

CITY COUNCIL MEETING  
THURSDAY JULY 12, 1956

A G E N D A

Prayer.  
Minutes.

1. Emergency Shelter - 40 Hour Week July 1, 1956.
2. Fire Station - Bayers Road.
3. Agreement C.M. & H.C. Re: Housing Survey.
4. Sale City Prison Horses & Harness.
5. Accounts over \$500.00.
6. Tax Exemption St. Joseph's Church Playground.
7. Garson Property - North Street.
8. Proposed Subdivision S/W Corner City Prison Property.
9. Street Names:
  - A. Mutual Realty Co. Subdivision, Jubilee Road.
  - B. Portion of Bridges Street.
10. Ferry License Oakland Road.
11. Assessor's Department - Equipment - \$2,000.00 - 316 "C" C.C.
12. Halifax Memorial Library Board - Salaries.
13. Lease of Land Adjacent to Sir. John S.D. Thompson School.
14. Streets for Paving.
15. Widows Allowances - Mrs. Vera F. Crosby - \$536.66, Mrs. Bridget E. Power - \$714.28  
Mrs. Catherine Golden - \$267.84 and Mrs. Lydia Stevenson - \$424.33
16. Retirement Dr. H.C. McFatrige - \$1,467.13 & Chas. Brigley - \$360.82.
17. Resubdivisions:
  - A. Pinewood Acres.  
Lots 24 & 25 Dutch Village Road  
Lots 1 & 2 " " "  
Lots 6, 7 & 8 Morningside Drive
  - B. F.J. Cosgrove, Mayfield Avenue.
18. Undersized Lots:
  - A. Stairs Street
  - B. Kline Street
19. Street Lighting Memorial Drive.
20. Parking Lot Bell Road & Sackville Street
21. Final Certificate - Fundy Construction Co. - \$3,604.87.
22. Tenders Street Lighting and Traffic Lights.
23. Borrowing Resolution \$200,000.00 Street Paving.
24. Chairman Court of Tax Appeals.
25. Veto by Deputy Mayor Re: Resolution Job Evaluation.
26. Convention Union of Nova Scotia Municipalities.
27. Payment to County Re: Metropolitan Commission \$10,000.00
28. Rezoning:
  - A. Chebucto Road & North Street - withdrawn by applicant.
  - B. Young & Oxford Streets.
  - C. Quinpool Road, Oxford Street, Bayers Road, etc.
29. Report City Solicitor Re: Tenders for lot of Land Lloyd Fox Avenue
30. Confirmatory Deed Lot "Q" Geo. Dauphinee Avenue.
31. Acquisition of Land for Street Widening.
32. Report Special Committee Re: Council-Manager Form of Government.
33. Master Wireman's Licenses
34. Alteration S/W Corner Robie and High Streets.
35. Application for Beauty Parlor - 99 Howe Avenue
36. Questions.

DEFERRED ITEMS

1. Motion Alderman Ahern Re: Board of Assessors.
2. Branch Library.
3. Amendment to Ordinance #2

ITEMS FOR INFORMATION ONLY

City Manager's Administrative Report for month of June  
Tax Collections for month of June  
Poll Tax Collections for Quarter ending June 30.  
Report Prefab Houses.  
Changes in Trolley Coach Stops.  
Letter Halifax Colored Citizens Improvement League Re: Tag Day.

EVENING SESSION

Council Chamber,  
City Hall,  
Halifax, N.S.,  
July 12, 1956,  
8:00 P.M.

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

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

There were present His Worship the Mayor Chairman; Aldermen Abbott, Dunlop, Lane, Macdonald, Fox, Ferguson, Ahern, Wyman, Vaughan, O'Brien and Greenwood.

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

PASSING MRS. FRANK ADAMS ✓

His Worship the Mayor advised that Mrs. Frank Adams had passed away and that he would write a letter to Alderman Adams expressing sympathy of the Council for the loss he had sustained.

Alderman Vaughan: "We might pay tribute to the services rendered by Mrs. Adams to the City. No Alderman can do a good job without the wholehearted support of his spouse. Alderman Adams with over 30 years service to the City could not have carried on without the support of Mrs. Adams."

CERTIFICATES FOR BLOOD DONATIONS ✓

Mr. Hugh Mills addressed the Council and stated that the Blood Donor Committee wished to have certificates presented to those persons who had given 20 or more donations of blood. He then introduced Mr. Jack Haylock, Chairman of the Committee who called out the names while His Worship the Mayor made the presentations.

MINUTES

Moved by Alderman Greenwood, seconded by Alderman O'Brien that the minutes of the previous meetings be approved. Motion passed.

July 12, 1956.

EMERGENCY SHELTER - 40 HOUR WEEK JULY 1/56 ✓

July 5, 1956.

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

The matter of a request from the Emergency Shelter Union for a 40 hour week with the same take home pay 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 effective as from July 1, 1956.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

The City Manager advised that the funds required for this purpose would come from the rents received.

8:15 P.M. Alderman O'Malley arrives.

FIRE STATION BAYERS ROAD ✓

July 12, 1956.

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

At a meeting of the Safety Committee held on the above date the attached report from the Chief of the Fire Department respecting the erection of a fire station on Bayers Road was considered, a report was also submitted from the City Manager giving particulars of allotments to Architects over a period of years.

It was agreed to recommend that a fire station be constructed on the site suggested and that Mr. H.J. Webber be engaged to prepare plans and specifications.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

July 3, 1956.

Chairman and Members  
Committee on Safety.

May I respectfully recommend that the matter of the new fire station be considered at this meeting.

July 12, 1956.

On several occasions in the past I have pointed out the need of a station in this general area (Bayers Road). Effective fire fighting depends to a great extent on the promptness with which the first due company can reach the fire scene (in this case it must come from either Oxford or Young Street Stations) and in the not unusual circumstance of two separate fires occurring in this area at approximately the same time response would be still slower as it would necessitate apparatus from West and/or Morris Street stations.

This entire northwest section of the city is expanding at an extremely rapid pace and includes all classes of construction and occupancy; many apartment buildings, both light and heavy commercial (industrial, factories, etc.) supermarkets, proposed shopping centre, Simpsons, the proposed new Eaton building, and hundreds of private dwellings. Taking these factors into consideration it is rather obvious that fire protection cannot be reasonably or safely delayed much longer.

I feel that you are all reasonably familiar with the proposed location of this station which would be fronting on Bayers Road, near the corner of Ashburn Avenue. This site was put aside by the city for this purpose in 1947 and since that time soundings have been taken which indicate solid footing at a depth of from six to eight feet.

As the financing of this station has been included in this year's Capital Borrowing I am most desirous of getting it under way and recommend that this Committee undertake to have the necessary plans drawn and, if possible, work on its construction commenced so that advantage may be taken of the months of fine weather ahead.

In closing this submission may I make one further recommendation. It is that consideration be given to engaging the services of J. Philip Dumaresq as architect. Mr. Dumaresq drew up the plans for the Oxford Street Station, at which time he was an employee of the City. I received excellent co-operation from him during its construction period and feel that he is quite familiar with what is required for a building of this nature.

Respectfully submitted,

F.C. MacGillivray  
Chief of Department.

Moved by Alderman Dunlop, seconded by Alderman Ahern that the fire station be constructed on Bayers Road at an estimated cost of \$90,000.00 and that Mr. J. Philip Dumaresq be engaged as architect to prepare plans and specifications as recommended by the Fire Chief.

His Worship the Mayor: "It is beyond the prerogative of any Official to say who we should hire, but he was trying to be helpful. The City Manager compiled a report and it was on the basis of that report the Committee named the architect they did."

Alderman Ahern: "I feel Mr. Dumaresq is familiar with the scene."

Alderman Ferguson: "I moved that Mr. Webber be appointed the architect and the reason was that he was not awarded a job from the City. Mr. Dumaresq was awarded a job on Bayers Road, the St. Andrews School. Mr. Webber owns

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his own building and has not been awarded our job. It was on that basis that I moved Mr. Webber."

Alderman O'Malley: "In the School Board we decided to give Mr. Webber a piece of work because he was not doing any City work."

Alderman Ferguson: "He would still be the smallest on the list."

Alderman Ahern: "Mr. Dumaresq has performed A-1 services for the City of Halifax. I think the Chief has that in mind and that is why he recommended him."

His Worship the Mayor: "The City Manager was instructed to compile a list of the architects who had received work in the City."

Alderman Ahern: "Mr. Webber received quite a substantial sum for the reconversion of the Emergency Shelters and the Parking Lot. Let us throw it open."

Alderman Wyman stated that Mr. Dumaresq has had successful experience in designing a fire station for the City and in that regard he would have the advantage over other architects in what the City would want and how it could get it. He has studied the location on which this fire station is to be erected. He has invaluable experience on this which no other architect has."

Alderman Vaughan said he hoped the engineer in charge would watch the location of the building because of the future use of that land for playgrounds.

Alderman Macdonald: "Is it not so that the ground is pretty near 100% solid?"

Alderman Dunlop: "If the test is on the amount of money a man has received the firm of Duffie and Romans would qualify ahead of the man suggested. I agree that all architects are good and they will all do a good job. I do agree that the Fire Chief has a high authority in recommending a man. I feel Mr. Dumaresq has the experience."

Moved an amendment by Alderman Abbott, seconded by Alderman Ahern that this matter be referred back to the Safety Committee for further study

The amendment was put to a vote and voting for the same was 4 against it as follows:

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FOR THE AMENDMENT

AGAINST IT

Alderman Abbott  
Fox  
Ferguson  
Ahern

Alderman Dunlop  
Lane  
Macdonald  
O'Malley  
Wyman  
Vaughan  
O'Brien  
Greenwood

- 4 -

- 8 -

His Worship the Mayor requested that the motion be voted on item by item which was agreed to by Council.

Moved by Alderman Dunlop, seconded by Alderman Ahern that a fire station be constructed on Bayers Road on the site suggested at an estimated cost of \$90,000.00. Motion passed.

A formal borrowing resolution covering the above item was then submitted.

Moved by Alderman Dunlop, seconded by Alderman Ahern that the resolution be approved.

The motion was put and passed unanimously the following Aldermen being present and voting therefor: Aldermen Abbott, Dunlop, Lane, Macdonald, Fox, Ferguson, O'Malley, Ahern, Wyman, Vaughan, O'Brien and Greenwood.

Moved by Alderman Dunlop, seconded by Alderman Ahern that Mr. J. Philip Dubaresq be engaged as the architect to prepare plans and specifications.

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

FOR THE MOTION

AGAINST IT

Alderman Dunlop  
Fox  
O'Malley  
Ahern  
Wyman  
Vaughan  
O'Brien  
Greenwood

Alderman Lane  
Macdonald  
Ferguson  
Abbott

- 8 -

- 4 -

AGREEMENT C.M.B.C. RE: HOUSING SURVEY

July 5, 1956.

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

The Finance and Executive Committee at a meeting hold on the above date, considered agreements with the Central Mortgage and Housing Corporation and Professor Gordon Stephenson respecting a housing survey being conducted in this City.

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It was agreed to make the following recommendations:-

1. That the agreements as outlined by the City Solicitor be approved and the Mayor and City Clerk authorized to execute same on behalf of the City.
2. That the sum of \$2,000.00, required as the City's contribution towards this survey, be appropriated under the authority of Section 316C of the City Charter.
3. That the approval of the Province of Nova Scotia to this expenditure be requested in writing.
4. That the Commissioner of Finance be instructed to keep the record of accounts and pay all bills in connection with this matter, and the City Manager to put the survey in operation.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

The City Solicitor explained the various recitals in the agreements for the information of the Council.

The City Manager stated he had received a letter today from C.M.H.C. and they said there should be somebody to whom Professor Stephenson could turn to. He suggested a committee consisting of a representative of C.M.H.C., the Province and himself for the City of Halifax.

His Worship the Mayor: "I would assume that we would have appointed either the City Manager or the Commissioner of Works."

Alderman O'Brien: "Why should the Province be represented when they don't contribute?"

His Worship the Mayor: "We act in this capacity as the agent of the Province."

Alderman O'Malley: "How much of the City does this cover?"

City Solicitor: "The whole City."

Alderman O'Malley: "Is that included in the agreement?"

City Solicitor: "Yes. It is not limited to any one area."

Alderman Ahern: "Would it not be advisable to defer this matter? It looks like a one-sided contract."

Alderman Dunlop: "It is not a one-sided contract. Our total cost is \$4,000.00 out of \$16,000.00."

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



July 12, 1956.

SALE OF CITY PRISON HORSES AND HARNESS ✓

July 5, 1956.

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

The matter of the disposition of two horses and two sets of harness which are of no further use at the City Prison was considered by the Public Health and Welfare Committee at a meeting held on the above date.

It was agreed to recommend that the harness be sold to Mr. Lindsay Langille for the sum of Thirty Dollars and the horses also sold to Mr. Langille for the sum of One Dollar each with the understanding that he furnishes references satisfactory to the Commissioner of Health.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

ACCOUNTS OVER \$500.00

To: His Worship, L.A. Kitz, and  
Members of City Council.  
From: City Manager, A.A. DeBard, Jr.,  
Date: July 10, 1956.  
Subject: Accounts over \$500.00

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

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Finance	Alfred J. Bell & Co.	Fleet Insurance	\$2,469.06
	H.R. Doane & Company	Auditing	4,840.00
	Eastern Trust Company	Superannuation	182,376.00
	Public Service Commission	Fire Protection	138,229.21
	Thompson, Adams & Co.Ltd.	Fire Insurance	12,038.52
Assessor	Marchant Calculators Ltd.	Figurematic	765.00
Works	Austen Bros., Limited	Tractor & Mower	676.00
Works	Francis Hankin & Company Limited	Sewer Rods & Porcupines	616.10
Works	W.H. Noonan, Limited	Joists	927.50
Health	Ven-Rez Products Ltd.	Tables & Chairs	508.56

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City Home	Simpsons	Vinyl Tile & Cement	1,250.75
Pt. Pleasant Park	Citadel Motors Ltd.	½-ton Pick-up truck	<u>1,820.00</u>
			<u>\$346,518.70</u>

A.A. DeBard, Jr.,  
City Manager.

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

Alderman Dunlop: "Is the Insurance divided among the agents?"

Mr. Romkey: "Yes."

His Worship the Mayor: "When our insurance comes up we should see that all share evenly."

Mr. Romkey: "They do."

TAX EXEMPTION ST. JOSEPH'S CHURCH PLAYGROUND ✓

This item was withdrawn from the agenda.

EXPROPRIATION GARSON PROPERTY NORTH STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: June 21, 1956.  
Subject: Re: Garson Property - North Street.

At a meeting of the Committee on Works held on June 19, 1956, the attached report from the City Manager relative to the price to be offered for the Garson Property on North Street was considered.

The Committee approved the City Manager's recommendation to offer \$4,000.00 and if this is refused take expropriation proceedings.

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: June 18, 1956  
Subject: Garson Property - North Street.

A report was submitted to the Committee on Works June 12, 1956 reporting an asking price of \$13,200.00 from Mr. Kanigsberg including 10% for compulsory taking.

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Based on a \$3,600.00 appraisal by the City Assessor, the City Manager recommended \$4,000.00 including compulsory taking. The City Manager was instructed to negotiate further with Mr. Kanigsberg.

Mr. Kanigsberg visited my office and made an adjustment to the price, without prejudice to \$8,500.00.

Mr. Kanigsberg submitted two appraisals, one from Roy Limited of \$11,000.00 for 7,000 square feet and another from George Schurman for \$10,500.00 for 7,000 square feet. (@\$1.50 per square foot). Since there are only 6,012 square feet in the plot the application of the two estimates to the corrected area results in

<u>Appraiser</u>	<u>Estimate</u>	<u>10% Compulsory taking</u>	<u>Total</u>
Roy	\$9,440.00	\$944.00	\$10,384.00
Schurman	9,060.00	906.00	9,966.00

To begin with, we are not dealing with \$13,200.00 but \$10,000.00 - \$10,400.00 and a figure of \$8,500.00 is not much of a reduction.

Below are listed sales prices of vacant land as they were reported to us.

SALES PRICES - VACANT LAND

<u>Ward 5</u>	<u>Date of Purchase</u>	<u>Zoning</u>	<u>Rate per. Sq. Ft.</u>
Harris St.	1955	Business	90¢
Maynard St.	1954	"	35¢
Cunard St.	1954	"	65¢
<u>Ward 6</u>			
Creighton St.	1955	Business	\$ 1.00
Young St.	1952	Residential	20¢
Albert St.	1953	"	30¢
Veith St.	1953	Business	35¢
Hanover	1955	Residential	45¢
Prescott	1954	Business	80¢
Commission	1954	" (Trackage)	1.00
MacIntosh St.	1955	Industrial (No services)	29¢
<u>Ward 7</u>			
Mumford Rd.	1955	Residential (Good rental district)	\$1.25 better than North St.
Westmount Area	Average Sale		70¢
Lot Corner Connaught Ave., & Bayers Rd.		Residential	1.00 (Court Tax Appeal)
Dutch Village Rd.	1954	"	66¢

It can be seen that none of this land sold for as high as \$1.50 per square foot. The land on Mumford Road and at the corner of Bayers Road & Connaught Ave., is much better land for apartments.

While I still cannot recommend more than \$4,000.00, an absolute top offer of \$5,000.00, including compulsory taking might be made. The City stands to lose little by going to expropriation as the price established may be below the price asked. If it is above we have an established value for Assessment purposes for the entire area.

A.A. DeBard, Jr.,  
City Manager.

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

PROPOSED SUBDIVISION S/W CORNER CITY PRISON PROPERTY ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: June 21st., 1956,  
Subject: Re: Proposed Subdivision Southwest corner of City Prison Property.

At a meeting of the Town Planning Board, held on June 19th, 1956, the attached report from the City Engineer, submitting two proposals for subdividing a portion of the City Prison Property was considered.

The Board recommended that Proposal No. 2 be developed, if Council decides to develop it.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

Re: PROPOSED SUBDIVISION SOUTHWEST CORNER CITY PRISON PROPERTY

Submitted herewith are two proposals for subdividing that portion of the City Prison property which would be bounded by Leeds Street, Robie Street, High Street and Highland Avenue.

Scheme No. 1 shows a proposal for forty-nine (49) lots varying in size from 50' x 100' to 54' x 100'. Attention has been given to the rounding off of the corners and to generally fit the land.

The estimated cost of grading	- \$ 8,000.00
The estimated cost of sewer	- 22,500.00
The total estimated cost	- <u>\$30,500.00</u>

Scheme No. 2 shows a different proposal whereby instead of a proposed street (which would be costly to grade running from Highland Avenue through to Robie Street) we have shown Rosemead Avenue straight through to Leeds Street to Highland Avenue.

This Scheme gives four (4) more lots than Scheme No. 1, namely fifty-three (53) lots, varying in size from 50' x 100' to 52' x 100'.

The estimated cost of grading	- \$4,150.00
The estimated cost of sewer	- 23,500.00
The total estimated cost	- <u>\$27,650.00</u>

Of the two Schemes, it may be seen that in Scheme No. 2 there would be a saving in cost of approximately \$22,600.00 for grading and sewer construction. Apart from this, Scheme No. 2 would seem to blend with the other streets in that area and we feel would be more acceptable.

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

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Moved by Alderman Vaughan, seconded by Alderman Ahern that the land be sub-divided according to Plan #2. Motion passed with Alderman Greenwood wishing to be recorded against.

The City Manager advised that there was some talk about the improvements being installed and the lots sold and the cost would be included in that price. It would be about \$1,280.00 per lot for grading and sewer.

Alderman Abbott: "The proposal is to put sewer in. How about the water?"

His Worship the Mayor: "The Public Service Commission will only put in water where they will get a sufficient return to pay the capital cost. If they can't they will ask for an additional cost. I would think that where we are dealing with lots in a large number that it would be almost impossible to get consent all around. My thought is that we might ask the City Solicitor to draft legislation that where a given percentage agrees to pay the capital levy that the City should have power to advance the remaining funds for those who do not agree."

Alderman O'Brien said there were 2 others being held up; one was on Claremont Street and the other at the corner of Oxford and Dudley Streets.

Alderman Dunlop: "I thought our thinking was to fully develop them with sewer and water to sell them. That is the way I think it should be done. The other thing is for the Solicitor of the Public Service Commission and they should work out what they do in other sections."

Alderman Greenwood: "You have to open this street again and it will lead to a lot of expense."

Moved by Alderman Ahern, seconded by Alderman Vaughan that the City service these three lots with sewer and water.

City Solicitor: "This involves the Public Utility Board as well as the Public Service Commission. Their difficulty is that they would be required to put up a certain amount of money at a time when the trench is open and when they would have no investment. The City might make an arrangement with the Public Service Commission to defer the payment of the Public Service Commission's share of the cost to the City until they connect with the various properties. The Public Utility Board should make an order requiring these persons to pay

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this as a connecting charge of \$240.00 or whatever the charge is. As that money is paid to the Public Service Commission it in turn will be paid to the City towards the cost of opening the trench."

Alderman O'Malley: "This Council should take some action to speed up so these people can take advantage of the good weather."

Alderman O'Brien: "The persons would not know that 100% of them would have to come forward with the price. I think the City is not on too strong ground in holding up permits. I think there should be an opportunity to proceed along the line suggested by the City Solicitor so these people can build this summer."

His Worship the Mayor: "We are dealing with 2 other Boards which we can't speak for."

The motion was put and passed.

It was then moved by Alderman O'Brien that the matter of the installation of water servicing lots be referred to the Committee on Works and that the City Solicitor submit a written report along the lines he gave the Council tonight in hopes that action may be taken at the next meeting.

There was no seconder to this motion.

Moved by Alderman O'Brien, seconded by Alderman Abern that the Manager and Solicitor of the Public Service Commission attend the next meeting of the Committee on Works.

It was agreed that the City Manager discuss this matter with Mr. T.H. Coffin, Q.C. and a meeting be called if necessary

STREET NAME - MUTUAL REALTY CO. SUBDIVISION - JUBILEE ROAD ✓

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

From: Town Planning Board.

Date: June 21st, 1956.

Subject: Street Name - Mutual Realty Co. Subdivision - Jubilee Road.

At a meeting of the Town Planning Board held on June 19th, 1956, the matter of selecting a name for the new street in the Mutual Realty Company Subdivision, Jubilee Road, was again considered.

The Committee again recommended that this street be named "Harrington Drive."

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

July 12, 1956.

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

Moved by Alderman Ferguson, seconded by Alderman Abbott that the sub-division be approved and the street named Dunvegan Drive.

Alderman O'Brien: "I am objecting because of the representations made by the sub-divider. It was made clear that the basic reason was of a political complexion which was opposed to Colonel Harrington."

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

FOR THE MOTION

Alderman Macdonald  
Fox  
Ferguson  
Ahern  
Wyman  
Greenwood  
Abbott  
Dunlop

AGAINST IT

Alderman Lane  
O'Malley  
Vaughan  
O'Brien

- 8 -

- 4 -

STREET NAME PORTION OF BRIDGES STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: July 10th, 1956.  
Subject: Street Name.

At a meeting of the Committee on Works, held on the above date, the matter of a Name for the Section of Bridges Street, between Tower Road and Bridges Street proper was considered.

The Committee recommended that this Section be named "Harrington Drive."

Alderman O'Brien and Alderman Lane against.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

Moved by Alderman Ahern that a suitable memorial be placed at the head of the street in honor of this great Nova Scotian.

There was no seconder to this motion.

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Alderman Macdonald: "I think it has been the practice for the Town Planning Engineer to ask the sub-divider for names for the streets."

FERRY LICENSE OAKLAND ROAD ✓

July 5, 1956.

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

A report from the City Solicitor advising that a license to operate the Oakland Road Ferry has been executed by Mr. E. Lloyd Bignell, and not Lloyd R. Bignell as authorized by Council was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that the issuance of the license in the name of "E. Lloyd Bignell" be ratified.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

ASSESSOR'S DEPARTMENT - EQUIPMENT - \$2,000.00 ✓

July 5, 1956,

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

The attached report from the City Manager respecting Assessor's Department Equipment was recommended for approval by the Finance and Executive Committee at a meeting held on the above date.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

Date: June 22, 1956,

Subject: Assessor's Department - Equipment.

Our graphotype, which is the machine that prints the addressograph plates, has naturally received extra use with the many changes necessitated by the revaluation. Already fourteen years old, it is pretty well worn out. We find that a complete overhaul would cost \$1,000.00 or more, depending on the parts to be replaced.

A new graphotype will cost about \$2,000.00. It is recommended we keep our old graphotype as a spare machine and authorize an appropriation of \$2,000.00 under Section 316C of the City Charter, for a new graphotype machine.

A.A. DeBard, Jr.,  
City Manager.



July 12, 1956.

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

HALIFAX MEMORIAL LIBRARY BOARD - SALARIES ✓

July 5, 1956.

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

A report from the City Manager under date of June 26, 1956, respecting Halifax Memorial Library Board - Salaries was considered by the Finance and Executive Committee at a meeting held on the above date.

It was decided to forward the report to Council with a request for direction as to whether the increased salaries will be paid effective as from July 15 next.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

City Manager: "We did not pay them on July 15th. I advised the Chairman of the Library Board that we would pay at the old rate pending Council decision."

His Worship the Mayor: "The Chairman said they were within their rights to pay the salary scales decided upon."

Alderman Dunlop: "I am firmly convinced that this Council has no control over the salaries paid to the library at all. All this Council can do is say 'here is so much money, you spend it'. It would be much better if the Acts were strictly adhered to and the Library Commission run its own books, pay its own salaries and there would be less friction. I agree with the Solicitor's opinion."

His Worship the Mayor: "Where we are paying \$6.00 to each \$1.00 the Province contributes, the matter to consider is whether our representation should be a larger one on the Library Board. There has been no serious division of opinion between the Aldermen and outside members. We who collect the money should be the persons to say how it should be spent. When we provide the money, we should have the say."

Alderman Dunlop: "I think we have seven out of the nine or ten on the Board now. I have been on the Board for two years and I have only missed one meeting. I think the Aldermen have been hard working members on the Board."

To: His Worship, L. A. Kitz, and  
Members of City Council,  
From: City Manager, A. A. De Bard, Jr.,  
Date: June 26, 1956  
Subject: Halifax Memorial Library Board - Salaries

A most disturbing development has occurred with regard to the salaries of professional librarians at the Library. A tabulation is shown on the following page giving the steps in the present scale, the proposed Griffenhagen scale, and the new scale, passed by the Library Board at its meeting May 3, 1956.

When the budget was passed earlier this year, it was noted that six salaries were above the scale then in force. Included in the budget comments (top of page II), was the following:

1 "2. Halifax Regional Library. There has been a phenomenal rise in this budget over the last five years. The increase in the 1956 requests over the 1955 budget is \$9,072.50 and if it is assumed all of the increase in the Furniture and Equipment account is for the teen-age section this innovation will cost \$6,205.00 in 1956. In addition the Board has submitted a salary schedule continuing the regular increment for all staff members who had reached their maximum and would not normally receive an increase in 1956. They have not only done this but they have authorized payment of the increment immediately, before Council considers the budget and learns of this proposal. Reference is made by the Board to the Griffenhagen report which of course has not been implemented.

The amount we receive from the Province to qualify for the regional library grant is \$29,956.00. The rapid increase in library expenditures since initially obtaining the grant has had the effect of keeping the amount spent by the City of Halifax up to the same level in spite of the grant."

It may be assumed that in approving the budget, Council was approving the \$180.00 above scale for the Chief Librarian and the \$120.00 above scale for the other five librarians.

Mr. Romkey advises me that Mr. Bethune has ruled,

".....if the Board decides in mid-year to increase salaries and if at the end of the year it does not have sufficient funds to pay all its bills, the City is under no liability to supplement the amount for that year, or to include it as a deficit when the estimate for the succeeding year is under consideration. The Board has legal authority to transfer amounts included in the estimates for other services to pay the salaries, but if in the total there are not sufficient funds to continue the operation of the Library, then the problem is for the Regional Library Board and not the City."

As a practical matter the appropriations for accounts other than salaries must be pared to the bone to prevent transfers of such sizable amounts otherwise a

a budget becomes meaningless.

If the Library Board is not to overexpend they have \$2,790.00 surplus in their other accounts. \$2,590.00 was the amount of the reduction by the City Manager and Council reduced another \$200.00 (excluding reduction for new outer doors). A further reduction of \$3,000.00 would have been in order.

Over and above that is the fact that Council becomes nothing but a money-raising rubber stamp if it is to have no control over salary scales of Commissions which do not raise their own funds. If Council does not have the right now, legislation should be sought to give it the control over spending.

Based on Mr. Bethune's opinion, we are paying at the increased rate on July 1, 1956, but I would recommend that the Board be written advising it of Council's thoughts in the matter, including Mr. Bethune's opinion.

*A. A. Hubbard*

City Manager.

/em



July 12, 1956.

Alderman Vaughan: "There is the matter of book stock. There was money advanced for book purchases. The Librarian has not been able to exhaust that money because they can't catalogue them fast enough and they have not the room in the Library."

Alderman Ahern: "We met the other night. I have not missed a meeting of the Library Board. I wonder if Alderman Dunlop makes a motion to pay the scales as passed by the Library Board?"

City Solicitor: "We pay a lump sum to the Library Board. It is up to them to operate it within that amount of money."

He then read from his report as follows: "The Board has legal authority to transfer amounts included in the estimates for other services to pay the salaries, but if in the total there are not sufficient funds to continue the operation of the Library, then the problem is for the Regional Library Board and not the City."

His Worship the Mayor: "There is no further action necessary on our part."

It was suggested that Council take action similar to what was done for the School Board some years ago regarding transferring of sub-appropriations.

Moved by Alderman Lane that in future any members appointed to the Library Board shall be members of the Council.

There was no seconder to this motion.

LEASE OF LAND ADJACENT TO SIR JOHN S.D. THOMPSON SCHOOL ✓

Alderman Dunlop: "This matter is not properly before the Council. At the last meeting of the Council a motion was passed that this land be sold by tender. Until this motion is rescinded I can't see how it can be leased. I say in this case, the Manager is wrong. The Manager should carry out the instructions of the Council to advertise this land for sale. It is surplus land today. When the tenders come to the Council, that is the time to put before the Council if there is a change in the thinking. I submit that the matter is out of order."

City Manager: "I think what Alderman Dunlop said is true. Instead of coming to the City and asking if we could sell that land, the people who were

July 12, 1956.

interested went to the School board. There was not the time to submit it to our officials. The Commissioner of Works said "we might want to put a street through there and if we sold it, we would have to buy land back"."

Alderman Ferguson: "I think renting for \$400.00 a year is a good investment and still own the land. I think it would be in the good interests of the City to do this."

Alderman Ferguson then gave notice that at the next meeting of the City Council to be held on July 26, 1956 he would move that the Resolution passed by the Council on June 14, 1956, and recorded on Page 440, of the minutes be rescinded.

STREETS FOR PAVING ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: July 6th, 1956.  
Subject: List of Streets for Pavement Renewal.

At a meeting of the Committee on Works, held on July 3rd, 1956, the attached List of 24 Streets recommended for pavement renewal was considered.

The Committee recommends that the List be approved, subject to any adjustment that may be brought forward in relation to Connaught Avenue.

Respectfully submitted,

W P Publicover,  
CITY CLERK.

Per: J B Sabean,  
Clerk of Works.

To: His Worship the Mayor and Members of City Council  
From: Committee on Works  
Date: July 10th, 1956  
Subject: Requested adjustment - List of Streets for Pavement Renewal.

At the meeting of the Committee on Works, held on the above date, the attached report from the City Engineer relative to Paving the western roadway of Connaught Avenue, between Chebucto Road and Almon Street, and eliminating some of the other Streets in the List submitted, was considered.

The Committee approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

Per: J B Sabean,  
Clerk of Works.

Item #2,  
Works,  
July 3rd, 1956  
Item #14,  
Council,  
July 12th, 1956.

His Worship the Mayor, Chairman, and Members of City Council.

Gentlemen:-

The following is a revised alphabetical list of streets for pavement renewal, and also for present stoned and oiled streets that we find expensive to maintain. The schedule shows our proposed reconstruction, along with the estimated assessment and estimated cost. The total amounts to \$200,000.00, which is the amount allotted in the 1956 Capital Borrowing.

NO.	STREET	FROM	TO	L.	W.	SQ. Y.S. L.S. - 4	MATERIAL	TOP	COST	
									EST. ASSESSMENT	EST. COST
									\$	\$ 8,550.
1.	Agricola St.	Almon St.	Young St.	1200	20' strip	2666	6" Gravel	4" Highway		
2.	Almon St.	Oxford St.	Comnaught Ave.	1350	28	4200	6" Gravel	3" Highway		13,300.
3.	Artz St.	Barrington St.	Deusswick St.	320	18	540	6" Gravel	3" Highway	1,050.	3,200.
4.	Beech St.	Norwood St.	Quinpool Rd.	750	30	2500	3" Gravel	3" Highway	2,000.	7,100.
5.	Buckingham St.	Barrington St.	Argyle St.	150	20	333	Resurface	S.F. Asphalt		600.
6.	Cornwallis St.	Branswick St.	Gottin, on St.	500	30	1700	Resurface	S.F. Asphalt		4,200.
7.	Duke St.	At Granville St.		200	40	888	Resurface	S.F. Asphalt		1,700.
8.	Edward St.	South St.	University Ave.	525	28	1633	6" Gravel	3" Highway	1,750.	5,150.
9.	Henry St.	South St.	University Ave.	525	28	1633	6" Gravel	3" Highway	1,750.	5,150.
10.	Kane St.	Agricola St.	Robie St.	400	28	1120	6" Gravel	3" Highway	1,200.	4,900.
11.	Kempt Rd.	Russell St.	Young St.	200	20	900	6" Gravel	4" Base, 2" S.F.		1,100.
12.	May St.	Agricola St.	Fern St.	150	20	333	6" Gravel	3" Highway		2,450.
13.	North St.	Creighton St.	Maynard St.	150	40	666	Reshape	3" S.F. Asphalt		14,200.
14.	North St.	Agricola St.	Windsor St.	1650	28	5333	Reshape	3" S.F. Asphalt		5,750.
15.	Norwood St.	Oxford St.	Preston St.	650	27.9	2020	3" Gravel	3" Highway	2,100.	39,000.
16.	Oxford St.	Quinpool Rd.	North St.	1700	40	7500	6" Gravel	4" Base, 2" S.F.		
17.	Quinpool Rd.	Rotary to 400'	South (Strip W/S)	400	20	888	Resurface	S.F. Asphalt		1,500.
18.	Robie St.	St. Alban's St.	Almon St.	450	32	1600	Resurface	S.F. Asphalt		4,700.

Carried forward..... \$ 9,800. \$ 127,450.  
2,5

NO.	STREET	FROM	TO	L.	W.	SQ. YDS. LAW. - 9	BASE	TOP	COST			
									EST. ASSESSMENT	EST. COST		
									Brought Forward .....	\$ 9,800.	\$ 127,450.	
										1,400	10,000.	
19.	Robbie St.	Chebucto Rd.	Almon St.	850		3300	Resurface	S.F. Asphalt			6,800.	
		Cornwall St.	Cunard St.		22	3422	6" Gravel	3" Highway	5,300.		11,050.	
20.	Seaforth St.	Windsor St.	Oxford St.	1400	22						10,500.	
21.	South Park St.	South St.	Spring Garden Rd. (W/S)	1550	25	4200	Resurface	S.F. Asphalt			30,000.	
			Young St.	1240	40	5500	6" Gravel	4" Base, 2" S.F.			12,400.	
22.	Windsor St.	Almon St.	Young St.	1100	30	3 660	Resurface	S.F. Asphalt			1,600.	
23.	Young St.	Isleville St.	Kempt Rd.				Resurface					
24.	Parking Lot at Dartmouth Ferry	(Work already done)										
TOTAL									\$ 15,100.	\$ 199,800.		

For reference purposes, the following streets are listed which were ordered in the original Pavement 1956 Capital Borrowing.

STREET	FROM	TO
Bell St.	Up. Water St.	Barrington St.
Black St.	Gottingen St.	Fuller Terrace
Bland St.	Inglis St.	Victoria Rd.
Bloomfield St.	Gottingen St.	Agricola St.
Connaught Ave. W/S	Regent St.	Chisholm St.
Davison St.	West St.	Charles St.
Dublin St.	Chebucto Rd.	Almon St.
Gottingen St.	Almon St.	Kaye St.
Hurd St.	Up. Water St.	Brunswick St.
June St.	Cunard St.	West St.
Morris St.	Lr. Water St.	Hollis St.
Norwood St.	Oxford St.	Connaught Ave.
Robie St.	Macara St.	Livingstone St.
St. Alban's St.	Robie St.	Clifton St.
Tobin St.	Barrington St.	Queen St.
8 Coach Stops.		

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



July 12, 1956.

To: His Worship the Mayor, Chairman, and Members of the Committee on Works.  
From: A.J. Harris, City Engineer.  
Date: July 9th, 1956,  
Subject: Requested Adjustment - List of Streets for Pavement Renewals etc.

At the meeting of the Committee on Works held on July 3rd, 1956, a list of streets for pavement renewals, etc. was submitted showing a listing of twenty-four (24) various streets. It was requested at that meeting that consideration be given to the paving of the western roadway of Connaught Avenue, between Chebucto Road and Almon Street. The estimated cost for this street, which has a length of approximately 550', is \$10,000.00 and the estimated assessment being \$1,400.00.

In order to include this street and not exceed the Capital Budget amount of \$200,000.00, it is necessary to eliminate some of the other streets in the list submitted. It is, therefore, suggested that Kane Street, Agricola Street to Robie Street, could be eliminated and also Robie Street, the east roadway Cogswell Street to Cunard Street. A recheck has been made on Robie Street and we find it in fair condition and maybe should funds permit we would be able to get by with considerable patching. This would depend upon the result of our actual cost for the streets submitted to our estimate of cost of the same.

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

Alderman Vaughan: "I would urge that the Kane Street block from Agricola Street to Robie Street be paved as it is used by heavy trucks."

Moved by Alderman O'Brien, seconded by Alderman Greenwood that the list as amended and costing an estimated \$200,000.00 be approved.

The amended list is attached to the original copy of these minutes.

Alderman O'Malley: "I agree with Alderman Vaughan. I think it is economy to pave that street."

Alderman Vaughan: "I would like to see Kane Street in this budget if it can be handled."

Moved in amendment by Alderman Vaughan, seconded by Alderman O'Malley, that Kempt Road from Russell Street to Young Street be deleted and Kane Street from Agricola Street to Robie Street, at a cost of \$4,900.00, substituted therefor.

Alderman Dunlop: "The streets should come from the Commissioner of Works. It is not the responsibility of the Aldermen."

Alderman O'Malley: "The amended budget should have contained Kane Street."

July 12, 1956.

Alderman Greenwood stated that Kempt Road is a main artery and many trucks travel back and forth.

Mr. West: "The section you are deleting gives us more trouble in the Spring of the year."

The amendment was put and lost, 1 voting for the same and 11 against it as follows:

FOR THE AMENDMENT

Alderman Vaughan

AGAINST IT

Alderman Macdonald  
Fox  
Ferguson  
O'Malley  
Ahern  
Wyman  
O'Brien  
Greenwood  
Abbott  
Dunlop  
Lane

- 1 -

- 11 -

The motion was then put and passed .

WIDOWS' ALLOWANCES ✓

July 5, 1956.

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

The Finance & Executive Committee, at a meeting held on the above date, agreed to recommend that under the authority of Section 310H of the City Charter annual allowances be paid to widows of former civic employees as follows:

Mrs. Vera F. Crosby	\$536.66
Mrs. Bridget E. Power	714.28
Mrs. Catherine Golden	267.84
Mrs. Lydia Stevenson	424.33

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

RETIREMENT - DR. H.S. McPATRIDGE ✓

July 5, 1956.

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

The matter of providing a retiring allowance for Dr. H.S. McPatridge, who

July 12, 1956.

has completed thirty years service with the Health Department and has found it necessary to resign due to ill health, was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that Dr. McFatrige be granted leave of absence on full pay to October 1, 1956; and that legislation be obtained at the next session of the Legislature enabling the City to pay him an allowance of \$1,467.13, effective as from October 1, 1956, and, also, that he be carried on the payroll of the Health Department for this amount until such time as the legislation is effective.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

RETIREMENT - CHARLES BRIGLEY, Sr. ✓

July 5, 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 providing a retiring allowance for Mr. Charles Brigley Sr., a former employee of the Works Department.

It was agreed to recommend that Mr. Charles Brigley, Sr., be granted an allowance of \$360.82 annually, under the authority of Section 309A of the City Charter.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

RESUBDIVISION - PINWOOD ACRES ✓

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

From: Town Planning Board.

Date: June 28th., 1956.

Subject: Resubdivisions - Pinewood Acres.

At a meeting of the Town Planning Board, held on June 26th, 1956, the following Plans of resubdivision of lots were considered.

- |                    |                    |
|--------------------|--------------------|
| 1. Lots 24 and 25  | Dutch Village Road |
| 2. Lots 1 and 2    | Dutch Village Road |
| 3. Lots 6, 7 and 8 | Morningside Drive  |

The Town Planning Engineer recommended approval without a Public Hearing.

July 12, 1956.

The Board approved same as shown on Plans Nos. 00-8-13497, 00-8-13498 and 00-8-13499 respectively.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

RESUBDIVISION - MAYFIELD AVENUE, F.J. COSGROVE ✓

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

From: Town Planning Board.

Date: June 28th., 1956.

Subject: Resubdivision of lands of F.J. Cosgrove - Mayfield Avenue.

At a meeting of the Town Planning Board, held on June 26th, 1956, a Plan of two irregular shaped lots being re-arranged to provide one 50' x 100' lot and one 93' x 100' lot was considered.

The Town Planning Engineer recommended approval without a Public Hearing.

The Board approved same as shown on Plan No. 00-8-13500.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

UNDERSIZED LOT - STAIRS STREET ✓

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

From: Town Planning Board.

Date: June 28, 1956.

Subject: Undersized Lot - Stairs Street.

At a meeting of the Town Planning Board held on June 26, 1956, a report from the Town Planning Engineer recommending approval of an application to build a single family dwelling on a lot 33' x 100' at No. 107 Stairs Street was considered.

The Board recommended that the application be approved.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

July 12, 1956.

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

Moved by Alderman Lane, seconded by Alderman O'Brien that the report  
be approved. Motion passed,

UNDERSIZED LOT - KLINE STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: July 10th., 1956,  
Subject: Undersized Lot - Kline Street.

At a meeting of the Town Planning Board, held on the above date, an  
Application to build a single family dwelling on Lot #36 Kline Street  
was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

STREET LIGHTING - MEMORIAL DRIVE ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works,  
Date: June 28, 1956.  
Subject: Street Lighting - Memorial Drive.

At a meeting of the Committee on Works, held on June 26, 1956, a report  
from the City Electrician, recommending that three 250 Candle Power  
Street lights be installed on Memorial Drive, at an approximate cost of  
\$238.32, was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

July 12, 1956.

PARKING LOT - BELL ROAD & SACKVILLE STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: June 28, 1956.  
Subject: Parking Lot - Bell Road and Sackville Street.

At a meeting of the Committee on Works, held on June 26, 1956, the attached report from the City Manager was considered.

By a vote of four to two the Committee recommended that the order of the Board of Works be carried out and the Parking Lot closed to Public Use.

Voting for the Motion - Aldermen Macdonald, Lane, Ahern and Abbott.

Voting against - - Aldermen O'Brien and Adams.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

To: His Worship, L.A. Kitz, and  
Members of City Council.  
From: City Manager, A.A. DeBard, Jr.,  
Date: June 22, 1956.  
Subject: Parking Lot - Bell Road & Sackville Street.

At the Council meeting on June 14, a study was requested on possible designs for a parking lot at this location if Council decided to continue such a Lot on some basis.

Plan A shows a lot somewhat to the east of the present one. This plan would be desirable if we were unable to lease or buy land from the Department of National Defence for the exit.

Plan B shows the lot about where it is with the possibility of further extension to the East. This plan is predicated on the securing use of land from the Department of National Defence on the Bell Road side.

Establishment of a lot in another section of this area would probably involve removal of buildings and displacing of people. To secure Federal aid, we would have to rehouse people somewhere else.

Planting of a screening hedge would hide some of the used car lot look and people on Sackville Street would see the Citadel above the level of the hedge.

Cost of Plan A with gravel surface would be	-----	\$3,000.00
" " B " " " " " " " " " "	-----	3,500.00
" " A " asphalt " " " " " " " "	-----	10,000.00
" " B " " " " " " " " " "	-----	11,600.00

July 13, 1956.

Method of operation might be by the City or private interests, and some of the lot could be rented by the month and some of it metered.

A.A. DeBard, Jr.,  
City Manager.

His Worship the Mayor: "I had a letter from Mr. Arthur Smith asking that this matter be deferred."

Alderman Dunlop: "I was told that the control of City property was with the Committee on Works, and not with the Council."

His Worship the Mayor: "Mr. Doyle showed me that this part came under the control of the Council."

Moved by Alderman Dunlop, seconded by Alderman Greenwood that this lot be not closed.

Alderman Ahern: "I think the Army will negotiate with the City for this land. I think the City Manager was told to have the cars removed from that portion of the Hill."

City Manager: "The minutes of the last Council meeting say I am to make a report on the closing and that is what I did."

Alderman Macdonald: "When permission was given to the United Service Corporation I don't think it was mentioned for any particular time but I understood it was for one or one and a half years. I think Council made a great mistake by allowing this lot to remain as a parking lot as it is very unsightly. You see this pile of cars and I think it detracts from the appearance of the whole section."

His Worship the Mayor: "With regard to Alderman Dunlop's motion I am obliged to rule it out of order."

Alderman Greenwood: "There are the same number of cars parked by the Vocational School and Army Headquarters."

Moved by Alderman Lane, seconded by Alderman Ahern that the parking lot be closed.

Moved in amendment by Alderman O'Brien that we not only close it but that we open a new one according to Plan "A" in a report submitted by the City Manager.

There was no seconder to this amendment.

July 12, 1956.

Alderman Lane referred to the condition of the lot at certain times and said that cars were being hauled and pulled off the lot because of mud. There were complaints from people asking why the City was not looking after the lot. An Official of this City said it was a mistake in the first place.

Alderman Dunlop: "I don't use my car any longer because I can't get a parking space. The situation in this City is desperate. I went by there and there were 50 or 60 cars parked. If they go off there they will have to put them somewhere else. We have kept a parking place on Brunswick Street for garages and broken-down cars. Don't let us close the Sackville Street lot unless they have some other place to go. In front of St. Mary's School the East side of the street has been declared a free parking area with meters on the other side."

Moved in amendment by Alderman Wyman, seconded by Alderman O'Brien that the parking on this lot be prohibited as of November 30, 1956, and in the meantime, study be given to such an alternative plan as shown in the City Manager's report.

Chief Mitchell: "I would strongly recommend a parking area but that it be regulated."

Alderman Vaughan: "When will we consider this Traffic Report?"

His Worship the Mayor: "I recommend that we consider component parts at each Council meeting for about 20 minutes."

Alderman Vaughan: "Only the Chief of Police, as Traffic Authority, can make recommendations for one-way streets."

His Worship the Mayor: "This is only a suggested guide."

Alderman Wyman: "The purpose of my amendment was to give us a chance to have an alternative place for another parking lot."

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

FOR THE AMENDMENT

Alderman Fox  
O'Malley  
Wyman  
O'Brien  
Greenwood  
Abbott  
Dunlop

- 7 -

AGAINST IT

Alderman Ferguson  
Ahern  
Vaughan  
Lane  
Macdonald

- 5 -



July 12, 1956.

FINAL CERTIFICATE - FUNDY CONSTRUCTION CO.

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: June 28, 1956.  
Subject: Final Certificate - Fundy Construction Company Limited.

At a meeting of the Committee on Works, held on June 26, 1956, the following Final Certificate was approved and recommended for payment.

Fundy Construction Company Limited.

Final Payment on Contract for Sewerage Pump House and Tank,  
Clinton Avenue. - - - - - \$3,604.87.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

TENDERS STREET LIGHTING AND TRAFFIC LIGHTS

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: July 6th., 1956.  
Subject: Tenders:- Traffic Lights.  
Street Lighting Equipment

The Committee on Works at a meeting held on July 3rd, 1956 recommended that the lowest Tenders be accepted.

Viz:-

Northern Electric Company Limited -  
Traffic Light Equipment - \$1,217.00  
Northern Electric Company Limited -  
Street Lighting Equipment  
Armdale Rotary - \$7,737.00

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

July 12, 1956.

BORROWING RESOLUTION \$200,000.00 STREET PAVING ✓

A formal Borrowing Resolution in the amount of \$200,000.00 covering permanent paving of various streets was submitted by the City Solicitor.

Moved by Alderman Fox, seconded by Alderman Ferguson, that the Resolution as submitted be approved.

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

FOR THE MOTION

Alderman Abbott  
Dunlop  
Lane  
Macdonald  
Fox  
Ferguson  
O'Malley  
Ahern  
Wyman  
O'Brien  
Greenwood

AGAINST IT

Alderman Vaughan

- 11 -

- 1 -

CHAIRMAN - COURT OF TAX APPEALS ✓

His Worship the Mayor recommended that Mr. John Mullane be appointed as Chairman of the Court of Tax Appeals at \$50.00 per day and that the resignation of Mr. F.W. Bissett, Q.C. be accepted.

Moved by Alderman Dunlop, seconded by Alderman Vaughan that the resignation of Mr. F.W. Bissett, Q.C. be accepted. Motion passed.

Moved by Alderman Dunlop, seconded by Alderman Vaughan that Mr. John Mullane be appointed Chairman of the Court of Tax Appeals at \$50.00 per day.

Motion passed.

VETO BY DEPUTY MAYOR RE: RESOLUTION JOB EVALUATION ✓

Alderman Dunlop: "I would like to know something about the Veto. According to the Charter it gives the power on anything that comes before Council. I would like to ask, through you, the ruling of the City Solicitor."

City Solicitor: "Under the "Rules of Order of Council" any member can give a Notice of Reconsideration, and it is considered at the next regular meeting of the Council. The provisions of the Veto compel a reconsideration of a matter but it is more drastic than a Notice of Reconsideration by an Alderman."

July 12, 1956.

For the information of the members of Council the City Solicitor read Section 317 of the City Charter, stating the various reasons for a veto, and continued: "At the meeting of the Council, the Mayor shall inform the Council in writing and the Council must have a two-thirds vote in order to get its way. The reasons the Mayor has to give are his own. The Resolution included a salary scale and authorized an expenditure of increased salaries as from a certain date. For that reason I gave the Deputy Mayor my opinion that he had the legal right to veto. In the absence of the Mayor, the Deputy Mayor is Mayor."

Alderman Fox: "How many needed for a two-thirds vote?"

City Solicitor: "Nine out of fourteen."

Alderman Ferguson: "Assuming the veto would carry, we have no scale at all."

His Worship the Mayor: "That is right. Then there would be a motion to start all over again. A veto is 'strong medicine'. An Alderman can give a Notice of Reconsideration on any subject but the Mayor can only veto motions on money being spent. The reasons advanced, rather than applying a brake on City expenditures, are advocating further expenditures."

Alderman Dunlop: "Are the reasons any part of the veto?"

City Solicitor: "No."

Alderman Dunlop: "I think the Deputy Mayor's reasons are not reasons according to the Charter."

City Solicitor: "The Mayor's veto is practically equivalent to a Notice of Reconsideration and a Stay of Proceedings."

Alderman Vaughan: "Following the meeting at which I presided, I made an effort to have a Notice of Reconsideration drawn up but I realized that such was not possible. I received a call from the Chairman of the Job Evaluation Committee and he told me that he had been misled by some Officials in thinking that the effect of the salary scale was not what he thought it to be. I took it upon myself to make use of this means to bring it back to Council."

Alderman Lane: "In taking this action you did so after conferring with the Chairman of the Job Evaluation Committee. You did take into consideration that he was giving his personal opinion and not the Committee's."

July 12, 1956.

Alderman Vaughan: "Oh, yes."

The City Clerk then read the following message:

To the Members of the City Council.

While acting as Mayor in the absence of His Worship L.A. Kitz, I, under the authority of Section 317 (1) (b) vetoed the resolution passed by the Council at its meeting held Friday, June 29 adopting the proposed new Salary Scale and I have endorsed my disapproval on the minutes available for that meeting.

My reason for taking this action is that it has been the practice of the City Council in the last few years when salary revisions have been made to advance all civic employees to their relative step in the new Salary Scale.

Yours very truly,

C.A. Vaughan,  
ACTING MAYOR.

The following resolution was then submitted.

RESOLVED that the expenditure authorized by the Resolution passed at the meeting of the City Council on June 29, 1956, respecting the report of the Job Evaluation Committee which was disapproved by the Deputy Mayor, under the provisions of Section 317 of the City Charter be and the same is hereby confirmed.

Moved by Alderman Dunlop, seconded by Alderman Lane that the Resolution as submitted be approved.

The motion was put and lost 8 voting for the same and 4 against it as follows, a two-thirds vote being required:

FOR THE MOTION

Alderman Fox  
Ferguson  
O'Malley  
Wyman  
Abbott  
Dunlop  
Lane  
Macdonald

AGAINST IT

Alderman Ahern  
Vaughan  
O'Brien  
Greenwood

- 8 -

- 4 -

Moved by Alderman Dunlop, seconded by Alderman Ferguson that the report of the Job Evaluation Committee be approved.

Alderman O'Malley repeated the remarks which the Chairman of the Job Evaluation Committee made to him and stated that they were his views as well.

July 12, 1956.

He then moved an amendment whereby employees would move to the second step above their present salary but same did not receive a seconder.

Alderman Vaughan: "The Griffenhagen Company sent a man here by the name of Meyer and I was quite happy with his approach to the problem. The motion before the house is not to adopt the Griffenhagen Report at all, but it is something the Committee has drafted over the months during their study. You will find the Commissioners of Finance, Health, Works and City Solicitor are reduced but their Deputies are not reduced. The City Collector, City Clerk and City Electrician are shown in the Griffenhagen Report as \$5,760.00. The Collector and Clerk now show \$6,480.00 but the Electrician has not changed. I notice that certain differentials have been maintained. With respect to the Deputy Chief, he is paid 83% of the salary of the Chief of Police. That does not apply to the Deputy Electrician. He is kept at \$4,560.00.

With respect to the application of the increase we voted this year for Teachers and, in so doing, we provided funds which would give them maximum salaries as of October 1st this year. The arguments advanced before the Teachers would apply to every employee of the City Force. That is the money that should be paid this year. There is the case of a Police Inspector, where he will get an increase of thirty dollars this year. That man after 35 years will not retire at maximum pay. I think that is shabby treatment. I suggest that the Committee can hardly guess or estimate what the economic conditions will be five years hence. There are many instances where something should be done "

Moved in amendment by Alderman Vaughan that the salary scale as recommended by the Job Evaluation Committee be changed as follows:

1. That the salary of the Deputy City Electrician be set at \$3,600.00 to \$4,800.00.
2. That the longevity pay of \$140.00 be an added step for the Police and Fire Departments, making \$3,320.00 after 6 years.
3. That the maximum salary for the Assistant Superintendent of Parks and Gardens be increased to \$3,360.00.

July 12, 1956

4. That the salary scales be effective as of July 1, 1956, and that the employees move to the same step in the new scale as they occupy in the present scale.

There was no seconder to this amendment.

Alderman Ahern: "I would like to see the Day Janitor included, Clerk of the Court and the Superintendent of the Market Building. The only way you can straighten this out is to send it back. I did try to have the Clerk of the Court the same as the Deputy City Clerk and Deputy City Collector. The Deputy City Collector succeeded the Clerk of the Court."

Alderman Vaughan stated that he understood a motion would be made to set up a Review Board for persons to appeal to who consider themselves aggrieved.

He then withdrew his amendment.

It was then moved, in amendment, by Alderman Vaughan, seconded by Alderman Greenwood, that the salary scale be implemented as of July 1, 1956, and that the employees listed thereon go to the relative step they now occupy in the present scale.

Alderman O'Malley: "My amendment was that they go to the second step beyond the present salary."

Alderman Macdonald: "What is the amount involved?"

City Manager: "\$65,000.00."

Alderman Macdonald: "Are we going to over-expend?"

City Manager: "It should be about the same,"

Alderman Lane: "The name of it is 'Job Evaluation' and not 'Personnel Evaluation'."

Alderman Vaughan: "I have withdrawn any reference I have made to individuals."

The amendment was then put and passed, seven voting for the same and five against it, as follows:

FOR THE AMENDMENT

Alderman Ahern  
Vaughan  
O'Brien  
Greenwood  
Abbott  
Macdonald  
Fox

AGAINST IT

Alderman Ferguson  
O'Malley  
Wyman  
Dunlop  
Lane

CMD-300-56

Item #25  
Council  
July 12, 1956

To: His Worship, L. A. Kitz, and  
Members of City Council,  
  
From: City Manager, A. A. De Bard, Jr.,  
  
Date: July 10, 1956  
  
Subject: Griffenhagen Scale - Implementation

The Griffenhagen report had twenty salary ranges with indicated steps from minimum to maximum. The Job Evaluation Committee and subsequently Council approved a number of positions which have a different range than any of those listed. Steps were not provided. The positions are listed below with suggested steps. Council approval is requested as after the decision is made on effective date we would not know where to place individuals who are not at the maximum.

	<u>Minimum</u>	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>	<u>Maximum</u>
Commissioner of Finance	7500.00	7800.00	8100.00	8400.00	8700.00
Commissioner of Health	7500.00	7800.00	8100.00	8400.00	8700.00
Commissioner of Works	7500.00	7800.00	8100.00	8400.00	8700.00
City Solicitor	7500.00	7800.00	8100.00	8400.00	8700.00
Deputy City Clerk	3600.00	3950.00	4300.00	4650.00	5000.00
Deputy City Collector	3600.00	3950.00	4300.00	4650.00	5000.00
Solicitor's Assistant	4560.00	4920.00	5280.00	5640.00	6000.00
City Assessor	5700.00	5925.00	6150.00	6375.00	6600.00
Deputy City Assessor	4500.00	4750.00	5000.00	5250.00	5500.00
Field Assessor - Grade I	3400.00	3600.00	3820.00	4050.00	Maximum
Senior Office Administrator	3400.00	3600.00	3820.00	4050.00	Maximum
Divisional Engineer - I	3840.00	4020.00	4200.00	4380.00	4560.00
" " - II	4560.00	4800.00	5040.00	5280.00	5520.00
" " - III	5520.00	5760.00	6000.00	6240.00	6480.00
Asst. Supt. of Operations	3600.00	3900.00	4200.00	4500.00	4800.00
Foreman	3300.00	3475.00	3650.00	3825.00	4000.00
Chief Wiring Inspector	3300.00	3475.00	3650.00	3825.00	4000.00
Hoseman Mechanic + Carpenter	2960.00	same as Hoseman I & II plus			360.00 3540.00
Fire Prevention Inspector	3010.00	3052.50	3095.00	3137.50	3180.00
Hoseman + Constable I	2930.00	3040.00	3180.00		
Hoseman + Constable II	2600.00	2710.00	2820.00		
Deputy Police Chief	4720.00	4968.75	5217.50	5466.25	5715.00
Supt. of Detectives	4400.00	4620.00	4850.00	5090.00	5245.00
Detective Sergeant	3800.00	3970.00	4140.00	4310.00	4500.00
Director of Communicable Diseases	7500.00	7725.00	7950.00	8175.00	8400.00
Director Infant & Mat. Hygiene	7250.00	7440.00	7620.00	7800.00	7920.00
Sanitary Engineer	4560.00	4800.00	5040.00	5280.00	5520.00
Supt. Public Health Nurses	3330.00	3452.50	3575.00	3697.50	3820.00
Registered Nurses P. H. G.	2640.00	2700.00	2760.00	2820.00	2880.00
Registered P. H. Nurse	2490.00	2520.00	2550.00	2580.00	2610.00
Senior Nurse	3000.00	3060.00	3120.00	3180.00	3240.00
Instructress of Nurses	2760.00	2790.00	2820.00	2850.00	2880.00
Charge Nurse	2640.00	2670.00	2700.00	2730.00	2760.00
Registered Nurse	2520.00	2550.00	2580.00	2610.00	2640.00
Graduate Nurse	2460.00	2475.00	2490.00	2505.00	2520.00

	<u>Minimum</u>	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>	<u>Maximum</u>
Practical Nurse I	1920.00	1980.00	2040.00	2100.00	2160.00
" " II	2220.00	2280.00	2340.00	2400.00	2460.00
Matron	3330.00	3452.50	3575.00	3697.50	3820.00
Asst. Matron	2880.00	2992.50	3105.00	3217.50	3330.00
Night Supervisor	2760.00	2790.00	2820.00	2850.00	2880.00
Operating Room Supervisor T. B.	2760.00	2790.00	2820.00	2850.00	2880.00
Chief Inspector	3400.00	3505.00	3610.00	3715.00	3820.00
Engineer	3000.00	3150.00	3300.00	3450.00	3600.00
Asst. Engineer	2400.00	2550.00	2700.00	2850.00	3000.00
Fireman	2200.00	2325.00	2450.00	2575.00	2700.00
Male Attendant II	2220.00	2280.00	2340.00	2400.00	2460.00
" " I	1920.00	1980.00	2040.00	2100.00	2160.00
Female Attendant II	2220.00	2280.00	2340.00	2400.00	2460.00
" " I	1920.00	1980.00	2040.00	2100.00	2160.00
Laundress	1080.00	1185.00	1290.00	1395.00	1500.00

*A. A. DeBartolo*  
City Manager.

/em



July 12, 1956.

A report dated July 10, 1956, was submitted from the City Manager listing various positions for which salary scales were approved in the Job Evaluation Report but no steps were provided, and same is attached to the original copy of these minutes.

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

NOTICE OF MOTION ALDERMAN VAUGHAN RE: BOARD OF REVIEW ✓

Alderman Vaughan gave notice that at the next meeting of the City Council he would move that a Board of Review be set up to hear appeals from employees who feel they are aggrieved, as a result of the implementation of the Job Evaluation Report.

CONVENTION - UNION OF NOVA SCOTIA MUNICIPALITIES - KENTVILLE ✓

The matter of appointing delegates to attend the above Convention was considered.

It was agreed that Aldermen Vaughan, Wyman and Ahern be appointed as the City's delegates, as well as others who may advise the Mayor that they will be free to attend.

CONVENTION CANADIAN FEDERATION MAYORS AND MUNICIPALITIES - HAMILTON ✓

The matter of appointing delegates to attend the above Convention was considered.

Alderman Dunlop suggested that any Alderman wishing to attend be a delegate and that the amount of money provided for this purpose be divided among them.

Alderman O'Malley: "I feel the best way to handle that is to permit the choice of going to the Senior Aldermen and so on down the line and the following year they would be ruled out. I feel at this time I will be unable to attend but I would like to reserve the right to attend next year's convention. I would not want to be ruled out."

Alderman Lane: "I would be like Alderman O'Malley I would like to reserve mine as a Senior Alderman for some other time."

It was then agreed that the following be appointed as the City's delegates

July 12, 1956.

His Worship the Mayor; Aldermen Dunlop, Macdonald and Ahern and that if any other members of Council wished to attend that His Worship the Mayor be authorized to add them to those appointed.

PAYMENT TO COUNTY METROPOLITAN COMMISSION \$10,000.00 ✓

July 5, 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 the sum of \$10,000.00 be paid to the Municipality of the County of Halifax as part of the City's contribution towards a Metropolitan Survey, and the funds provided under the authority of Section 316C of the City Charter.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

Alderman O'Brien: "What about the survey?"

Mr. West: "That will be here any day."

His Worship the Mayor: "Alderman DeWolf and Mr. West are our representatives."

Alderman Ahern requested information as to what the survey entailed. Mr. West outlined the details for the benefit of the members of Council.

REZONING CHEBUCTO ROAD AND NORTH STREET ✓

Application withdrawn by the applicant.

REZONING YOUNG AND OXFORD STREETS ✓

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

From: Town Planning Board.

Date: July 6th., 1956.

Subject: Request to Rezone - Corner of Young and Oxford Streets

At a meeting of the Town Planning Board, held on July 3rd, 1956, the attached report from the Town Planning Engineer relative to a request from Imperial Oil Limited, to rezone the southwest corner of Oxford and Young Streets, from R2 residential to C2 commercial to permit the construction of a Service Station, was considered.

The Board recommended the Rezoning Plan as suggested in the By-Law Revision, shown on sketch entitled "Proposed change for London, Liverpool, Cork, Young Street, Bayers Road and Oxford Street."

July 12, 1956.

Alderman Ahern against.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

Moved by Alderman O'Brien, seconded by Alderman Abbott that the report be approved and Council fix Thursday, August 30, 1956 at 8 o'clock P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for a hearing in this matter. Motion passed.

REZONING QUINPOOL ROAD OXFORD STREET, BAYERS ROAD ETC.

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

From: Town Planning Board.

Date: July 10th, 1956.

Subject: Rezoning.

At a meeting of the Town Planning Board, held on the above date, the attached Report from the City Manager, relative to Rezoning from R-2 to C-2 -

1. Quinpool Road - between Robie Street and Vernon Street.
2. Oxford Street - Bayers Road, etc., was considered.

The Board recommended that these 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.

Moved by Alderman Macdonald, seconded by Alderman Ahern that the report be approved and Council fix Thursday, August 30, 1956 at 8 o'clock P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for a hearing in this matter. Motion passed.

REPORT CITY SOLICITOR RE: TENDERS FOR LAND MOVED FOX AVENUE

A report was submitted from the City Solicitor giving his opinion as to whether or not the City could accept a tender to sell land other than the highest one. The report is attached to the original copy of these minutes

June 26, 1956

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

Your Worship and Aldermen: Re: Sale of land to Edgewood  
United Church.

At the May 17th, 1956, meeting of the Council, as a result of a request from the above Church to purchase a parcel of land, it was decided to offer the land for sale by tender as required by Section 618F of the City Charter.

An advertisement was inserted in the newspapers and three tenders were received, which were considered at the June 14th, 1956, Council meeting:

A. Funt	\$1,675.00
Edgewood United Church	\$2,100.00
C. E. Matthews	\$3,600.00

It is of interest to note that at the May 17th, 1956, meeting the Assessor reported that the assessed value of the land in question would be \$2,100.00 and that the price of certain land sold in 1954 to St. Philip's Church was \$1000.00 per lot.

The matter was referred to me for my opinion as to whether under the law the City in effect could sell the land to the Edgewood United Church which tendered \$2100.00, or whether it was bound to sell it, if at all, to Mr. Matthews who tendered \$3600.00.

Special authority is given to the City to sell vacant land by Section 618E, which is as follows:

618E. Subject to the approval of the Minister, the City may from time to time sell and dispose of any parcel of vacant land owned by it for such price as the Council shall determine, and any sums received from any such sale shall be applied by the City to such City purpose as the Minister may approve; provided further, however, that this section shall not be deemed to permit the City to sell any portion of the lands constituting the Common of Halifax, the Grand Parade or any Public Landing.

By Section 618F, enacted subsequent to Section 618E, it is provided:

618F. Notwithstanding any of the provisions of the Charter, and subject as hereinafter provided, the City shall not sell or otherwise dispose of any real property owned by the City unless and until tenders for the sale of such real property have been called for in such manner and for such period as the Council may from time to time determine in respect to particular parcels of real property, and no sale of any such real property shall

be made to any person who has not submitted a tender therefor; provided, however, that in any case in which the City may desire to sell or dispose of any parcel of vacant land which is not in itself of sufficient size to constitute a site for a building unit, as provided in the Charter or Zoning By-law or any other enactment, such parcel of land may be sold or disposed of in such manner as the Council may determine.

It will be seen that Section 618F is, therefore, a restriction on the general authority contained in Section 618E. The City may sell vacant land for such price as the Council shall determine, but this is subject to (1) the calling for tenders for the sale of such land, and (2) the consent of the Minister of Municipal Affairs. Also Section 618E is further restricted by Section 618F by defining the class of persons to whom the City may sell such land - namely, only to those persons who submit tenders.

There is nothing in the terms of Section 618F to require the City to sell only to the person who submitted the highest tender. The Section provides that "no sale of any such real property shall be made to any person who has not submitted a tender therefor."

This was apparently the intention of the Council, as is evidenced by the mover of the motion to approve the legislation at the March 17th, 1955, meeting of Council, page 161, where he said "In the long run we still have option of refusing the tender even if it is the highest price."

The final motion was "that the legislation be so designed that land be sold only to a tenderer after tenders have been called."

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A municipality is a statutory corporation and can do only such acts as are authorized directly or indirectly by the statute incorporating it. (A.G. VS MANCHESTER CORP. (1906) 1 Ch. 643, Farwell, J. at p. 651); (approved by Ilsey, C.J. in C.B.I. GAELIC FOUNDATION VS VICTORIA (1953) 2 D.L.R. at p. 436).

This was a case where the County of Victoria gave a parcel of land to the Foundation in consideration of \$1.00. It had authority under the Assessment Act, with the consent of the Minister of Municipal Affairs, to sell land bought in at tax sale. The consent of the Minister had not been obtained.

It was the apparent intention of the Council to give the land to the Foundation as a donation "in sympathetic support of a worthy cause". As to this, Chief Justice Ilsey said:

"But this was a cause upon which the Council had no authority, express or implied, in the Municipal Act, to expend Municipal monies." (The consent of the Minister had not been obtained and even if it had) "it would probably have been a close question as to whether the transaction would not stand. But in my opinion it would not stand - not being a sale."

He goes on to say in explanation of this decision:

"Section 165 of the Assessment Act is, in my opinion, a

section designed to assist the municipality in recouping itself for the non-payment of taxes. The power to sell means a power to sell for money to be received into the treasury of the municipality. An implied power to donate the lands purchased would be wholly inconsistent with the express power conferred". (i.e. to sell).

From time to time it is said that a municipal Council is a "trustee for the ratepayers". This in its strict sense is an inaccurate description of the relationship which exists between the Council and the municipality and the ratepayers.

Chief Justice Meredith of Ontario, in NORFOLK VS ROBERTS (1913) 28 O.L.R. 593, dealt with this matter in these words: "It is, in my judgment, erroneous to treat either the corporation or its council as trustees for the ratepayers. They are, no doubt, in the sense in which the Sovereign is spoken of as a trustee for the people, trustees for the inhabitants of the municipality; but they are, in my opinion, in no other sense trustees, but a branch of the civil government of the province; and, within the powers committed to them by the legislature, at all events, in the absence of fraud, should be free from interference by the Courts."

His Lordship agrees with Middleton, J., in PARSONS VS LONDON (1911) 25 O.L.R. 172, and with the Chief Justice of Ontario in the same case as to the powers of Municipal councils:

"Municipal councils are now recognized as occupying a far more important position" (than in 1858). "They now have important legislative as well as administrative functions and the trend of decision is to recognize the supremacy of the Council both in the legislative and administrative field so long as the act is done within the ambit of its jurisdiction and not ultra vires."

"..... the Courts have been steadily abdicating their jurisdictions and declining to act as an upper chamber of the municipal Council and to interfere with the action of the people through their elective representatives, unless fraud is shown. If the Council seeks to go beyond the limited authority given by the supreme Legislature of the Province, it is then the duty of the Courts to confine its action to the limits of the delegated authority; but I can find no warrant in law or in principle for that which is here contended by the plaintiff, that, when the Legislature has said that these lands may be sold by the City" at such price and upon such terms as the Council of the Corporation may deem expedient, "the Court can add to this "provided such sale is by public auction or by tender after due advertisement and not in a private way, but only after adequate steps have been taken to ensure competition."

And again: "No doubt, the councillors occupy a fiduciary position towards the ratepayers, which will render them liable to account for any secret profit they may make out of municipal business, but with deference, it seems to me that this falls far short of determining that all the rules of equity with reference to the conduct of trustees can be applied to a municipal council in the exercise of its statutory duties."

In the case before the Council the legal requirements were carried out - the land was offered for sale by tender. The only thing remaining is to decide to whom it is to be sold and to secure the consent of the Minister of Municipal Affairs.

The course to be followed by the Council in a matter of this kind is well set out in the report of the second trial of PHILLIPS VS BELLEVILLE (1906) 11 O.L.R. 256, where Mr. Justice Street at page 259 said:

"In my opinion we should not attempt to decide the question propounded by the Divisional Court upon so doubtful and elusive an enquiry as that of the respective weights that these different aldermen may have given to the various reasons on which they acted. I think it should be sufficient for the decision of the question if we find, first, that the Council acted in perfect good faith, and second, that they had reasons before them which they may reasonably have considered good and sufficient to justify their action.

Some of the reasons in that case were: (1) desire to avoid threatened litigation, (2) that a committee had acted in such a way as to create a moral obligation on the City to sell the property, (3) to prevent the creation of a monopoly in ownership of all the land in the direction in which the city was likely to expand.

Other reasons might pertain to town planning, the provision of particular services in areas under development, such as stores, service stations, schools, and perhaps even churches.

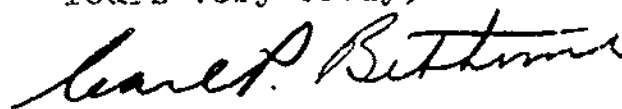
Therefore, in the matter before the Council, if the intention of the Council was to favor the development of land in a particular way, and if on previous occasions similar treatment had been given to others, this might well be a reason deemed sufficiently good to the Council to proceed in the matter.

As to the question of accepting a sum, not the highest available for the land, it appears that \$2100.00 was the value placed on the land by the Assessor as its "actual" or market value. This was public knowledge, being stated at the May Council meeting. It is possible that the highest offer was in excess of the worth of the land. It would not seem to me that the Council could be accused of a wrongful act if, after considering all the circumstances and the fact that the Church authorities had sought out the Council in the first instance to secure the land and offered the sum at which the Assessor valued it, the Council decided to accept that offer in preference to the higher offer.

Meredith, J. in PHILLIPS VS BELLEVILLE (9.O.L.R.) indicates that there may be some conditions existing, such as the special character of one of the tenderers or some special circumstances existing which appeared sufficient to the Council to justify their decision, "but the members of the Council are not bound to tell him so, nor to publicly announce such reasons: and it is not to be assumed that they had no reasons for the rejection (of the higher bid) because they have not been expressed, nor is it the reasons expressed but it is the cases which actually exist that ought to prevail."

In view of the fact, therefore, that the land is proposed actually to be gold for a substantial sum, and not given away for a nominal sum, and there is, in my opinion, no legal bar to this course in Sections 618E and 618F, it is within the power of the Council after calling for tenders to sell the land in question to any tenderer provided good faith exists and the transaction is completely free from fraud, which it certainly appears to be. Before the matter can be finalized, however, the consent of the Minister of Municipal Affairs must be obtained.

Yours very truly,



CARL P. BETHUNE  
CITY SOLICITOR

CPB:EHJ

*see attached letter  
from City Solicitor*





To: Mr. W. P. Publicover, City Clerk  
From: Carl P. Bethune, Q.C., City Solicitor  
Date: August 27, 1956.  
Subject: Re: Sale of land to Edgewood United Church.

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Since writing my report of June 26, 1956, which was considered by the City Council at its meeting on August 16, I am informed that this lot of land was originally part of the airport and since we have specific authority to dispose of the airport lands I do not think it is necessary to secure the consent of the Minister of Municipal Affairs. The last sentence in my report of June 26, 1956, should, therefore, be disregarded. I suggest that this letter be included in the minutes along with the above mentioned report.

*Carl P. Bethune*  
CARL P. BETHUNE  
CITY SOLICITOR

CPB:EHJ

July 12, 1956.

and copies of same were furnished the members of Council for their information.

Moved by Alderman Ahern, seconded by Alderman Greenwood that the tender of the Edgewood United Church at \$2,100.00 be accepted.

Alderman Dunlop: "I read the excellent brief prepared by the City Solicitor. There are no cases where the difference is \$1,500.00. This Council knows this land is worth \$3,500.00 because they sold land adjoining there. We are only getting ourselves into trouble. The reason for the legislation was to get away from subsidization. Public tender means the highest bidder. Would the Solicitor's opinion be the same if this land were advertised not with the real intention of selling it to the highest bidder but to sell it to the church?"

City Solicitor: "On what has been said by the Judge in the Belleville case in my report, 'that the Council acted in perfect good faith and that they had reasons before them which they may reasonably have considered good and sufficient to justify their action', there was an intention to back up a committee. I would say this that basically it is up to the City to get every cent it can but it is not bound to accept the highest offer and that is all I have said. If the Council in running the affairs of the City have acted in good faith, I am not going to judge what is in the minds of the Aldermen nor what the Council does. That is not a matter of law."

Alderman Ahern: "The Alderman in Ward 2 did not call for tenders for land in the north end."

Alderman Dunlop: "That was for the abattoir. That is property which is a different thing. It brings an industry to the City and it puts it on the tax roll. In this case it is only a lot of land on which the Church is going to build a manse."

Alderman Macdonald: "I have gone along with concessions to religious institutions to locate property on but this comes into a different category. Tenders have been called for and there is a difference of \$1,500.00. I think it is just another lot of land being sold the same as to another individual. I will not be able to support the motion for the church."

July 12, 1956.

Alderman O'Brien read an extract of the minutes of a meeting of the City Council and stated: "It seems to me from that Meeting that if I were on the outside the intention of some of the members would be that we would call for tenders to get by the provisions of the City Charter but that we would desire to sell for a fair price of \$2,100.00. In the same area there were 3 or 4 lots which were sold for \$1,000.00 to another Church a few years ago. I think we have the precedent there and I think we should sell this lot for \$2,100.00."

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

FOR THE MOTION

Alderman O'Malley  
Ahern  
Wyman  
O'Brien  
Greenwood  
Abbott  
Fox  
Ferguson

- 8 -

AGAINST IT

Alderman Vaughan  
Dunlop  
Lane  
Macdonald

- 4 -

Alderman Dunlop gives Notice of Reconsideration and moves for a Stay of Proceedings which was seconded by Alderman Macdonald.

The vote on the Stay of Proceedings was put and lost 3 voting for the same and 9 against it as follows:

FOR THE MOTION

Alderman Dunlop  
Lane  
Macdonald

- 3 -

AGAINST IT

Alderman Ahern  
Wyman  
Vaughan  
O'Brien  
Greenwood  
Abbott  
Fox  
Ferguson  
O'Malley

- 9 -

Alderman Lane: "Is there no way a law can be laid down whereby we must do one thing or the other? Is it possible for us to move that the highest tender only be accepted? I think we should not be embarrassed. Can a motion be made?"

His Worship the Mayor: "Yes. The City Solicitor can prepare a draft of a proposed change in the legislation."

July 12, 1956.

Moved by Alderman Lane, seconded by Alderman Macdonald that the City Solicitor be requested to prepare a change in the present legislation whereby the highest tender must be accepted. Motion passed.

Alderman Vaughan: "If we get legislation that we have to accept the highest tender we don't have to bring it before Council. It is an administrative problem then."

City Manager: "The Council could refuse all tenders."

CONFIRMATORY DEED LOT "G" GEORGE DAUPHINEE AVENUE ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: July 6th., 1956.  
Subject: Confirmatory Deed - Lot G - George Dauphinee Avenue

The Committee on Works, at a meeting held on July 3rd, 1956, agreed to recommend that the attached report from the City Solicitor relative to giving a Confirmatory Deed to George B. Robertson be approved.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

To: His Worship the Mayor and Members of the Committee on Works.  
From: C.P. Bethune, Q.C., City Solicitor.  
Date: July 3, 1956.  
Subject: Re: Confirmatory Deed Lot "G", George Dauphinee Avenue.

Some time ago this lot was sold to George B. Robertson and a deed delivered to him. Objection has been taken to part of the description and in order to remove any doubt I would suggest that a confirmatory deed be given to him containing a revised description.

If this meets with your approval will you kindly recommend the same to Council.

Yours very truly,

CARL P. BETHUNE, Q.C.,  
CITY SOLICITOR.

Per T.C. Doyle

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

July 12, 1956.

ACQUISITION OF LAND FOR STREET WIDENING ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: July 10th, 1956.  
Subject: Acquisition by City of Two Small Triangular Pieces of Land.

At a meeting of the Committee on Works, held on the above date, the attached Report from the City Engineer recommending that Two Small Triangular Pieces of Land be acquired for Street improvement purposes was approved and recommended to City Council.

1. Northeast corner of Elliott Street and Howe Avenue, 16.5 square feet, for the nominal sum of \$1.00.
2. Southwest corner of Robie Street and Memorial Drive 205 square feet, for the sum of \$50.00.

The cost to be charged to the Street Widening Fund.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

To: His Worship the Mayor and Members of the Committee on Works.  
From: A.C. Harris, City Engineer.  
Date: July 6, 1956.  
Subject: Acquisition by the City of two small triangular pieces of land;  
1) N.E. Corner of Elliott & Howe Ave.  
2) S.W. Corner of Robie St. and Memorial Drive.

- 1) Northeast corner Elliott Street and Howe Avenue.

In connection with the laying of the curb and gutter and sidewalk of Elliott Street and Howe Avenue, it has been found that a much better layout and rounding off of the northeast corner could be obtained by the acquisition of a small triangular piece of land 16.5 square feet. The owners of the land required are the Nova Scotia Light and Power Co. Limited and after negotiating, they are prepared to convey the necessary land shown on our Plan RR-5-13459 for the nominal sum of \$1.00.

- 2) Southwest corner of Robie Street and Memorial Drive.

A similar situation exists at the southwestern corner of Robie Street and Memorial Drive. Due to the steepness of the grade of Robie Street, a much better corner could be obtained by constructing a larger radius curve for both curb, gutter and sidewalk. The area required is approximately 205 square feet and after negotiating with the owners, the Kelly Co-operative Housing Group and also the Nova Scotia Housing Commission, the amount of consideration, that the owners are prepared to accept, is \$50.00. This seems to be a fair and reasonable amount and it is therefore recommended that it be accepted. The necessary area is shown on our Plan RR-5-13481.

July 12, 1956.

It is therefore recommended that these two triangular pieces of land be acquired from the above owners or whoever the owners that a subsequent search may reveal, with the understanding that the City do all the necessary legal work in connection with the title, preparation of Deed and release of mortgages etc., and that the funds for this be taken from the Street Widening Fund.

A.C. Harris,  
City Engineer.

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

REPORT SPECIAL COMMITTEE RE: COUNCIL-MANAGER FORM OF GOVERNMENT

Halifax, N.S.,  
June 6, 1956.

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

Report of Special Committee evaluating the  
Council Manager Form of Civic Government.

The Committee has held meetings almost every week since its appointment.

It has examined opinions placed before it by Heads of Departments and Representatives of the Civic Unions.

Two public hearings were held at which representations were made by organizations and interested citizens.

A careful study of the statements of all who appeared indicated that there has been a continued improvement in the organization of the work of the City that has become obvious since the inauguration of the Council-Manager form of Civic Government in Halifax.

It was generally conceded that purchasing is improving in efficiency and that there is in the words of one official "a tying in of interrelationship between departments which is better than it was before."

One Department Head stated that he found that in making appointments his work has been greatly facilitated

The present system so far as Police and Fire is concerned appears to be operating well. In matters of purchasing equipment the Chiefs of both Departments consult the City Manager and the relations between his office and that of the Chief of Police and the Fire Chief appear good.

Your Committee, after careful consideration, does not recommend any drastic change in the Council-Manager form of Civic Government as presently in effect.

One matter which was the subject of much consideration was that of regular meetings of all the Heads of Departments with the Manager. He himself is reluctant to press for such meetings because he fears that there may be in some cases an unnecessary encroachment on the time of Department Heads discussing matters not relevant to their own special fields. Many of those interviewed favoured such meetings.

July 12, 1960

The Manager does hold agenda meetings now, which are in fact attended by the Heads of more than one Department. It is recommended that a trial be made for a period of six months of regular meetings of the Heads of all Departments with the Manager, and at the end of that period the wisdom of making such meetings permanent be reviewed.

Another matter which came before the Committee was the whole question of the Standing Committees of the City Council. There is a strong opinion that subjects for consideration should originate with the Council and not with the Committee, so that all members of the Council will be familiar with the question that it deems necessary to the appropriate Committee.

It is therefore recommended that the course suggested be followed and that all matters for consideration originate with the Council for reference to the appropriate Committee where necessary and that the Standing Committees of the City Council be reduced to two:-

1. Finance and Executive Committee.
2. Committee on Works.

In conclusion, your Committee feels that the Council-Manager form of Government has satisfied a great need in the administration of the City. It provides a source of information to aldermen on all matters to be considered by Council. It consolidates this information and co-ordinates departmental reports. It provides an independent and objective point of view on the facts of each issue so that the Council is better equipped to make decisions on matters of Policy.

L.A. Kitz, Chairman.  
T.H. Coffin, Vice-Chairman.  
W.S. Lee, Member  
B.O. Macdonald, Member  
Gordon S. Cowan, Member  
Abbie Lane, Member

Alderman O'Malley: "The motion at the last Council meeting was that the matter be referred back to the Committee. Had it gone back to Committee I might have had a minority report ready."

His Worship the Mayor: "I understand that the objection taken was that the original report was not signed. I don't think this Council can order that Committee to sit again. As far as I am concerned as Chairman I see no purpose in them sitting again. They finished their job. I would not suggest that you are cut off yet. If you want to file a minority report, there should be nothing to stop you."

Alderman O'Malley: "I don't think it is properly before us. This report was never discussed except by Alderman Dunlop saying that it was not signed. I am not prepared to debate it."

Alderman Ahern: "Nobody has placed it before me tonight."

His Worship the Mayor: "Would you challenge that you are not in agreement with that report?"

July 12, 1956.

Alderman Ahern: "I did not say that. I said I was not approached."  
Moved by Alderman Vaughan, seconded by Alderman Macdonald that the report be filed.

Alderman Dunlop: "I just wanted to know who was against it."

His Worship the Mayor: "It was deliberately held back some weeks allowing sufficient time for a minority report."

Moved in amendment by Alderman Dunlop, seconded by Alderman O'Malley that this report be considered at the second Council meeting in October.

Alderman Dunlop: "I think there are 3 members not fully in accord with the report. I think the report should receive the consideration of the Council and have this matter thrashed out finally."

The amendment was put and passed.

AMENDMENT TO ORDINANCE #6 RE: MASTER WIREMEN'S LICENSES 1ST READING

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: July 10th, 1956.  
Subject: Re: Master Wiremen's License.

At a meeting of the Committee on Works, held on the above date, the City Solicitor submitted the attached Amendment to Ordinance No. 6, to permit the Committee on Works to designate an Official of the City to grant Master Wiremen's Licenses, which will then be issued by the City Electrician.

The Committee approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved. Motion passed.

AMENDMENT

BE IT ENACTED by the Mayor and City Council of the City of Halifax as follows:

1. Subsection (2) of Section 3 of Ordinance Number 6 of the Ordinances of the City of Halifax, "Respecting Electric Wiring and the Use of Electrical Energy", is repealed and the following substituted therefor:

(2) The Committee on Works may from time to time designate an official



July 12, 1956.

of the City for the purpose of receiving applications from persons desiring to be licensed as licensed wiremen. Such applications shall be deposited in the office of the City Electrician. The official so designated may grant or refuse any such application. Upon the granting of such application, and the payment of the fee mentioned in the preceding subsection and the filing of the bond as hereinafter required, the City Electrician, upon being advised to that effect by such official, shall issue a license as a licensed wireman to the person so applying therefor and shall sign the same and shall cause the name of the applicant so licensed to be registered as a licensed wireman.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the amendment as set out above be read and passed a first time and referred to the Finance and Executive Committee. Motion passed.

ALTERATION S/W CORNER ROBIE & HIGH STREETS

To: His Worship the Mayor, and Members of City Council.  
From: Committee on Works.  
Date: July 10th, 1956.  
Subject: Alteration - South-western Corner of Robie and High Streets.

At a meeting of the Committee on Works, held on the above date, the attached report from the City Engineer, advising that the name of the Owner of the Property at the S.W. corner of Robie and High Streets is "Mary Lillian Corkum", instead of her husband, "H. W. Corkum", and requesting that authority be granted to acquire the property recommended from Mary Lillian Corkum, for the sum of \$100.00, or whoever the owner that a subsequent search may reveal, was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

To: His Worship the Mayor, Chairman, and Members of the Committee on Works.  
From: A.C. Harris, City Engineer.  
Date: July 9th, 1956.  
Subject: Alteration - Southwestern Corner Robie Street and High Street.

When preparing the deed for the conveyance of a small portion of land to be acquired by the City for the better rounding off of the southwestern corner of Robie Street and High Street, it was found that the name of the property owner is "Mary Lillian Corkum" instead of her husband, "H.W.Corkum" which has been recorded in the Council Minutes of a meeting held on June 14th, 1956.

It is, therefore, requested that authority be granted to acquire the property recommended from "Mary Lillian Corkum", for the sum of \$100.00 the original agreed amount, or whoever the owner that a subsequent search may reveal.

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

July 12, 1956.

Moved by Alderman Ahern, seconded by Alderman O'Brien that the report be approved. Motion passed.

APPLICATION FOR BEAUTY PARLOR #99 HOWE AVENUE ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: July 10th, 1956.  
Subject: Application for Beauty Parlor - 99 Howe Avenue.

At a meeting of the Town Planning Board, held on the above date, an Application to operate a beauty parlor, in a dwelling at #99 Howe Avenue was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK

Per: J.B. Subean,  
Clerk of Works.

Moved by Alderman O'Brien, seconded by Alderman Ahern that the report be approved. Motion passed.

REFUND LOCAL IMPROVEMENT CHARGES PROPERTY OWNERS IN THE HYDROSTONE AREA

Alderman Vaughan: "Two months ago I asked for a ruling from the City Solicitor on betterment charges in the Hydrostone area. Some people have paid these charges and they are anxious to get their refunds and they can't get it until legislation is secured next year."

The City Solicitor was requested to report on this matter in time for the July 26th. meeting of the City Council.

NOTICE OF MOTION BY ALDERMAN AHERN RE: CONSTRUCTION OF 500 SUBSIDIZED LOW-RENTAL DWELLING HOUSES ✓

Alderman Ahern gave notice that at the next regular meeting of the City Council he would move that His Worship the Mayor be requested to arrange a conference with the appropriate representatives of the Government of Canada and the Province of Nova Scotia for the purpose of discussing the participation of these Governments with the City of Halifax in a project for the construction of 500 subsidized low-rental dwelling houses in the City of Halifax.

RESIGNATION CITY SOLICITOR ✓

Alderman Ahern requested information on what stage the resignation with respect to the Committee appointed to confer with the City Solicitor on the resignation.

July 12, 1956.

His Worship the Mayor: "There was a meeting with Mr. Bethune and we derived certain valuable information from him. The Committee has not made any final report as yet."

Alderman Ahern: "I want to know if the Solicitor is going to stay with the City?"

His Worship the Mayor: "We have no concrete report to make at this time."

Alderman Ahern: "We should make some effort to retain his services. I would go along with any move to increase his salary if he should stay. I don't think we should wait until November 17th."

His Worship the Mayor: "It is being processed."

Alderman Dunlop: "We maybe able to retain the services of the Solicitor if you don't press it too much at this time."

ORDINANCE GOVERNING NOISE ✓

Alderman Wyman: "What have we in the City by way of law or Ordinance governing noise? What about these portable welding machines, compressors, etc. I thought the Solicitor could give me an answer at his convenience. Also what control over trucks that backfire going down hill?"

The matter was referred to the City Solicitor.

PARKING LOTS - SECOND AND THIRD LEVELS ✓

Alderman Abbott: "I am wondering if our Officials have given any consideration to the possibility of putting a second and third level on the Downtown Merchants Parking Lot on Grafton Street and also the Buckingham Street one? Something has to be done about parking in this City."

His Worship the Mayor: "With respect to your first question the Engineer is getting figures regarding the second storey on the Grafton Street lot and he is held up on the question of steel. There has been no thought given to the Buckingham lot."

TUNNELS ARMDALE ROTARY ✓

Alderman Ferguson referred to the matter of the construction of tunnels under the Armdale Rotary and said the City was being accused of holding up the work. He felt some decision should be reached between the City and Province on the matter.

July 12, 1956.

His Worship the Mayor stated that the matter of tunnels came from the Province and was left to the City.

The City Manager informed the Council that the Province did not know whether there should be tunnels or overpasses and that the Chief of Police and Commissioner of Works were opposed to them. He wrote to Boston on May 24th., to get pictures and plans of the Charles Street Overpass and on June 13th., the Metropolitan Commission advised that plans would be sent and sometime shortly thereafter they arrived in Halifax and it took approximately a week or 10 days to clear them through the Customs without charge. They were handed to the Commissioner of Works for examination and then sent to the Province.

Moved by Alderman Ferguson, seconded by Alderman Vaughan that this Council go on record as not being in favor of tunnels under the Arctale Rotary.

Motion passed

TROLLEY COACH STOP CHANGES ✓

Alderman O'Malley asked what changes were made in the Trolley Coach Stops as shown in the items for information.

The City Solicitor then advised the Alderman what changes had been made and authorized by the Board of Public Utilities.

PLAQUE-ENTRANCE TO GRAND PARADE ✓

Alderman Wyman: "I want to point out that the Historic Sites Committee has arranged to have a wooden plaque placed at the Barrington Street entrance of the Parade advising the public what it is there for. It is there at no cost to the City. We might acknowledge our gratitude to those who are responsible. This maybe the forerunner of a number of more permanent type of plaques for locations in the City which are of historic significance and not marked by any other organization."

His Worship the Mayor advised that he would write a letter to Major W.C. Borrett acknowledging the donation of the plaque

NEW ZONING BY-LAW - PROFESSIONAL PERSONS LISTED ✓

Alderman Wyman: "In the Zoning By-Law there are in 2 or 3 places references to the offices of professional persons. In one place it says 'and what professional persons are'. I think I have reasonable grounds to believe that professional chemists should be included in that list."

July 12, 1956.

It was agreed to include this matter in the Zoning By-Law when same is considered by the City Council. ✓

TAX INQUIRY

Moved by Alderman Dunlop, seconded by Alderman Vaughan that Mr. Justice V.J. Pottier be requested to conduct the Inquiry on Taxation. Motion passed.

TENDERS FOR CANTEEN AND PUNT STORAGE CENTRAL COMMONS \$1,175.00  
TENDERS FOR WADING POOLS, ISLEVILLE PLAYGROUND & WESTMOUNT \$12,380.00 ✓

A report was submitted from the Acting Director of the Recreation and Playgrounds Commission advising that tenders had been received for the above projects and Council authority was requested for same. The amount for wading pools is in excess of the earmarked amounts but there are enough funds in the over-all budget.

Moved by Alderman Vaughan, seconded by Alderman Ahern that the authority requested be granted. Motion passed.

The following items were further deferred:

1. Motion Alderman Ahern Re: Board of Assessors.
2. Branch Library.
3. Amendment to Ordinance #2

CITY MANAGER'S ADMINISTRATIVE REPORT FOR JUNE

A report was submitted from the City Manager for the month of June and same is attached to the original copy of these minutes. Copies of the same were furnished the members of Council previous to the meeting.

FILED

POLL TAX COLLECTIONS QUARTER ENDING JUNE 30, 1956

Current poll Tax Collections	\$15,071.20
Arrears	9,580.35
Penalty and Interest	2,059.67
	\$26,711.22
Same period previous year	26,397.53
Increase.....	\$313.69
Total collections for first 6 months	\$40,908.82
Same period previous year	41,884.32
DECREASE.....	\$975.50
Amount collected by Street Collectors 3 month period	\$7,045.92
Amount paid at Collector's Office for 3 month period	19,665.30
Total Collections as shown above.....	26,711.22

FILED.

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

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

Date: July 10, 1956

Subject: Monthly Administrative Report for June, 1956

1. Electrician's Department

305 wiring inspections made, permit income	\$516.40
Revenue from fire alarm boxes	50.00
" " wiremen's licenses	5.00

New lights installed

1	Acadia Street
3	Desmond Avenue
1	Scott Street
1	South Park Street

All lamps cleaned in circuits A & B.

2. Building Permits

	<u>Number</u>	<u>Value</u>
Dwellings, new	23	\$401,000.00
Garages, new	17	9,799.00
Commercial, new	4	94,200.00
Institutional, new	1	678,045.00
Dwellings, repairs	325	131,270.00
Garages, repairs	14	1,961.00
Commercial, repairs	44	135,841.00
Institutional, repairs	8	37,791.00
	<u>436</u>	<u>\$ 1,489,907.00</u>
Permit income - Building		\$ 1,751.25
" " Plumbing		169.65

3. Streets and Sewers

Square yards of streets graded	36,320
Tons of hot patch used on paved streets	209
" " cold " " stoned and oiled streets	196
Cubic yards of material used on streets	201
No. of square yards applied with dust layer	61,855
" " " of sidewalk repairs	103
Lineal feet of curb and gutter repairs	252
Number of street signs maintained	5
" sewers cleared and cleaned	6
" catchpits repaired	6
" " constructed	2
" manholes repaired	21
" " constructed	3
" junctions installed	21
" catchpits cleaned	15
Miles of streets swept by hand	186
" " " machine	724

2,841 tons of garbage and sludge were collected of which 200 tons were burned together with 1,000 tons of putrescible collected materials. Total amount processed 2,841 tons with an expenditure of approximately \$70,000. Billed for 30 hours collecting 2,841 tons.

5. Emergency Shelters

Transfers

<u>Name</u>	<u>From</u>	<u>To</u>
George J. Shea	26 1400 Barrington	148 Wellington Court
Mark Barrett	54, 2410	7 1400 Barrington

6. Prefab Housing

Houses completely paid 100  
 Current accounts 462  
 Original number of houses 312

Mortgages receivable May 31, 1956 21,070.88 62  
 June 30, 1956 1,000.00 32  
 paid during month 16,000.00

Total Borrowing May 31, 1956 \$ 225,298.11  
 June 30, 1956 242,003.32

Borrowing paid off during month 21,409.15

94 accounts two or more months in arrears 117,115.71

7. Stoning & Gilling

<u>Street</u>	<u>TYPE</u>	<u>Co</u>	<u>Length</u>	<u>Started</u>	<u>Completion</u>
Rowe Ave	Repair Rd	Scott St	1000'	6-1-56	6-1-56
Scott St	Rowe Ave	Rowe Ave	450'	6-21-56	6-21-56
Vaughan Ave	Sayer Rd	Waltering		6-25-56	6-25-56
		Oliver St	1500'	6-25-56	6-25-56
Coleman St	Sayer Rd	Dead End	200'	6-27-56	6-27-56
First St	Conneaut Ave	Wagon Ave	500'	6-27-56	6-27-56
Lamar Ave	Conneaut Ave	Dead End	500'	6-27-56	6-27-56

8. Sewer Capital

<u>Street</u>	<u>TYPE</u>	<u>Started</u>	<u>Completion</u>
Dutch Village Road		6-13-56	6-13-56
Clinton Ave	1021	6-21-56	6-21-56
Clinton Ave Pump House		6-21-56	6-21-56
Superstructure		6-21-56	6-21-56
Connell St	1500'	6-21-56	6-21-56

9. Sewer Rehabilitation

Freshwater	Final program loan completed	6-1-56
Holy Cross		6-1-56
Volin St		6-1-56
Letson Lane		6-1-56

10. Trolley Street

<u>Street</u>	<u>TYPE</u>	<u>Co</u>	<u>Length</u>	<u>Started</u>	<u>Completion</u>
Granville	1000'	1451 South	1051	6-21-56	6-21-56
Granville	1000'	1451	1051	6-21-56	6-21-56
Connell	1000'	1451	1051	6-21-56	6-21-56

11. Sidewalk & Sod, Curb & Gutter

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Side</u>	<u>Total Length</u>	<u>Description</u>	<u>Date</u>	
							<u>Started</u>	<u>Complete</u>
Connaught	Cross Walks							
	Jubilee	Norwood	140'	B	140'	S. & S.	May 8	100%
North Park	4 Crosswalks on blvds.		120'	B	120'	S. & S.	" 9	100%
Gladstone	Charles	Willow	240'	B	480'	S. & S.	" 14	100%
Albert Pl.	Albert St.	Dead End	230'	B	460'	Sidewalk	" 17	100%
Micmac Ct.	Micmac St.	Dead End	175'	B	350'	Sidewalk	June 6	100%
Buckingham	Barrington	Argyle	250'	N	250'	S. C. & G.	11	90%
Tobin	Existing	Queen	170'	S	170'	S. & S. C. & G.	15	80%
Abbott	Ashburn	Ralston	760'	N	760'	C. & G.	18	95%
Abbott	Ashburn	Howe	525'	B	1050'	C. & G. S. & S.	19	60%
Hanover	Albert	Barrington	400'	B	800'	C. & G.	20	90%
Bellevue	Complete intersection							
	cor. Bellevue &							
	Beaufort		145'	N	145'	C. & G. S. & S.	26	95%
Connaught	Complete intersection							
	Chisholm & Regent Rd.		175'	B	175'	C. & G.	27	60%
Elliott	Ashburn	Howe	420'	N	420'	S. & S.	27	80%
Robie	Complete intersection							
	High & Robie			B		C. & G. S. & S.	27	80%
Leeds	Robie	Rosemeade	230'	S	230'	C. & G.	29	15%
Spruce	Howe	Ashburn	400'	S	400'	S. & S.	July 3	75%
London	Windsor	Dublin	480'	N	480'	S. & S.	" 4	50%
Sullivan	Agricola	Robie	450'	N	450'	S. & S.	" 4	70%
Spruce	Howe	Ashburn	400'	N	400'	C. & G.	" 5	10%

*aa DeBard*  
City Manager.

/em

FILED



TAX COLLECTIONS MONTH OF JUNE 1956

CIVIC YEAR	RESERVES	O/S BALANCE MAY 31st, 56	NEW ACCOUNTS & ADJUSTMENTS	JUNE 1956 COLLECTIONS	O/S BALANCE JUNE 1965
1954	74,386.95	239,189.02 Cr.	1,000.60	13,480.56	224,707.86
1955	68,604.14	512,202.30 Cr.	5,082.01	51,328.94	455,791.35
1956	83,040.92	6,366,915.14 Cr.	88,952.59	2,308,957.38	3,969,005.17
		7,118,306.46 Cr.	95,035.20	2,373,766.88	4,649,504.38
TAX YEARS PRIOR TO 1954 (covered by reserves)				4,991.49	
				<u>2,378,758.37</u>	
<b>POLL TAXES</b>					
1954		18,393.88 Dr.	7.00	679.41	17,721.47
1955		12,958.32 Dr.	24.40	868.18	12,114.54
1956		82,601.38 Dr.	11.00	7,685.65	74,926.73
				9,233.24	
Poll Taxes Other than Listed above				794.72	
				<u>10,027.96</u>	
Total Collections in June 1956				2,388,786.33	
Total Collections in June 1955				<u>2,858,029.78</u>	
Current Taxes Collected Jan. 1st. to June 30, 1956				3,419,055.83	
Corresponding Period 1955					5,526,569.84
Tax Arrears Collected Jan. 1st. to June 30th, 1956				525,433.87	
Corresponding Period 1955					412,760.55
Poll Tax Collections January 1st to June 30th, 1956				36,856.29	
Corresponding Period 1955					37,699.10
				<u>3,981,345.99</u>	<u>5,977,029.49</u>
AMOUNT COLLECTED					
Jan 1st. to June 30th					
					<u>%</u>
Tax Levy 1956			7,215,880.21	3,419,055.83	47.38
Tax Levy 1955			7,437,406.78	5,526,569.84	74.31
Tax Arrears January 1st, 1956			1,293,653.31	525,433.87	40.62
Tax Arrears January 1st, 1955			1,119,041.92	412,760.55	36.89
Total Collections to June 30th, 1956				3,944,489.70	54.66
Total Collections to June 30th, 1955				5,939,330.39	79.86

Respectfully submitted,

H.R. McDonald,  
CHIEF ACCOUNTANT.

FILED

July 12, 1956.

STATISTICAL REPORT PREFAB. HOUSES

PAID OUTS----- 343  
CURRENT ACCOUNTS 469  
BANK ACCOUNT  
OVERDRAFT -- Balance June 30/56 -- Dr. \$353,888.98  
 Balance May 31/56 -- Dr. \$375,298.11  
MORTGAGES RECEIVABLE --- \$1,053,482.89  
INSTALMENTS IN ARREARS TWO MONTHS OR MORE - - 94 Accounts amounting to \$12,116.72

FILED.

CHANGES IN TROLLEY COACH STOPS ✓

The following changes were reported by the City Solicitor:

Windsor Street - West Side

30' North of North Line of Quinpool Road deleted and the following substituted therefor:

Windsor Street - West Side

100' North of North Line of Quinpool Road.

Hollis Street - East Side

20' South of South Line of George St. - Deleted.

FILED

TAG DAY HALIFAX COLORED CITIZENS IMPROVEMENT LEAGUE ✓

A letter was submitted from the above organization advising that on their Tag Day they raised the sum of \$397.50 which would go towards the expenses of the Annual Children's Picnic.

FILED.

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

Meeting adjourned. 11:30 P.M.

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L.A. Kite,  
MAYOR AND CHAIRMAN.

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

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.,  
July 26, 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 City Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Adams, Fox, Ferguson, O'Malley, Ahern, Wyman, Vaughan, O'Brien and Greenwood.

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

The meeting was called specially to consider the following items:

1. Public Hearing Re: Rezoning Property of Ben's Ltd., S/S Pepperell and N/S Shirley Streets from R-2 Zone to C-1 Zone.
2. " " " Altering Eastern Official Street Line of Robie Street between Almon & Macara Streets and also Western official Street Line at the Intersection of Robie St. & Kempt Rd.
3. Motion Alderman Ferguson to rescind Resolution of Council Re: Sale of Land adjacent to Sir John S.D. Thompson School.
4. Lease of Land Adjacent to Sir John S.D. Thompson School.
5. Rescission of Housing and Rental By-Law.
6. Land Rainnie Drive.
7. Report City Solicitor Re: Local Improvement Charges, Hydrostone houses.
8. " " " Noise from back-firing trucks and compressors.
9. Applications to build on undersized lots:
  - (a) #53 Rosemeade Ave.
  - (b) Connaught Ave., near Chebucto Road.
10. Letter Olympic Gardens Ltd. Re: Tendering for use of Forum.
11. Minimum Standards Ordinance.
12. Borrowing Resolution \$20,000.00 Recreation Commission.
13. Approval of Contract Wading Pool.
14. " Initial Payment to Metcalf & Eddy Re: Incinerator \$1,000.00
15. Motion Alderman Vaughan Re: Board of Review Job Evaluation.

REFERENCE BY ALDERMAN VAUGHAN TO STORY IN TORONTO TABLOID RE: ATTENDANCE OF DELEGATES TO CONVENTION IN KENTVILLE

Alderman Vaughan: "On a question of privilege, I would like to draw the attention of Council to a story appearing in a Toronto tabloid in a column written by a writer who appears under the name of 'Bluenose'. He quotes Aldermen Ahern, Wyman and myself as going on a junket to Kentville with \$1000. of the City's money to spend. Your Worship, that's not a fair comment. He also

July 26, 1956.

made other reference to future political activities of this Council. I do want to declare at this time that the delegates to the Kentville convention receive only their per diem and travelling expenses."

His Worship the Mayor: "Not only do I confirm that, but they may not get that with the blue pencilling of their accounts. The writer has obviously mixed his story with the delegates that are going to Hamilton. If it is true that the delegates do not get their expenses, there is no doubt about the delegates to Hamilton."

PUBLIC HEARING - REZONING PROPERTY OF BEN'S LTD. - S/S PEPPERELL AND N/S ✓  
SHIRLEY STREETS FROM R-2 TO C-1 ZONE

His Worship the Mayor: "Item No. 1 is the Rezoning of Ben's property an issue that you have had before you on many times. At the regular meeting in June a motion was made by this Council that the application be advertised for a Public Hearing to be held. Through an error of our staff, the advertisement read to change the zoning from R-2 to C-1 which was not the form of application made by the owners, but rather from R-2 to C-2 and, under the circumstances while it is regrettable, there is nothing that can be done but comply with the law. It will be necessary to re-advertise. Mr. Jost, counsel for Ben's Ltd. is here tonight and, perhaps would like to address the Council."

Mr. Wm. H. Jost, Q.C.: "From the point of view of the applicant, it seems quite clear that the only possible course is to re-advertise for another public hearing. I am assuming that Council will adhere to that view. I saw in the press yesterday an announcement about this development and it also said that the public hearing would probably be held on August 30th. I would like to say to Council that August 30 would be a very inconvenient time for the Company. A couple of the officials have to be away the latter part of August and I will be away myself."

His Worship the Mayor: "You say it would be an inconvenient time. Well I know that I am most concerned for your interests as are a lot of other people, and the next time would be September 27 which seems to be putting it off -- it is about two months. I do not know if you want to take exception to our usual practice and have one hearing on the 10th."

July 26, 1956.

Moved by Alderman Lane, seconded by Alderman Dunlop, that a public hearing be held on September 13th in connection with the application of Ben's Limited to rezone the southside of Pepperell Street and north side of Shirley Street from R-2 Zone (General Residential Zone) to C-2 Zone (General Business Zone). Motion passed.

PUBLIC HEARING - ALTERING EASTERN OFFICIAL STREET LINE OF ROBIE STREET BETWEEN ALMON & MACARA STREETS, AND WESTERN OFFICIAL STREET LINE AT THE INTERSECTION OF ROBIE STREET AND KEMPT ROAD

A Public Hearing into the matter of altering the eastern official street line of Robie Street between Almon and Macara Streets, and also, the western official street line at the intersection of Robie Street and Kempt Road, was held at this time.

No persons appeared in favor or against the application.

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

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

MOTION - ALDERMAN FERGUSON TO RESCIND RESOLUTION OF COUNCIL RE: SALE OF LAND ADJACENT TO SIR JOHN S.D. THOMPSON SCHOOL

Alderman Ferguson: "In giving notice of motion at the last meeting, I consider that the best interests of the City will be served if the land is leased and not sold. If the land is leased, the City will retain control over it. The Simpson property may at some time be subdivided or some additional building put there and the street would still be available. The income from the rental, as suggested by the City Manager, \$400.00, is a fair rate. That is quite a little where we are getting nothing now. In addition, the Company will establish the fence. Actually, the important thing is that the City will be co-operating in the establishment of an industry. The land is necessary to build a ramp. This building will be occupied by a number of firms, who are consolidating the trucking industry. They will employ an additional number of men. The tax revenue will certainly be substantial. Up to this point the building had been used for car storage and very little truck tax was derived from it. It will take the heavy equipment off our street."

APPROVED:  
AS TO FORM  
*[Signature]*  
CITY SOLICITOR

W H E R E A S the City Council of the City of Halifax has considered the relocation of the eastern official street line of Robie Street between Macara Street and Almon Street and the relocation of the northern official street line of Almon Street at its point of intersection with the eastern official street line of Robie Street, and also the relocation of a portion of the western street line of Robie Street between the intersections of Bilby Street and Macara Street with the said Robie Street, all as shown on Section 12B of the Official City Plan.

AND WHEREAS the City Council has received a report from the Town Planning Board of the City of Halifax recommending the relocation of the said official street lines hereinbefore referred to in the manner shown on Section 12B of the Official City Plan.

AND WHEREAS pursuant to the provisions of Section 551A of the Halifax City Charter public notice of the intention to vary such street lines has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City of Halifax, the first of such notices being published at least three clear weeks prior to the 26th day of July, 1956, that being the day appointed by the Council to consider the matter.

AND WHEREAS the said notice stated the intention of the said City Council to vary the said official street lines in the manner shown on Section 12B of the Official City Plan, and the date of the meeting of the City Council appointed for the consideration of the matter and that the plan proposed to be altered and the proposed changes therein may be inspected at the office of the Commissioner of Works, City Hall, Halifax, Nova Scotia, on any day during office hours.

AND WHEREAS the City Council at its meeting held on the ~~21st~~ 26th day of July, 1956, considered the said matter and determined to vary the said official street lines hereinbefore referred to in the manner shown on Section 12B of the

Official City Plan filed in the office of the Commissioner of Works of the City of Halifax, whereon the said official street lines as altered are shown in solid blue color.

BE IT THEREFORE RESOLVED that, pursuant to the authority in it vested by Section 551A of the Halifax City Charter as aforesaid, the Official Plan of the City be amended by relocating the said official street lines hereinbefore referred to in the manner shown on Section 12B of the Official City Plan.

AND BE IT FURTHER RESOLVED that the said official street lines hereinbefore referred to as shown on Section 12B of the Official City Plan, so varied, be so indicated on the Official Plan of the City and upon the copy thereof filed in the office of the Registrar of Deeds at Halifax, Nova Scotia.

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



July 26, 1956.

Moved by Alderman Ferguson, seconded by Alderman Abern, that the resolution which passed the City Council at a meeting held on June 14, 1956, respecting the sale of land adjacent to Sir John S. D. Thompson School be rescinded.

Alderman Dunlops: "I can't agree that this resolution be rescinded. I have not heard anything or seen anything that changes my thoughts from the meeting when it was decided to sell the land. I went out to look at the land. It is a piece of rough land at the rear of a school yard. What is it going to be used for? The Council had a recommendation from the Manager and the Commissioner of Works that the land be offered for sale, then it was decided that it would not be sold. When tenders are called it is not necessary that they be accepted. We should have offers to give us some idea of the value of the land. I think the land should be sold and the resolution should not be rescinded but we should proceed with the motion."

Alderman O'Brien: "If we rescinded the motion and determine to lease the land, can we lease it by tender?"

His Worship the Mayor: "I suppose that such a motion could be carried by Council and implemented."

Alderman O'Malley: "I would like a little information on the lease of land with respect to business tax. If you lease the land for \$20,000, are we relieved of the business tax?"

City Solicitor: "Any person occupying exempt property will be liable for the business tax and real property tax."

His Worship the Mayor: "The answer is that they would be liable for both taxes -- for occupancy and real property."

Alderman Vaughan: "Was Council given copies of a plan of this area? I did not receive one."

City Manager: "There was no plan, and it is not really correct that it was recommended by the City Manager. It was proposed so quickly that I did not get a chance to look at it. We should have told them long enough to get a look."

July 26, 1956.

Alderman DeWolf: "Originally, this piece of land was a street. It is my belief, and, some how or other, it got to a point where it no longer became a street but was put in charge of the Board of School Commissioners; but, having been a street and possibly it may be advantageous to have it a street. Hence, I think it a good move to rescind the motion and lease the property."

Alderman O'Malley: "With respect to the leasing of this land, I feel that the land should not be leased until an approved agreement is passed by this Council. Any expense of grading or surfacing should be borne by the lessee rather than by the City."

The motion was put and passed with Alderman Dunlop wishing to be recorded against.

LEASE OF LAND ADJACENT TO SIR JOHN S.D. THOMPSON SCHOOL ✓

Alderman Ferguson: "I would like to carry on and make a motion that the land be leased to Consolidated Terminals at \$400.00, company to erect a fence as agreed and do all or any grading or any repairs, additions and to be responsible for any expenses that may be necessary, for a term of 5 years, providing that the property is rezoned C-2, and the By-Law amended."

The motion was seconded by Alderman Macdonald.

Alderman O'Malley: "I feel that that agreement to lease and contract should be approved by Council before being finalized."

Alderman Ferguson: "I would be pleased to add that to the motion."

Alderman O'Brien: "It seems to me that commercial properties should only be leased or sold after tenders are called. It may be that even then we should not accept the highest tender but the only reason for not accepting the highest tender would be if from the City's point of view some particular use is more beneficial to the City than others. If we were tied down to accept the highest tender I think we would be in some difficulties. I feel that the property should be rezoned before it is sold or leased and, therefore, we should, in my opinion, be deciding to have a public hearing to rezone the property, and after that is done, call for tenders to lease it."

City Solicitor: "That was mentioned at the last meeting. Before you can do that I think we should clear the zoning by an amendment to the By-Law."

July 26, 1956.

Alderman Ferguson: "Would it help if I add 'that if this is approved, that the City would have to make application, to themselves apparently' In other words, voting on the matter subject to use."

City Solicitor: "That the Town Planning Board be asked to look into the matter and arrange the rezoning of the land."

His Worship the Mayor: "I would almost recommend that you include in your motion a given date."

Alderman Dunlop: "What were you going to rezone it to?"

His Worship the Mayor: "To 'commercial', I presume."

Alderman Dunlop: "What is it now? What is the adjoining land?"

His Worship the Mayor: "Park and institutional."

City Solicitor: "It has to be advertised once a week for two consecutive weeks. It will take some weeks before the zoning By-Law is amended. After it is passed by the Council, it has to be approved by the Minister of Municipal Affairs."

Alderman Dunlop: "What is the size of the lot?"

City Manager: "It is 52 feet on Phillips Street, then on the side further to the west, 125 feet, and the side nearest to the school, running parallel to Phillips Street, it is 125 feet."

Alderman Dunlop: "It seems to me the Council should require it. I don't think the man who leases it should be compelled to put up a fence which would cost \$1,000.00. The School Board has fences on its land in all other instances. If we lease the land we should put up the fence. This lease is going to run into a thousand dollars a year. I do not know if the company ever offered \$400.00. I think the \$400.00 came from the Manager. The business and Occupancy tax is going to run in to a thousand dollars."

His Worship the Mayor: "I don't think we should go to the expense of fencing the land and I think we should look to the lease to pay that cost. It is a five-year lease."

Alderman Dunlop: "Let us say what kind of fence should be put up."

Alderman Ferguson: "It is a chain link fence. This was discussed at the Works meeting."

July 16, 1956.

Alderman Dunlop: "How high?"

Alderman Ferguson: "Five feet."

The motion was put and passed with Alderman O'Brien wishing to be recorded against.

RESCISSION OF HOUSING AND RENTAL BY-LAW ✓

Alderman Ahern: "Before we deal with the next item-- at the last meeting I moved that members of the administrative staff of the Rental Board be reimbursed to the tune of so many months pay. It was my understanding that all persons connected with the Rental Board be placed in that category, the Members of the Board as well. That is what I meant. It would mean only a few extra dollars. I am going to move that the same privileges be accorded to the members of the Board, besides the Chairman, three months severance pay.

His Worship the Mayor: "I would accept it because it is part of the subject matter."

The motion was seconded by Alderman Fox and passed.

His Worship the Mayor: "The motion we had last month, when we debated this question, was in the form that our Rental Board be abolished and that the funds be withdrawn. It subsequently appears that that left us in a 'half-way house'. We have withdrawn the Board but the By-Law under which the Board operated are still in effect. The only system that can effectively solve the problem of abolition of the board is to ask the Province to abolish the By-Law as it affects the City of Halifax. I should say that I have had several letters requesting that this not be done--from the Trades and Labour Council, from the Industrial Marine & Shipyards Workers, the Canadian Brotherhood of Railway Employees, Canadian Brotherhood of Electrical Workers, the Amalgamated Association of Trolley Coach Employees; also, letter from the Welfare Bureau. That is how the matter stands for your consideration."

Alderman Fox: "Is there anyone in the audience who would like to speak on the matter."

It was agreed to hear anyone wishing to be heard.

July 26, 1956.

Mr. Sinclair Allen: "I am here tonight representing the Halifax District Trades and Labour Council and also with me is a full executive of that Council and every labour union is represented here this evening.

I have been contacted since the first of July by a number of people on rental control on the rent going up and a lot of cases where the rents have been greatly increased, some from \$115.00 to \$175.00. Some rents have been increased by 50 percent. In some cases the people were told that they would be evicted if they did not pay the rent. They were given 30 days notice and I understand that the rent control is still in effect and in the Act you have to give 90 days notice before you can evict them, but they have a notice that they must get out inside of 30 days. There are some good landlords but there are some that should be horse whipped and sent out of the City and not allowed back."

Mr. Allen mentioned cases which had been referred to him of overcrowded conditions and unsanitary conditions in houses where high rents were being charged, and continued "Our Council has before, and ever since the rent control came on, always went on record as opposing any lifting of the control and we are strongly against it still and we know that rent control is needed. There are a number of other people from labour wishing to have a few words as well but I would like to say that when the Vote is taken this evening, it will be known to labour and the tenants of the City whether the Aldermen are for 'big business' or for the people, and we will take our cue from there."

Mr. Pat Shea: "At the second last meeting Mr. Ibsen and myself made representations to this Council on behalf of the Trades and Labor Council for the continuance of rent control. I was reasonably sure that this Council would further extend rental control for the protection of tenants. Evidently, at the last meeting there was a pretty well organized group who stood on the Council floor and said the control was no good, there was no teeth in it and it was of no effect. If that was so, why are they so interested in getting it lifted? I think it is needed more than ever. The City by maintaining the Emergency Shelters recognizes this fact. If rental control were not needed then there would be no necessity of operating the Emergency Shelters. Brother Allen

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quoted cases of people whose rents were increased. Numbers of people who have used the facilities of the Rental Board in an effort to get decreases have now been given notice to vacate simply because they took the action they were allowed legally to take. I think you owe it to the citizens of Halifax to continue this rent control. A great number of people who are presently paying rent in the City are interested and may show their feelings at a later date."

Mr. R.G. Swindels, representing the National Executive Board of the Canadian Brotherhood of Railway Employees, also spoke requesting continuance of Rental Control.

Mr. J.K. Bell, representing the Marine & Shipbuilders Union: "Our members were surprised to see the Council act in lifting rental control at the last meeting, particularly in view of the fact that we could see where Council could be sufficiently optimistic in looking on the inadequacy of housing accomodation with the lifting of rental control. I am sure Council has the information before it where federal authorities have pointed out that Halifax experiences one of the greatest housing shortages in the Country, and we can't see where Council could have taken that action without implementing some form of public housing program. The newspapers headlined that there is to be a cement shortage which will affect the housing program in this area. It is well known that many cities in Canada and the United States have found it necessary to return to rental control after lifting it a few years ago. That is the story that our members feel has not been completely explained to the public of Halifax, where Council can lift rental control without taking any interest in providing adequate housing. St. John is building thousands of low rental units, joining with the Federal Government. I think the Council has been very lax in not taking into consideration the needs of the low income families. True, we have 161 units for which the City Council had contributed 25% and the Federal Government 75% but the Council has never made representations to the Provincial Government so that we could build more low rental units."

His Worship the Mayor: "We have done that, Mr. Bell."

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Mr. Bell: "It certainly has not been publicized. However, we are glad to know that and hope you will continue your efforts. When the Government has built sufficient low rental housing units, then it will be time to lift the rental controls."

Mr. Fred G. Ibsen, representing the Carpenters' Union, as well as the Halifax District Trades & Labour Council, spoke in favour of continuing the rental control, stating that when a business increases, it is not the time to abolish it. He then read figures from a report showing numbers of cases considered by the Board, contending that the need for control was definite and asking that it be extended for an indefinite period.

Mr. William Carter, Chairman of the Housing Committee of the Association for the Advancement of Colored People, Inc., also spoke pointing out that the colored people were already paying high rents for the worst accommodation, and if controls were lifted the people would be forced out of these places and there would be no place for them to go but to City Hall. "Everybody knows there is a housing shortage, and for anybody to advocate that controls be lifted and the people of Halifax left to the mercy of the landlords, they would be doing an inhuman act."

Mr. Ralph Medjuck: "In all fairness to the citizens of Halifax, I must agree with the comments of Mr. Allen who states that there is a serious situation in Halifax due to the poor living conditions and slum conditions that exist. I know the Aldermen know the merits of rental control but the wise approach is in regard to minimum standards. I suggest that Council direct all its efforts towards putting in minimum housing standards so that all slums would have to be brought up to par or the owners would be forced to pay some penalty. The occupants of these houses would be helped in this way. In a democracy we have free enterprise. The only aspect of free enterprise which is controlled is rents."

Alderman Vaughan: "What is the legal position of this Council with regard to the motion made?"

City Solicitor: "The motion on June 14 was to the effect that appropriations be continued to enable rental control remain in effect until December 31.

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1956. That was defeated by an 8 to 5 vote. Council has two options if they wish to re-consider the matter--one is to decide by two-thirds vote; or wait until two months elapse."

Alderman Vaughan: "The motion that failed to pass in the June meetings was to the effect that funds be provided to carry on the Authority until the end of the year. Would a motion to provide funds to October 31 be in order?"

City Solicitor: "I think it would. That is not the same motion -- it is a different date."

Moved by Alderman Vaughan, seconded by Alderman O'Brien that the necessary funds to operate the Rental Control Authority until October 31, 1956, be provided under Section 316 of the City Charter.

Alderman DeWolf: "I do not think that is the whole answer. I think we all have sympathy for those who pay too much rent. They were paying too much rent even under rental control--rents that could not be controlled because many people agreed to the rent that the landlord asked. If rent control is going to remain in force until October then it should be some new form that will give protection to the people who are being charged too much. One of the bad factors of rent control was that if you had a bad tenant you could not get him out. I would like to see the regulations gone over. I would like to know how many landlords have taken advantage of the fact and have boosted rents. I do think you should have a committee to deal with the Act and revise it so it will be fair to the Landlords and fair to the tenants."

City Solicitor: "I think the desire of Council is going to be fairly limited by the authority set out in page 10 of the Acts of 1951, which is the only authority given to the City to control rents."

He then read the section of the Act dealing with eviction proceedings and continued: "There is no authority there for a landlord to dispossess an obnoxious tenant--the only reason is for non-payment of rent. That Act is a provincial statute."

Alderman Ahern: "I agree with Alderman DeWolf. The landlord needs protection but the tenants needs more protection. I feel that this is one of the best Councils we have ever had and I know that they are fair-minded and always



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like to consider the 'under dogs' so-called, the poor man who makes \$45.00 per week or less. If he complains, out he goes for the most trivial excuse and I think we should give protection both ways. I am for keeping the controls for a limited time."

Alderman Lane: "Speaking on Alderman Vaughan's motion, there has been a great deal said with which I agree and disagree. I agree with Alderman DeWolf that the motion, as such, is a 'stop gap'. In my own opinion, the Rental Control By-Law was an ineffectual law, frequently ineffectually administered. Because I would like to see it re-considered, I would be prepared to vote for Alderman Vaughan's motion, but it isn't that I am in fear of political suicide. My opinion is still unchanged and I want to see the law altered. It was intended to be a stop-gap and nothing else. If we can pass a by-law that will say that all rented property will be surveyed, then we are getting some where."

Alderman O'Brien: "The objections that were received when we last discussed this matter included the point that the law was not effective from the tenant's as well as the landlord's point of view. The answer is not to dispose of the By-Law but to have it extended so that we have time to consider and take action on the laws that are there. If the omissions are in the provincial legislation then we need time to decide what changes are needed. This City is different than some in that, being a peninsula where the land is almost all taken up it has a premium put on it and that is something which will tend to force rents up unless there is some control. We may require it. Certainly we have had evidence tonight that some people are beginning to take advantage of a situation where they thought that controls were gone. That is sufficient to warrant reversing the position we took last time to extend controls to October 31st but some work will have to be done in the meantime on the By-Law. Minimum standards, the housing survey and rental controls need to be studied as a whole picture so that we can determine where we are going in housing.

I hope that Council will support this motion and continue the control. In the meantime the Housing Committee could be doing some work on this so that when the matter comes up in October, we will have some information before us and know where we are going."

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Alderman Macdonald: "I have been listening with interest and there have been a few occasions where rents have taken a sharp increase. How many complaints came into the City Manager concerning rental increases? I would like to know as a matter of information."

City Manager: "All calls but two came before June 30th. Since July 1st I had only two calls. I am not aware of any problem."

Alderman Dunlop: "An Alderman has to be real bold to speak in the face of the representations made by organized labor. I thought they were rather threatening. Certainly, like my fellow alderman in Ward 1, I am not frightened by them. I do not think organized labour gains anything by telling us that we would be sent into political oblivion. I said we could restore this in four days if we wish. As a practicing lawyer I have not found through our office that there has been any increase in notices to quit. I say that Rent Control is the most ineffectual law we have on the Statutes. We didn't have the staff to enforce it properly. The By-Law is restrictive. If it is a good law, it should apply to Dartmouth and the Municipality as well as to Halifax. The statistics quoted by Mr. Ibsen and the Manager certainly don't prove the justification for the re-establishment of this Board. This by-law should be allowed to drop and if, from serious study, we find that the situation is as has been represented, we can bring the By-Law back on four day notice. It controls every type of property, whether built in 1877 or in 1950. If we bring it back I would envisage a different type of staff and control. Rental control never provided one additional housing unit since its inception, and that is what we want--more housing units. The motion should be debated and if we find after thoroughly studying the facts and figures that rent control is necessary, you can call a special meeting and we can bring a by-law into effect which, I hope, would be much fairer for the landlord and tenant than the present by-law."

Alderman Vaughan: "Unlike Alderman Dunlop, I am convinced there is a need for the continuance of rent control until such time as the program outlined by Alderman O'Brien is brought into effect. I am not in favour of it but there is a great need because rental increases have been so high."