

AFTERNOON SESSION
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N.S.,
February 9, 1956,
5:00 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, Fox, Ahern, Wyman and Vaughan.

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., L.M. Romkey and Dr. A.R. Morton.

The meeting was called specially to consider a revision of City Assessments.

REVISION OF CITY ASSESSMENTS ✓

February 6, 1956.

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

At a special meeting of the City Council held on the above date the following resolution was passed.

"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."

In view of the fact that this matter was not included with the items to be considered at this meeting same could not be finalized and it was decided to convene a special meeting of Council on February 9, 1956 at 5:00 o'clock p.m. to consider the resolution.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

His Worship the Mayor: "The Premier is out of the City. I

February 9, 1956.

conferred with the Department of Municipal Affairs and they gave me to understand that such a motion in all likelihood would be passed if the limits were on the basis of a reasonable percentage as long as it was not 50 or 60 percent. There would be no objection."

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

Alderman Ahern: "I don't think any person can guarantee the passage of legislation like that. I will hazard a guess at this time there will be objections brought before the Private and Local Bills Committee to have it increased to 20%. A lot of people feel there is little relief by a reduction of 10%. I think 20% would be fair to all concerned and would make a lot of people happy. They agree that 10% is not good enough and they said if they could get even 15% that would make them feel better."

Alderman Vaughan: "I think finding ourselves in this position would be most difficult to rate for the taxation this year. There is no way of getting out of this except by asking the Nova Scotia Legislature to assist us. The reason why the valuations as placed on the role by our Assessor are not being sustained by the Tax Appeal Court is because our Assessing Law is so brief that it is difficult to get a fair interpretation of it before any Court. I have mentioned a system used in assessing in the Province of Ontario. I am going to quote from 'Taxation in Canada' by Perry. They have had a very advanced system of assessment for municipal taxation. Judge Pottier's figures come quite close to the Glavinshaw valuations. In Canada there are many types of taxes levied in the municipalities. In St. John's Nfld., a rental basis is used completely. They exempt vacant property. One of the difficulties that has arisen out of the 1956 assessments is that they have been based on a formula that can't be supported, we are in a very difficult position. No reductions by percentage is going to

February 9, 1956.

solve the problem. The Victoria Paper and Tissue Co. were not accorded any reductions by the Court while other plants around the water front were granted quite substantial reductions. I say this that the reduction on a flat percentage basis is a wrong approach. I think we have to frame a law and ask the Province to support us that the City be permitted to assess and to use the yardstick of value in use rather than value and exchange. The formula of a willing buyer and a willing seller has been further explored.*

He then quoted from the Ontario Assessment Act for the information of those present and submitted the following:

Whereas the 1956 Assessments which are based on Cleminshaw valuations are being modified by the Court of Tax Appeals by a strict interpretation of cash or actual value, thereby greatly reducing assessments of those who have appealed as against those who have not appealed the following suggestions are made:

I move in amendment that the City Solicitor be instructed to draft legislation to give effect to the following:

1. Tax bills for 1956 will be the same as those for 1955 with the reduction of those where substantial change has been made by demolition, loss by fire, etc., and for increases for additions, new construction, etc.
2. The dates for tax payments will be changed by agreement to a date to be determined by the abilities of administrative officials to do the necessary paper work to prepare a revised assessment roll, tax bills, etc.
3. Change the dates for receipt of the cash discounts to conform with the new payment dates.
4. Cease hearings by the Court of Tax Appeals on the present assessments and reopen Court for hearings on 1955 assessments. Presumably only those whose assessments were changed from the previous year would apply or it might be arranged that only they could apply.
5. Seek a change in our Charter to define in more detail the method under which assessments may be made. If the purpose of assessments is to distribute the costs of municipal services, the concept of value should include value in use, potential income, sales values and any other measures of value available to the Assessor which will produce the desired result of equalization.

The amendment was seconded by Alderman Lane.

February 9, 1955.

Alderman Dunlop: "I did not move the resolution with the thought in mind that it was going to equalize. It was aimed at helping the residential person. I think the 10% will give some help. With business I have no such illusions. Every business is a different proposition. You can't work with a percentage that will do complete equity with any of them. I am fully satisfied that the large business properties will proceed with their appeals. I don't think we can take residential and deal differently with it. Dealing with the amendment it is coming back again to what Alderman Ahern said to freeze the roll."

Alderman Vaughan: "No no."

Alderman Ahern: "I certainly did."

His Worship the Mayor: "Surely Alderman Dunlop's remark is correct."

Alderman Vaughan: "Yes."

Alderman Ahern: "I made the statement but I quoted the Montreal papers."

Alderman Dunlop: "We discussed the 1955 rate and it was generally agreed that it was not workable. We have a great basis of assessments which are good at the present time that we don't want to destroy. There is no man or organization who can come in and assess a City of this size and do it in one year and do a complete job. The Assessor has now a basis of assessment which he can work on for the next three or four years. In 1956 the assessments can't compare with 1955. In 1955 there was no relation between properties. We have the federal government properties on some kind of a basis which is much better than before. We may come out of this much better than we expect. There is no question about it that this Council has to seek a new method to determine value. We see the tax appeal court putting values on a building which we know the company could not replace for five or ten times and they are doing the job there."

February 9, 1934.

The taxation legislation in this City and Province is out of date. I don't see how the Council can deal with it. I was going to propose that we set up some kind of a commission and pay them to give this some study. We have not the time to spend on it. I hope the resolution represents the opinion of the majority of the Council."

His Worship the Mayor: "The basic motion by Alderman Vaughan was debated and voted on three months ago when the suggestion was to put this off for another year. At the time I was in favor of that however the Council in its wisdom decided that should not be the course."

Alderman Vaughan: "The resolution at that time said 'Assessment'."

His Worship the Mayor: "I don't want us to say 'Panic', cry havoc and throw up our hands at this eleventh hour. Whether you give 15 or 20 percent reduction is only going to help a little bit. I would like to see Alderman Dunlop's motion go through with 15% incorporated with Item #4 of Alderman Vaughan's motion. I hope we don't cut in the middle of the stream."

Alderman Vaughan: "If you read the Manuals it will affect a lot of properties. It is a system that should be used here. We are away behind the times."

Alderman Dunlop: "I don't think this is the time to deal with it. That matter requires a great deal of study. Before we change it I hope we will have a full report from the City Assessor and City Solicitor. They should be able to bring to us recommendations that they see are needed to bring about an equality of taxes."

Alderman Vaughan: "What does the City Manager think about it?"

City Manager: "I think if members of Council would like us to make a report we could mail it out tomorrow night."

February 9, 191 .

Moved by Alderman Vaughan, seconded by Alderman Ahern that this matter be deferred until the next regular meeting of City Council.

Alderman Dunlop: "Several people have already withdrawn their appeals on the expectation that this resolution would go through. It is costing us a lot of money for appeals per day. This meeting was duly called and I think we should decide it today."

Alderman Ahern: "This type of resolution I think will take care of a bad situation and make a lot of people happier. I think it should have a trial at least."

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

FOR THE MOTION

Alderman Ahern
Vaughan
Moriarty
Lane

AGAINST IT

Alderman Wyman
DeWolf
Dunlop
Macdonald
Fox

- 4 -

- 5 -

His Worship the Mayor declared the amendment to be not in order.

Alderman Vaughan withdraws his amendment.

Alderman Ahern: "A lot of people will go with me to the local house to protest the 10%."

It was then agreed to amend the report by deleting the figure 10% and substituting therefor the figure 15%.

Alderman Macdonald: "I would rather we had stuck to the original resolution."

Alderman DeWolf: "The 10% will eliminate a lot of appeals. Perhaps 15% is safe. Over that a man may be down below the market price."

The motion was put and passed 7 voting for the same and 2 against it as follows:

FOR THE MOTION

AGAINST IT

Aldermen Wyman
DeWolf
Moriarty
Dunlop
Lane
Macdonald
Fox

Alderman Vaughan
Ahorn

- 7 -

- 2 -

NOTICE OF MOTION ALDERMAN VAUGHAN

Alderman Vaughan, after withdrawing his amendment previously written into these minutes, gave the same as a Notice of Motion to come up at the next regular meeting of the City Council.

INCREASE IN MILK PRICES ✓

Moved by Alderman Dunlop, seconded by Alderman Ahorn that the City Solicitor be instructed to attend the hearing at the Public Utilities Board on the application to increase the price of milk and ask for an adjournment until such time as the City is able to present a case and that he be authorized to engage any help necessary. Motion passed.

SALE OF GASOLINE BY RETAIL 24 HOUR SERVICE ✓

His Worship the Mayor stated that a reply would be received very shortly to his letter which he sent to the Retail Distributors of Halifax and Dartmouth on the matter of the sale of gasoline within the City on a 24 hour basis.

APPOINTMENT OF HOUSING AUTHORITY ✓

His Worship the Mayor advised that the terms of the present Housing Authority expired this month and said he would be happy to get some help from the Council in naming a new Authority.

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

Meeting adjourned at 6:00 P.M.

February 9, 1957.

LIST OF HEADLINES

Revision of City Assessments	70
Notice of Motion Alderman Vaughan	76
Increase in Milk Prices	76
Sale of Gasoline by Retail 24 Hours Service	76
Appointment of Housing Authority	76

L.A. Kitz,
MAYOR AND CHAIRMAN.

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

COUNCIL MEETING

THURSDAY
FEBRUARY 16, 1956

A G E N D A

Prayer.
Presentation to Mr. Thornhill.
Minutes.

1. Public Hearing Re: Rezoning Ben's Ltd Property Shirley Street
2. " " " Property Parkdale Realities Ltd. 61 Oxford Street.
3. " " Re: Removal Official Street Lines North & Barrington Streets.
4. Motions:
 - (a) Alderman Dunlop Re: Indemnity to Aldermen.
 - (b) Alderman Hatfield Re: Poll Tax.
 - (c) Alderman Vaughan Re: Assessments
5. Accounts Over \$500.00.
6. Halifax Airport.
7. Insurance Emergency Shelters.
8. Resubdivisions:
 - (a) Dominion Stores Quinpool Road.
 - (b) Scotdale.
 - (c) Pinewood Acres.
 - (d) B. & W. Hilchie Dutch Village Road.
9. Rezoning St. Patrick's Home Property (Date for Hearing)
10. Tenders for Walk in Refrigerator - T.B. Hospital.
11. Land Sale Rainnie Drive.
12. Assessments for Improvements.
13. Coal for City Home.
14. Appointment to N.S. College of Art.
15. Hospital Account Settlement.
16. Amendment to Ordinance #13 (Taxis)
17. Jury Duty Matters of Fire Department.
18. Work on Amiable Traffic Circle.
19. Use of 1955 Tax Bills for 1956.
20. Proposed Widening North Street.
21. Application for Beauty Parlor #110 Victoria Road.
22. Non-conforming use of Property Coburg Road.
23. Legislation Re: Fence Encroachment D.N.D.
24. Overhanging Signs.
25. Final Certificate Bianco Bros. \$25,640.36.
26. Building Values in Certain Residential Areas.
27. Housing Redevelopment.
28. Tree Planting Spring of 1956.
29. Legislation
30. Resolution Re: Grants.
31. Payment of Claim for Damages to Street Sweeper \$1,129.92.
32. Assessment Carpenter's Hall.
33. " James C. Powell.
34. " International Christian Mission.
35. Grants to Widows Members of Fire & Police Departments.
36. Sewer Assessment Franklin Street.
37. Borrowing St. Thomas Aquinas School.
38. Purchase of Land for Street Purposes (Land Sale Account).
39. Tenders for Demolition Morris Street School.
40. " " Land Brunswick Street
41. Remuneration Members Court of Tax Appeals.
42. City Civil Court.
43. Questions.
44. Bayers Road Housing Project
45. Appeal of Joseph and Canadian Legion Society of Halifax re Occupancy Permit 595 Quinpool Road
46. Application to extend license for in use 177 Oxford St.
47. " " Rezone 529 Connaught Ave.
48. Housing Authority Applications
49. Fenwick Street Sewer.

DEFERRED ITEMS

Motion Alderman Dunlop Re: Amending Sections 17 & 17A of the City Charter.

Section 248-1 Clause F Motor Vehicle Act (Taxis).
Improvements Hydrostone Area.

ITEMS FOR INFORMATION ONLY

Financial Statement Forum.
City Manager's Administrative Report.
Change in Trolley Coach Stops.
Statistical Report Prefab Houses.

EVENING SESSION

Council Chamber,
City Hall,
Halifax, N.S.,
February 16, 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, O'Malley, 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, A.P. Flynn, G.F. West, V.W. Mitchell, W.A.G. Snook 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.

His Worship the Mayor made the following announcements:

1. He received a cheque in the amount of \$4,000.00 from the Athletic Commission which is an increase in the amount they paid in the past.
2. The owners of the Lord Nelson Hotel had made a certain proposal to put an addition on the hotel and they asked for a fixed amount of taxes totalling \$50,000.00 a year. The same was in the hands of a Committee.
3. He welcomed Mr. Cardoza to the meeting who was a former Deputy Mayor of Digby and is now a member of the Legislature.
4. He advised that the final figures on the estimates could be had by February 23, 1956 and there would be a special meeting of City Council for the purpose of passing the estimates.
5. He read a letter from the Trades and Labor Council asking to have Rental Control extended for another year; public hearings in

February 16, 1956.

Council be held elsewhere when the Council Chamber was not adequate to hold the gathering and lastly complaints about the inadequate snow removal which caused traffic tie-ups.

He then read a letter which he sent in reply.

PRESENTATION TO MR. THORNHILL ✓

At this time His Worship the Mayor presented the above named with a gold watch suitably engraved and bearing the City Crest in recognition of daring, bravery and heroic act which was responsible for saving the lives of 13 men when their ship was sinking having gone ashore in a storm at Portuguese Cove.

Mr. Thornhill expressed his thanks and retired from the Council Chamber.

MINUTES

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the minutes of the previous meeting be approved.

Motion passed. ✓

PUBLIC HEARING Re: REZONING BEN'S LIMITED PROPERTY SHIRLEY STREET

A Public Hearing into the matter of the Rezoning of Ben's Limited property on Shirley Street from R-2 Zone to C-2 Zone was held at this time.

The City Clerk advised that he had received a petition against the proposed rezoning which was signed by 106 persons in the area as well as 40 letters also opposing the rezoning.

Mr. Fred Ibsen appeared against the proposal and addressed the Council as follows: "I would like to know why Ben's Ltd. were allowed to build an addition to their plant on Residential property this year?"

Mr. Snook: "That was rezoned."

Mr. Ibsen: "Is that not the thin edge of the wedge being driven into that particular area. I cannot understand why anyone who is in a commercial zone should be permitted to build in a residential zone on Shirley Street. I think whoever gave that

February 16, 1956.

permit gave it out of turn. I think that property is on residentially zoned land."

Alderman Dunlop: "There was no objection from anyone on the last rezoning."

Mr. Carl Taylor addressed the Council as follows: "I would like to contest the statement that the rezoning of any part of Shirley Street was brought to the attention of the public, certainly not to my attention and I cannot understand how or why this permission should have been given to Ben's Limited. I think that should be definitely answered by this Council. We have in the last several years put up with a lot of encroachments in the Shirley Street district. The citizens were not aware of the fact that these encroachments were being asked or being made. Some of us think they were put over on a sly basis. It is a white elephant placed in front of our residences, along side or near our residences. You know that if this rezoning is allowed it is the thin edge of the wedge. There will be eventually commercial institutions all over the City. I think this spot zoning is a curse and an evil to our City. Are you gentlemen prepared to ruin our City and send a lot of people in the residential areas outside the City. If this is carried on I would get out of the City of Halifax. I understand that Mr. Moir wants to tear down a nice house and in the place of it put up a factory. I understand he is building a house on Marlborough Avenue but I could be wrong on that. It is not every one on Shirley Street who can leave there and build another home. There are those who have lived there for years and years. We feel our homes are a sacred trust. If we are going to be sold down the river, we should start fighting and fight in real earnest. That is what you are going to have. I will do everything under God's Heaven to stop this kind of nonsense."

February 16, 1950.

Mr. Charles Frost : "Your Town Planning Engineer has recommended against the rezoning of Shirley Street. He is highly recommended and well known as far as his ability to give his recommendations regarding the rezoning of Halifax. He has voted against the proposed spot rezoning of Shirley Street. Why hire the services of a Town Planning Engineer if we are not ready to accept and act on his recommendations? Cornwallis Jr. High School has an enrollment of 387 pupils. It has 360 pupils who attend industrial arts and household arts classes. The subject of traffic is of prime importance and that is why we feel that Cornwallis Jr. High School is so ideally located because it is removed from the main arteries of Jubilee Road, Quinpool Road etc. If we rezone Shirley Street it will mean the heavy traffic will be diverted right through the very heart of it."

Mrs. S. Fineberg: "I want to bring up a point. We are trying to clear slum areas and we are not trying to create them. A question was asked the other night, are we assured that residential sections can be made as such? Have we any assurance that your master plan is not flexible? A firm's representative could walk along the street and say we want to build there. Shirley Street has been residential for years. People have lived there for years. All we ask is that we should be allowed to live in a nice quiet residential section and be sure that our children are safe; not when you send a child to school to be worried till it comes back. There is a Chestnut Street entrance about one-half block away from this spot zoning. There is a smoke nuisance, trucks up and down your street that is not conducive to good health. We want to be let alone. We don't want to have gas fumes dirt and smoke. If this goes through it will mean that this could happen in any place in Halifax. This is not the place in Halifax to continue taking away residential sections and turning them into business sections. Shirley Street residents are here tonight and they are against it. I believe you have 90% representation Shirley Street."

February 16, 1951.

Mrs. C.E. Taylor: "I wonder how many of you have lived next to a building that is being erected or remodelled and listen to air compressors or drills? Since Ben's Ltd. have been expanding their premises we have listened to such noise and confusion till our nerves have been at the breaking point. We are wondering if such a thing can happen in the residential district what will happen if it is rezoned to a general business zone. What guarantee have we that trucks will not be sounding their horns to attract people in the building on Shirley Street? They have taken a little bit at a time and the people did not know what was going on. Believe you me we know what is going on now and we will watch the papers and fight against any injustice like this. It is not fair for one man of a company to go against the majority of the people."

Mr. Frank Smith, Q.C.: "I appear for Ben's Ltd. The application is for rezoning a section of Shirley Street. The point has been made over and over again that there will be a great congestion of traffic on Shirley Street. Nothing could be further from the truth. Ben's have carried on since 1907. The proposed extension will be a most modern building which will be in keeping with the appearance of the place. I submit that the company should be allowed to expand and that nobody will suffer from the passing of this by-law. The effect of the construction will not lower the value of any of the adjoining properties. There will not be any movement of commercial vehicles on Shirley Street at all. There will not be any reductions to the so-called amenities of the private residents. All that is being done is to make an old established bakery a more efficient one. There will be no additional traffic problem presented or danger to children or anything else. There are oil burning furnaces with anti-smoke equipment being installed. It should be allowed to expand its business on a site which it has been using for the last 50 years."

February 16, 1956.

His Worship the Mayor: "If I don't have a resolution in favor the matter will die."

Moved by Alderman DeWolf, seconded by Alderman Moriarty that the application be granted and the by-law approved.

Alderman DeWolf: "Ben's Ltd., is an industry valuable to Halifax and the community. They wish to expand. They have reached a point where they must expand or go somewhere else. I have lived there myself and it has not disturbed me nor my family."

Alderman Moriarty: "It gives me great pleasure to second the motion. I have known that locality for a number of years. I have watched Ben's Ltd grow with the City of Halifax. I looked the location over the other day. I am convinced that it will be a benefit to the City of Halifax. It should be allowed to continue."

Alderman Macdonald: "Surely this large representation from Shirley Street indicates their attitude in this rezoning. I feel they are justly concerned in this matter. I would like to mention one or two points. This area is 150 feet from Shirley Street. This particular block from Vernon Street to Preston Street is approximately 1200 feet. It is built up with nice homes. The average assessment on the homes on the north side of Shirley Street is approximately \$12,500.00. Those are not shacks. There are only five which are assessed under \$10,000.00. On the south side I would hazard a guess that the average assessment is higher. The time has come when we must take steps to safeguard our good residential areas in the City and try to prevent a gradual encroachment of industry and commercial establishments in those areas. I think the commercial zoning is an injustice and hardship to the residential people who live on a quiet street. I trust that this Council will feel it is its duty in view of what has been presented here tonight and that it will be guided by the wishes of the taxpayers and home owners in that area."

February 16, 1950.

The Town Planning Engineer was requested to express his views which he did as follows: I look at it in a broad point of view, not only from Ben's application but from future applications that may occur. It is all true that Ben's Ltd. will put up a fine building but once it is rezoned Commercial we have no further control over it. It has all the privileges of the Commercial use. The lot is then available for any hazard or nuisance. I feel Commercial use on Shirley Street will cause a downward trend in the residential houses."

Alderman Vaughan: "I was in Council at the time of the passing of the Zoning By-Law in 1950. We had lots of hearings for all persons wishing to object. I don't ever recall Ben's Ltd. appearing here objecting to the zoning of the adjacent areas. When does this stop? Will they come back again and again and ask for more rezoning? I don't consider that building of Ben's Ltd. to be of any great asset to the City. I do feel that people in such an area are entitled to protection. There is no point in us having a Zoning By-Law. People who live in areas that have been residential for years should be protected and the only protection they have is this Council. In U.S.A. they have a slogan 'make '56 the year to fix'. I do suggest that if the Council does support the request of Ben's Ltd. then this will be a poor year in which to fix I am quite sure."

Alderman Ahern: "Once again we are called upon to unravel a problem created by other Councils. I feel sorry for the residents on Shirley Street."

The motion was put and lost 6 voting for the same and 7 against it as follows:

FOR THE MOTION

Alderman Hatfield
Greenwood
DeWolf
Moriarty
O'Malley
Ahern

AGAINST IT

Alderman Dunlop
Lane
Macdonald
Adams
Fox
Wyman
Vaughan

February 16, 1956.

PUBLIC HEARING Re: REZONING PROPERTY PARKDALE REALITIES LTD. 61^{1/2}
OXFORD STREET

A Public Hearing into the matter of the Rezoning of the above property from R-2 Zone to R-3 Zone was held at this time.

A letter was submitted from Mr. George Robertson, a resident in the area, protesting the proposed rezoning application who also expressed his views before the Council: "I own property two doors north at number 83 Oxford Street. Mr. Smith, the applicant, knew ahead of time there would be opposition to it. Oxford Street is given over almost entirely to private residences where I live. The whole of the area is R-2 except for the fringe areas which are R-3. This spot rezoning will mean a breach in that whole area and it will be a breakdown which will involve more than that particular block on Oxford Street. Our properties are assessed around \$20,000.00. I would submit that Council turn it down because it is breaking down this whole area. I am informed the minute you approve of this it will be the beginning of further applications along the block. I understand that Mr. Snook has recommended against it."

Mr. Fletcher Smith then submitted a brief and sketch of the proposed building for the information of the Council and spoke as follows: I feel it is within the interest of the City if the locality is suitable for apartments, it should be considered on its merits. The class of building that is proposed is to create something nice that would cater to people who are ready to pay for something extra nice. I do not think it would tend to lower the locality. With a good first class apartment the land value at least tends to go up considerably."

Moved by Alderman Dunlop, seconded by Alderman Lane that the application be granted and the by-law approved.

Alderman Dunlop: "I think it is much better to have a new building there than have an old building converted into apartments."

February 16, 1957.

Alderman Lane: "I had heard from certain of the residents all who agreed they would be in favor of spot rezoning in this instance. As far as this apartment building going up there, it would be an improvement. The house occupying the site has been badly dilapidated for years. There are many 2 and 3 apartment buildings on that block. I could name a few. There are a number of Doctors who practice and have their offices there which does not improve the traffic situation."

Alderman Vaughan: "What could be built on this property within the law."

The City Solicitor then read the types of construction that could be erected in an R-2 Zone.

Alderman Vaughan: "Then they could build more than one apartment."

City Manager: "Three".

Mr. Snook gave his opinion as follows: "The entire area is R-2. This application if approved, we will be immediately faced with several more applications not of such a pleasant nature."

The motion was put and passed 12 voting for the same and 1 against it as follows:

FOR THE MOTION

Alderman DeWolf
Merlarty
Dunlop
Lane
Macdonald
Adams
Fox
O'Malley
Ahern
Wyman
Vaughan
Hatfield

AGAINST IT

Alderman Greenwood

W H E R E A S the City Council has received a report from the Town Planning Board of the City of Halifax recommending the removal from the official City Plan of a portion of the northern official street line of North Street near its point of intersection with the western official street line of Barrington Street, and a portion of the western official street line of Barrington Street near its point of intersection with the northern official street line of North Street, as shown in a broken blue line on Section 11-D of the Official City Plan.

AND WHEREAS the said City Council has also received a report from the said Town Planning Board recommending the removal from the Official City Plan of a portion of the eastern official street line of Lorne Terrace at the point where the new street located beneath the Angus L. Macdonald Bridge intersects said Lorne Terrace, the said line being shown on Section 11-D of the Official City Plan as a broken blue line.

AND WHEREAS the City Council has considered the removal of the said official street lines hereinbefore referred to.

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter public notice of the intention to remove 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, the first of such notices having been published at least three clear weeks before the 16th day of February, A. D. 1956, that being the day appointed by the Council to consider the matter.

AND WHEREAS the City Council at its meeting held on the 16th day of February, A. D. 1956, considered the said matter and determined to remove the said official street lines hereinbefore referred to from Section 11-D of the Official City Plan.

NOW THEREFORE BE IT RESOLVED that pursuant to the authority in it vested by Section 551A of the City Charter as

aforesaid, the Official City Plan of the City be amended by removing the said official street lines hereinbefore referred to from Section 11-D of the Official City Plan.

AND BE IT FURTHER RESOLVED that the said official street lines hereinbefore referred to so removed be so indicated on the Official Plan of the City and on the copy thereof filed in the office of the Registrar of Deeds at Halifax, Nova Scotia.

February 16, 1956.

PUBLIC HEARING Re: REMOVAL OF A PORTION OF THE NORTHERN OFFICIAL STREET LINE OF NORTH STREET AND A PORTION OF THE WESTERN OFFICIAL STREET LINE OF BARRINGTON STREET

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

No persons appeared either for or against the matter.

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

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

MOTION ALDERMAN DUNLOP Re: INDEMNITY TO MEMBERS OF COUNCIL

Moved by Alderman Dunlop, seconded by Alderman Hatfield that Subsection (1) of Section 9 of the City Charter be amended by striking out the words One Thousand Two Hundred Dollars and substituting therefor the words Two Thousand Dollars:

2. THAT Section 10A be repealed and the following substituted therefor:

10A (1) Each Alderman shall be paid at the rate of Fifteen Hundred Dollars per annum. One third of the sum so paid to each Alderman in the year 1956 and subsequent years shall be paid as an allowance to defray the expenses incurred by such Alderman in discharge of the duties of his office and the remainder shall be paid as compensation for his services as Alderman:

(2) This section shall be given effect as if it had been enacted on the first day of January, 1956.

THAT the following section be added:

10B. The Mayor, Deputy Mayor or any Alderman may in writing filed with the City Clerk at any time fix his pay at an amount less than provided by the Charter and may alter or revoke same at any time and in that event one third of the lesser amount so paid to the Mayor, Deputy Mayor or Alderman shall be paid as an allowance to defray the expenses incurred by such Mayor, Deputy Mayor or Alderman in discharging the duties of his office and the remainder shall be paid as compensation for his services as Mayor, Deputy Mayor or Alderman.

Alderman Dunlop: "(1) The Deputy Mayor goes to \$2,000.00

(2) It increases the pay of an Alderman to \$1,500.00 and (3)

Effective January 1, 1956. I know there are other Aldermen who had more meetings than I had this week. This is increasing all the time. It is not the meetings of Council that we have to

February 16, 1956.

attend but it is the other committees which we are on. It affects me more than some of the Aldermen. It is almost impossible for a professional man to give his time in Council. Doctors are getting out of politics because they can't spare the time away from their practice."

Alderman Hatfield: "I had a lot of calls on my own street about different things. I don't think the provincial Government could protest."

Alderman Vaughan: "Montreal tried the same thing and it was turned down by the Provincial Government. I have suggested a compromise."

Moved in amendment by Alderman Vaughan, that the honorarium for an Alderman be set at \$800.00 with an expense allowance of \$400.00; that the honorarium for Deputy Mayor be set at \$1,000.00 with an expense allowance of \$500.00 and that the sum of \$300.00 be included in the estimates for car allowance for the Deputy Mayor. There was no seconder to this amendment.

Alderman Vaughan: "The motion will have the effect of disqualifying me as a member of this Council under Civil Service regulations. The last section as quoted by Alderman Dunlop would not change my position."

Alderman Ahern: "I have long considered it an honour to represent the taxpayers of the City. I served as Deputy Mayor for \$200.00 and on the School Board for six years without any compensation. Alderman Vaughan suggested an allowance for the Deputy Mayor. Alderman Dunlop has stated that you don't have to take it. I will hazard a guess there will be very few who will not take it. I am happy to serve the taxpayers without any compensation and I probably need it more than anyone else."

The motion was then put and passed 11 voting for the same and 2 against it as follows;

February 16, 1950.

FOR THE MOTION

Alderman DeWolf
Moriarty
Dunlop
Lane
Macdonald
Adams
Fox
O'Malley
Wyman
Hatfield
Greenwood

AGAINST IT

Alderman Ahern
Vaughan

- 11 -

- 2 -

MOTION ALDERMAN HATFIELD Re: INCREASE IN POLL TAX

Moved by Alderman Hatfield, seconded by Alderman Dunlop that legislation be secured at the present session of the Legislature 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; also that the non-resident poll tax be increased to \$20.00.

Alderman Hatfield: "The reason is that the business tax has increased by more than 2½ times since the \$10.00 was first introduced. I feel we should get in step with other cities and towns who are now charging \$20.00."

Alderman O'Malley: "Where does the tax begin? At a previous meeting I expressed myself as being against. We should see how much revenue we could acquire from the higher income brackets and pay a much higher levy."

Alderman Ahern: "I am interested in seeing that outsiders pay. You should have two motions."

The motion was put and passed 7 voting for the same and 6 against it as follows;

FOR THE MOTION

Alderman Moriarty
Dunlop
Macdonald
Adams
Wyman
Hatfield
Greenwood

AGAINST IT

Alderman Lane
Fox
O'Malley
Ahern
Vaughan
DeWolf

- 7 -

- 6 -

February 16, 1956.

ALDERMAN VAUGHAN Re: ASSESSMENTS ✓

Alderman Vaughan: "A circular has gone out to all members of the Council from the Manager who deems it is an impossibility to bring out the amended tax bills for 1956 which would be too late."

Moved by Alderman Vaughan, seconded by Alderman Wyman that the City Solicitor be instructed to draft legislation to give effect to the following: "Seek a change in our Charter to define in more detail the method under which assessments may be made. If the purpose of assessments is to distribute the costs of municipal services the concept of value should include value in use, potential income, sales values and any other measures of value available to the Assessor which will produce the desired result of equalization."

Alderman Vaughan: "I think our assessing practices in this Province are out of line which is common to other parts of the English speaking world. (He then read Section 33 of the Ontario Assessment Act). We do not have any statutory requirements that make the City Assessor list land value separately. I think this is the opportune time for us to begin. The Province has already indicated in the speech from the Throne that the Province is going to embark on a re-valuation program throughout the Province. The City Charter provision for assessing property is very limited in its definition. (He then read the Section concerned). That is our assessing law. I do suggest it is time we made a change in our assessing law to enable our Assessor to more properly assess the value of buildings in the City so all persons will be called upon to bear the burden of taxation. I think it behooves us as a Council to get from these properties the tax values. We should get a rate from the Commercial Buildings for the value in use. We find the almost ridiculous case of a business house carrying on millions of dollars worth of sales each year assessed 1, 2 to 3 times what our houses are assessed at. We are not taking advantage of our law."

February 16, 1956.

Alderman Dunlop: "I am in agreement with a great deal of it but I am not in agreement that a subject of this importance should be dealt with at a meeting like this. I think it is worthy of the special meeting where we might have more information. The words 'actual value' have been in the Charter when I came to Halifax. I found that when I bought my property I was assessed for \$1200. more than what I paid for it. I have in mind that this subject is wrapped up with the whole problem of assessment. I think it is a problem that can't be solved in one night and will take several years to solve. The City Solicitor has never to my knowledge suggested any change in the Tax Appeal Court. The City Assessor must have found it workable also. We in the Council have not the time to give this matter a full study. I have in mind that we should set up a Commission of which the City Solicitor would be a member and two other people who would give this matter study over the next six months or one year and who would bring in from Ontario people skilled in Ontario law. I am sure nobody can draw up a definition of value that will meet the situation as it exists today."

His Worship the Mayor: "I think with our present fundamental changes we are making, we should be well advised to make haste slowly. I think there is validity in the Alderman's thoughts concerning our Tax Appeal Court."

Alderman Dunlop: "We could have a special meeting and a report from the City Solicitor and City Assessor with suggested changes."

Alderman Vaughan: "This is the time to deal with it when assessment is to the forefront. Mr. Thomson has taken a course at Queen's University on this subject."

City Solicitor: "The expression 'actual value' is the same as that used on the North American Continent. That has been interpreted by every court and its decision emphasises that actual

February 16, 1956.

M.P.P.

value is definitely not value in use ^{but} ~~and not~~ value in exchange.
The Alderman's thought might be to spell out some of the decisions of the Courts and put them in the Charter for the guidance of the Assessor. I would hesitate very much and I don't think I could prepare adequately legislation in the time available this year for the Legislature. I would not want to take that responsibility."

Alderman Ahern: "I stood alone for months and months. It is too important a matter to be finalized tonight. I agree with certain features of Alderman Vaughan's motion. I would like to have a special meeting."

Moved by Alderman Dunlop, seconded by Alderman Ahern that the matter be deferred. 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: February 14, 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	The National Cash Register Co. of Canada Ltd.	Maintenance Premium for machines	\$ 624.80
Finance	Phillips & Marshall	Binders, Journals & ledger sheets	501.35
Police	Clayton Clothing Co.	Overcoats	115.00
T.B. Hospital	Bauer & Black	Surgical Masks, Sponges	753.94
T.B. Hospital	The T. Eaton Co. Limited	Mattresses	106.40
City Home	The Wood Bros. Co. Ltd.	Towels, Wash Cloths, pillows and slaps	666.14

February 16, 1956.

Emergency Shelters	R.K. Kelley & Co.Ltd.	Insurance	\$510.35
			\$4,538.38

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

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

HALIFAX AIRPORT - TENDERS FOR TIMBER ✓

February 13, 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 tenders for the removal of wood from the Halifax Airport site near Kelly Lake were considered from the following:

Laurie T. Ledwidge	
Lots 13, 14 and 15	\$2,200.00
Douglas Archibald	
Lots 13, 14 and 15	2,100.00
All lots listed in tender	3,000.00

Your Committee recommends for approval the tender of Douglas Archibald of \$3,000.00 for the removal of all the wood from the entire area under control of the City of Halifax.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

HALIFAX AIRPORT - ACQUISITION OF LAND ✓

February 13, 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 two reports from the City Solicitor dated January 31, 1956 respecting the acquisition of lands for the Halifax Airport were considered.

It was decided to recommend that the City Solicitor be authorized to negotiate further with the parties concerned and report back.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

February 16, 1956.

Moved by Alderman Hatfield, seconded by Alderman Vaughan,
that the additional land be acquired.

Alderman Dunlop: "This land is outside the boundaries of
the original plan. The Department was asked 'have you got enough
land' and we were told 'yes'. I am against taking any more land.
The pieces of land to be taken are the most valuable in the area.
This involves houses and cleared land. We should leave it with
the Department of Transport."

Alderman Hatfield: "The land is needed for the approach to
the airfield. We should provide the land to finish the job. I
think now is the time to obtain all the land necessary to con-
struct the airport."

City Solicitor: "Mr. West took the plan to Ottawa and they
indicated that the land shown on the plan was sufficient for the
airport and that was the land we expropriated. If the Council
decides to go on with it I suggest we take the whole piece."

His Worship the Mayor: "I wonder if it would be advisable
that I write a letter to the Minister and point out that it is an
addition to our original undertaking?"

The suggestion of His Worship the Mayor was then moved
and action on the report deferred.

INSURANCE EMERGENCY SHELTERS ✓

February 13, 1956.

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

A report from the City Manager regarding Insurance
Emergency Shelters was considered by the Finance and Executive
Committee at a meeting held on the above date.

It was agreed to recommend that the Insurance Coverage on
Wellington Court be increased from \$115,000.00 to \$150,000.00

Respectfully submitted,

W.P. Pullover,
CITY CLERK.

February 16, 1956.

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

RESUBDIVISION DOMINION STORES LTD. QUINPOOL ROAD

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: January 26th., 1956.
Subject: Resubdivision - Dominion Stores - Quinpool Road. ✓

At a meeting of the Town Planning Board held on the above date, the Town Planning Engineer submitted a Plan to resubdivide into one large lot the five lots and a right-of-way sold to the Dominion Stores Ltd. in order to present a deed of the land as one unit.

He recommended a report of approval to City Council and that no Public Hearing be held.

The Board approved same as shown on Plan No. 00-8-13328.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

RESUBDIVISION SCOTVALE SUBDIVISION ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: Jan. 26th., 1956.
Subject: Resubdivision of Scotvale Subdivision.

At a meeting of the Town Planning Board held on the above date, the Town Planning Engineer submitted a Plan of resubdivision to move the boundary line slightly between two lots.

He recommended a report of approval to City Council and that no Public Hearing be held.

The Board approved same as shown on Plan No. 00-8-13329.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

February 16, 1956.

RESUBDIVISION PINWOOD ACRES ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: February 14, 1956.
Subject: Resubdivision of Pinwood Acres subdivision, Dutch Village Road.

At a meeting of the Town Planning Board held on February 9, 1956, the Town Planning Engineer submitted a plan of resubdivision in order to correct a number of minor survey errors.

He recommended that the resubdivision be approved and that no public hearing be held.

The Board approved same as shown on Plan No. 00-8-13336.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

RESUBDIVISION B. & W. HILCHIE DUTCH VILLAGE ROAD ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: February 13, 1956.
Subject: Resubdivision of lands of B.&W. Hilchie, Dutch Village Road.

At a meeting of the Town Planning Board held on February 9, 1956 the Town Planning Engineer submitted a plan of resubdivision showing a small strip of land being cut from the Hilchie lot and added to the Keizer lot in order to provide a wider driveway.

He recommended that the resubdivision be approved and that no public hearing be held.

The Board approved same as shown on Plan No. 00-8-13337.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

February 16, 1956.

REZONING ST. PATRICK'S HOME PROPERTY ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: Jan. 26th., 1956.
Subject: Application to Rezone St. Patrick's Home Property -
Mumford Road.

At a meeting of the Town Planning Board held on the above date, the attached report from the Town Planning Engineer relative to a request from the T. Eaton Co. Realty Ltd. to rezone St. Patrick's Home Property on Mumford Road, from R-1 Residential to C-2 Commercial was considered.

The Board recommended that this be referred to City Council to set a date for a Public Hearing.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

Due to the fact that Public Hearings at this meeting required almost two hours Alderman Vaughan felt that two Council meetings should be held in a month as sufficient time was not available after the hearings were over to do the City's business.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that Council fix Thursday, March 29, 1956 at 8:00 P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for the hearing into the rezoning of the St. Patrick's Home Property.

Alderman DeWolf: "This would be unfair to the purchasers. The negotiators assumed this would be carried on in the normal way."

Alderman Vaughan: "Is there any legal requirement on the part of the City to act within 4 weeks?"

City Solicitor: "No."

His Worship the Mayor: "We have built up a custom."

Alderman Vaughan: "It is damaging to the business of this Council."

February 16, 1956.

The motion was then put and lost 2 voting for the same and 11 against it as follows:

FOR THE MOTION

Alderman Vaughan
Hatfield

AGAINST IT

Alderman Dunlop
Lone
Macdonald
Adams
Fox
O'Malley
Ahern
Wyman
Greenwood
DeWolf
Moriarty

- 2 -

- 11 -

Moved by Alderman DeWolf, seconded by Alderman O'Malley that Council fix Thursday, March 15, 1956 at 8:00 P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for the hearing into the rezoning of the St. Patrick's Home Property.

Motion passed.

TENDERS FOR WALK IN REFRIGERATOR - T.B. HOSPITAL ✓

February 8, 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 City Manager respecting tenders for walk-in refrigerators at the Tuberculosis Hospital and recommending that the tender of the Nova Scotia Light and Power Company Limited at \$2,341.40 be accepted.

After a short discussion your Committee decided to recommend that the tender of Sinclair Refrigeration and Heating Limited at \$2,240.00 be accepted.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

TWO COUNCIL MEETINGS PER MONTH ✓

Moved by Alderman Vaughan, seconded by Alderman Lone that the City Solicitor be instructed to draft legislation so that City Council would have a second meeting per month at which time petitions would be heard.

February 16, 1956.

His Worship the Mayor: "We don't need legislation for that."

Alderman Vaughan: "People would be heard properly on that occasion."

Alderman Dunlop: "You have the power to call a meeting when you want to."

Alderman Vaughan: "I do suggest that if we do go out and have these meetings there could be other items put on the agenda."

Alderman Greenwood: "I do think this Council should consider the City Manager and staff of City Hall."

Moved in amendment by Alderman Greenwood, seconded by Alderman Vaughan that this matter be deferred until the next regular meeting of the City Council. Amendment passed.

LAND SALE RAINNIE DRIVE ✓

City Manager: "I am negotiating with the Province and I don't think you can finalize this tonight."

The matter was then deferred until the next regular meeting of the City Council.

Alderman Ahern: "I wish to be recorded against the Province getting that land."

ASSESSMENTS FOR IMPROVEMENTS ✓

February 13, 1956.

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

The attached report from the City Manager respecting Assessments for Improvements was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that the costs for sidewalk renewals be a direct charge against general taxation and the other charges as recommended by the Works Committee be approved.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

February 16, 1956.

Alderman DeWolf: "I would like to know how many sidewalks are yet to be done? What percentage?"

Mr. West: "Two years ago we had it worked out that doing it at the rate of \$150,000.00 a year it would take 10 or 11 years to complete."

Alderman DeWolf: "I do say the people who pay now are faced with a greater sum for their improvements. I think we are being a little unfair to those who are faced with these expenses."

It was agreed that the items contained in the report be dealt with separately.

Moved by Alderman Ahern, seconded by Aldermen O'Malley that there be no charge for sidewalk renewals. Motion passed.

Alderman Vaughan: "Could the years be increased for payment?"

His Worship the Mayor: "Ten years would be better than five."

Moved by Alderman Dunlop, seconded by Alderman Hatfield that the charges for local improvements be fixed as follows:

Curb and Gutter	\$2.70
Sidewalk only	3.25
Sidewalk and Bodding	4.25
Grading	3.00
Trees	Full Cost
Paving	2.00
Sewers	5.00

that the term of payment be increased to 10 years and that the exemption now provided for sewerage on corner properties be extended to all other improvements..

The motion was put and passed 9 voting for the same and 4 against it as follows:

FOR THE MOTION

Alderman Lane
Macdonald
Adams
Fox
Wyman
Vaughan
Hatfield
Greenwood
Dunlop

AGAINST IT

Alderman O'Malley
Ahern
DeWolf
Moriarty

February 16, 1956.

COAL FOR CITY HOME

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: February 14, 1956.
Subject: Coal for City Home.

At a meeting of the Committee on Works held on February 9th, 1956, the attached report from the City Manager relative to the purchase of Coal for the City Home was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

To: His Worship, L.A. Kitz, and
Members of City Council.
From: City Manager, A.A. DeBard, Jr.,
Date: February 6, 1956.
Subject: Coal for City Home.

When the tenders for Coal were awarded, Oil-treated, prepared Stoker Coal was awarded to the Archibald Coal Company. The type of coal being bought for the City Home is Sydney Mines at \$14.95 a ton, but we find that it burns too rapidly. By mixing 25% of Oil-treated Stoker Slack coal, the tenderer feels we will have a fuel which does not burn so rapidly, for coal mixer in the proportions of three-fourths Oil-treated, prepared Stoker Sydney Mines, and one-fourth Oil-treated, Stoker Slack - Acala, the price would be cut to \$14.71 per ton.

May we have the Committee and Council approval of this adjustment.

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

Moved by Alderman Dunlop, seconded by Alderman Greenwood that the report be approved.

Alderman O'Malley: "Council was guided by the recommendations of the City Manager on the analysis of the coal. A month later we are told it burns too fast. You awarded coal at any price as long as it is the lowest tender. There is something wrong with the purchasing of this coal. Why should it be back in Council?"

City Manager: "We have no right to buy anything else other than what Council specified. The coal we are getting is too good."

February 16, 1956.

Alderman O'Malley: "That is a weak argument."

City Manager: "That is not a weak argument Alderman."

Alderman O'Malley: "We will have to be a little more careful the next time when we buy coal."

The motion was then put and passed.

APPOINTMENT TO N.S. COLLEGE OF ART ✓

The following were nominated to represent City Council on the N.S. College of Art: Aldermen Wyman and Ahern.

It was agreed that Alderman Wyman represent the City in this instance.

HOSPITAL ACCOUNT SETTLEMENT ✓

February 13, 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 agreed to recommend for acceptance an offer of the Canadian Naval Service Benevolent Trust Fund to pay the sum of \$10.00 in full settlement of an account for \$16.00 against Mrs. Ethel Doyle for hospitalization at the Infectious Diseases Hospital in August 1955.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

AMENDMENT TO ORDINANCE #13 (TAXIS) ✓

February 16, 1956.

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

The matter of identification of taxis has been considered by the Safety Committee for several months and at a meeting held on February 8, 1956 it was agreed to recommend:

1. That the sign as submitted by the Taxi Owners at this meeting be accepted as the official taxi sign of the City of Halifax.
2. That the lower part of the sign be reserved for the Company name or other information with the exception of a telephone number.
3. That the upper part of the sign be reserved for the taxi license number.

February 16, 1956.

4. That the letters "HFX" appear on each of the lower ends of the sign.
5. That the Chief of Police determine the manner in which the sign is to be attached to the vehicle.
6. That the sign be not removed from the vehicle unless authorized in writing by the Chief of Police.
7. That section #17 of Ordinance #13 be repealed and substituted by a section to make these recommendations effective.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Ahern, seconded by Alderman Greenwood that the report be approved.

Chief Mitchell: "I recommend that the provision of Section 17 of the Ordinance be applied. During the number of meetings of the Special Committee I recommended a further addition be implemented to make it mandatory by having the word 'Taxi' painted on. I so recommend it now. At a recent meeting of the Safety Committee they recommended a sign of this kind."

Alderman Vaughan: "What about the fixing of the sign on the vehicle?"

Chief Mitchell: "Mr. Smith has just shown me a sign with a suction cup. He has already suggested that the sign be affixed to the car by a nut and bolt and sealed with a key to be kept by our Department. I would consider this to be quite adequate."

Moved in amendment by Alderman Adams, seconded by Alderman Macdonald that the report be approved as well as the Chief's recommendation that the sign be painted on both front doors and also that the illuminated sign be affixed on the car roof.

Alderman Hatfield: "I object to this way of doing it. I think there are about 50 different taxi signs around town and I have no objection to them using either one."

Alderman Lane: "Will the cup have the effect of destroying the roof of the car?"

February 16, 1946.

Chief Mitchell: "I am of the opinion that this will not destroy the roof."

Alderman Hatfield: "If they want to use their cars for anything else they will be deprived of that use or other people will get the business if those signs are painted on. If they were on the top it could be removed with the Chief's Consent."

Alderman Fox: "I believe this sign on the door is more or less to eliminate or a weapon to keep out part-time taxi drivers. We are asking the Province to amend the Motor Vehicle Act whereby the City can regulate the number of taxis in the City."

Chief Mitchell: "We have found taxis involved in incidents where the taxi sign has been removed from the roof. This meets that objection to some degree. There is nothing to prevent any driver from turning out the light. These activities in some cases have been criminal."

Mr. Smith: "There is a very strong opposition among the taxi operators against their cars. This sign was originated by the Taxi men themselves. A taxi man trades his cars five to seven times in every ten years. It would cost slightly over \$100.00 each time they trade. It is requested that they be not subjected to the expense of having to paint their cars."

Alderman Adams: "The Chief gave us a figure for repainting the cars."

Chief Mitchell: "From my information it would be around \$39.00 per car and not \$80.00 to \$110.00."

Alderman Wyman: "Has Mr. Smith the authority to speak for all operators?"

Mr. Smith: "The names of those who appear on the petition; about 200."

Alderman Lane: "This amendment calls for the painting and the sign. I do think it is going a bit too far to say you must paint and put a sign on the roof."

February 16, 1956.

The Amendment was put and lost 4 voting for the same and 9 against it as follows;

FOR THE AMENDMENT

Alderman Macdonald
Adams
Wyman
Greenwood

AGAINST IT

Alderman Fox
O'Malley
Ahern
Vaughan
Hatfield
DeWolf
Moriarty
Dunlop
Lane

- 4 -

- 9 -

The motion was then put and passed.

AMENDMENT TO ORDINANCE #13

BE IT ENACTED by the Mayor and City Council of the City of Halifax, under the authority of Section 248 of the Motor Vehicle Act, as follows:

1. Section 17 of Ordinance No. 13, Respecting the Regulation of Vehicles Transporting Passengers for Hire, is repealed and the following substituted therefor:

17. The owner of every motor-drawn vehicle licensed under this Ordinance in the City of Halifax shall, before commencing to transport passengers for hire in such vehicle, affix or cause to be affixed upon the roof of such vehicle an illuminated sign of such size, color, design and style as the Committee on Safety may from time to time approve displaying the number assigned to such vehicle in the license issued hereunder, which number shall be visible from the front and rear thereof and the abbreviation "HFX" which shall be visible from each side thereof. The sign shall be affixed to such vehicle in a manner approved by the Chief of Police and shall not be detached from such vehicle without his written permission.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the amendment to Ordinance # 13 as set out above be read and passed and forwarded to the Minister of Municipal Affairs for approval. Motion passed.

JURY DUTY MEMBERS OF FIRE DEPARTMENT ✓

February 8, 1956.

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

A report from the Chief of the Fire Department recommending that steps be taken to have members of the Fire Department exempted from jury duty was considered by the Safety Committee at a meeting held on the above date.

February 16, 1956.

It was agreed to recommend that the Attorney General be requested to submit legislation to the Legislature amending the Juries Act to exempt Firemen from jury duty or to consent to the City presenting legislation on its own behalf to exempt members of the Halifax Fire Department from jury duty.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

WATERMAIN ARMDALE TRAFFIC CIRCLE ✓

To: His Worship, L.A. Kitz, and
Members of City Council.
From: City Manager, A.A. DeBard, Jr.,
Date: February 10, 1956.
Subject: Watermain Armdale Traffic Circle.

We have been advised that the Armdale Traffic Circle will cross where the watermains now lay, and in order to protect these mains, it will be necessary to put dresser couplings on the joints at a cost of about \$2,500.00. The Province is willing to pay half of this if the City would pay the other half, and this seems to be a reasonable extra cost in the construction of the Rotary.

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

Moved by Alderman Vaughan, seconded by Alderman O'Malley that the report be approved. Motion passed.

USE OF 1955 TAX BILLS FOR 1956

This item was withdrawn from the agenda.

PROPOSED WIDENING NORTH STREET ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: February 13, 1956.
Subject; Proposed widening - North Street.

At a meeting of the Town Planning Board held on February 9, 1956 the attached report from the Town Planning Engineer relative to widening North Street on the north side between Brunswick Street and Gottingen Street to a width of one hundred feet with two 30 ft. roadways two 10 ft. sidewalks and one 20 ft. boulevard was considered.

February 16, 1956.

The Committee recommended that a resolution be prepared by the City Solicitor to alter the official street line and amend the official City Plan.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

Moved by Alderman Hatfield, seconded by Alderman DeWolf that the report be approved and Council fix Thursday, March 15, 1956 at 8:00 P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for the hearing in this matter.

Motion passed.

APPLICATION FOR BEAUTY PARLOR #110 VICTORIA ROAD ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: February 14, 1956.
Subject: Application for Beauty Parlor - 110 Victoria Road.

At a meeting of the Town Planning Board held on February 9, 1956, an application from Mrs. Marjorie Croft for permission to open a beauty parlor at 110 Victoria Road was considered.

The Board recommended that permission be granted.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

NON-CONFORMING USE OF PROPERTY COBURG ROAD ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: February 14, 1956.

Subject: Re: Non-Conforming use of Property #8.50 Coburg Road.

The Town Planning Board at a meeting held on February 9, 1956

February 16, 1956.

considered a request from Mr. Nathan Green, on behalf of Consolidated Realities Limited, that legislation be secured to permit the erection of a new building at 48-50 Coburg Road for non-conforming use as a grocery store and that the 10 ft. building line requirements not apply to this application.

The Board recommended that the request be granted.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

The following legislation was submitted: Notwithstanding the provisions of subsections(1) and (3) of Section 543 of the City Charter the buildings now situated upon the lands hereinbefore more fully described may, if the same are removed as hereinbefore provided be reconstructed in the same location in which the said buildings stood on the first day of March, A.D. 1956.

Moved by Alderman Dunlop, seconded by Alderman Wyman that the legislation as submitted be approved. Motion passed.

LEGISLATION Re: FENCE ENCROACHMENT D.N.D.✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: February 14, 1956.
Subject: Legislation to Permit D.N.D.(Army) to erect fence Encroachment on Brunswick Street.

At a meeting of the Committee on Works held on February 9, 1956 the attached report from the City Engineer relative to a request from the Army for permission to erect a fence close to the back of the existing concrete sidewalk on the western side of Brunswick Street between Doyle Street and Sackville Street, was considered.

The Committee recommended that Legislation be obtained to grant this request.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

February 14, 1956.

To: His Worship the Mayor, Chairman, and Members of the
Committee on Works.
From: A.C. Harris, City Engineer.
Date: February 9th, 1956.
Subject: Legislation to Permit the Department of National
Defence (Army) to Erect a Fence Encroaching on Brunswick
Street.

On several occasions the Committee on Works have considered a request from the Army to permit the erection of a fence close to the back of the existing concrete sidewalk, on the western side of Brunswick Street, between Dorle Street and Sackville Street.

Consideration has been given to altering the street line to permit the fence erection, but, at an Agenda meeting it was the opinion that the width of Brunswick Street should not be decreased from its present total width of sixty feet (60'). The only other way to allow the fence to be constructed encroaching over the street line, would be by remissive Legislation.

Plan No. RR-4-133.0 has been prepared and shows, by a red line, the proposed fence at a uniform distance of 3.5 feet from the back of the concrete sidewalk. Should this line be adopted, the fence would encroach a distance of ten feet (10') at its northern end but would be placed on the street line at the southern end of the Army property.

A.C. Harris, P. Eng.,
City Engineer.

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

OVERHANGING SIGNS ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: February 14, 1956.
Subject: Overhanging Signs.

At a meeting of the Committee on Works held on February 9, 1956, the attached report from the Commissioner of Works recommending that permission be granted to erect line overhanging signs was approved and recommended to City Council.

Respectfully submitted,

W.P. Pulliover,
CITY CLERK.

Per. J.E. Sargeant,
Chief of Works.

February 10, 1956.

To: His Worship the Mayor and Members of the Board of Works.
From: G.F. West, Commissioner of Works.
Date: February 9th, 1956.
Subject: Overhanging Signs.

The following have applied for permission 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.

#12 Jacob Street Miss Rita Greene	\$5.00	Illuminated
#263 Gottingen Street Rubins Mens and Boys Wear	5.00	Neon
#234 Quinpool Road Dent & Josey	5.00	"
#234 Quinpool Road Dent & Josey	5.00	"
#276 Quinpool Road Maritime Wallpaper & Paint Stores Ltd.	5.00	"
#276 Quinpool Road Claude Neon General Advertising Ltd.	5.00	"
#65 Craighton Street Halliday Craftsmen Ltd.	5.00	"
#1298 Barrington Street Russel Hipwell Engines Ltd.	5.00	"
#184 Argyle Street Peter Koutroubakis	5.00	Illuminated

G.F. West,
Commissioner of Works.

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

FINAL CERTIFICATES BIANCO BROS. \$25,640.36 ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: February 14, 1956.
Subject: Final Certificate Bianco Bros.

At a meeting of the Committee on Works held on February 9, 1956 the following Final Certificate was approved and recommended to City Council for consent.

February 14, 1956.

Bianco Brothers - Construction of new concrete sidewalks for
the year 1955 \$25,640.36

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

BUILDING VALUES IN CERTAIN RESIDENTIAL AREAS ✓

To: His Worship the Mayor and Members of Council.

From: Committee on Works.

Date: February 14, 1956.

Subject: Re: Building values in certain residential areas.

The Committee on Works at a meeting held on February 9,
1956 considered the attached report from the City Solicitor
recommending the following values:

For the Young Avenue area that the minimum be	\$25,000.00
In the Rosebank Area	20,000.00
In the Norwood Area	20,000.00

In the Miller property area \$15,000.00 for an entire single
dwelling and \$8,000.00 per unit where building contains more
than one dwelling. No difference should be made for brick
construction.

The Committee recommended that these values be reduced by
20% to make them \$20,000.00 and \$16,000.00 and \$12,000.00
and that the amount of \$8,000.00 be raised to \$10,000.00.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

HOUSING REDEVELOPMENT ✓

Moved by Alderman DeWolf, seconded by Alderman Hatfield that
this Council request the Minister of Public Works of the Govern-
ment of Canada for a grant of \$12,000.00 under Part V of the

OFFICE OF THE CITY SOLICITOR

City Hall, Halifax, N. S.

February 13, 1956.

His Worship The Mayor and Members
of the Finance and Executive
Committee
City Hall
Halifax, N. S.

Your Worship and Aldermen: Re: City of Halifax Superannuation
Plan.

At the January 12, 1956, meeting of the City Council legislation was approved respecting the method of establishing past service benefits under the present superannuation plan.

In order to make certain that the plan contemplated in this legislation would be satisfactory to the Department of National Revenue so that contributions made thereunder by employees would be eligible as a deduction in determining taxable income, I wrote on January 23 to the Income Tax Department.

I now have a reply, dated February 8, 1956, a copy of which is attached hereto.

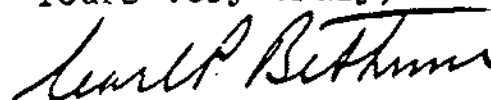
In this letter reference is made to the fact that all voluntary past service contributions by the employees are made to the fund and the City is required to make a supporting contribution in respect of such contributions by the employees. The Department raises this point - that because the additional pension under the proposed plan will be provided by the City out of current revenue and employee contributions towards the purchase of additional benefits will not be paid over to the trustee of the pension fund, for this reason the past service payments by employees would not be eligible as a deduction in determining taxable income.

It would therefore seem to me that in order to come within the provisions of the Income Tax Act, the contributions by employees for past service should be made to the fund and the City should be required to contribute a supporting contribution to the fund to cover the amount by which the employees' contribution is deficient.

One of the main requirements is that the fund is to be sufficient to take care of the obligations upon it and it is presumed by the Department that there is a periodical valuation of the plan and that from time to time such extra payments are made if necessary to make the fund actuarially sufficient.

I am writing again to the Department to verify this matter but in the meantime I would appreciate receiving the views of the Council as to the willingness of the City to accept the requirement that contributions by the employees towards past service benefits and the supporting payments by the City should be made to the fund and not to the City as provided in the draft legislation approved by the Council.

Yours very truly,



CARL P. BETHUNE
CITY SOLICITOR

(C O P Y)

DEPARTMENT OF NATIONAL REVENUE - TAXATION DIVISION

444 Sussex Street, Ottawa, 2, Ont.

8th February, 1956.

Mr. C. P. Bethune, Q.C.
Law Department
City of Halifax
Halifax, Nova Scotia.

Dear Sir: Re: City of Halifax Superannuation Plan.

Reference is made to your letter of January 23rd outlining certain proposals in connection with the pension fund which became effective on January 1, 1951. The rules of the plan which you enclosed have been examined and these are acceptable for approval under the Income Tax Act. It is understood that the pension fund is held by a Trust Company and that all contributions are paid over to the fund and benefits, as determined under the plan, are payable out of the fund. It is presumed that there is a periodic valuation of the plan and that all liabilities both in respect of past service and future service have been funded on the advice of the City's pension consultants.

Under Section 12 of the plan provision is made for voluntary past service contributions by employees and in the event such contributions are made an additional fixed amount of pension is provided. To the extent that the employee contribution is deficient to purchase the additional pension, a supporting contribution is required from the employer.

It is now proposed that rather than fund this obligation, the additional pension will be provided by the City out of current revenue and employee contributions toward the purchase of the additional benefit will not be paid over to the Trustee of the pension fund. In view of this we are of the opinion that the past service payments by employees would not be eligible as a deduction in determining taxable income.

It is our understanding that the proposed legislation you enclosed is to be considered for enactment as a by-law of the City. In such case, it would seem that the provisions of the pension plan will also require adjustment and in this connection it is advised that any amendments should be forwarded for our purposes.

Yours faithfully,

(Sgd) E. H. Richards

for Director, Legal Branch.

EHR/OG

February 16, 1956

Re Superannuation Plan - Item 46.

(1)(a) Notwithstanding the provisions of clauses 11 and 12 of the Superannuation Plan for the employees of the City, including the officers and members of the Police Department and Fire Department, which was ratified and confirmed by Section 20 of Chapter 67 of the Acts of 1951, any person in the employ of the City on the first day of January, A. D. 1951, and who was in the employ of the City prior to the first day of January, A. D. 1945, and who was eligible to become a member of the said Plan upon its adoption by the City Council on the twenty-eighth day of December, A. D. 1950, and who has, in respect of the years commencing with the first day of January, A. D. 1951, contributed to the Fund provided by the said Plan in the manner set out therein, and who has also 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, a sum equal to five per cent of the gross earnings by such person from the City in such years, shall be entitled to receive from the said Fund at his normal retirement date a past service benefit equal to two per cent of his earnings received from the City between the first day of January, A. D. 1945 and the thirty-first day of December, A. D. 1950, and a further past service benefit equal to two per cent of his earnings received from the City between the first day of January, A. D. 1944 and the thirty-first day of December, A. D. 1944, for each year of employment with the City prior to the first day of January, A. D. 1945, in which he would have been entitled to be a member of the Plan had the Plan been then in effect.

(b) Upon the coming into effect of this Section, any person who has contributed to the said Fund in respect of past service benefits in respect of any year or years of employment prior to the first day of January, A. D. 1945, shall be entitled to receive from the said Fund a refund of the amount so contributed, and the City shall pay to the said Fund a sum equal to the amount so refunded to any such person, and any sum required by the City for the purpose of this Section shall be included in the annual estimates of the City.

(2) Notwithstanding the provisions of said clauses 11 and 12 of the said Superannuation Plan, any person in the employ of the City on the first day of January, A. D. 1951, and who was in the employ of the City prior to that date, and who was eligible to become a member of the said Plan upon its adoption by the City Council on the 28th day of December, A. D. 1950, and who has, in respect of the years commencing with the first day of January, A. D. 1951, contributed to the Fund provided by the 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 in which such person was employed by the City between the first day of January, A. D. 1945 and the thirty-first day of December, A. D. 1950, the full sum of five per cent of the gross earnings by such person in such years, shall be entitled to receive from the Fund at his normal retirement date a past service benefit equal to two per cent of his earnings received from the City in each year of employment with the City between the first day of January, A. D. 1945 and the thirty-first day of December, A. D. 1950, and a further past service benefit equal to two per cent of his earnings received from the City between the first day of January, A. D. 1944 and the thirty-first day of December, A. D. 1944, for each year of employ-

ment with the City prior to the first day of January, A. D. 1945, in which he would have been entitled to be a member of the Plan had the Plan been then in effect, subject to the compliance by such person with the following conditions: namely,

(a) that such person shall within one year after the coming into force of this Section commence to contribute to the Fund a sum equal to that portion of five per cent of the gross earnings by such person from the City 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 which such person did not contribute to the said Fund towards past service benefits, and

(b) that the payment of the said portion of five per cent of such gross earnings may be made in yearly instalments of not less than ten per cent thereof, and

(c) that such person shall, within one year from the commencement of the said contributions towards such sum, contribute to the Fund an amount of not less than ten per cent of such sum and during each subsequent year of his employment contribute an amount of not less than ten per cent of such sum, provided, however, that the aggregate of such contribution shall not exceed such portion of five per cent of the total of such gross earnings for the years or portion of years 1945 to 1950 inclusive in respect of which no contributions towards past service benefits have been made.

(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) No such person as hereinbefore referred to who failed to commence to contribute to the Fund 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.

(5) 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 per cent 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.

(6) 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.

(7) In addition to the sums required to be paid into the Fund as set out in clause 9 of the Plan, the City shall also pay into the Fund the increased cost of past service benefits to those members who become entitled thereto under the provisions of this Section.

OFFICE OF THE CITY SOLICITOR

City Hall
Halifax, N S.

February 1, 1956.

1956 Legislation - Council, February 16, 1956.

✓ Item 15(b)

Section 804 is amended by striking out the word "eight" in the seventh line thereof and substituting therefor the word "ten".

(Explanatory note: This amendment provides that signs hung from buildings must hereafter be not less than 10 feet above the sidewalk instead of 8 feet as at present.)

: Item 32.

(1) The City may acquire by purchase from Central Mortgage and Housing Corporation a certain parcel of land, formerly constituting a portion of St. Paul's Church Glebe lands, and containing approximately 3.48 acres.

(2) The City may apply a sum not exceeding seven thousand dollars from the monies received by it from time to time from the sale of vacant land owned by it and from the sale of the remaining portion of the Airport and from the exchange of land with His Majesty, authorized by Section 72 of Chapter 56 of the Acts of 1946, to defray the cost of the acquisition of the said parcel of land.

(Explanatory note: Under the provisions of the City Charter, the City is authorized to purchase land for certain specific purposes, namely the water supply, streets, city buildings "or for any other public work or service of the City." The acquisition of this land is considered necessary, although the exact purpose for which it will be used has not been determined. It has been suggested as a site for a housing development or for an extension to Fairview Cemetery. The land is now available for sale and in the opinion of the City should be acquired by it for a public purpose.)

✓ Item 33.

(1) The City may expend a sum not exceeding five thousand dollars to defray one-half of the cost of dredging the dock of the Commercial Cable Company in order to remove deposits of material at or near the outlet of the sewer therein.

(2) Any sums required for the aforesaid purpose in the civic year 1956 shall be shown as an expenditure by the City in that year.

(Explanatory note: The City is not liable for the silting up of docks resulting from the deposit of material therein from the sewer outlets but on several occasions in the past it has assisted dock owners to remove such deposits by contributing a portion of the cost.)

✓ Item 34.

The City may write off and cancel the assessments of ninety-two dollars and fifty cents made against Samuel E. Clowser and Winnifred Merle Mason in respect of the sewer laid in Belmont Road in the year 1954 together with any interest accrued thereon.

(Explanatory note: This assessment arose out of the extension of the sewer on Belmont Road in order to provide drainage to a property. In extending the sewer for this purpose it passed the properties of the persons above named, which are located on opposite sides of the street, but it was of no value to such properties since they already had sewer connections. Under the law the City was obliged to assess these owners as abutters. The City desires authority to cancel these two assessments.)

✓ Item 35

(1) Subsection (1) of Section 561 is amended by deleting the period at the end thereof and substituting therefor a comma and by adding at the end of the said subsection the words "and shall file such plan and list in his office."

(2) Subsection (2) of said Section 561 is repealed.

(3) Subsection (3) of said Section 561 is repealed and the following substituted therefor:

(3) Upon such plan and list being completed and filed, the same shall, in any action or proceeding, be conclusive evidence of the liability of every person named therein, in respect of each property of which he is stated to be the owner, for the amount stated in respect of each property.

(Explanatory note: The foregoing amendment removes the necessity of advertising in the newspapers the completion of the street paving assessment list. This is the only local improvement assessment list which is required to be advertised. Since it appears that for many years no record is known of any objection being made to the list, it is considered that the advertising requirement is an unnecessary expense.)

✓ Item 36

(1) Section 409 is amended by adding thereto the following subsection:

(4)(a) When the Commissioner of Finance and Accounts has fixed a rate as hereinbefore provided he shall forthwith deliver to the Clerk a certificate stating such rate.

(b) When the Council has fixed a rate as hereinafter provided, the Clerk shall prepare a certificate stating such rate and shall file the same, together with any certificate of the Commissioner of Finance and Accounts, and at the same time, in his office and record the date of the filing.

(2) Subsection (1) of Section 441, as that subsection is enacted by Section 70 of Chapter 56 of the Acts of 1940, is amended by striking out the words "certificate stating the tax rate" in the fourth line thereof and substituting therefor the words "certificates stating the tax rates".

(3) This Section shall be read and construed and be given effect to as if the same had been enacted on the 28th day of March, 1942.

(Explanatory note: The above legislation is necessary as a result of the change last year in eliminating the fixed rate on residential realty. Under the present system two rates must be fixed - one by the Council and one by the Commissioner of Finance and Accounts. This legislation provides for filing certificates as to these respective rates in the office of the City Clerk.)

✓ Item 38

(1) Subsection (1) of Section 804A is amended by inserting between the subsection number and symbols "(1)" and the word "The" in the first line thereof the letter and symbols "(a)".

(2) Said subsection (1) of Section 804A is further amended by adding thereto the following clause:

(b) The inspector of buildings may, on behalf of the City and upon such terms and conditions as the Council may by ordinance prescribe, grant a license to any person to construct, erect or place a sign or advertising device which extends over any portion of any street.

(Explanatory note: Under the present legislation the placing of a sign projecting over the street constitutes the placing of an encroachment. The practice has been to require the City Council in every case to grant permission. This legislation will vest this authority in the Inspector of Buildings.)

✓ Item 44.

Clause (c) of subsection (4) of said Section 510D is repealed and the following substituted therefor:

(c) No person shall in the City of Halifax operate or cause or permit to be operated any automatic machine for the purpose of vending therefrom goods, wares or merchandise other than towels or sanitary articles, 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, or processed ice or ice in blocks provided that the automatic machine vending ice is attached to a building in which the ice vended thereby is manufactured and such machine is owned and operated by the person manufacturing such ice.

(Explanatory note: This clause is re-enacted in order to remove from it "postage stamp vending machines" and to include in it "processed ice vending machines". This last was considered by the Council in October 1955 and final decision was postponed until legislation was considered. The foregoing legislation as drafted will permit the vending of ice - both processed (i.e. cubes and crushed) and in blocks.)

✓ Item 50(b)

The City may borrow the sum of eighty thousand dollars and pay the same to The Nova Scotia College of Art, Halifax, N.S., as a grant towards the cost of the acquisition of a building to be approved by the Council, and any sums required by the City for the foregoing purpose shall be deemed to be sums required by the City for a City purpose within the meaning of the Municipal Affairs Act and may be borrowed by the City under the provisions of and in the manner provided by the said Act, and any sums so borrowed as aforesaid shall be repaid within twenty years from the date of the borrowing of the same; provided, however, that the City shall not make such grant as aforesaid unless and until the lands and premises occupied by the said The Nova Scotia College of Art at the intersection of Argyle Street and George Street in the City of Halifax have been conveyed to the City free and clear from all encumbrances.

✓ Item 50(a)

Subsection (1) of Section 310 is amended by striking out the words "one thousand five hundred dollars" in the forty-ninth line thereof, (the same being the first line of the paragraph authorizing the making of an annual grant to the Nova Scotia College of Art), and substituting therefor the words "three thousand dollars".

(Explanatory note: This section authorizes the City to increase the amount of the annual grant to the Nova Scotia College of Art from \$1500.00 to \$3000.00).

Legislation for Council, February 16, 1956.

✓ Item 5.

Subsection (1) of Section 551A is amended by adding thereto the following:

The Council may by resolution delegate to the Town Planning Board authority to fix the date for the consideration by the Council of any such report from the Town Planning Board respecting the removal or relocation of such street lines and to give public notice on behalf of the Council of the intention of the Council to consider the same and any such date so fixed and notice so given shall be deemed to have been fixed and given by the Council, provided that the date fixed and the notice given shall be in accordance with the provisions of this Section and the Council shall consider such report on the date so fixed, provided that such date shall be the date upon which a regular monthly meeting of the Council is held.

(Explanatory note: It has been suggested that to save time the date for public hearings by the Council involving the removal or relocation of official street lines should be fixed by the Town Planning Board instead of by the Council, as required by the Charter. I have drafted the above legislation to carry out this idea.

However, in my opinion, I consider the removal or relocation of an official street line of some importance to the city and to abutting and nearby owners. The section as presently drawn contemplates before advertising careful consideration - not only by the Council, which must satisfy itself first that the alteration should be made, but to make more certain it must obtain a report from the Town Planning Board to help it make up its mind. Then a public hearing is held to enable the public to express their views and the final decision of the Council is given only after hearing the views of the public. This delay is a safeguard, since many results flow from the location of official street lines - including encroachments, erection of buildings and other things of a more or less permanent nature.

I cannot recommend that in a matter like this, time should be shortened to preclude careful consideration.)

Item 8. DELETED.

The Charter is amended by inserting therein, immediately following Section 880 thereof, the following Section:

880A. (1) The Committee on Public Health and Welfare, in addition to the powers to make regulations conferred upon it, as a local board of health, by the Public Health Act, may make regulations prescribing the minimum degrees of heat to be provided to any premises by any person renting or letting out such premises to another person or persons under any agreement requiring the person so renting or letting out the same to provide heat to such premises, and may, in such regulations, provide penalties for violation of any of the provisions thereof.

(2) In any case where it appears to the Committee that any premises rented or let out under an agreement requiring the person so renting or letting out the same to provide heat to such premises are not supplied with heat to the degree set out in the said regulations, the Committee may declare such premises to be unfit for human habitation and that no rent shall thereafter become or be payable by any occupant until such premises have been made fit for human habitation to the satisfaction of the Committee.

(Explanatory note: This suggestion is proposed by the City Manager and concurred in by the Commissioner of Health. Briefly, it enables the Health Committee to fix a minimum temperature at which a landlord obliged to supply heat to premises will be required to keep such premises. The details - such as degrees of heat and other matters - will have to be worked out before a regulation can be prepared.)

✓ Item 12.

The City may convey to the Estate of James F. MacLeod, deceased, in lieu of the payment to the said James F. MacLeod of a retirement allowance, two burial lots in Fairview Cemetery.

(Query perpetual care.)

(Explanatory note: At the request of the said James F. MacLeod, retired employee of the City of Halifax, the City agreed to transfer to him, in lieu of granting a retirement allowance, two burial lots in Fairview Cemetery.)

✓ Item 49.

Subsection (1) of Section 56 of Chapter 66 of the Acts of 1950 is amended by striking out the words "a sum not exceeding one hundred thousand dollars" in the ninth and tenth lines thereof and substituting therefor the words "such sum as may be required therefor".

(Explanatory note: The authority of the City to expend from its own funds monies for slum clearance purposes is limited to \$100,000.00. One project at present under consideration would require the City to pay as its share a considerably larger sum. The effect of this legislation is to remove the limit for expenditures of this sort.)

✓ Item 53

The City may write off and cancel the assessment made against B. D. Stevens for sewer charges in the amount of \$1,145.00 and interest thereon in respect of 458 feet of sewer laid by the City on Desmond Avenue, assessed in the year 1954 to the said B. D. Stevens as the owner of real property fronting upon such sewer.

(Explanatory note: Cancellation of this sewer assessment for a portion of Mr. Stevens' frontage is sought because Mr. Stevens has at his own expense constructed a storm sewer 458 feet in length in this same area. It is considered inequitable to require the abutting owner to pay for both sewers.)

✓ Item 14.

In any case in which the Committee on Public Health and Welfare, acting as a local board of health under the authority of The Public Health Act, has, pursuant to the provisions of Section 29 of the said The Public Health Act, caused a notice to be given to the owner or the occupant of any tenement, house, building or construction of any kind used as a dwelling house requiring such owner or occupant to remove the cause of complaint set out in the said notice, and the said owner or occupant fails to remove such cause of complaint within ten days after receipt of such notice or within ten days after the publication in a newspaper of such notice where such owner does not reside within the jurisdiction of such Committee, such owner or occupant shall be liable to a penalty not exceeding one hundred dollars and in default of payment to imprisonment for a period not exceeding two months.

(Explanatory note: At present under The Public Health Act, Sections 28 and 29, where a dwelling house becomes unfit for tenancy the Committee may (1) order it vacated or (2) stop payment of rent. It is felt that where the owner or occupant fails to obey the order of the Committee to perform repairs in order to remove the cause of complaint a penalty should be imposed.)

\ Item 30.

The Charter is amended by inserting therein, immediately following Section 496 thereof, the following Section:

496A. (1) No person shall, without a license therefor, sell or offer for sale goods, wares or merchandise from, or take orders for the sale of any goods, wares or merchandise from samples displayed in, any building, store, shop or other structure, or in any lane, alley, passage or place, either public or private, or on any street, in respect of which building, store, shop, structure, lane, alley, passage, place or street such person has not been assessed for business tax in respect of such business.

(2) Any license granted under the authority of this Section shall apply only to the sale or offering for sale or taking orders for the sale of goods, wares or merchandise at the place set out in the said license.

(3) The fee for such license shall be three hundred dollars.

(4) The said license shall expire three months after the date of its issue.

(5) The said license shall be granted and signed and issued by the official designated in writing by the Chief of Police to sign and issue licenses.

(6) Nothing in this Section shall apply to -

- (a) the sale of goods, wares or merchandise for religious or charitable purposes, or
- (b) the sale of goods, wares or merchandise from any office, hotel, lodging-house or private dwelling or the taking of orders for the sale of goods, wares or merchandise from samples displayed in any office, hotel, lodging-house or private dwelling.

(7) In any prosecution instituted for breach of any provision of this Section, the burden of proving an exemption under subsection (6) shall be upon the person charged with such breach, and every person who contravenes or fails to comply with the provisions of this Section shall, for each offence be liable to a penalty not exceeding five hundred dollars and in default of payment to imprisonment for a term not exceeding three months.

(Explanatory note: This legislation is intended to impose a license fee upon persons who set up to sell goods on their own account in a store or other place in respect of which they have not been or cannot be assessed for a business tax. An illustration is the practice where, say, an itinerant merchant sets up a business of selling costume jewellery in a drugstore by making an arrangement with the proprietor of the drugstore for the use of a portion of the store for that purpose. At the present time a license is required for any such person who sets up such a business in an hotel, lodging house or private residence or an office where such person is not assessed for business tax. The same license fee and monetary penalties are applicable.)

1956 Legislation.

✓ Item 30(b).

(1) The Council may by Ordinance regulate and license any person or persons conducting or proposing to conduct any sale in such manner as to cause persons to believe that such sale will offer goods damaged or altered by fire, smoke, water or other means, or that upon disposal of the stock of goods presently on hand the business of such person or persons will cease and be discontinued, including, and without limiting the generality of the foregoing, any person or persons conducting or proposing to conduct any sale advertised as "Adjustor's Sale", "Adjustment Sale", "Alteration Sale", "Assignee's Sale", "Bankrupt Sale", "Benefit of Administrator's Sale", "Benefit of Creditor's Sale", "Benefit of Trustee's Sale", "Building Coming Down Sale", "Closing Sale", "Creditor's Committee Sale", "Creditor's Sale", "End Sale", "Executor's Sale", "Final Days Sale", "Forced Out Sale", "Forced Out of Business Sale", "Insolvents' Sale", "Last Days Sale", "Lease Expires Sale", "Liquidation Sale", "Loss of Lease Sale", "Mortgage Sale", "Receiver's Sale", "Quitting Business Sale", "Warehouse Sale", "Trustee's Sale", or similar words.

(2) The Council in any such Ordinance may -

- (a) prescribe the amount of the fee to be paid for any such license and the period during which such license shall be in effect and the conditions to be complied with for any extension of such period or renewal of such license.
- (b) define the terms used therein, including the following: "Fire and other altered goods sale", "Going out of business Sale", "goods", "person", "removal of business Sale", and "premises".
- (c) define what persons or classes of persons shall be entitled to obtain a license.
- (d) exempt certain persons from the application of the said Ordinance.
- (e) require applicants for a license under such Ordinance to supply such information as may be required, whether under oath or otherwise.
- (f) prescribe penalties for violation of the provisions of such Ordinance.

BE IT ENACTED by the Governor and Assembly as follows:

1. Notwithstanding the provisions of Chapter 49 of the Acts of 1944, An Act Relating to the Acquisition and Operation of Fairview Cemetery by the City of Halifax, the City may set apart and use, for the purposes of St. Andrew's School, all or any portion of the land more fully hereinafter described, being part of the land conveyed to the City under the authority of the said hereinbefore recited enactment, and may, pursuant to resolution of the City Council, from time to time sell and convey or dispose of any portion of such land not so set apart for such sum or sums as the Council may from time to time determine.

2. The land referred to in the preceding Section is described more fully as follows:

ALL that certain lot, piece or parcel of land situate, lying and being on the northeastern side of Bayers Road between Romans Avenue and the Canadian National Railway Ocean Terminal right-of-way, and being Lot No. 2, as shown on the Plan entitled "Bayers Road Proposed School Site", dated March 4th, 1954, and signed by A. C. Harris, Commissioner of Works, the said plan being on file in the office of the Commissioner of Works of the City of Halifax at City Hall, as Plan No. RR-1-12677, said land being more particularly described as follows:

Beginning at a point where the northeastern official street line of the said Bayers Road, as confirmed by the City Council on August 14th, 1953, is intersected by the southwestern boundary line of lands now or formerly owned by the City of Halifax and Central Mortgage and Housing Corporation: thence northwestwardly along the said northeastern official street line of Bayers Road as confirmed by the City Council on August 14th, 1953, for a distance of two hundred and seventy-eight feet (278'), more or less, or to a point distant southeastwardly sixty feet (60') from the southern corner of Lot No. 1 as shown on said plan; thence northeastwardly by turning an internal angle of ninety degrees and fifty-eight minutes ($90^{\circ} 58'$) parallel to and distant southeastwardly sixty feet (60') from the southeastern boundary line of Lot No. 1, for a distance of one hundred and twenty-nine feet and one-tenth of a foot (129.1') or to the southwestern boundary line of Lot No. 3; thence southeastwardly by turning an internal angle of one hundred and eight degrees and twelve minutes ($108^{\circ} 12'$) along the said southwestern boundary line of Lot No. 3 for a distance of two hundred and twenty-two feet and one-tenth of a foot (222.1') or to the northwestern boundary line of lands now or formerly owned by the City of Halifax and Central Mortgage and Housing Corporation as shown on said plan; thence southwestwardly by turning an internal angle of ninety degrees (90°) and along the said northwestern boundary line of lands now or formerly owned by the City of Halifax and Central Mortgage and Housing Corporation for a distance of two hundred and fourteen feet and five tenths of a foot (214.5') more or less, or to the place of beginning.

3. Any sums received from the sale of such land shall be invested from time to time as the same are received and the interest therefrom applied to the up-keep and maintenance of Fairview Cemetery.

✓ Item 37.

(Explanatory note: In 1954, by Chapter 62, the City was authorized to use a portion of the land forming part of Fairview Cemetery as a site for St. Andrew's School. This Bill provides for a similar use of another portion of such land, namely the lot designated on the plan as Lot 2, to the extent that it is necessary and enables the City to sell any part of Lot No. 2 not so used. The proceeds from the sale are to be invested and the interest used for the upkeep of the Cemetery.)

1956 Legislation - Council, February 16, 1956.

✓ Item 57 - PASSED APPROVED

(1) Subsection (1) of Section 9 is amended by striking out the words "One Thousand Two Hundred Dollars" in the tenth line thereof and substituting therefor the words "Two Thousand Dollars".

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on the first day of January, 1956.

(Explanatory note: This section increases the honorarium of the Deputy Mayor from \$1200.00 per annum to \$2000.00 per annum, effective January 1st, 1956.)

(1) Subsection (1) of Section 10A, as that Section is enacted by Section 2 of Chapter 56 of the Acts of 1946, and amended by subsection (3) of Section 2 of Chapter 77 of the Acts of 1948, is further amended by striking out the words "Seven Hundred and Fifty Dollars" in the fifth line thereof and substituting therefor the words "One Thousand Five Hundred Dollars".

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on the first day of January, 1956.

(Explanatory note: This Section increases the indemnity or compensation for alderman from \$750.00 to \$1500.00 per annum, effective January 1st, 1956.)

Item 58.

The Charter is amended by inserting therein, immediately following Section 310D thereof, the following Section:

310E. The City shall pay annually, commencing in the year 1956, to Alcoholics Anonymous (Hollis Street Group), as a grant, a sum equal to the taxes due by the said Alcoholics Anonymous (Hollis Street Group) to the City in each year pursuant to the assessment made for such year against the said Alcoholics Anonymous (Hollis Street Group) in respect of its occupancy of real property designated as civic number 41 Hollis Street.

(Explanatory note: This section is intended to permit the City to relieve Alcoholics Anonymous from City taxes in respect of the property occupied for its purposes. Normally such exemptions would be granted under the general authority contained in Section 310D, which refers to organizations which perform philanthropic or charitable work. There is some doubt as to how the work of this particular association can be classified - hence this special legislation.)

OFFICE OF THE CITY SOLICITOR

City Hall, Halifax, N. S.

February 2, 1956.

His Worship The Mayor and Members of
the Finance and Executive Committee
Halifax, N. S.

Your Worship and Aldermen: Re: 1956 Legislation - Item 52. ✓

For some time I have been following a certain line of decisions of the various Courts of Canada relating to the liability of persons occupying lands of the Crown, for residential or other purposes, to be assessed for occupancy taxes. While to date we have not found it necessary to litigate any of these taxes, and while I feel that the provisions of Section 372 are probably effective, nevertheless for additional assurance I would like to suggest a slight amendment, by way of addition, to this Section.

At present the Section reads as follows:

372. If any real property entitled to exemption, including the property of His Majesty, as represented by either the Government of Canada, or of the Province of Nova Scotia, is occupied by any person who is not declared to be exempt from taxation, for residential or business purposes or for purposes other than residential or business, the occupant thereof shall be liable to household tax or business tax or other occupancy tax as the case may be, notwithstanding such exemption.

I propose that the Section be amended by inserting therein the words underlined as follows:

372. If any real property entitled to exemption, including the property of Her Majesty, as represented by either the Government of Canada or of the Province of Nova Scotia, is occupied by any person who is not declared to be exempt from taxation, irrespective of the relationship between such person and Her Majesty with respect to such occupancy, for residential or business purposes or for purposes other than residential or business, such person shall be liable to household tax or business tax or other occupancy tax as the case may be, notwithstanding such exemption of such real property.

There have been a great number of cases in which an occupant of Crown property has escaped liability for municipal occupation tax because such person is a servant or agent of the Crown and is required, as part of his duty, to occupy for residential purposes a particular property. Recent cases, however, have regarded the matter in a somewhat different manner and the most recent reached the Supreme Court of Canada in 1954 from two Ontario Courts, involving two employees of the Government of Canada employed at the Ship Canal. There men were required as a condition of employment to reside on Crown land for the more effective discharge of their duty. They were assessed an occupancy tax in respect of their residences and this was held by all the Courts concerned to be a valid tax.

However, they were servants of the Crown and I feel that the words underlined above, which are in the appropriate section of the Ontario Assessment Act, were material to the decision, although there is nothing in any of the decisions to this effect.

There had been a previous case in the Supreme Court of New Brunswick, (in 1951), involving the occupation of Crown property by an Army officer for residential purposes, where the assessment was held improper.

I would urge that approval be given to this proposed legislation.

Yours very truly,



CARL P. BETHUNE
CITY SOLICITOR

CPB:EHJ

February 16, 1956.

Taxation Legislation

✓(1) Notwithstanding the provisions of the City Charter the amount of the valuations of real property made by the Assessor for the purpose of taxation for the civic year 1956 shall,

(a) in the case of any person who has not appealed from the assessment made against him for such civic year in respect of any property, be reduced by fifteen per cent in respect of such property;

(b) in the case of any person who has appealed from the assessment made against him for such civic year in respect of any property and whose appeal has been dismissed by the Court of Tax Appeals, be reduced by fifteen per cent in respect of such property;

(c) in the case of any person who has appealed from the assessment made against him for such civic year in respect of any property and the valuation was reduced by the Court of Tax Appeals by an amount less than fifteen per cent thereof, be reduced by such further amount which, together with the amount by which the said valuation was so reduced by the said Court, will constitute a total reduction of fifteen per cent in respect of such property;

(d) in the case of any person who has appealed from the assessment made against him for such civic year in respect of any property and such appeal has been heard by the Court of Tax Appeals, but no decision in respect of such appeal has been given,

(I) be reduced by fifteen per cent in respect of such property if such appeal is dismissed by the Court of Tax Appeals, or

(II) if such valuation is reduced by the Court of Tax Appeals by an amount less than fifteen per cent thereof, be reduced by such further amount which, together with the amount by which the said valuation was so reduced by the said Court, will constitute a total reduction of fifteen per cent in respect of such property.

✓(2) Where any person has appealed from the assessment made against him for the civic year 1956 in respect of any property and the Court of Tax Appeals has delivered a decision reducing the amount of the valuation of such property by the amount of fifteen per cent of such valuation or by an amount in excess of fifteen per cent thereof, the valuation fixed by the Court of Tax Appeals shall stand, subject to any right of appeal from such decision provided by law.

✓(3) In the case of any person who has appealed from the assessment made against him for the civic year 1956 in respect of any property, and such appeal has not, at the date of the coming into effect of this Section, been heard by the said Court of Tax Appeals, such person may elect

(a) to consent to a reduction in such valuation in the amount of fifteen per cent in respect of such property and withdraw such appeal, or

(b) to proceed with such appeal, in which case such person shall be bound by the decision of the said

Court of Tax Appeals, subject to any right of appeal from such decision provided by law.

v (4) Nothing in this Section shall be deemed to apply to the valuation of any property taxed by or pursuant to any statute.

v (5) The valuations of real property as established in the manner hereinbefore provided shall be deemed to be the valuations upon which the tax rates determined and fixed pursuant to the provisions of Section 409 shall be applied.

February 15, 1956

1956 Legislation - For Council, February
16, 1956.

Item 1 - 700

Subsection (4) of Section 366 is repealed.

(Explanatory note: This subsection enabled the City to collect the difference in the amount of poll tax levied by the City and that levied by any other municipality to the extent that the City's poll tax was higher.

In the recent amendment to Section 5 of The Assessment Act (by Section 2 of Chapter 16 of the Acts of 1955), it is provided that no person who has paid a poll tax for any year to any city, town or municipality in this province shall be liable to pay a poll tax for the same year to any other city, town or municipality under this or any other Act.

As a result of this amendment it was recommended by the Finance and Executive Committee that the above subsection, being inconsistent with the Assessment Act, should be repealed.)

Item 2

The Charter is amended by inserting therein, immediately following Section 926 thereof, the following Section:

926A. (1) Subject to the provisions of any statute relating thereto, the board may by resolution determine that certain records of the board may be preserved, destroyed or otherwise disposed of.

(2) The board may by resolution regulate the manner in which the preservation, destruction or other disposal of such records may be effected.

(3) The following records of the board shall not, in any event, be destroyed:

- (a) records affecting the title to real property or liens thereon;
- (b) plans and surveying records;
- (c) records required to be retained by any statute;
- (d) the minutes, by-laws, regulations and resolutions of the board or of any committee of the board;
- (e) books of account, records of receipts and expenditures;
- (f) requests and authorizations relating to the destruction, preservation or other disposal of records.

(4) No record of the board or of any committee thereof shall be destroyed pursuant to any resolution or regulation of

the board unless and until the solicitor of the board has, in writing, approved of the destruction of the same.

(5) Where any records have been destroyed as hereinbefore provided, entries and memoranda in books of accounts or other records of the board referring or relating to such records so destroyed shall constitute prima facie evidence of the existence and contents of the records so destroyed to the extent to which the same or the contents thereof are contained in such entries or memoranda.

(Explanatory note: It will be recalled that last year the City secured legislation to enable it to destroy certain documents. I have been requested by the Board of School Commissioners to secure similar authority for the Board. I accordingly prepared the above legislation and submitted it to the Board for its approval, which has been given. It is similar in form to that obtained by the City. Subject to the approval of Council, I wish to include this in this year's legislation.)

✓ Item 53.

(1) Clause (a) of subsection (1) of Section 818 is amended by striking out the words "seven thousand dollars" in the second line thereof and substituting therefor the words "eighteen thousand dollars".

(2) Clause (b) of said subsection (1) of Section 818 is amended by striking out the words "eight thousand dollars" in the second line thereof and substituting therefor the words "eighteen thousand dollars".

(3) Clause (s) of Section 819 is amended by striking out the words "three thousand" in the first line thereof and substituting therefor the words "fifteen thousand".

(4) Said clause (a) of Section 819 is further amended by striking out the words "two thousand dollars" in the third and fourth lines thereof and substituting therefor the words "ten thousand dollars".

(5) Clause (b) of said Section 819 is amended by striking out the word "four" in the first line thereof and substituting therefor the word "fifteen".

(6) Said clause (b) of said Section 819 is further amended by striking out the word "three" in the third line thereof and substituting therefor the word "ten".

(7) Clause (c) of Section 823 is amended by striking out the words "seven thousand dollars" in the second line thereof and substituting therefor the words "eighteen thousand dollars".

(8) Clause (c) of Section 824A, as that Section is enacted by Section 27 of Chapter 58 of the Acts of 1938, is amended by striking out the words "Five Thousand Dollars" in the second line thereof and substituting therefor the words "eighteen thousand dollars".

(1) Clause (c) of Section 1 of Chapter 108 of the Acts of 1915 "An Act respecting Rosebank Park" is repealed and the following substituted therefor:

(c) No residential dwelling shall be erected costing less than eighteen thousand dollars.

(2) Section 2 of Chapter 163 of the Acts of 1929, "An Act to amend Chapter 108, Acts of 1915, entitled "An Act Respecting Rosebank Park", is repealed and declared never to have been enacted.

(Explanatory note: The foregoing amendments are for the purpose of increasing the minimum value of buildings to be erected on Young Avenue, in the Miller Property area so-called, in Rosebank Park and in the Norwood Subdivision.

On Young Avenue the minimum value established many years ago was \$7,000.00 for a wooden building and \$8,000.00 for a brick building. In the Rosebank Park area the minimum value for all buildings is \$7,000.00. In the Norwood Subdivision area the minimum value is \$5,000.00. In the Miller property area so-called the minimum value for a single wooden dwelling is \$3,000.00 or if it contains more than one dwelling \$2,000.00 for each dwelling. If made of brick, \$4,000.00 for a single dwelling and \$3,000.00 for more than one.

The amendments increase these minimum values to something approaching present day costs. On Young Avenue, in Rosebank Park and in the Norwood Subdivision the amounts have been increased to \$18,000.00. In the Miller property area the amounts have been increased to \$15,000.00 for an entire single dwelling and \$10,000.00 a dwelling where there is more than one single dwelling in a building.)

✓ Item 61.

(1) Notwithstanding the provisions of Section 535, the City may permit the Department of National Defence to erect a fence along a portion of the western side of Brunswick Street in the location shown on Plan No. RR-4-13320 filed in the office of the Commissioner of Works.

(2) Such fence shall be of such type and design as may be approved by the Inspector of Buildings of the City and shall be erected to his satisfaction.

(3) If such fence shall be removed from the location as shown on the said plan, hereinbefore referred to, the same shall not be replaced without the permission of the City therefor being obtained.

(4) The City may at any time require the Department of National Defence to remove the said fence.

✓ Item 62

(1) Notwithstanding the provisions of the Bonus Act, The International Christian Mission shall not be liable to be assessed in respect of its ownership and occupancy of certain real property situated at civic number 307-309 North Street while such real property is occupied by the said The International Christian Mission for its purposes.

(2) The City may pay to The International Christian Mission, as a grant, a sum equal to the taxes due by the said The International Christian Mission to the City in respect of the civic year 1956 pursuant to the assessment made for such year against the said Mission in respect of its ownership and occupation of the real property designated as civic number 307-309 North Street.

(Explanatory note: The foregoing section provides a full tax exemption for International Christian Mission, a religious organization, both for real property and occupancy taxes.)

Item 63.

(1) Notwithstanding the provisions of the Bonus Act, The Trustees of Local 83, District No. 7 of the United Brotherhood of Carpenters and Joiners of America, A.F. of L., shall be assessed, in respect of the ownership and occupation by the said Trustees of certain real property as described in a certain deed, dated the 22nd day of September, A. D. 1949, and recorded in the Registry of Deeds at Halifax, Nova Scotia, on the 6th day of October, A. D. 1949, while such real property is owned by the said Trustees, and the buildings erected thereon, for the civic year 1956 and the succeeding civic years up to and including the civic year 1959, at an amount sufficient to produce at the tax rate annually fixed by the Commissioner of Finance and Accounts a total annual real property tax of one thousand five hundred dollars.

(2) The Assessor shall determine the portions of the said real property used respectively for the purposes of business and for purposes other than business.

(3) Section 62 of Chapter 66 of the Acts of 1950 is repealed.

(Explanatory note: By the Acts of 1950 the above property enjoyed a fixed assessment of \$15,000.00 ending in 1959. The Trustees have requested that a definite amount of taxation be determined in lieu of the fixed assessment. The above section fixes the annual taxation for the period 1956 to 1959 at \$1500.00 per annum at the tax rate to be fixed by the Commissioner of Finance (not the residential tax rate) and this amount of tax includes both real property and occupation tax - whether for business or recreational purposes. The real property tax in 1955 was \$1377.89 and for occupation tax was \$70.00 or a total of \$1447.89.)

✓ Item 64.

(1) Clause (a) of subsection (2) of Section 365, as that Section is enacted by Section 46 of Chapter 46 of the Acts of 1944, is amended by striking out the words "within thirty days from such date" in the eleventh line thereof and substituting therefor the words "prior to the expiration of such civic year".

(2) Clause (b) of said subsection (2) of Section 365 is amended by striking out the words "within thirty days from the date thereof" in the eleventh and twelfth lines thereof and substituting therefor the words "prior to the expiration of such civic year".

(3) Subsection (3) of said Section 365 is amended by striking out the words "within thirty days from such date" in the seventh and eighth lines thereof and substituting therefor the words "prior to the expiration of such civic year".

(Explanatory note: The sections of the Charter which are amended above enable the City to cancel occupation taxes pro rata where the occupation of premises is discontinued during the year for which the taxes are rated, provided the Assessor is notified within 30 days of such cessation of occupation. The effect of the amendment is to enable such notice to be given prior to the expiration of the civic year instead of restricting it to 30 days.)

#60

Finance, Feb. 13/56
Council, Feb. 16/56.

1956 Legislation.

Clause (a) of Subsection (1) of Section 220 is amended by striking out the words and figures "On Summons \$.75" in the Table of Costs and Fees therein and substituting therefor the following "On Summons \$1.00".

Said clause (a) of subsection (1) of Section 220 is further amended by striking out the words "for serving Summons or executing capias including travel within the City for each defendant ~~served~~ \$1.00" in the said Table of Costs and Fees and substituting therefor the following:

For serving summons or executing capias including travel within the City for each defendant served where the amount involved does not exceed \$100.00 \$1.00

For serving summons or executing capias including travel within the City for each defendant served where the amount involved exceeds \$100.00 but does not exceed \$500.00 \$3.00

(1) Subsection ~~1~~ (1) of Section 366, as that Section is enacted by Section 21 of Chapter 51 of the Acts of 1942, is amended by striking out the words and numerals "Ten Dollars (\$10.00)" in the eleventh and twelfth lines thereof and substituting therefor the words "twenty dollars".

(2) Clause (a) of subsection (2) of said Section 366 is amended by striking out the words and numerals "Seven Hundred and Fifty Dollars (\$750.00)" in the fourth and fifth lines thereof and substituting therefor the words "one thousand two hundred dollars".

(3) Clause (b) of subsection (2) of said Section 366 is amended by striking out the words and numerals "Three Hundred Dollars (\$300.00)" in the third and fourth lines thereof and substituting therefor the words "five hundred dollars".

(4) Clause (a) of subsection (3) of said Section 366 is amended by striking out the numerals "\$750.00" in the eighth line thereof and substituting therefor the words "one thousand two hundred dollars".

Subsection (1) of Section 366A, as that Section is enacted by Section 10 of Chapter 70 of the Acts of 1949, is amended by striking out the words "seven hundred and fifty dollars" where the same respectively appear in the fifteenth and seventeenth lines thereof and substituting therefor in each case the words "one thousand two hundred dollars".

Subsection (1) of Section 367, as that Section is enacted by Section 6 of Chapter 55 of the Acts of 1939, is amended by striking out the words "Ten Dollars" in the fourth line thereof and substituting therefor the words "twenty dollars".

(Explanatory note: The above amendments increase the poll tax and non-residents poll tax from \$10.00 to \$20.00 and the salary base which must be attained before becoming liable to Poll Tax from \$750.00 to \$1200.00).

February 16, 1956.

National Housing Act 1954, to undertake a survey of the housing conditions of the City of Halifax to establish areas of redevelopment and priorities according to where redevelopment should take place and request approval of the Government of the Province of Nova Scotia for such survey.

Alderman Hatfield: "It is simply a request for the grant. It means that C.M.H.C. and the City would have to find out all the facts about the case and an examination of any area could be carried out."

The motion was then put and passed.

TREE PLANTING SPRING OF 1956 ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: February 14, 1956.
Subject: Tree Planting - Spring 1956.

At a meeting of the Committee on Works held on February 9, 1956 the attached list of streets on which it is proposed to plant 232 trees at an estimated cost of \$1160.00 was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

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

11:00 P.M. Aldermen Moriarty, Adams and Hatfield retire.

LEGISLATION 1956 ✓

Draft legislation for the year 1956 was submitted by the City Solicitor and same is attached to the original copy of these minutes.

Legislation was considered item by item.

Item # 46

Approved.

Item # 15B

"

Item # 32

"

February 16, 1956.

Item # 33	Approved
Item # 34	"
Item # 35	"
Item # 36	"
Item # 38	"
Item # 44	"
Item # 50A	"
Item # 50B	"
Item # 5	"
Item # 8	Deleted
Item # 12	Approved after adding the

following words "at the request of Mr. MacLeod* and providing perpetual care for the lots.

Item # 49	Approved with Alderman Ahern wishing to be recorded against.
-----------	--

Item # 53	Approved.
Item # 14	"
Item # 30	"
Item # 30B	"
Item # 37	"
Item # 57 (Redraft)	"
Item # 58	"

11:10 P.M. the Deputy Mayor assumes the Chair.

Item # 52	Approved
-----------	----------

11:15 P.M. His Worship the Mayor resumes the Chair.

TAX LEGISLATION

Paragraph 1	Approved
Paragraph 2	"
Paragraph 3	"

Moved by Alderman Dunlop, seconded by Aldermen Wyan that Paragraph 3 be approved.

February 16, 1956.

Alderman O'Malley: "I am against the 15% but I think it should be clear cut. If you are going to give it to them don't confuse them."

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

FOR THE MOTION

Alderman Fox
Wyman
DeWolf
Dunlop
Lane
Macdonald

- 6 -

AGAINST IT

Alderman O'Malley
Ahern
Vaughan
Greenwood

- 4 -

Paragraph 4 Approved

Paragraph 5 "

Item # 3

Alderman Dunlop: "I think representation should be made to appeal the section in the Assessment Act. If a person pays \$2.00 in some town it cuts out our \$20.00 tax. We should not repeal ours."

The item was not approved.

Item # 9 Approved

Item # 55 "

Item # 61 "

Item # 62 "

Item # 63 "

Item # 64 " with Aldermen Dunlop and Vaughan wishing to be recorded against.

Item # 60 "

Item # 59 "

ELECTION FOR DEPUTY MAYOR ✓

Alderman Ahern suggested that legislation be secured at the present session of the Legislature to the effect that the Deputy Mayor be elected as such by the tax payers in the same manner as the Mayor.

February 16, 1956.

He put his suggestion in the form of a motion but received no seconder.

APPEAL M.A. JOSEPH AND CANADIAN LEBANON SOCIETY OF HALIFAX RE: ✓
OCCUPANCY PERMIT 208 QUINPOOL ROAD

Mr. E.F. Cragg appeared on behalf of Maurice Anthony Joseph and the Canadian Lebanon Society of Halifax 208 Quinpool Road appealing to the City Council from the refusal of the Building Inspector to grant an occupancy permit respecting these premises and requested that the matter be heard at this meeting.

His Worship the Mayor read section 739-A-4 of the City Charter for the information of the Council.

Alderman Vaughan: "We could have a public hearing warning the people of the area what is going to take place. I recall Mr. Cragg representing a petitioner for a Club on North Street."

Moved by Alderman Vaughan, seconded by Alderman Macdonald that City Council fix Thursday, March 15, 1956 at 8:00 P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for a hearing on this matter. Motion passed.

ICE AND SNOW CONDITIONS ON STREETS AND AROUND PARKING METERS ✓

Alderman O'Malley requested a little bit of labour be used to remove the ice cakes on certain city streets as well as the approaches to the parking meter stalls as difficulty was experienced by motorists using the parking meters.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that this meeting adjourn until Monday, February 20, 1956 at 8:00 P.M.

Motion passed.

Meeting adjourned 11:45 P.M.

LIST OF HEADLINES

Presentation to Mr. Thornhill	79
Minutes	79
Public Hearing Re: Rezoning Ben's Limited Property Shirley Street	79
Public Hearing Re: Rezoning Property Parkdale Realities Ltd. 61 Oxford Street	85

February 16, 1956.

Public Hearing Re: Removal of a Portion of the Northern Official Street Line of North Street and a Portion of the Western Official Street Line of Barrington Street	87
Motion Alderman Dunlop Re: Indemnity to Members of Council	87
Motion Alderman Hatfield Re: Increase in Poll Tax	87
Alderman Vaughan Re: Assessments	90
Accounts Over \$500.00	92
Halifax Airport - Tenders for Timber	93
Halifax Airport - Acquisition of Land	93
Insurance Emergency Shelters	94
Resubdivision Dominion Stores Ltd. Quinpool Road	95
Resubdivision Scotvale Subdivision	95
Resubdivision Pinewood Acres	96
Resubdivision B. & W. Hilchie Dutch Village Road	96
Rezoning St. Patrick's Home Property	97
Tenders for Walk in Refrigerator - T.B. Hospital	98
Two Council Meetings per Month	98
Land Sale Rainnie Drive	99
Assessments for Improvements	99
Coal for City Home	101
Appointment to N.S. College of Art	102
Hospital Account Settlement	102
Amendment to Ordinance # 13 (Taxis)	102
Amendment to Ordinance # 13	105
Jury Duty Members of Fire Department	105
Watermain Armdale Traffic Circle	106
Use of 1955 Tax Bills for 1956	106
Proposed Widening North Street	106
Application for Beauty Parlor #110 Victoria Road	107
Non-conforming use of Property Coburg Road	107
Legislation Re: Fence Encroachment D.N.D.	108
Overhanging Signs	109
Final Certificates Bianco Bros. \$25,640.36	110
Building Values in Certain Residential Areas	111
Housing Redevelopment	111
Tree Planting Spring of 1956	112
Legislation 1956	112
Tax Legislation	113
Election for Deputy Mayor	114
Appeal M.A. Joseph and Canadian Lebanon Society of Halifax Re: Occupancy Permit 208 Quinpool Road	115
Ice and Snow Conditions on Streets and Around Parking Meters	115

L.A. Kitz,
MAYOR AND CHAIRMAN.


W.P. PUBLICOVER,
CITY CLERK.

EVENING SESSION
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N.S.,
February 23, 1960,
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 reciting 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 Greenwood.

There were also present Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., J.F. Thomson L.M. Ronkey, G.F. West, W.A.G. Snook, A.E. Fry, J.L. Leitch, A.P. Flynn and Dr. A.R. Morton.

The meeting was called specially to consider the following items:

1. Resolution Re: Grants.
2. Payment of Claim for Damages to Street Sweeper \$1,129.92.
3. Assessment James C. Powell.
4. " International Christian Mission.
5. Grants to Widows Members of Fire & Police Department.
6. Sewer Assessment Francklyn Street.
7. Borrowing St. Thomas Aquinas School.
8. Purchase of Land for Street Purposes (Land Sale Account).
9. Tenders for Demolition Morris Street School.
10. Remuneration Members Court of Tax Appeals.
11. City Civil Court.
12. Questions
13. Bayers Road Housing Project.
14. Application to extend Non-conforming use 409 Oxford Street.
15. " Rezone 599 Connaught Avenue
16. Housing Authority Appointments.
17. Fenwick Street Sewer.
18. West End Supplies Ltd.
19. Motion Alderman Dunlop Re: Amending Sections 17 & 17A of the City Charter.
20. Section 245-1 Clause F Motor Vehicle Act (Taxes)
21. Improvements Hydrstone Area.

NEW ITEMS

1. Estimates 1960
2. Fire Protection Rate.
3. Sale of Gasoline by Retail (24-hour service).

February 23, 1958.

- 4. Tax Exemption Lots 3, 4, 5 and 6 Normandy Drive.
- 5. Legislation.

ITEMS FOR INFORMATION ONLY

Financial Statement Forum.
 City Manager's Administrative Report.
 Change in Trolley Coach Stops.
 Statistical Report Prefab Houses.

RESOLUTION RE: GRANTS ✓

The following resolution was submitted:

BE IT RESOLVED that the City of Halifax at the Session of the General Assembly of the Province of Nova Scotia next to be held following the passage of this resolution submit a Bill authorizing the City to expend the following sums for the respective purposes as hereinafter set forth:

- To pay as a grant to the Nova Scotia College of Art, as a supplemental grant, the sum of.....\$1,500.00
- To pay as a grant to the Salvation Army (Red Shield Campaign) the sum of..... 2,000.00
- To pay as a grant to the Canadian Cancer Society the sum of..... 1,000.00
- To pay as a grant to the Halifax Community Chest the sum of..... 8,000.00
- To pay as a grant to the Canadian Red Cross Society (Nova Scotia Division) the sum of..... 2,500.00
- To pay as a grant to the Canadian Red Cross Society (Home Makers Service) the sum of..... 2,000.00
- To pay as a grant to the St. John Ambulance Association the sum of..... 750.00
- To pay as a grant to the Halifax Junior Bengal Lancers the sum of..... 1,000.00
- To pay as a grant to the Halifax Musical Festival Association the sum of..... 750.00
- To pay as a grant to the Walter Callow Wheel-chair Coach Fund the sum of..... 500.00
- To pay as a grant to the Children's Hospital (Halifax) the sum of..... 30,000.00
- To pay as a grant to the Children's Hospital (Halifax) for capital purposes, the sum of..... 5,000.00
- To pay as a grant to the Board of the Maritime Museum (Citadel Hill) the sum of..... 1,000.00
- To pay as a grant to the Board of the Army Museum (Citadel Hill) the sum of..... 3,500.00

February 23, 1956.

To pay as a grant to the Nova Scotia Opera Association the sum of..... \$ 500.00

To pay as a grant to the Maritime School for Social Work the sum of..... 500.00

To pay as a grant to the John Howard Society the sum of..... 1,500.00

To pay as a grant to the Halifax Symphony Society the sum of..... 2,500.00

To pay as a grant to the Canadian Paraplegic Association the sum of..... 500.00

To pay as a grant to Dalhousie University for capital purposes, the sum of 8,000.00

To pay as a grant to the Maritime Conservatory of Music the sum of..... 5,000.00

To pay as a grant to the Halifax Welfare Bureau, as a supplemental grant the sum of..... 1,800.00

Moved by Alderman Ahern, seconded by Alderman Greenwood that the resolution be approved. Motion passed.

PAYMENT OF CLAIM FOR DAMAGES TO STREET SWEEPER \$1,129.92 ✓

February 13, 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 agreed to recommend for acceptance a cheque of the Commercial Union Assurance Co. Limited for the sum of \$1,129.92 in full settlement of a claim for damage by fire to an Elwin Street Sweeper on October 14, 1955 and that the Mayor and City Clerk be authorized to execute a release on behalf of the City.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

ASSESSMENT MR. JAMES C. POWELL ✓

February 23, 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 the matter of a request from Mr. James C. Powell a member of the American Consulars Staff for cancellation of an assessment for household tax on premises occupied by him at #20 Robie Street was considered.

February 23, 1956.

It was agreed to recommend that the request be granted and any legislation necessary obtained.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

ASSESSMENT INTERNATIONAL CHRISTIAN MISSION ✓

February 16, 1956.

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

A request from the International Christian Mission for tax exemption on its property on North Street was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that the request be granted and the necessary legislation obtained.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

PENSION MRS. EARL C. FOX ✓

February 23, 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 considered the attached report from the Safety Committee respecting the payment of an allowance to the widow of the late Captain Earl C. Fox.

It was agreed to recommend that the report be approved and the necessary legislation obtained.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

February 8, 1956.

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

At a meeting of the Safety Committee held on the above date a report from the Chief of the Fire Department respecting the death of Captain Earl C. Fox was considered.

February 23, 1925.

The Chief recommended that the widow and the children of Captain Fox be granted a pension equal to 75% of his salary (\$3,540.00) or \$2,655.00 annually. \$600.00 of this sum to be the children's portion which would be paid at the rate of \$300.00 for each child until they reach the age of eighteen.

This recommendation was concurred in.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman O'Malley that the report be approved with the proviso that such pension to cease in the event of her remarriage. Motion passed.

Alderman Fox vacated his seat in Council while this matter was dealt with.

GRANT TO MRS. CHARLES FULTON ✓

February 13, 1925.

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

The Finance and Executive Committee at a meeting held on the above date considered the matter of paying an allowance to Mrs. Pearl Fulton widow of the late Charles Fulton who was killed while performing his duties as a Police Constable for the City of Halifax.

It was agreed to recommend that legislation be introduced at the present session of the Legislature enabling the City to pay Mrs. Pearl Fulton an annual allowance of \$1,000.00.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

Alderman Vaughan: "This treatment is being given to this person because of the fact that nothing was done except a cash payment of \$1,000.00 many years ago. It is merely to give justice to this widow for having been overlooked."

The motion was put and passed.

GRANTS TO WIDOWS MEMBERS OF POLICE AND FIRE DEPARTMENTS ✓

February 23, 1925.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend that to widows and surviving

February 23, 1956.

children of members of the Halifax Fire Department and the Halifax Police Department who are killed while on duty or who die as a result of injuries sustained while on duty, legislation be drafted to enable the City to pay as a grant to such widows and surviving children the same benefits as are provided for widows and surviving children of members of these departments who retire at maximum pension. And that before any such payments are authorized under this section that the Commissioner of Health file with the City Clerk a certificate attesting to the fact that the deceased fireman or policeman was in his opinion killed while on duty or died as a result of injuries sustained while on duty and in the line of duty.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

WIDOWS WHOSE HUSBANDS DIED PRIOR TO JANUARY 1, 1951 ✓

February 23, 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 agreed to recommend that legislation be obtained enabling the City to pay allowances to widows of pensioners who were deceased prior to January 1, 1951 on the same basis as allowances are paid to widows of pensioners deceased since January 1, 1951.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

SEWER ASSESSMENT FRANCKLYN STREET ✓

February 13, 1956.

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

Mr. R.A. Kanigberg, Q.C. appeared before the Finance and Executive Committee at a meeting held on the above date in support of a brief respecting sewer assessment "Francklyn Street" requesting that special legislation be sought to refer any sewer charges against properties of J.C. and H.P. MacKeen.

A motion to approve of the request was defeated on the following vote:

FOR THE MOTION:

Aldermen Lane
Adams

AGAINST IT:

Aldermen
H. W.
Resp.
W.P. P.
CITY CLERK

Moved by Alderman Albern, seconded by Alderman Adams, that the request of the Macke be approved and the necessary legislation obtained.

His Worship the Mayor: "In my opinion the same should be allowed."

The motion was put and passed 6 yeas and 2 nays and is against it as follows:

FOR THE MOTION

Alderman O'Malley
Albern
Van Lan
DeWolf
Adams
Fox

AGAINST IT

Aldermen
W.
G.
D.
L.
M.

BORROWING ST. THOMAS AQUINAS SCHOOL \$15,000 ✓

A resolution providing for the borrowing of \$15,000.00 exceeding \$155,000.00 required for the purchase of land for addition to St. Thomas Aquinas School and building.

Moved by Alderman Lane, seconded by Alderman Adams, that the resolution be authorized as amended.

The motion was put and passed 6 yeas and 2 nays and is in favor of it as follows: Aldermen Lane, Adams, Fox, O'Malley, Albern, Wynne, Van Lan, DeWolf, G.

PURCHASE OF LAND FOR STREET PURPOSES (LAND SALE) ✓

A resolution providing for the purchase of land for street purposes to the amount of \$300.00 and the same to be sold to the highest bidder for \$300.00.

February 13, 1956.

Moved by Alderman Vaughan, seconded by Alderman Greenwood that the resolution as submitted be approved.

The City Manager stated that the resolution should be for \$5,000.00 but was advised by the City Solicitor that the Minister of Municipal Affairs would not approve of such an amount.

The motion was put and passed.

TENDERS FOR DEMOLITION MORRIS STREET SCHOOL

February 16, 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 tenders for the demolition of Morris Street School were considered.

It was agreed to recommend for approval the tender of Mr. John Gray offering to demolish the building and remove the same from the site for payment by the City of Halifax of the sum of \$8,800.00 the contract to contain a provision that the City reserves the right to terminate the contract if the work is not completed within the time specified.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

REMUNERATION MEMBERS OF COURT OF TAX APPEALS ✓

February 17, 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 considered the matter of the remuneration paid to the members of the Court of Tax Appeals six days per week.

A recommendation of the Committee of the Whole Council that the Chairman of the Court of Tax Appeals be paid at the rate of \$65.00 per day and the other members at the rate of \$50.00 per day was concurred in with Aldermen Lane and Macdonald dissenting.

Same to be effective as from February 1, 1956.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

February 23, 1956.

Alderman Dunlop: "I think there is too much difference between what is paid the Chairman and the other members of the Court. I think the difference should not be over \$10.00 a day. They are just as important as the Chairman and there should not be a difference of \$15.00."

Moved in amendment by Alderman Dunlop, seconded by Alderman Vaughan that for 1956 only the remuneration for the members of the Tax Appeal Court be: Chairman \$60.00 per day and the other members \$50.00 per day.

Alderman Macdonald: "There are two members who have vast experience in real estate and one legal man who knows all the legal phases of it. I don't think they were under any misapprehension when they took this job and they did agree to accept the proposition of the City which was \$35.00 and \$50.00. I do feel that at this time about one third of the way, it is rather late to bring up the matter of increases. In former years the Tax Appeal Court was doing just as good a job in a small way with less remuneration and I feel it should remain as it is."

Alderman Ahern: "I feel quite sure it is a very tiring job. I know Mr. Bissett has to continue on and pay his office help and I don't think the fee he draws is out of line. I do agree that the other members should not be so far behind. I have been against this re-assessment for 2 years but we have it and let us complete it."

The amendment was put and lost 5 voting for the same and 6 against it as follows:

FOR THE AMENDMENT

Alderman Vaughan
Greenwood
DeWolf
Dunlop
Fox

AGAINST IT

Alderman O'Malley
Ahern
Wyman
Lane
Macdonald
Adams

- 5 -

- 6 -

The motion was put and passed 9 voting for the same and 2 against it as follows:

February 23, 1956.

FOR THE MOTION

Alderman Ahern
Wyman
Vaughan
Greenwood
DeWolf
Dunlop
Adams
Fox
O'Malley

AGAINST IT

Alderman Lane
Macdonald

- 9 -

- 2 -

CITY CIVIL COURT ✓

February 13, 1956.

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

The attached report from His Worship the Mayor respecting
the City Civil Court was considered by the Finance and Executive
Committee at a meeting held on the above date.

Your Committee concurs in the recommendations contained in
this report.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

To: The Members of the Finance and Executive Committee.

From: His Worship the Mayor.

Date: February 13, 1956.

Subject: Re: Staff, City Civil Court.

Dear Aldermen:

Following the decision of the Finance Committee to delete
an item of \$2855.00 from the estimates of the Magistrate's Court
I made some enquiries into the work done by the Court and find
the following:

- (1) In 1955 there were 6800 criminal cases heard in the
Magistrate's Court.
- (2) I am satisfied that in order to properly deal with the
number of processes issued by the Court it is necessary
to have two Bailiffs available.

I find in 1955 that the following processes were issued by
the Court:

Writs	1700
Tax warrants	450
Executions to Levy	202
Orders for Evictions	40
Collection Act, Orders for Appearance	117

February 23, 1956.

FOR THE MOTION

AGAINST IT

Alderman Ahern
Wyman
Vaughan
Greenwood
DeWolf
Dunlop
Adams
Fox
O'Malley

Alderman Lane
Macdonald

- 9 -

- 2 -

CITY CIVIL COURT ✓

February 13, 1956.

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

The attached report from His Worship the Mayor respecting
the City Civil Court was considered by the Finance and Executive
Committee at a meeting held on the above date.

Your Committee concurs in the recommendations contained in
this report.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

To: The Members of the Finance and Executive Committee.

From: His Worship the Mayor.

Date: February 13, 1956.

Subject: Re: Staff, City Civil Court.

Dear Aldermen:

Following the decision of the Finance Committee to delete
an item of \$2855.00 from the estimates of the Magistrate's Court
I made some enquiries into the work done by the Court and find
the following:

- (1) In 1955 there were 6800 criminal cases heard in the
Magistrate's Court.
- (2) I am satisfied that in order to properly deal with the
number of processes issued by the Court it is necessary
to have two Bailiffs available.

I find in 1955 that the following processes were issued by
the Court:

Writs	1700
Tax warrants	450
Executions to Levy	202
Orders for Evictions	40
Collection Act, Orders for Appearance	117

February 27, 1936

Notice to Quit, (for the City of Halifax)	46
Demands for Possession	27
Executions to Arrest	<u>2</u>
Total number of Civil processes	2584

It was pointed out that executions to levy, evictions and tax warrants require an average of 2 to 3 calls on each case. The service of writs requires an average of more than one call.

It is estimated that to perform the amount of work, involving at least 20 calls a day on the average, two Bailiffs are necessary.

Mr. Currie pointed out that he has little time to spare, after looking after the bookkeeping, banking, interviewing persons laying informations and seeking warrants on criminal charges, preparing monthly statements for the Provincial Government respecting fines, collecting the money, issuing summonses, search warrants and informations.

The Deputy Clerk of the Court is occupied in entering judgments, preparing executions to levy, entering all certificates of judgments and discharge of judgments.

The stenographer engaged in the office is occupied in indexing the various processes as they accrue, preparing dockets, preparing affidavits of service and posting cases to the dockets, both criminal and civil, and noting up discontinuances of actions.

I would recommend that the position of Deputy Clerk be abolished, that the present Deputy Clerk be returned to Bailiff work, for which he was originally engaged. Let a Clerk (Grade, Senior Clerk) (\$1860 to \$2260) be engaged to assist the Clerk in carrying on the office work, and that the services of the Bailiff receiving the salary deleted from the estimates be terminated as of March 1, 1936. It will be necessary to provide for two months' salary for the Bailiff whose services are being terminated.

I would also recommend that the Tariff of Fees of the City Civil Court be increased:

- (1) By increasing the fee for a summons from 75¢ to \$1.00;
- (2) By increasing the fee for serving summonses, where the amount involved exceeds \$100.00 but does not exceed \$500.00 for each defendant served from \$1.00 to \$3.00.
- (3) The service fee for summonses and capias for amounts not exceeding \$100.00 will remain as at present.

Yours very truly,

L.A. KITZ
M A Y O R.

February 23, 1911.

City Solicitor: "This is a report after an investigation and the work done by the staff in the City Civil Court."

Alderman O'Malley: "When this amount of \$2,855.00 was deleted I was at a loss to understand why although certain explanations were given as to the unnecessary need for the number of bailiffs we had there. I took it upon myself to investigate the work up there and the number of processes and calls necessary to serve a summons and I am still of the opinion that it is quite necessary to have the number of bailiffs there now."

Moved by Alderman O'Malley, seconded by Alderman Ahern that the amount of \$2,855.00 be re-instated in the budget of the Magistrate's Court to maintain the present administration and that the fees be increased as recommended.

Alderman Dunlop: "Why is his services going to be terminated? We should be given a reason. We should give the man a chance to be heard. I was talking to a man who said he could not get service in the City Civil Court. There is too much work there. It looks like a left-hand way of firing a man from the job and I am against that without knowing the facts."

Alderman Ahern: "The report from Mr. Currie indicates there is a need for the bailiffs."

His Worship the Mayor: "The plan provides for 2 Bailiffs."

Alderman DeWolf: "What would be the saving?"

His Worship the Mayor: "About \$2800.00."

Alderman Dunlop: "I don't think Mr. Lynch should be fired without some charge laid against him and without having a chance to be heard."

His Worship the Mayor: "It comes under the direction of the City Solicitor and the matter was discussed with him and Mr. Currie."

Alderman Ahern: "There is no indication that they want the Court re-organized. Am I wrong on that?"

February 22, 1961.

Alderman Dunlop: "Is not this man under the City Manager? Why is there not a report from him? That is what we engaged him for."

Alderman Fox: "I think we are just 6 years behind time. When it was made I questioned it at that time. I believe the need is there today and I feel the salary should be allowed to stand."

Alderman Dunlop: "Why has not the City Manager acted?"

His Worship the Mayor: "We held a conference with the Magistrate and other parties and that is the report."

The motion was put and passed 9 voting for the same and 2 against it as follows:

FOR THE MOTION

Alderman Wyman
Vaughan
Greenwood
DeWolf
Dunlop
Adams
Fox
O'Malley
Ahern

AGAINST IT

Alderman Lane
Macdonald

- 9 -

- 2 -

MAXIMUM FAMILY INCOME BAYERS ROAD HOUSING PROJECT

Alderman Vaughan: "I think it does bring us in line with other similar projects in Canada to set the limit at \$3,600.00."

Moved by Alderman Vaughan, seconded by Alderman Ahern that the maximum family income for entrance to the Bayers Road Housing Project be increased to \$3,600.00.

Alderman Dunlop: "I would rather see it the other way. I feel that there are people in that project that it would be better for them and for the City if they were looking for their own housing and if they could I think they would be making way for people who need to get in there. It should be going the other way."

February 13, 1956.

Alderman Vaughan: "The home operation costs are very high. It would be just as high as the person making \$4,000.00 per year. We cannot ask people to move in there and face these upkeep costs. The heating bills are high in this project."

Alderman Macdonald: "I think it is helping to defeat the purpose for which subsidized housing was built in Halifax."

The motion was put and lost 5 voting for the same and 6 against it as follows:

FOR THE MOTION

Aldermen Vaughan
Greenwood
DeWolf
Fox
Ahern

- 5 -

AGAINST IT

Alderman Dunlop
Lane
Macdonald
Adams
O'Malley
Wyman

- 6 -

APPLICATION TO EXTEND NON-CONFORMING USE AT #409 OXFORD STREET ✓

Referred to the Town Planning Board for consideration and report.

APPLICATION TO REZONE #599 CONNAUGHT AVENUE ✓

Referred to the Town Planning Board for consideration and report.

HOUSING AUTHORITY APPOINTMENTS ✓

His Worship the Mayor nominated the following persons to comprise the Housing Authority of Halifax:

Mrs. Andrew Hunter
Mr. Bernard O'Leary
Mr. Colin Campbell
Mr. Arthur Anderson
Mr. Malachi Jones

Alderman Dunlop: "I would have liked to see either Mr. Black or Mr. Shaw on there."

His Worship the Mayor: "That other Committee is still engaged on a job that has not as yet been completed and I would not want to impose two jobs on one group. I intend to write to each one of the Housing Authority members and thank them for their work."

To His Worship the Mayor and Members of City Council,
and G. F. West, Commissioner of Works,
dated February 22nd, 1956.
Subject: Fenwick Street - Sewer.

PART I.

A recent inspection of 335 feet of sewer on Fenwick Street from MH#3 to Lucknow Street, which is indicated in orange on the attached plan, indicates that it must be renewed as soon as possible. As it exists today this is a 36" square sewer with flagstone on three sides and a wooden bottom. The stones on the roof or top of the sewer are settling precariously and are in danger of falling into the sewer and causing a complete collapse of the sewer and the street above.

There are two ways this situation can be remedied:

1. The sewer can be opened and a new sewer laid.
2. The sewer can be relined with 30" Armo pipe without opening the street.

The latter is the better method of approach due to the cost of relaying private drain pipes and taking precautions to prevent collapsing of the sewer from above. The estimated cost of the work is as follows:

335 feet @ \$37.00 ft.	\$12,600.00
One man hole	<u>100.00</u>
	\$12,700.00

In addition to the above work a new junction chamber is necessary at South Street near MH#4 on attached plan. This was not included in the original contract when the Freshwater Brook was relined because it was not decided, at that time, whether it would be more economical for our City Forces to do the work. Further investigation proved however that a prefabricated Armo metal junction chamber would be more feasible. The cost including installation would be \$ 2,100.00

Total cost of the above work	<u>\$15,000.00</u>
------------------------------	--------------------

Commissioner is hereby requested to complete the work as outlined above with the funds to be provided out of the balance of the total borrowing for the relining of the Freshwater Brook sewer.

Total borrowings for Freshwater Brook	\$135,000.00
Total cost of job (minor details to be completed but included in this cost)	<u>110,000.00</u>
Balance	\$ 25,000.00

The report for Fenwick Street and South Street implies that we use \$15,000.00 of this balance leaving a balance of \$10,000.00.

It is felt we may appreciate why this amount of money remains from these borrowings and that the Freshwater Brook relining job is outlined in the following paragraphs.

1955

In 1955 the Freshwater Brook sewer was inspected by members of our staff under the direction of Mr. Waller and it was found that the condition of the sewer from the Mill Street to the intersection of Smith Street, shown in green (A) on the attached plan, was in immediate need of relining. Quotations were received from the Canada Gunitite Co. and the Armco Drainage Products and it was felt that the Armco method would be the most feasible under the existing conditions of flow etc. A request was forwarded to Council for an appropriation of \$35,000.00 to cover the cost of the work with a recommendation that the sewer be relined with Armco asbestos bonded asphalt impregnated corrugated steel pipe. This request was granted and the money was provided.

During the execution of this work a green (see attached plan) was started in July and while it was in progress it was decided to inspect the sewer from a point below Smith Street to the intersection of South Street. The writer accompanied by Mr. Waller, Mr. Copp, Jr. and Mr. Brunelle made a thorough inspection of the sewer and a further recommendation was made that the entire sewer (2,800 feet) indicated on the attached plan as A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

The job anticipated under this borrowing is completed except for a small amount of relining and the total cost will not exceed \$135,000.00. This will cover relining of sewer varying in diameter from 48" to 64" and the installation of four casted metal manholes.

The cost of the manholes was approximately \$20,000.00 leaving \$90,000.00 as the cost of relining the sewer at \$48.00 per foot. The original quotations for this work

Canada Gunitite \$48.75 /ft.
Armco \$48.00 /ft.

It is interesting to note that the actual cost of the job (\$48.00) is lower than the quotation of Canada Gunitite (\$48.75) and should remove the fears, which were expressed at a special meeting of City Council on September 22nd, 1955, that the City could have saved \$12,000.00 by having the job done by the Gunitite method.

The total cost of \$20,000.00 for four manholes may seem excessive but it should be remembered that these are 12, 35, 30 and 20 ft. deep respectively. If the sewer had been relined by the alternative method these manholes would still have been necessary at the same or greater cost.

STATEMENT OF COST

ORIGINAL QUOTATIONS (FOR FIRST 400' A-GREEN)			
ARMCO	\$45.00/ft.	✓ \$1,500 INSURANCE	\$48.75/ft.
			51.00/ft.
			48.00/ft.
TOTAL COST OF JOB	1,876 ft.		
			\$135,000.00
			<u>210,000.00</u>
			\$ 25,000.00
			<u>\$ 15,000.00</u>
			\$ 10,000.00

III

At present time the 36" brick sewer running under Holy Cross Cemetery, shown in the attached plan, is under investigation and our finds to date show that this sewer is in an extremely bad condition. The roof is sagging and the mortar has disintegrated from the joints. The sewer itself is fairly shallow and could possibly be repaired from the surface but there are graves immediately above the sewer which should not be disturbed for this purpose if at all possible.

It would appear that this is another case of relining which could be economically done in the existing shaft at South Street. Mr. Waller, our Sewer Engineer, feels that additional shafts may be necessary in the cemetery proper but if such is the case every effort will be made to place these where they will cause little or no inconvenience to interested parties.

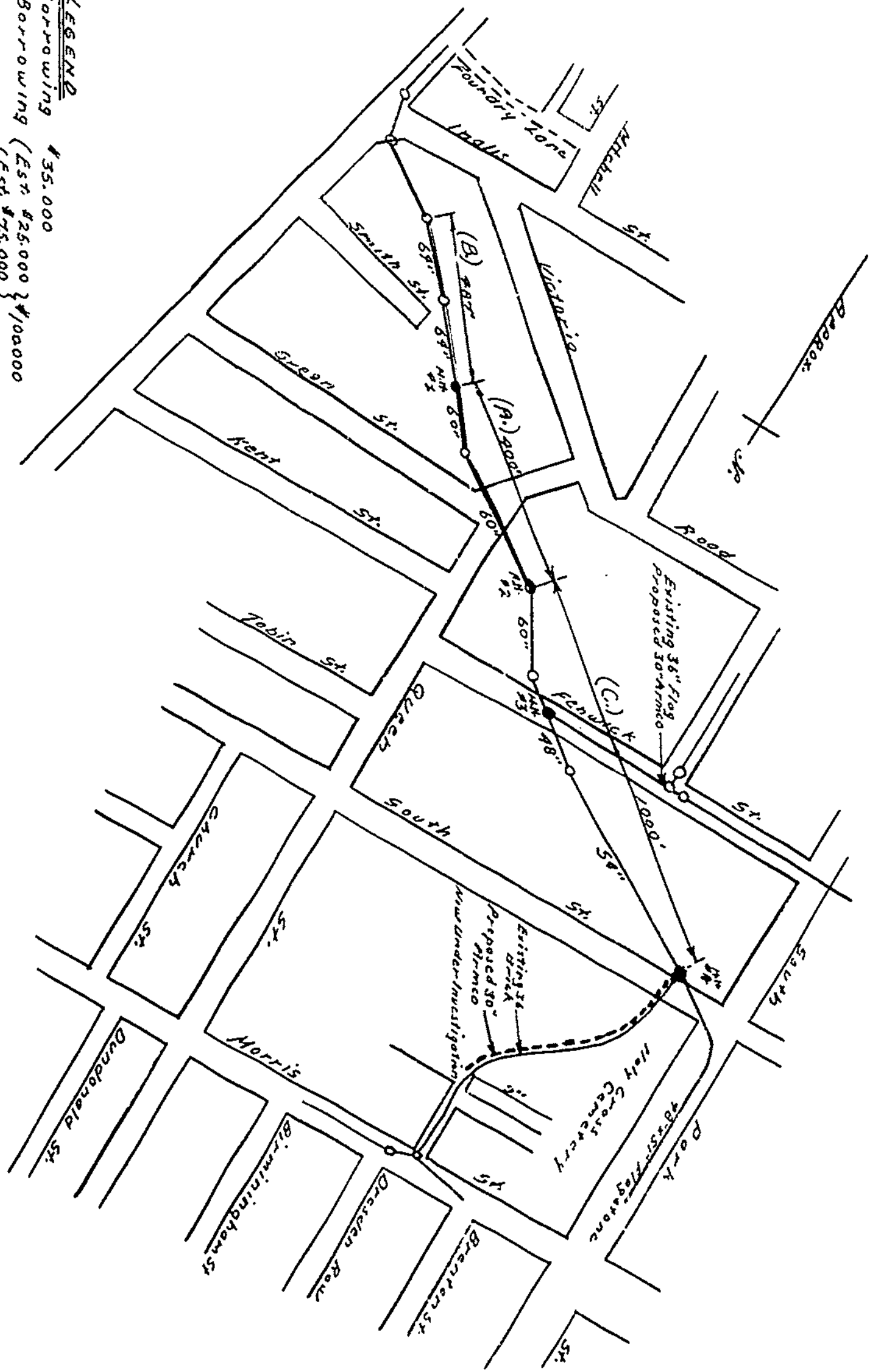
Options were given to diverting this section of sewer from (1) a point near Dresden Street to Morris Street to South Park Street and (2) through the cemetery to South Park Street parallel to the 9" sewer shown on the attached plan but in each case we found this was impossible due to grades.

Part III of this report is submitted for information purposes only and further details and estimates will be presented when our examination is completed.


G. P. WEST
Commissioner of Works

10-1-1911

- LEGEND**
- A. First Borrowing \$35,000
 - B. Second Borrowing (Est. \$25,000 } \$100,000
(Est. \$75,000 }
 - C.
- | | | |
|-------------|--------|-------|
| N.H. = 1. - | 12 ft. | Deep. |
| N.H. = 2. - | 35 ft. | " |
| N.H. = 3. - | 30 ft. | " |
| N.H. = 4. - | 20 ft. | " |
- New Work Proposed.
Work Under Investigation



February 23, 1956

Moved by Alderman Vaughn, seconded by Alderman Lane that the nominations of His Worship the Mayor be approved.

Motion passed.

Moved by Alderman Macdonald, seconded by Alderman Vaughn that His Worship the Mayor write a letter to each of the retiring members of the Housing Authority expressing appreciation to them for the work they carried out from the start of the project to the present time. Motion passed.

Alderman Vaughn: "For the abuse they took, the very least this Council can do is to extend its humble gratitude for their work."

FENWICK STREET SEWER ✓

A report was submitted from the Commissioner of Works respecting the renewing of a portion of the Fenwick Street sewer and same is attached to the original copy of these minutes.

Copies of the same were furnished the members of Council for their information.

Moved by Alderman O'Malley, seconded by Alderman Ahern that the report be approved and the sum of \$15,000.00 be provided from the capital borrowing of \$135,000.00 for this purpose.

Motion passed.

WEST END SUPPLIES LIMITED ASSESSMENT ✓

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

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

Date: February 13, 1956.

Subject: West End Supplies Ltd. Assessment.

This matter was considered several times, specifically as related to West End Supplies and generally with regard to abatement of both real estate and business taxes.

As directed by the Committee, Mr. Coffin, solicitor for West End Supplies, Mr. Yeadon, Mr. Bethune and I conferred about the matter. Considering cost of the new building built in 1955, time of starting, date of occupation, etc., it was found that because the property is of much greater value than

February 23, 1955.

the burned building the assessment would approximate the one on the old building. Because of this and Mr. Bethune's, Mr. Yeadon's and the writer's objection in principle to abatement of real estate taxes for this reason, Mr. Coffin's principal has agreed not to ask for any adjustment of real estate taxes.

The business tax was levied for \$1,452.70 and relief is not available because the application was not received within the deadline specified by the Charter in Section 365.

The valuation placed by Mr. Yeadon on the temporary building is \$7,500.00 making a business assessment of \$3,750.00 or a business tax of \$375.00.

1. It is recommended that legislation be sought to relieve West End Supplies of a business tax of \$1,077.70 (\$1,452.70 - \$375.00) for the year 1955.

2. That Section 365 Sub-sections 2 and 3 of the Charter be amended to remove the thirty day restriction for complete losses and permit the Assessor to adjust an assessment for business tax at any time within the tax year if he is satisfied as to the date and extent of loss.

If approved in principle Mr. Bethune will include a draft in his next batch of legislation.

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

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

MOTION ALDERMAN DUNLOP Re: AMENDING CITY CHARTER ✓

Moved by Alderman Dunlop, seconded by Alderman Vandeman that Section 17 of the City Charter be amended by adding to the section (a) the following words "or a member of the Legislative Assembly of Nova Scotia, The House of Commons or Senate of Canada" and to Section 18: becomes a member of the Legislative Assembly of Nova Scotia, the House of Commons or Senate of Canada.

Alderman O'Malley: "I think a man should have a perfect right whether he is a member of the Legislative Assembly or this Council to seek both offices. He is going to represent the people. I think it should be in their hands to say whether he should represent both."

Alderman Ahern: "When Ex-Mayor Donahoe was here not a word was said. It seems to me that this will be laughed out of the House. I did not hear any voices against Mr. Donahoe. This could

February 23, 1954.

shut everybody out. Don't let us send legislation down there that would make us look ridiculous." He then named several Mayors across the Dominion of Canada who had served and are now serving in a dual capacity.

Alderman Dunlop: "The way it is now I think makes us look ridiculous. The time to bring this up is not when the situation is arising. I brought it up by Notice of Motion and then the Mayor told me if he had any length of time to serve he would have resigned. He did not have the time to do full justice to both jobs. If we want to keep this Council non-partisan we want to keep it so that nobody is a member of the House. I think it is a matter in the interests of the City. We don't always see eye to eye with the Province."

9:15 P.M. The Deputy Mayor assumes the Chair while His Worship the Mayor addresses the Council from the floor: "I don't think you can successfully serve two masters. You only have to know the business of this House how there is conflict between our wishes and what might be Government policy. We find ourselves looking for relief from hospital expenses. Suppose you were a member of this House and a member of the other House, you might want to vote for a decrease in hospital costs and ask for assistance in revenue collected from the highways. There are exceptions to this. Alderman Ahern has cited a number of examples. I have talked with them and they admit too that the question arises where there is a conflict they must abstain from voting. I think it is a sound rule and I think it is a proper time to have brought it up some 6 months ago. I hope this House will see fit to pass it."

Alderman Ahern: "I think Alderman Dunlop is way off in insinuating that anybody would be disloyal to this Council. I have not said I am going to seek any public office. I don't know your personal feelings about Halifax Centre. I would not ask you."

His Worship the Mayor: "I would not answer that."

Alderman Allen: "All the offices should be open to the public."

Alderman Lane: "I was glad to hear Your Worship speak as you did and say that a man or a woman cannot serve two masters. I think those of us who have served as Aldermen of the City will agree that our time is all taken up."

9:20 P.M. His Worship the Mayor resumes the Chair.

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

FOR THE MOTION

- Alderman Greenwood
- DeWolf
- Dunlop
- Lane
- Macdonald
- Adams
- Wyman
- Vandian

AGAINST IT

- Alderman Fox
- O'Malley
- Allen

- 8 -

- 3 -

SECTION 2-8-1 CLAUSE "F" MOTOR VEHICLE ACT TAXIS

This item was withdrawn from the agenda in accordance with an amendment to Ordinance #13 which passed Council at its regular meeting.

IMPROVEMENTS HYDROSTONE AREA

Moved by Alderman Vandian, seconded by Alderman Allen that the improvement charges against the land owners in the Hydrostone area be written off.

Alderman Vandian read an extract of the City Council Minutes dated August 1, 1913 which included a letter from Mr. W.E. T. ... advising that if the City undertook certain work costing up to \$60,000.00 the Relief Commission would contribute up to the sum of \$20,000.00. He felt that the charges should be levied against general taxation and that the sidewalks were less than normal width.

February 23, 1956.

Mr. West: "I have the minutes of 1947 and they outline that certain work would be done. The Relief Commission paid that money so they must have been satisfied that the work was done. The slabs of concrete in 1947 are not the same as today. The Commission did request that Stanley Place be regraded and renewed where necessary. I was directly on this job. The people were not charged for that work. This \$100.00 they were assessed was 25% of the cost as provided by the City Charter. I feel that we were sticking to the letter of this agreement and there is a lot of work suggested by the Relief Commission that has yet to be carried out. We tried to give the Council the complete picture. We feel all the facts are there."

Alderman Vaughan: "The Commission was under no obligation to pay anything at all. This concrete work was not done until 1951 and the bills were not sent out until 1955. In the meantime these properties have changed hands."

City Manager: "We did \$122,000.00 worth of work and all the Relief Commission gave was \$25,000.00. The other amount is outside of that agreement."

Alderman Vaughan: "People feel they should not be charged for work done in that manner."

Alderman Dunlop: "Are there any other charges of a similar nature in any other section of the City? If we relieve one section we should relieve the whole thing."

Alderman Fox: "I asked for information in connection with North Barrington Street. The abutters pay 25%. I am not in favor of one section to pay and the other part to be free."

9:30 P.M. Alderman Hatfield arrives.

Mr. West: "There was one block renewed on Barrington Street and the people were not charged."

Alderman DeWolf: "Who owned these houses in 1951?"

Mr. West: "They were being purchased by the people."

February 23, 1956.

Alderman DeWolf: "If the Relief Commission sold these houses without a lien against them those purchasers are entitled to some consideration. Surely it is not too much to ask them if they will pay. Dear knows they have enough money. In fairness to those people if they were sold properties and these improvements were done, they took it for granted that someone else had paid."

Moved in amendment by Alderman DeWolf, seconded by Alderman Hatfield that the Relief Commission be written to, to ascertain if they will pay the charges. Amendment passed.

ESTIMATES 1956 ✓

Estimates amounting to \$10,930,648.92 for the civic year 1956 were submitted on the recommendation of the Finance and Executive Committee.

Alderman Dunlop: "There was an item decreased in the Library Estimates for Conventions to \$500.00. I submit it should be left at \$900.00. There is the Convention of the Library Association of Canada and we generally send two of the Library staff and one or two of the Board."

Moved by Alderman Dunlop, seconded by Alderman Alton that the Convention Appropriation be increased to \$900.00.

The City Manager felt that \$900.00 was too much to be allocated to one Board while only \$3,000.00 was provided for the whole City.

Alderman Dunlop: "There are members on the Board who give good service without remuneration. It will only provide for the paid members of the staff."

The motion was put and passed

SCHOOL BOARD MAINTENANCE ✓

Alderman Vaughan: "I have gone over the expenditures with the Supervisor of the Board. There is only \$44,000.00 for materials and the rest is for the salaries of the staff."

February 23, 1956.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the School Board Estimates be approved. Motion passed.

MAYOR'S CONVENTION ✓

His Worship the Mayor: "Last year I went to a convention and I found it very worthwhile."

Alderman O'Malley: "There is nothing in the budget."

His Worship the Mayor: "It would come out of the Mayor's Fund."

Alderman O'Malley: "I think something should be in there for some of the members of the Council."

His Worship the Mayor: "That could come from 316 'C'."

Moved by Alderman Dunlop, seconded by Alderman O'Malley that the sum of \$1,000.00 be included in the estimates for members of the City Council to attend the Mayor's Convention. Motion passed.

OCCUPANCY TAX FOR RENTED OFFICES ✓

Alderman DeWolf: "Has there been any discussion in the Finance and Executive Committee with respect to rented offices in office buildings with respect to occupancy tax. It looks to me that firms like Insurance Companies and financial institutions are going to pay just half as much as last year. Am I wrong in that?"

His Worship the Mayor: "The point has substance. While you would anticipate that you would get at least 50% on the total of the value of the commercial real estate by way of occupancy tax, it was something of about 40% on a rent capitalization basis. The ratio is close to 50%."

Alderman DeWolf: "If it was 40% last year it should be 30% this year on the same basis so that the owner and single occupants are paying that much more. Can we move legislation for next year? The people who are well able to pay are going to pay just one half of what they did last year. I think it should be uniform. We are getting away from the equitable tax basis further than we were."

February 23, 1956.

Alderman Vaughan: "Does not the point raised by Alderman DeWolf bring up the question of taxing on the basis of value in use?"

His Worship the Mayor: "No I don't think so."

Alderman Vaughan: "A man who is renting rented property is being assessed on a basis of value in use. In Halifax, England they assess exactly that way."

FUNDS FOR JOB EVALUATION ✓

City Manager: "The Job Evaluation Committee is recommending that \$65,000.00 be included in the budget to provide for a partial implementation of the recommendations in the report. Everybody would move to the next higher salary in the Griffenhagen scale."

Moved by Alderman Hatfield, seconded by Alderman Dunlop that the sum of \$65,000.00 be placed in the estimates for 1956 for this purpose.

His Worship the Mayor: "Do I understand that by providing these funds you are making it available if increases will have to be voted on by this Council?"

City Manager: "That is right."

Alderman Vaughan: "Suppose we agree that the persons go to the same step as they are now in?"

City Manager: "You would need \$120,000.00. The Committee voted against that."

Alderman Vaughan: "I don't go along with it."

The motion was then put and passed.

SHORTER WORK WEEK FIRE DEPARTMENT ✓

A letter was submitted from the International Association of Fire Fighters requesting the implementation of a 56 hour week.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the request be referred to the Safety Committee for consideration.

Motion passed.

February 23, 1956.

INCREASE IN WAGES CITY FIELD WORKERS ASSOCIATION ✓

A letter was submitted from the City Field Workers Association requesting an increase of 20 cents per hour.

Moved by Alderman Hatfield, seconded by Alderman Lane that the matter be referred to the City Manager as the City's Bargaining Agent. Motion passed.

PORT OF HALIFAX COMMISSION BUSINESS PROMOTION ✓

The City Manager read a letter from the Port of Halifax Commission requesting an additional sum of \$1,300.00 in their estimates required for the purpose of Business Promotion.

Moved by Alderman DeWolf, seconded by Alderman Vaughan that the request be granted and the additional amount of \$1,300.00 be placed in the estimates. Motion passed.

INCREASE IN COLLECTION OF POLL TAXES ✓

Alderman Hatfield suggested that the amount of \$90,000.00 shown for Poll Tax revenue be increased to \$110,000.00 but was advised by the Commissioner of Finance that the amount of \$110,000.00 included arrears as well as current and that went into the Current Surplus.

PAYMENT OF TAXES BY C.B.C. ON NEW BUILDING ✓

Alderman Vaughan asked about the C.B.C. paying taxes on their new building and that something should be shown in the estimates of income to cover that.

The Commissioner of Finance advised that the C.B.C. Officials had said that the City would not receive any taxes from them this year.

Alderman Vaughan: "That is against the agreement they made with us when they purchased the land."

Mr. Thomson: "We placed an unfinished valuation on it. Mr. Briggs said he was forwarding the matter to Ottawa and they would take it up in due course. He said grants were made to municipalities for buildings placed there."

February 23, 1956.

His Worship the Mayor: "I will take it upon myself awaiting a reply."

RATE SETTING ✓

Alderman O'Malley: "Could I have the City Solicitor read the Section of the Charter under which the Council may set the rate setting purposes?"

The City Solicitor then read Section 409 as well as Subsection 2 for the information of the members of the Council.

Alderman O'Malley: "These valuations are arrived at how?"

City Solicitor: "From the Assessor."

Alderman O'Malley: "The figures we are dealing with tonight are not the Assessor's figures. I would like an unequivocal answer can this Council set rates on figures other than the Assessor's figures?"

City Solicitor: "Legally you can't but you will submit legislation this year ratifying what you have done."

Alderman O'Malley: "Whereas the .5% overall reduction will have no effect on the tax dollars to be paid, why should this Council deal with figures other than the Assessor's?"

His Worship the Mayor: "We feel the Legislature is adverse to the type of legislation we require."

Alderman O'Malley: "I think this 15% should be applicable to 1957."

His Worship the Mayor: "The Council has already decided that stand. I think the answer is that we will vote on an assessment which will be out a percentage and we will ask the Legislature to ratify it. If it does not we will be in a very strange position. I do not have any doubt in my mind at all that we will get the legislation."

Alderman DeWolf: "Will the tax bills be out for 1956 less and the bill adopted. I suggest it would be proper to carry out \$10,000.00 less 15%. You would only be paying on Council figures."

February 23, 1956.

City Solicitor: "The legislation supercedes the Assessor."

City Manager: "If the assessment is \$8,500.00 that is what the bill should show."

City Solicitor: "The Bill was debated in the House and there seemed to be, I am informed, that the feeling of the members of the House and that the House should not be asked to take the responsibility that the 15% be knocked off. They would rather have the Council by resolution fix the percentage. I would like to have the authority of the Council to say that if that is the feeling of the House that we allow the Council to fix the percentage."

Alderman Vaughan: "We better adjourn until Tuesday in order to do it legally."

His Worship the Mayor: "If it were turned down we would convene on Tuesday and deal with the situation."

City Solicitor: "I doubt if the Bill will get the approval of the Lt. Governor for about 3 weeks."

Alderman Dunlop: "I think it is most important that we set the rate tonight. It will have a great effect on the courts before the Court. People will know whether to go ahead or not. I think we should set both rates tonight. There is another point that should be decided and that is discount on taxes. The 2% discount has a bearing on the situation. I think that should be abolished. I can see no good reason for giving a discount on taxes. It does not help the small man who is not able to pay in cash. He does not get the benefit of it."

Moved by Alderman Dunlop, seconded by Alderman Green: "That legislation be obtained at the present session of the Legislature to abolish the discount on taxes."

Alderman O'Malley: "Our only safe legal position would be to vote on our current assessments. Apart from the 1% we are not legally voting on the sworn tax rolls. The Tax Appeal Court has not completed its findings."

February 23, 1956.

His Worship the Mayor: "The fact that the Court has not finished its sittings has no bearing."

Alderman O'Malley: "Where the Tax Appeal Court had not earlier in former years, what do you think of rating on the 1956 assessments?"

His Worship the Mayor: "I don't think you can do it."

City Solicitor: "You will have legislation setting the base on which the tax rates have been struck. That legislation will confirm the residential tax rate and business tax rate as fixed."

Alderman Hatfield: "How will it affect our borrowing of money to carry on the City's business in the meantime? What percent do you pay the bank?"

City Manger: "It won't affect our borrowing. People come in May and we have the use of that money. If there is no discount the money will still come in. We will not stop the issuance of the tax certificates."

Alderman O'Malley: "Alderman Dunlop makes little of the discount. A good many firms are anxious to take advantage of the discount if they have a high bill. It is very important. It is important to me. I was very much against this when it was brought up last year."

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

FOR THE MOTION

Alderman Greenwood
Dunlop
Lane
Macdonald
Adams
Fox
Wyman
Hatfield

AGAINST IT

Alderman DeWolf
O'Malley
Ahern
Vaughan

- 8 -

- 4 -

SCHOOL REBATE OF \$2,000.00 ✓

Moved by Alderman Hatfield, seconded by Alderman Vaughan that a School Rebate of \$2,000.00 be added to the estimates.

Motion passed.

February 23, 1954.

INTEREST ON TAXES ✓

His Worship the Mayor: "What about the interest? It is charged from September 1st."

Aldermen Dunlop: "The interest should start June 1st."

Moved by Alderman Dunlop, seconded by Alderman Greenwood that interest on unpaid taxes start June 1st.

The motion was put and lost 5 voting for the same and 7 against it as follows:

FOR THE MOTION

Alderman Dunlop
Macdonald
Wyman
Hatfield
Greenwood

- 5 -

AGAINST IT

Alderman DeWolf
Lane
Adams
Fox
O'Malley
Ahern
Vaughan

- 7 -

Mr. Romkey: "We will have to borrow money to carry on the City's operation until the money comes in."

Moved by Alderman Hatfield, seconded by Alderman Dunlop that interest on unpaid taxes start July 1st.

The motion was put and passed 7 voting for the same and 5 against it as follows:

FOR THE MOTION

Alderman Dunlop
Lane
Macdonald
Wyman
Hatfield
Greenwood
DeWolf

- 7 -

AGAINST IT

Alderman Adams
Fox
O'Malley
Ahern
Vaughan

- 5 -

TAX RATES ✓

Alderman Lane: "What is the total amount in the Current Surplus?"

His Worship the Mayor: "We have an amount of \$1,183,000.00. We have from previous years \$483,000.00; unexpended balances \$7,200.00; Government of Canada \$468,000.00; Miscellaneous Revenue

February 23, 1946.

\$224,000.00. This is the time to be liberal when you look to the Current Surplus. A good bit of it comes from the Federal money received in the year just gone. In the computation the City Manager has made he has erred on the side of conservatism. I anticipate that you will not get the large reductions in the Tax Appeal Court. I would like to see about \$900,000.00 taken from the Current Surplus."

Alderman Lane: "I suggest that that amount of compensation to this City for the years where the tax burden has fallen very lightly on Federal Government property. those dollars should be spent on the tax payers who have borne the burden long enough."

10:25 P.M. Council adjourned to meet as a Committee of the Whole.

11:10 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, Hatfield and Greenwood.

REPORT COMMITTEE WHOLE COUNCIL Re: TAX RATES & CURRENT TAXES ✓

Moved by Alderman Vaughan, seconded by Alderman O'Malley that the report of the Committee of the Whole Council be approved viz: that the residential Tax rate be set at \$1.40 per \$100.00 of assessment and that the Commissioner of Finance be authorized to withdraw from the Current Surplus Account a sufficient sum to produce a Business Tax rate of \$4.75 and that the necessary legislation be obtained.

Alderman Dunlop: "We should recommend that legislation be sought to fix these rates as the assessments are in a state of flux. The Commissioner of Finance needs a figure but he has not got it."

City Solicitor: "The Legislature should ratify that rate."

City Manager: "If we were short on assessments we would take it from surplus."

February 23, 1956.

The motion was put and passed 11 voting for the same and 1 against it as follows:

FOR THE MOTION

Alderman Lane
Macdonald
Adams
Fox
O'Malley
Wyman
Vaughan
Hatfield
Greenwood
DeWolf
Dunlop

AGAINST IT

Alderman Ahern

- 11 -

- 1 -

FIRE PROTECTION RATE ✓

To: His Worship the Mayor, Chairman and Members of City Council.
From: G.F. West, Commissioner of Works.
Date: Feb. 22nd., 1956.
Subject: Fire Protection Rate.

Based on the amount as calculated by the Public Service Commission for Fire Protection, and on the valuation of properties assessable for this taxation, I would recommend that the rate be Ten Cents (\$0.10) per One Hundred Dollars (\$100.00) of valuation for the year 1956.

Respectfully submitted,

G.F. West,
Commissioner of Works.

Moved by Alderman O'Malley, seconded by Alderman Dunlop that the report be approved. Motion passed.

ABATTOIR ✓

Alderman DeWolf: "We held a meeting with the Finance and Executive Committee this evening and the group wanted the City to give them 5 acres for the sum of \$15,000.00. The Committee decided the matter should be deferred until we got further information from the administrative staff. It was decided to ask the Council what it felt about a price for the 5 acres on the shore. Barrington Street is proposed to go on the outside of this plant and it would cost \$8,000.00."

February 23, 1956.

Alderman Hatfield: "We should require payment in a future year."

City Manager: "We would have to provide sewer at \$10,000.00."

Alderman DeWolf: "It was suggested that the City pay the cost of \$18,000.00."

Alderman Dunlop: "What the land is put to is the most important thing. The building is \$350,000.00 and it is a big item. I think it should go back to the Committee."

Moved by Alderman DeWolf, seconded by Alderman Dunlop that the matter be referred back to the Committee for further consideration. Motion passed.

ADDITION TO LORD NELSON HOTEL ✓

Mr. Ian MacKeigan summarized the proposal to build an addition onto the Lord Nelson Hotel and that the taxes be set at \$50,000.00 for a period of 10 years on the whole structure.

Alderman Ahern: "I feel the Council should go along with the owner of this hotel and grant the request."

Moved by Alderman Ahern, seconded by Alderman O'Malley that the plan be accepted by the City Council.

Alderman Hatfield: "We are granting them \$16,000.00 plus the value of what they will be taxed for the next year. It is a good business project for him. It will benefit the City to some extent there is no doubt about it. It is \$90,000.00 for 10 years which is \$900,000.00."

His Worship the Mayor to Mr. MacKeigan: "I am afraid you won't get in the minds of this Council when you want us to strike off what you are presently paying. If you would ask for tax exemption for the new part you would get more favourable action."

Alderman Dunlop: "It is a bold thing to come to this Council and say if we don't pay any taxes we will build a new building. If it was \$100,000.00 I might consider it."

February 23, 1916.

His Worship the Mayor: "The C.N.R. are seriously considering enlarging the Scotian. They did not say when."

Moved in amendment by Alderman Wyman, seconded by Alderman Ahern that the City offer the Lord Nelson Hotel Company a proposition that the City fix the tax on the complete building at an amount set by the Tax Appeal Board and in any event not less than \$50,000.00 for ten years on the entire plant.

Alderman Lane: "In the Hotel there will be certain business premises that will pay taxes."

Alderman Ahern withdraws his motion with the consent of his seconder. Alderman Wyman's amendment then became the motion.

Moved in amendment by Alderman Dunlop, seconded by Alderman Macdonald that the amount of taxes to be paid be set at \$75,000.00.

Alderman Wyman: "I do feel that we were not justified in giving a reduction on the present building and my motion is an exemption on anything they add to it."

Alderman Dunlop: "That might mean that the Company might get \$40,000.00."

The amendment was put and resulted in a tie vote 6 voting for the same and 6 against it as follows:

FOR THE AMENDMENT

Alderman Macdonald
Adams
Fox
DeWolf
Dunlop
Lane

- 6 -

AGAINST IT

Alderman O'Malley
Ahern
Wyman
Vaughan
Hatfield
Greenwood

- 6 -

His Worship the Mayor voted against the amendment and declared it lost.

The motion was then put and resulted in a tie vote 6 voting for the same and 6 against it as follows:

FOR THE MOTION

Alderman Fox
O'Malley
Ahern
Wyman
Hatfield
Greenwood

- 6 -

AGAINST IT

Alderman Adams
Vaughan
DeWolf
Dunlop
Lane
Macdonald

- 6 -

February 23, 1911.

His Worship the Mayor voted in favor of the motion and declared it passed but advised that as this matter was not on the agenda for this meeting it could not be finalized at this time.

NOTICE OF MOTION ALDERMAN O'MALLEY ✓

Alderman O'Malley gave notice that at the next regular meeting of the City Council he would move that an overhead bridge be constructed at the intersection of Quinpool Road and Windsor Street for pedestrian traffic.

CONDITIONS OF STREETS ✓

Alderman O'Malley referred to the condition of the streets in that they were rough due to ice cakes and that no action had been taken since he brought up this matter at the last meeting. "Who is responsible in the City employ for the proper removal of the snow from our streets? Is it the Commissioner of Works or does he take certain directions on a monetary angle from the City Manager?"

City Manager: "I am the one that is ultimately responsible for the removal of the snow. The work is carried out by the Commissioner of Works. It is not true that nothing has been done about snow since the last meeting. Snow has been salted and respread on the streets. We can't possibly haul snow from many streets with a budget from \$60,000.00 to \$80,000.00. It has been wet heavy snow. It gets packed and our plows can't lift it."

Alderman O'Malley: "We had a labor force out in other years. I got more calls on the snow situation this time than we had the last 4 years. I say this is an emergency."

Alderman Vaughan: "Is it not the policy of this Council what will be done?"

His Worship the Mayor: "I suggested to Mr. West he give us a breakdown of his routine, would you make it for the next meeting. Mr Deputy Mayor do you vote the necessary funds? Of course you do. It might be one quarter of a million dollars but it comes from you."

February 23, 1938.

Alderman O'Malley: "The administrative work should be carried out before we bring it to their attention."

His Worship the Mayor: "If you want to increase the budget that might be the proper course to follow".

Alderman Dunlop: "We cut off \$20,000.00."

His Worship the Mayor: "It is you sir."

NOTICE OF MOTION ALDERMAN AHERN ✓

Alderman Ahern gave notice that at the next regular meeting of the City Council he would move that the amount provided in the current budget for snow removal be doubled.

Alderman Fox asked if anything is provided for sidewalk snow plowing and was advised in the negative.

Alderman Vaughan asked the Commissioner of Works if he would consider other methods of clearing snow and report back to Council.

Alderman Dunlop: "I would like to say a few words with respect to the removal of snow with the budget they have. They did a good job. We can spend all the money the citizens want us to. I don't think anyone is suffering from it."

Alderman O'Malley: "The administrative department did not come before this Council to do something about the situation that prevailed the last 3 weeks."

REGISTRY OF DEEDS - LAW COURTS BUILDING ✓

Alderman Hatfield: "It is about time something was done about the Registry of Deeds quarters. It is not big enough. In 5 years time no person will be able to get into the place. I would suggest we are 60% responsible and I think we should take some action for improvement."

His Worship the Mayor stated he would write a letter to the Attorney General's Department asking what steps could be taken.

February 13, 1956.

SALE OF GASOLINE BY RETAIL ON A 24 HOUR BASIS ✓

His Worship the Mayor read a letter from Mr. D.W. MacGregor of the Nova Scotia Retail Gasoline Dealers Association advising that a motion was passed at its meeting to permit the dealer now on a 24 hour service for towing and parking be permitted to sell gasoline after 9 P.M. on the winter schedule and after 10 P.M. on the summer schedule to anyone requiring same and the matter was presented to the Public Utilities Board on February 15, 1956.

FILED

TAX EXEMPTION LOTS 3, 4, 5 and 6 NORMANDY DRIVE ✓

February 16, 1956.

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

A request from the Roman Catholic Episcopal Corporation of Halifax for tax exemption on Lots 3, 4, 5 and 6 Normandy Drive was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that the request be granted and the necessary legislation obtained.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman O'Malley that the report be approved. Motion passed.

LEGISLATION ITEM #55-BUILDING VALUES RESIDENTIAL DISTRICTS ✓

As the report from the Committee on Works and the Legislation drafted by the City Solicitor differed with respect to the amount pertaining to building values in the Young Avenue area, the City Solicitor requested instruction in this respect to the wishes of the City Council.

It was agreed that the legislation for \$2,000.00 be approved.

FINANCIAL STATEMENT FORUM COMMISSION ✓

The Financial Statement covering the operations of the Forum Commission for the year ended December 31, 1955 was submitted and

Salting streets (labor)	\$3,469.54
" " (salt)	6,727.68
Sanding " and filling sand boxes	300.51
Plowing snow	1,735.57
Clearing City property, catchpits & crosswalks	1,315.18
Repairs to snow fence	10.40
" boulevards	48.00
Making sand boxes	113.43
Miscellaneous	30.44
	<hr/>
	\$13,750.75

6. Claims

Tree on Edgewood Avenue \$5.00

7. Prefab Housing

Houses completely paid 307
 Current accounts 505
 Original number of houses 812

Mortgages Receivable 12/31/55	\$1,194,454.66
" " 1/31/56	<u>1,174,480.37</u>
" paid during month	19,974.29

Owing City General Funds	\$500,000.00
Bank - credit balance	<u>9,147.45</u>
Total Borrowing	490,852.55
Last month's borrowing	503,658.72
Borrowings paid off during month	12,806.17
88 accounts two or more months in arrears	9,598.40

8. Emergency Shelters

Harold Faulkner, Apt. 4, 1460 Barrington St. - new caretaker
 Wilfred Bishop Apt. 20, 1446 " " 2 room apt.

9. Armdale Rotary

Due to several weeks of rainy weather, very little work was done in January. Until January 21 little was done except to maintain roadways in a passable condition.

Excavation of the 8 x 6 culvert was resumed January 24 and 75 feet of concrete footing was poured by the end of the month.

An 8 inch water main of the Public Service Commission is being relocated and water flow in a 6 x 4 culvert was diverted to permit continuation of the work.

To January 31, 1956 \$90,613.38 has been expended and approved by the Province less a 10% retainer.

A. A. DeBard
 City Manager.

Administrative Reports

February 23, 1956.

copies furnished the members of Council for their information.
FILED.

CHANGE IN TROLLEY COACH STOPS ✓

A report was submitted from the City Solicitor respecting changes in trolley coach stops on Chebucto and Coburg Roads.
FILED.

REPORT PREFABRICATED HOUSES

A report was submitted from the Accountant for the month of January as follows:

Paid-Outs 307
Current Accounts 505
Bank Account Balance January 31/56 - Cr. \$9,147.45
Borrowing Balance \$490,852.55
Mortgages Receivable \$1,174,480.37
Arrears 2 months or more \$10,513.38

FILED

COAL CITY HOME ✓

Alderman O'Malley asked the following concerning the coal at the City Home: (1) What was the consumption of coal from 1950 on and (2) How much replacement was there of retorts and grates.

Moved by Alderman Vaughan, seconded by Alderman O'Malley that this meeting do now adjourn. Motion passed.

Meeting adjourned 12 o'clock midnight.

LIST OF HEADLINES

Resolution Re; Grants	118
Payment of Claim for Damages to Street Sewer \$1,127.92	119
Assessment Mr. James C. Powell	119
Assessment International Christian Mission	120
Pension Mrs. Earl C. Fox	120
Grant to Mrs. Charles Fulton	121
Grants to Widows Members of Police and Fire Departments	121
Widows Whose Husbands Died Prior to January 1, 1951.	122
Sewer Assessment Francklyn Street	122
Purchase of Land for Street Purposes (Land Sale Account) \$800.00	123
Tenders for Demolition Morris Street School	124
Remuneration Members of Court of Tax Appeals	124
City Civil Court	126
Maximum Family Income Bayers Road Housing Project	129
Application to Extend Non-Conforming Use at #409 Oxford Street	130
Application to Rezone #559 Connaught Avenue	130
Housing Authority Appointments	130
Fenwick Street Sewer	131

February 23, 1956.

West End Supplies Limited Assessment	131
Motion Aldermen Dunlop Re: Amending City Charter	132
Section 248-1 Clause "F" Motor Vehicle Act - Taxis	134
Improvements Hydrostone Area	134
Estimates 1956	136
School Board Maintenance	136
Mayor's Convention	137
Occupancy Tax for Rented Offices	137
Funds for Job Evaluation	138
Shorter Work Week Fire Department	138
Increase in Wages City Field Workers Association	139
Port of Halifax Commission Business Promotion	139
Increase in Collection of Poll Taxes	139
Payment of Taxes by C.B.C. on New Building	139
Rate Setting	140
School Rebate of \$2,000.00	142
Interest on Taxes	143
Tax Rates	143
Report Committee Whole Council Re: Tax Rates & Current Taxes	144
Fire Protection Rate	145
Abattoir	145
Addition to Lord Nelson Hotel	146
Notice of Motion Alderman O'Malley	148
Conditions of Streets	148
Notice of Motion Alderman Ahern	149
Registry of Deeds - Law Courts Building	149
Sale of Gasoline by Retail on a 24 Hour Basis	150
Tax Exemption Lots 3,4,5 and 6 Normandy Drive	150
Legislation Item #55 - Building Values Residential Districts	150
Financial Statement Forum Commission	150
Change in Trolley Coach Stops	151
Report Prefabricated Houses	151
Coal City Home	151

L.A. Kitz,
MAYOR AND CHAIRMAN.

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