shows the original allocation and the revision suggested. Assessed values are given at the far right and are in each case below the amount of the bid.

A.A. DeBard, Jr.,  
CITY MANAGER.

	COUNCIL ACTION JANUARY 12, 1956		REVISION JANUARY 17, 1956	
	BIDDER	AMOUNT	BIDDER	ASSESSED VALUE
1) Union Street	Abbott	\$1,800.00	Same	\$1,630.00
2) Albert Street	Abbott	1,800.00	Same	1,550.00
3) G. George Dauphinee	McInnes	3,825.00	Same	3,200.00
4) " " " "	Abbott	3,700.00	Same	3,200.00
5) " " " "	Abbott	3,700.00	Same	3,200.00
6) " " " "	Brunt	3,600.00	Laurence Perry	3,200.00
7) A. Windsor Street	Stewart, Smith	3,150.00	Same	2,420.00
8) " " " "	"	3,150.00	Same	3,120.00
9) " " " "	"	3,750.00	Same	1,930.00
10) " " " "	"	3,750.00	Same	1,930.00
11) " " " "	"	2,750.00	Same	1,930.00
12) " " " "	"	3,150.00	Same	3,520.00
13) Bayers Road	Abbott	3,500.00	Same	1,690.00
14) Lot 3 Westmount	Abbott	3,500.00	Same	*
15) " 4 " "	Josey	3,216.00	Same	*
16) " 5 " "	Brunt	3,600.00	Abbott	*
17) " 6 " "	Brunt	3,600.00	Ivany	*
18) " 7 " "	Brunt	3,500.00	Same	*
19) " 8 " "	Brunt	3,600.00	Ivany	*
20) " 9 " "	C.M. Gallis	3,700.00	Same	*
21) " 10 " "	Brunt	3,400.00	Abbott	*
22) " 11 " "	Ivany	3,450.00	Same	*
23) " 12 " "	McInnis	3,750.00	Same	*
24) " 13 " "	Brunt	3,500.00	J.M. Kent	*
25) " 14 " "	Brunt	3,400.00	D.K. Gillis	*
26) " 15 " "	Hamshaw	3,500.00	Same	*
27) " 16 " "	Wilkinson	3,500.00	Same	*
28) " 17 " "	Le Blanc	3,325.00	Same	*
29) " 18 " "	Kirby	3,861.00	Same	*
30) " 19 " "	Brunt	3,700.00	Abbott	*
				<u>23,845.00</u>
				<u>37,400.00</u>
				64,240.00

\*Assessed on 100 sq ft commercial area \$39,000.00. Modification less as residential area, assuming \$2,000.00 sq ft on George Dauphinee Avenue would be

TOTALS----- 96,025.00

January 17, 1916.

Alderman O'Malley: "This was the only item on the special meeting which was called for Tuesday night. I wish to protest the calling of that first meeting because it had no direction from your office. Just so long as we continue with the Council Manager form of Government I would suggest that the City Manager act within his own rights and privileges under the City Charter and leave the prerogative of the office of Mayor to that office. At no time in the history of this City has any official assumed to take the responsibility as has been done in this case without having the approval of the office of the Mayor. This is the second occasion on which the office of the Mayor has been by-passed. At the time of the Municipal Convention held in this City one day I arrived in the City Hall to find the Mayor's secretary was in the City Manager's office as the Manager's secretary was functioning at the convention. This matter should be straightened out. I think that whoever my successor is, he should be respected just as the Mayor is."

City Manager: "There was no disrespect intended. The reason was I had not noticed in tabulating the tenders for land I found that one man had been awarded 9 lots but only wanted one. Since I supposed it probably was my error I decided a short meeting of Council would clear up the matter otherwise it would hold up the whole matter of the allocation of the lots."

Alderman O'Malley: "I cannot accept that explanation. I looked into the matter and found that when the City Manager was asked by another person why he called the meeting without the Mayor's consent, he said it would have to be called anyway. In this case the ruling was up to me since the Mayor was away and I would not have given my permission to hold a meeting on that date. I tried to have this matter referred to the Finance and Executive Committee. I did not like being by-passed on it."

January 19, 1956.

Alderman Ahern: "I think the Deputy Mayor should be assured that in future we should stick to the Charter."

His Worship the Mayor: "That is acknowledged in his remarks to the Deputy Mayor. I am sure the City Manager did not intend to violate the City Charter or slight anyone."

Alderman DeWolf: "I don't think this is right. I think the tenders should have been dealt with that night. Over the years we have been getting into this way of doing things in passing the tenders on. It is wrong system. I think the people who have tendered should know what the result is."

Alderman Hatfield: "How long did the Manager spend on those tenders?"

His Worship the Mayor: "Where the tenders were of a complex nature, they were given to the various Department Heads for their approval."

Alderman DeWolf: "82 tenders for lots; that is not beyond any person's ability."

City Manager: "It took 3 hours. They were checked by the Purchasing Department to see if I tabulated them correctly."

Alderman Dunlop: "The question is were any tenders considered after the proper time? I presume these tenders were opened under the instructions from the Finance and Executive Committee. If there is any fault it is with the Finance and Executive Committee."

Alderman DeWolf: "I impute nothing wrong. Don't misunderstand me."

Moved by Alderman DeWolf, seconded by Alderman Ahern that the City Council record itself that hereafter when tenders are called for that they be opened and tabulated at the same meeting.

Alderman Dunlop: "It would be impossible to do that in the Committee on Works. We have to have the tenders checked to see if they are in order."

January 19, 1956.

Alderman DeWolf: "It has only been in the past few years that this system has been adopted. I think it is a sloppy way of doing it."

The motion was put and resulted in a tie vote 5 voting for the same and 5 against it as follows:

FOR THE MOTION

Alderman Moriarty  
O'Malley  
Ahern  
Vaughan  
DeWolf

- 5 -

AGAINST IT

Alderman Dunlop  
Lane  
Adams  
Wyman  
Hatfield

- 5 -

His Worship the Mayor cast his vote against the motion and declared it lost.

Moved by Alderman Hatfield, seconded by Alderman Dunlop that the City Manager's recommendation be approved. Motion passed.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that Council adjourn and meet as a Committee of the Whole.

Motion passed.

Meeting adjourned at 8:25 P.M.

Meeting reconvened at 9:50 P.M. the following members being present: His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Lane, Adams, O'Malley, Ahern, Wyman, Vaughan and Hatfield.

SCHOOL BOARD BUDGET 1956 ✓

Moved by Alderman Lane, seconded by Alderman Ahern that the recommendation of the Committee of the Whole Council namely: that the School Board Budget for 1956 with the exception of the Maintenance Items be approved.

Moved in amendment by Alderman Vaughan, seconded by Alderman Hatfield that the School Board Budget be deferred.

The amendment was put and lost 4 voting for the same and 5 against it as follows:

January 19, 1956.

FOR THE AMENDMENT

Alderman Dunlop  
O'Malley  
Vaughan  
Hatfield

AGAINST IT

Alderman Lane  
Adams  
Ahern  
Wynan  
DeWolf  
Moriarty

- 4 -

- 6 -

The motion was put and passed.

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

Meeting adjourned. 10:00 P.M.

LIST OF HEADLINES

Passing Captain Earl Fox  
Tenders for Sale of Land  
School Board Budget 1956

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L.A. Kitz,  
MAYOR AND CHAIRMAN.

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



EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
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February 6, 1956,  
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, Dunlop, Lane, Macdonald, Adams, Fox, O'Malley, Ahern, Wyman, Vaughan and Hatfield.

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C. P. Bethune, Q.C., J.F. Thomson, L.M. Romkey, J. L. Leitch, V.W. Mitchell, A.P. Flynn and Dr. A.R. Morton.

The meeting was called specially to consider the following items:

1. Lighting Armdale Rotary.
2. Remuneration Members of Court of Tax Appeals.
3. Appointment of Services and Community Committee.
4. Appointment of Assessment Appeal Committee.
5. Estimates 1956.

LIGHTING ARMDALE ROTARY

City Manager: "The Committee on Works discussed this matter and decided they wanted wooden poles because the lighting would be provided by the Nova Scotia Light and Power Co., Ltd. I have written to the Province and said what would your answer be if the City Council decided they wanted another type of lighting. I have been advised that whatever type the City wants they will pay their share; half and half. Steel is short and hard to get. I believe the engineers share the view that wooden poles would not look too badly. Six have to be steel for the trolley coach wires. The cost is \$21,000.00 for steel poles and underground wiring."

February 6, 1956.

Alderman Ahern: "I don't think we should permit the Nova Scotia Light and Power Co., Ltd. to spoil a good job by installing wooden poles. They can get the steel poles if they try hard enough."

Moved by Alderman Ahern, seconded by Alderman Hatfield that steel poles be erected in and around the Armdale Rotary on a dollar-dollar sharing basis with the Province of Nova Scotia with underground wiring at an estimated cost of \$21,000.00.

The City Electrician in answer to a question advised that the approximate cost of operation of the lights and current would be \$50.00 per unit per year. \$1,800.00 would cover the 36 poles on the Rotary.

His Worship the Mayor: "Could you tell us how many poles are in the County?"

Mr. Flynn: "I would say approximately 25 in the County. It has not been laid out on the plan how many are in the City and in the County."

Alderman Vaughan: "The County does not enter into this picture whatsoever. For many years there were no payments made by the County for the lights on the Dutch Village Road. I believe the Nova Scotia Light and Power Co., Ltd. will pay the County's share of the operation."

Alderman Dunlop: "This is not a big issue but it involves some money. It is not fair division. I would like to speak in support of wooden poles. I would like to draw to the attention of all members of Council the pole that has been put up in the rear of the Library. I am sure we can get wooden poles of that type put up for nothing."

Alderman Hatfield: "How long do the steel poles last in comparison to wooden?"

Mr. Flynn: "I have known wooden poles to be in for 30 years."

February 6, 1966.

Alderman Macdonald: "I think we are spending around \$200,000.00 on the whole thing. I think to put up wooden poles would spoil the Rotary. To put in steel poles would be money well spent."

Alderman Vaughan felt that any further expenditure on the Rotary should not be tolerated by the City Council.

Alderman DeWolf asked about the Maritime Telegraph & Telephone Company Limited putting up their poles as well."

The City Electrician advised that all their wiring would be going underground.

The motion was then put and passed 8 voting for the same and 3 against it as follows:

FOR THE MOTION

Alderman Adams  
Fox  
Ahern  
Wyman  
Hatfield  
DeWolf  
Lane  
Macdonald

- 8 -

AGAINST IT

Alderman O'Malley  
Vaughan  
Dunlop

- 3 -

REMUNERATION MEMBERS OF TAX APPEAL COURT ✓

January 30, 1966.

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

At a meeting of the Committee of the Whole Council held on the above date the matter of the remuneration paid to the members of the Court of Tax Appeals was considered.

It was agreed to recommend that the Chairman of the Court of Tax Appeals be paid at the rate of \$65.00 per day and the other members paid at the rate of \$50.00 per day.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Alderman Vaughan: "In moving the higher honorarium the Council must recognize the persons serving on that court are removed for long periods from their offices or place of business. We have on the Board 3 men who are qualified to earn professional fees. They could get fees far in excess of what they get from the Board.

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Moved by Alderman Vaughan, seconded by Alderman O'Malley that the report be approved effective as of February 1st, 1956 and the members of the Court be paid for Saturdays as well.

Alderman Lane asked what the professional fee was for anyone of these gentlemen who were on the Tax Appeal Court to which His Worship the Mayor advised that \$100.00 a day was the fee for a solicitor at the going rate.

Alderman Vaughan asked what the fee would be for Counsel on a Royal Commission and was advised by His Worship the Mayor it would be \$200.00 a day.

Alderman Vaughan: "In view of what has happened here in applying Cleminshaw valuations to our assessments what effort has been made by the City to recover from the Company any money which is justly due to us in the extraordinary sittings of the Court? A claim was made here by a salesman of the Company and he said there would be very few appeals. He said the evaluators would sit here for a time and listen to the complaints and answer the questions of the tax payers. They did not sit here as long as they might have. Very little of Cleminshaw is going to be adopted as far as our assessments are concerned."

His Worship the Mayor: "That is a very pertinent question to be raised. It is within the gambut of the committee to be set up to be reviewed."

Alderman Dunlop: "Has this matter been before the Finance and Executive Committee and recommended by them?"

His Worship the Mayor: "Through a Committee of the Whole Council."

Alderman Dunlop: "In my opinion matters of finance should come through the Finance and Executive Committee. Some Committee should take the responsibility for making the recommendation."

February 6, 1956.

Alderman Ahern: "We did discuss it at a meeting of the Finance and Executive Committee called in your office a few days ago. This could have all been avoided if 13 other Aldermen had voted with me last year. I am going to support the motion. I think Mr. Bissett is worth more than \$65.00 per day. I don't see why we should delay it."

Alderman Lane: "I would like to have one other point clarified. When the original arrangement was made the fees were agreed upon and acceptable to the members of the Committee at that time?"

His Worship the Mayor: "Yes that is right."

Alderman Macdonald: "What were the fees paid to the old Board?"

His Worship the Mayor: "\$300.00 per annum."

Alderman Macdonald: "How long did it sit?"

His Worship the Mayor: "Three to four weeks."

Alderman Vaughan: "I feel Alderman Dunlop is right that the matter should go to the Finance and Executive Committee. I will withdraw my motion."

The matter was then referred to the Finance and Executive Committee.

APPOINTMENT OF SERVICES AND COMMUNITY COMMITTEE ✓

His Worship the Mayor: "I would like to have Alderman Macdonald and Greenwood and any others who wish to volunteer to meet with a half dozen people. They are striving to have more of the service men in the homes of our citizens."

This was agreed to by Council.

APPOINTMENT OF ASSESSMENT APPEAL COMMITTEE ✓

W H E R E A S the Council deems it to be expedient to appoint a Committee to confer with the City Solicitor from time to time when necessary in order to determine matters arising from the hearing of appeals from the General Assessment made for the civic year 1956, as more fully hereinafter set out.

February 6, 1956.

BE IT THEREFORE RESOLVED that a Committee consisting of Alderman Macdonald, Alderman Vaughan and Alderman Dunlop be appointed for the following purposes:

(1) To confer with the City Solicitor from time to time concerning any matter arising from the hearing of appeals from assessments by the Court of Tax Appeals;

(2) To recommend to the City Solicitor when necessary the name of a qualified real estate appraiser or appraisers to be engaged by the City to act on its behalf as an expert witness in such assessment appeals as may be considered expedient and to fix the remuneration to be paid to such appraiser or appraisers;

(3) To approve, subject to later ratification by the Council of such appeals as in the opinion of the Committee and the City Solicitor should be taken from decisions of the Court of Tax Appeals; and

(4) Make such other enquiries concerning the work done by the J.M. Cleminshaw Company in conducting the revaluation of real property in the City as such Committee may determine.

Moved by Alderman Hatfield, seconded by Alderman Adams that the resolution be approved.

Alderman Dunlop: "I would ask to be removed from that Committee. I would think that this is another Super Appeal Court. I might find it embarrassing to serve on that Committee. My partners have taken some appeals. I may find a conflict in my duties as a barrister and a member of this Council. I believe the responsibility for recommending to this Council that appeals be taken to the Courts lies on the City Solicitor. He is the one who should advise us which ones to take appeals on. He and his staff are the people who represent the City in these appeals. If I were in his position I would not be too happy about getting advice from another solicitor who is a member of the Council. I hope we are not going to get into a battle of experts. You can have experts on both sides and you can get an expert to see one thing and another to see pretty well the opposite. In assessment matters we have the best expert in the City and he is the City Assessor. If we have not faith in our assessors and they can't represent the City before the Tax Appeal Court, we better drop our case. I hope this Council will go into a committee of the whole in private session so we who are not on the Assessment Appeal Court will hear

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from our Officials what their feelings are. We will hear from the Solicitor. We all know it is not good. It is clear to me that someone is wrong in this City. We have to find out whether we did get value from this Company. We can't discuss the merits of certain appeals in public. I think this Council is entitled to hear the views of our Officials. We the Aldermen are getting the blame for it. No Official said to me that this assessment was out of line. We are entitled to know where our machinery fell down. This was going on for 1½ years. Our Assessor's Department, we are told, worked with the Cleminshaw Company."

Alderman Vaughan: "I now find myself in a position where I want to get off that committee. It is because I feel I am not qualified to say that this building is worth "X" dollars against the City Assessor's valuations or whether I should judge if the Tax Appeal Court is wrong. The sole responsibility under the Charter is with the Assessor."

Alderman Hatfield: "I think this matter should be deferred until later in the meeting after we have dealt with other matters."

Moved by Alderman Hatfield, seconded by Alderman Vaughan that this matter be deferred until later in the meeting.

Motion passed.

Aldermen Macdonald also requested to be removed from the Assessment Appeal Committee.

His Worship the Mayor: "Where you are conducting a case with the appellant giving sales data, surely the City can do so which will rebound to the City's advantage."

Alderman Vaughan: "The Assessor took an oath on January 6th, saying that these assessments were to the best of his belief to be the right assessments. It is up to him to say he wants to appeal to the County Court."

Alderman Ahern: "The decisions of the Tax Appeal Court are tantamount to the complete rejections of the Cleminshaw valuations. I think it is up to someone to get the tax payers out of this."

February 4, 1950.

Alderman DeWolf: "I do not think the Cleminshaw valuations outside the residential were realistic ones and had no bearing on what the Charter provided what the City Assessor should assess properties for. I went to them while they were here and I said Mr. Deering there is a property we are offering for sale at \$75,000.00 and you have it assessed at \$156,000.00. Surely that will have to be changed. The property was sold for \$10,000.00 less and he cut it to \$131,000.00. It was based on a formula and that formula was not precise. In 100 years there was 5% allowed for depreciation."

Alderman Ahern: "The Alderman from Ward #2 referred to the Assessor. Who is he referring to? I don't think everything should have been thrown on the shoulders of Mr. Thomson."

9:00 P.M. Council adjourned to the Mayor's Office.

10:35 P.M. Council reconvened the following members being present: His Worship the Mayor Chairman; Aldermen DeWolf, Dunlop, Lane, Macdonald, Adams, Fox, O'Malley, Ahern, Wyman, Vaughan and Hatfield.

Moved by Alderman Dunlop, seconded by Alderman Hatfield that all assessments be reduced 10% and in cases where the assessment has already been reduced by the Court of Tax Appeals below that percentage, that the assessment stand at the amount fixed by the Court, and in any appeals already entered, the ratepayer to have the right to accept the 10% reduction or proceed with the appeal and in that event the decision of the Court of Tax Appeals shall be binding subject only to appeal to the County Court and that the necessary legislation be secured.

Alderman Ahern moved an amendment that the rate be set at 20% rather than 10% but there was no seconder.

Alderman O'Malley: "I oppose such a motion. After all it will not affect the tax payer in his tax dollars. 10% reduction in the assessment only means an increase in the rate. It is a



February 6, 1956.

matter of tax dollars. If the present residential assessments are equitable, probably 95% are, I don't think it justifies us to take any action to reduce the assessments. That beclouds the minds of the citizens of Halifax that they are getting something. The same applies with respect to Commercial properties. There is no lessening of the burden of the tax dollars that the commercial properties will have to pay. It is doing an injustice to those who have appealed to the courts because the decisions of the courts have based their findings on the actual sale value which is in conformity with the Charter on which the Assessor must base his assessment. I don't think we are going to paint any rosier a picture than to let it stand on the present rate, as it is the tax dollars that count."

Alderman Vaughan: "As this is an informal motion, I hold the right to abstain from voting."

Alderman Ahern: "There is not much relief in sight but it is better than nothing. I hope when we strike the rate the members will strike a low rate that will not cause the tax payers to pay more than they did before."

City Manager: "I said assuming we required no more money this year than we did last year, certain rates would have to be worked out. I made up a budget and the Council has added to it or cut it and that becomes the budget of the City of Halifax."

Alderman Ahern: "What is the relief for the tax payers. Can somebody forecast something? Will there be a recommendation for a lower rate by any Department Head?"

His Worship the Mayor: "You can propose any rate."

Alderman Ahern: "I have a rate in mind of \$1.16 for the residential tax payers and some rate for the commercial tax payers."

Alderman DeWolf: "There is no relief by the 10% reduction because you put up the rate by 10%. There are marginal cases where people asked if they should appeal and some did not. It

February 5, 1956.

stops the necessity of the marginal case of appealing. It saves them that expense and for that reason I feel like going along with it. 800 people saw Cleminshaw and they were given to understand that they were treated on an equitable basis and need not fear. Many were fooled."

The motion was put and passed 8 voting for the same and 2 against it as follows:

FOR THE MOTION

Alderman Fox  
Wyman  
Hatfield  
DeWolf  
Dunlop  
Lane  
Macdonald  
Adams

AGAINST IT

Alderman O'Malley  
Ahern

- 8 -

- 2 -

Aldermen Vaughan abstained from voting.

With respect to waiting on the Provincial Government to ascertain their feeling in the matter of the passing of legislation authorizing the 10% reduction Alderman Dunlop suggested that His Worship the Mayor appoint the Assessment Committee along with the Halifax members.

His Worship the Mayor stated that they would have a meeting very shortly with the Government on the matter.

INDEMNITY TO ALDERMEN AND DEPUTY MAYOR ✓

Alderman Dunlop gave notice that at the next regular meeting of City Council he would move that legislation be secured at the next session of the Legislature enabling the City to pay as an indemnity to Aldermen the sum of \$1,500.00 and to the Deputy Mayor the sum of \$2,000.00 effective as of January 1, 1956.

Alderman Dunlop stated that the reasons for the House cutting the request some 11 years ago do not exist today and that they have increased the indemnity to members of the House twice. Members of City Council put in more time than a member of the House.

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Alderman Hatfield: "I can go along with him in the time devoted to the City. In the last 5½ years there is hardly a day that does not pass that I have calls at the office. That takes a lot of my time."

TAX EXEMPTION A.A. ASSOCIATION ✓

Read letter from the above Association requesting tax exemption in the amount of \$1,500.00.

Moved by Alderman Dunlop, seconded by Alderman Hatfield that the request be granted and the necessary legislation obtained. Motion passed.

ESTIMATES OF INCOME 1956 ✓

Estimates showing income for the year 1956 were submitted amounting to \$3,353,490.58.

The following amendments were made:

Parking Lots \$11,000.00

Moved by Alderman Vaughan, seconded by Alderman Hatfield that this item be increased to \$14,000.00 and that His Worship the Mayor request that operators of the Parking Lot use it to the greatest advantage. Motion passed.

City Prison \$13,000.00

Increased to \$14,000.00

City Market \$5,000.00

Increased to \$6,000.00

Fairview Cemetery \$18,000.00

The Commissioner of Finance explained to the members of Council that there would not be the revenue received as budgetted for and suggested that the amount of \$8,000.00.

It was agreed that the item be reduced to \$4,000.00.

SURPLUS PUBLIC SERVICE COMMISSION \$55,000.00 ✓

Alderman Dunlop: "I think the Council should have a conference with the Commission. There might be an increase in the water rates if they pay for all these things."

City Manager: "The Public Service Commission is a committee and we are to have a bond \$40,000.00 a year for the next five years."

Alderman Dunlop: "I think that is a roll of money and not for the City Manager at all. He is not a member of the Public Service Commission. The Mayor and I can report to the Council."

His Worship the Mayor: "We had \$1,500,000.00 in bonds. There is a proposal that the \$200,000.00 they gave us, there be deducted \$40,000.00 over a period of some years and that would reduce the \$1,500,000.00 in bonds. It would allow that to borrow money more freely on the market and save money for the water user."

Alderman Dunlop: "The legislation should be changed so that the members of the Commission should be members of Council."

The item was approved at \$40,000.00.

Maritime Telegraph & Telephone Co., Ltd. \$21,000.00

Increased to \$27,000.00.

Bakers Road Housing \$27,000.00

Alderman Dunlop: "Those houses are assessed at \$27,000.00 and I am surprised that it is not lower than that. We should look into the matter."

The item was approved at \$27,000.00.

Civil Defence \$8,000.00

Alderman Dunlop: "The time is coming when we have to tell the Provincial and Federal Governments they have to pay the proper share."

His Worship the Mayor advised that the Government should share in the matter of salaries.

The item was approved at \$8,000.00.

Roll Tax \$90,000.00

Alderman Dunlop: "We should follow the general legislation of the Province and have the limit set at \$400 and not the \$200."

February 6, 1956.

Tax at what we want. It should be a graduated one. The school teachers who get \$4,000.00 and pay \$10.00 should not be charged against the stenographer who gets \$1,500.00."

Alderman Hatfield: "I am quite prepared to move that it be increased to \$20.00 a year. The tax is no higher than when it was first put into effect and I think salaries have more than doubled."

NOTICE OF MOTION Re: POLL TAX ✓

Alderman Hatfield gave notice that at the next regular meeting of City Council he would move that legislation be secured enabling the City to charge a Poll Tax of \$20.00 per year and that the income limit be set at \$1,200.00 for persons over the age of 21 years.

The item was then approved at \$90,000.00

Licenses Section 361 City Charter. \$48,375.00

The City Solicitor explained the reason for the inclusion of this item in the budget.

The item was approved at \$48,375.00.

LOAN \$590,500.00 ISSUED MAY 15, 1951

His Worship the Mayor advised the Council that there was an amount of money in the treasury of \$137,000.00 with respect to the above loan which could be used for budget purposes. He also advised that the Officials of the Finance Department feel that the money should be retained for the retirement of the fund.

Mr. Romkey: "In connection with the refund of this loan it was mostly for short term services."

Alderman DeWolf: "Why not refund it again. I think we are paying off too fast."

Mr. Romkey: "It is not a good loan to refund."

Alderman Dunlop: "I would rather see it used for the purpose mentioned by the Commissioner of Finance. It puts us in a better financial position."

February 6, 1956.

Moved by Alderman Dunlop, seconded by Alderman Vaughan that the money be transferred to the sinking fund of the \$590,500.00 loan of 1951.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen O'Malley, Ahern, Wyman, Vaughan, Hatfield, DeWolf, Dunlop, Lane, Macdonald, Adams and Fox.

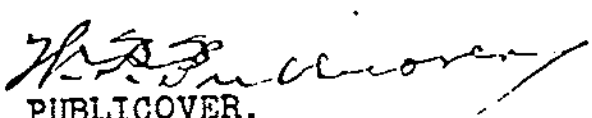
Moved by Alderman Vaughan, seconded by Alderman Hatfield that this meeting do now adjourn. Motion passed.

Meeting adjourned 11:50 P.M.

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L.A. Kitz,  
MAYOR AND CHAIRMAN.

  
W.P. PUBLICOVER,  
CITY CLERK.