

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.,  
February 21, 1957,  
8:00 P.M.

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

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

There were present His Worship the Mayor, Chairman, Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Adams, Fox, O'Malley, Lloyd, 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., J.C. Boyle, I.M. Ronkey, J.L. Leitch, A.P. Flynn, V.W. Mitchell, J.P. Thomson, G.H. West and Br. A.R. Morton

The meeting was called specially to consider Estimates for 1957.

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

8:05 P.M. Council adjourned

10:45 P.M. Council reconvened. The following members being present His Worship the Mayor, Chairman, Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Adams, Fox, Lloyd, Wyman, Vaughan, O'Brien and Greenwood.

RESOLUTION RE. TAX RATES FOR 1957

Moved by Alderman Lloyd, seconded by Alderman Abbott that the report of the Committee of the Whole Council be approved, viz: that the Residential Tax Rate be determined at \$4.75 per \$100.00 of assessment and that the Commission of Finance be authorized to withdraw from the Current Surplus Account a sufficient sum to produce a Business Tax Rate of \$4.75 per \$100.00 of assessment.

Motion passed.

RESOLUTION RE. SCHOOL BOARD ESTIMATES

The following resolution was submitted.

RESOLVED that the estimates as submitted by the Board of School Commissioners for the fiscal year 1957 amounting to \$2,738,099.13 be objected to in part and the Council hereby record its objection in respect of the following amounts:

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Salaries - Teachers \$8 000.00  
Commissioners Allowances 1,800.00

FURTHER RESOLVED that the said estimates be amended in part by including the following item:

Africville Bus Hire \$3,500.00

AND BE IT FURTHER RESOLVED that a copy of the estimates as so amended be forwarded to the Board of School Commissioners for its information.

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

RESOLUTION RE: LEGISLATIVE GRANTS ✓

The following resolution was submitted:

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

To pay as a grant to the Salvation Army (Red Shield Campaign) the sum of..... \$2,000.00

To pay as a grant to the Canadian Cancer Society the sum of.. 1,000.00

To pay as a grant to the Halifax Community Chest the sum of.. 9,000.00

To pay as a grant to the Canadian Red Cross Society (Nova Scotia Division) the sum of ..... 2,500.00

To pay as a grant to the Canadian Red Cross Society (Home Makers Service) the sum of..... 2,000.00

To pay as a grant to the St. John Ambulance Association the sum of..... 750.00

To pay as a grant to the Board of the Maritime Museum (Citadel Hill) the sum of..... 3,500.00

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

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

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

To pay as a grant to the Board of the Army Museum (Citadel Hill) the sum of..... 3,500.00

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

To pay as a grant to the Canadian Paraplegic Association (Maritime Division) the sum of .. 500.00

To pay as a grant to the Halifax Light Buss Bengal Lancers the sum of..... 1,000.00

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To pay as a grant to the Halifax Musical Festival the sum of..... 750.00

To pay as a grant to The Family Service Bureau of Halifax the sum of..... 4,000.00

To pay as a grant to the Walter Cellow Wheelchair Coach Fund the sum of..... 500.00

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

To pay as a grant to the Springhill Disaster Relief Fund the sum of..... 5,000.00

To pay as a grant to Halifax Rehabilitation Centre the sum of..... 1,000.00

Moved by Alderman Macdonald, seconded by Alderman Lane that the resolution be approved. Motion passed.

1957 LEGISLATION CHANGING OF "HALIFAX WELFARE BUREAU" TO "FAMILY SERVICE BUREAU OF HALIFAX" ✓

The following legislation was submitted: "Subsection 310 is amended by striking out the words "The sum of two thousand two hundred dollars for the Halifax Welfare Bureau" in the fortieth and forty-first lines thereof (the same being the paragraph authorizing the making of an annual grant to the Halifax Welfare Bureau) and substituting therefor the words "The sum of two thousand two hundred dollars for the Family Service Bureau of Halifax".

Moved by Alderman Vaughan, seconded by Alderman Greenwood that the legislation be approved. Motion passed.

SCHOOL REBATE \$2,000.00 ✓

Moved by Alderman Lloyd, seconded by Alderman Vaughan that the School Rebate be set at \$2,000.00. Motion passed.

Moved by Alderman Greenwood, seconded by Alderman O'Brien that this meeting do now adjourn. Motion passed.

Meeting adjourned. 10:50 P.M.

LIST OF HEADLINES

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W.P. PUBLICOVER, CITY CLERK.

L.A. KITS, MAYOR AND CHAIRMAN.

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.  
February 28, 1957,  
8:00 P.M.

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

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

There were present the Deputy Mayor Chairman; Aldermen DeWolf, Abbott, Dunlop, Macdonald, Adams, Fox, O'Malley, Lloyd, Wyman and O'Brien.

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

The meeting was called specially to consider the following items:

1. Public Hearing Re: Assessment of Land (Vacant and Non-Conforming Use.)
2. Fire Protection Rate.
3. Report City Solicitor Re; Sale of Public Service Commission Land.
4. 1957 Legislation.

PUBLIC HEARING RE; ASSESSMENT OF LAND (VACANT AND NON-CONFORMING USE)

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

Legislation was submitted from the City Solicitor as follows:

1957 LEGISLATION

ITEM 41(b)

Assessment of Vacant Land.

Section 375D, enacted by Section 25 of Chapter 51 of the Acts of 1942, is repealed and the following substituted therefor:

375D. (1) The owner of any vacant land which is situated in any zone in which any commercial business or industry is permitted to be carried on and the owner of any vacant land in any zone in which commercial business or industry is not permitted to be carried on but which land is permitted by law to be used for a commercial business or industry shall, in respect thereof, pay a real property tax at the rate fixed pursuant to the provision of subsection (2) of Section 409.

(2) The owner of any vacant land which is situated in any zone in which any commercial business or industry is not permitted to be carried on shall, in respect thereof, pay a real property tax at the rate determined pursuant to the provisions of subsection (1) of Section 409.

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Moved by Alderman Wyman, seconded by Alderman O'Brien that the legislation as submitted be approved.

Alderman Dunlop: "Does this cover the case where the property is zoned commercial on which buildings are? By land I included buildings that it should be taxed at the Commercial rate. This would only cover land on which there are no buildings. This would not cover the situation on Oxford Street where land was rezoned commercially and is still used as residential land."

City Solicitor: "I understood that it dealt entirely with vacant land. In the downtown area if the higher rate were put on it, it might induce the owner to get something on it. It is a very simple matter for me to draft what you want."

Alderman Dunlop: "Suppose we take the section out of the Charter about vacant land? Where do we fit then?"

City Solicitor: "I think it would fall into the use to which it was put. They are (1) Real property of a residential character or nature. (2) Real property of a business character or nature and (3) Type of property that is neither one or the other such as clubs. It was felt that vacant land has no character as such and that is the reason why that clause was put in the Charter in 1942."

Alderman DeWolf: "There is a lot of land opposite Simpsons Limited, there are quite a number of acres. If this goes through that must be assessed as business land."

City Solicitor: "Yes."

Alderman DeWolf: "I don't believe the mover of this suggested that the owner of that property must pay that high rate. I know that the owner has been trying to sell for a year or so. It might cost that man several thousands a year when he is willing to sell. The Power land is zoned industrially and it is going to be quite a penalty on the owners."

Alderman Lloyd: "The matter is promoted in the Finance and Executive Committee and it comes to us for a public hearing. We have an idea what it is all about. There are a great many questions about this matter."

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The Deputy Mayor asked if anyone were present who was in favor of the proposal to which there was no reply.

He then asked if anyone were present who was against the proposal to which Mr. R.J. Butler appeared on his own behalf.

Mr. Butler: "When a parcel of land is zoned other than residential can a person build on it a residence?"

City Solicitor: "In any of the zones starting with R-1 going up to the C Zones you can build residential buildings."

Mr. Butler: "With that in mind, if a person owns land other than residential in any of these categories, if he is compelled to pay a business tax rate on that land he is being burdened. As long as he is free to use it for residential purposes up to that point he should only pay on the residential rate. On such a piece of land the assessment based in the same manner as any other piece of residential property or in accordance with the zone?"

Mr. Thompson: "It is based according to the zone if it is general business. Zoning does affect our valuation."

Mr. Butler: "That land would be bearing more burden than land definitely zoned as residential. If the business rate were charged against that land it would seem that the person might have to sell that land. In that way I am wondering if it might be forcing that man to give up his ownership of that land. Is it not his privilege to own that land as long as he is paying a reasonable tax on it? To the City I don't think it would net too much income. If you force the owner of this vacant land to build right away, are you not going to build up right away and it will not leave any land for development in the future. I represent some of the people in the City and it might have an effect on the employment in the City."

The Deputy Mayor: "With respect to the advantage to the City the City Assessor has set out a report on vacant land assessments and it says we would have an additional \$45,000.00 if it were on a business rate."

Mr. Butler: "Is it fair to the individual to put him in this position. There is no income from vacant land. People are not going to hold onto vacant land too much longer. If the City can wait it will get more than \$45,000.00 when these buildings are erected."

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Alderman Dunlop: "What about land assembled by firms buying buildings and tearing them down and the land is taxed at the residential rate?"

Mr. Butler: "Are you referring to downtown districts?"

Alderman Dunlop: "Areas zoned for commercial purposes."

Mr. Butler: "It maybe that the owner might want to use commercial land for residential purposes. If you have commercially zoned property that can be used, there is nothing in the Charter to violate the laws of the City that until such time as a man puts it to a commercial use, it should be charged on the residential rate. He is assessed commensurate to the zone in which the land is situated. I don't think the City should force a man to use his land for something he does not want to."

Alderman Lloyd: "I can see the merits of the proposal with respect to some properties. On the other hand I can see a hardship in the case of others. Some lots were bought as sites for commercial buildings. The land is being held until the market is ready. In one instance that I know of it would involve a much heavier carrying charge and may force the Company to change its plans. The Company may find it necessary to choose another location elsewhere. I don't know where you draw the line in taking steps towards improvements and we have no terms of reference on the Taxation Inquiry. I presume it will cover the whole field of assessment practice, Tax Appeal Court method of dividing property between residential and commercial and what is value contemplated by the Assessment Act. We have properties that are in commercial areas and the Assessor arrives at "X" valuation. The top floor maybe an apartment. He apportions the total value including the land over the building. In our commercially zoned areas in effect we have land being distributed between a residential assessment and a business assessment being taxed at the high rate and the low rate some other proportion. I suggest that when the dividend tax rate was proposed and took place it was voted down and there is some history about that. It was one of those things that had to be done in a hurry. There were the Dominion- Provincial Agreements that had to be settled. There was Ex-Alderman Murray MacKay, Mr. Allan Butler, Mr. J.F. McManus, the City Solicitor and myself."

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Before that meeting took place we had considered a business tax system similar to Ontario; an occupancy tax on a graduated scale. It was with the understanding that it would cease at the end of the war. In the Legislature that clause was removed. The records of this Council are quite filled with evidence on my part and others to bring about a re-assessment right after the war. There are two schedules compiled by our Assessor of the business in 1947 or 1948. In 1952 we had a \$10.06 rate and \$9.95 the following year. The understanding was that we could hold that but we must have a re-assessment and find the basis on which to design a new tax structure. In most people's minds the thought was that the residential tax rate should apply to home owners basically. We find these situations today where you have a very substantial building and on the top floor are some apartments for the members of a staff and it is assessed at the residential rate. Is that not right Mr. Thomson?"

Mr. Thomson: "That is right sir."

Alderman Lloyd: "Should you not go further and say should not all property in commercial zones be commercial and be done with it and not enjoy this rate which was intended to home owners? If you pass this legislation as it stands you may accomplish your purpose where the property is held for capital gain and the capital gain will be very substantial while on the other hand you will impose a hardship on people who have property in their hands for sale. Once you raise the tax on land you put a penalty on the seller and you put a bonus on the buyer because he will offer less."

Alderman O'Malley: "In this proposal could we be enlightened as to how the tax is applied on land in commercial areas that is to say if a commercial enterprise makes land by purchase of property and razing the buildings thereon for off-street parking for their employees, does that come under the commercial rate?"

Mr. Thomson: "No. The land at the corner of Sackville and Argyle Streets went to the Tax Appeal Court and they said it should be under the residential rate of assessment."

Alderman O'Malley: "I feel commercial people are making quite a considerable contribution to the flow of traffic by providing the off-street parking. I am going to vote against this resolution because I have had some experience



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in owning vacant land as well as another Alderman. Back some years ago I purchased what became quite a valuable piece of land. The Council at that time was thinking much like the Council tonight as the Alderman who has proposed this resolution feels that by putting a heavier burden upon the land is going to compel the owner to put it to use by the construction of a building that will accrue greater taxes to the City. Their thinking was that they did not propose a heavier tax rate but that the land be assessed at its full value. I purchased that land in 1926 at its assessed value. There was some advantage to tax that property at its full market value. Nobody can foretell whether you are going to have a depreciated value or not. I say I lost from four to five thousand dollars at the time I sold that property. If I had held that property for 10 years I would have made quite a substantial capital gain. I think it is unjust to penalize people who hold vacant land. Companies like Simpson's Limited who have large parking areas; are they assessed on the commercial rate?

Mr. Thomson: "Yes sir, to the west and north of the building the piece to the east was determined by the Tax Appeal Court that it was not used for business and it was assessed at the residential rate."

Alderman O'Malley: "I think it is an unjust rate to apply. I think this whole matter should be filed and disposed of. Perhaps at this time it is not the right time to proceed without a good deal of study. We have no organization that has the time to devote study to such matters as this. The situation today is entirely different than in 1942 yet a matter like this requires a good deal of time. Our Assessor has not the time. He is 9 months making assessments and 3 months in the Tax Appeal Court. We don't want to penalize people. We want to collect taxes and as quickly as possible. Firms like Ben's Limited; are they taxed business or residential?"

Mr. Thomson: "Their land is all at the business rate."

Alderman Dunlop asked at what rate the land on Hollis Street owned by the breweries was assessed.

The City Assessor advised that the land is assessed at the residential rate.

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Alderman Dunlop: "The problem is how to deal with the situation. My thinking originally was that all land including buildings should be taxed at the rate in the zone it exists. After thinking it over that really can't be done at the present time."

Moved in amendment by Alderman Dunlop, seconded by Alderman Lloyd that this matter be deferred until the October meeting of Council and that the City Assessor and City Solicitor be instructed to study the matter and report their recommendations to Council.

Alderman Lloyd suggested that the mover of the resolution instruct the City Solicitor and City Assessor to give a recital of the facts of the status of the various kinds of property to the Judge conducting the Inquiry.

Alderman Dunlop: "I think the matter could be put before the Commissioner on Taxation about vacant land. I think the persons to do it are Assessor and Solicitor."

Alderman Lloyd: "My memo did take into account the matter we are discussing tonight. It has been said that we don't appear to have Officials with the time. To some extent it is our duty to get the information and decide a policy. I think the facts could have come from our administration instead of me. I think these facts will come to us. I came here and examined the budget and I asked a question about the Federal Grant, Tuberculosis Hospital and the Current Surplus Account. I think that we desire more from our City Manager by way of a far more detailed study of our problems in taxation and finances than we have been getting. I venture a guess that the report I wrote to this Council whether it is a good one or a bad one, occupied fully 100 hours and many visits to the Assessor's Office to examine rolls. I feel that is going far beyond the duty upon me as an Alderman. I feel it should come from our administrative staff. I believe a good deal of our difficulty today is that information was not being brought to our attention when it could have been brought to our attention long ago. I express great disappointment that it has not been before us. If I can do it in what spare time I might have, and I do not claim to be an authority on taxation, but it is possible to get information from other cities without leaving it to the Board of Trade about 6 properties. It seems we have had an

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inertia in our administration. Once again we have an illustration which is amazing. If it is a fact that there is nobody here on the staff to do that kind of research work, then by all means I think we should invite the Judge to give it his attention. We have appointed him to do that very kind of thing. If we don't place it before him, who is going to. What are going to be the terms of reference. Are we just to leave it in the hope that he will cover everything? It seems this is an opportune time to bring something very tangible to his attention. It should be done by the Assessor and Solicitor by a recital of the facts."

Alderman Dunlop: "The City of Halifax is well served by the Manager and other Departmental Heads. I don't see how the Manager can do any more work than he is doing at the present time. As far as the Taxation Inquiry is concerned, there are no terms of reference. I think my motion was the subject of taxation. It covered all the field. If the Judge does not touch it I will be disappointed. This can go to him specially."

Alderman Wyman: "With regard to the matter of parking, I would like to pursue that a little further. The Assessor has told us that the land to the west and north of Simpson's is assessed at the business rate. Sometime ago we had a considerable discussion regarding the zoning of land on Pepperell Street for the Dominion Stores which would be used as a part of the parking lot adjacent to the store. Will that land which was rezoned Commercial pay taxes at the business or residential rate?"

Mr. Thomson: "They will pay taxes at the business rate. The land will be used by customers."

Alderman Wyman: "I have seen advertised in our papers that the land to the east may be used by their customers. I don't see why there should be a distinction. It must be that the lot is used for the parking of their employees or customers. With respect to the matter under discussion in the Finance and Executive Committee it was most desirable that it get the full consideration of this meeting. I was not altogether convinced whether we should study it or not. I moved it so we would have the discussion we had."

Alderman Dunlop: "Is the driveway at Simpson's taxed at the vacant land rate?"

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Mr. Thomson: "The business rate"

The amendment was then put and passed by voting for the same and 3  
against it at 11:30 AM.

FOR THE AMENDMENT: Aldermen Dunlop, Macdonald, Lloyd, Wyman, O'Brien  
Wolf and Abbott - 7 -

AGAINST IT: Aldermen Adams, Fox and O'Malley. - 3 -

FIRE PROTECTION RATE

Read report from the Commissioner of Works recommending that the Fire  
Protection Rate for 1957 be fixed at 10 cents per \$100.00 of assessment.

Alderman DeWolf: "What is the basis? Why is it 10 cents? What are we  
charged?"

City Solicitor: "It is a formula prescribed by the Public Utility  
Board."

Alderman DeWolf: "This rising every year would make a greater amount  
payable to the Public Service Commission. This is to cover pipes in the  
ground."

City Solicitor: "The cost of the pipes in excess for what would be used  
for ordinary domestic use."

The Deputy Mayor advised that the rate was 23 cents in 1955.

Mr. Ronkey advised that the amount received had been in the vicinity  
of \$240,000.00 a year.

Alderman DeWolf: "Is there any reason why it should go up. The amount  
of new pipes is going to be smaller every year."

City Solicitor: "I think that along with the operating costs too."

Alderman DeWolf: "I think we ought to look into that. I think at the  
next meeting of the Board it would be well for the Solicitor to see if this  
is going to cost us anything for the benefit of the Public Service Commission  
from which we get \$x tolls and nothing over that. We are limited to the  
\$100.00 per year. The Commission is not limited by the amount the tax payers  
pay. The Solicitor should get some ruling on it in future."

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Motion by ... by ... that the recommend-  
ation of the City Council of ... Motion passed

RECORD OF THE CITY SOLICITOR RE: SALE OF PUBLIC SERVICE COMMISSION LAND

To: Your Worship, the Mayor and Members of the City Council.

From: Carl F. P. ... Q.C., City Solicitor.

February 28, 1957

Subject: Sale of Public Service Commission Land.

Your Worship and Members:

My opinion has been requested as to whether the Public Service Commission has the right to sell any land held by it which is deemed by it to be unnecessary for the purpose of carrying out its operations without first securing the consent of the City Council.

The Public Service Commission was set up under the authority of Chapter 47 of the Acts of 1944 and in that Act Section 6 (b) provided that the Commission shall have power

(b) to acquire, hold, sell or dispose of any of the assets of the Commission ... for the purpose of its operations ... with the approval of the Board and the City Council ... the Commission may act and proper.

It will be noted in the above clause that the words "assets" and "undertaking" are used ... of the Board and the City Council ... the approval of the City Council for the sale of any of its necessary assets

In my opinion the word "undertaking" means something quite different from the word "assets" ... by judicial decision that "undertaking" means a physical thing ... of course physical things are ... of the undertaking ... 1945, 1 D.L.R. p. 145

It has been held by the Court that the meaning of the word "undertaking" is ambiguous and must be determined having regard to the context and the intention of the legislature.

It therefore appears from the paragraph (b) above referred to, in referring to "assets" and "undertaking" is referring to two different things. If the legislature had intended that the consent of the City Council was necessary for the sale of assets it would have stated so as it did in the case of the ... of Chapter ... of the undertaking

... of the Acts ... of Chapter 47 of the Acts

February 22, 1957.

As between the City and the Commission, subject always to the rights of the Bondholders and the Trustee of the Bondholders under the Deed of Trust and Mortgage dated as of January 1st, 1952, made by the Commission as Trustee of the Nova Scotia Trust Agency as Trustee, the City shall be deemed to be in the same position with respect to the property and the Commission as if the Commission were a Joint Stock Company, incorporated under the Nova Scotia Companies Act, 1935, and the City were the owner of all the shares therein.

This amendment might be said to place the City in the position of being a Board of Directors since under the Companies Act no one but shareholders or persons otherwise complying with Section 80 of that Act may be directors. His thought was carried forward, I think, into conflict with the provisions of the Act which where the powers given to the Commission do not extend to the powers normally held by directors in companies incorporated under the Nova Scotia Companies Act. I do not think it was the intention of the Commission to do this without a definite expression of intention. It is possible to read the 1952 amendment with the original statute by which to be so read.

With this point of view it would appear that the effect of the 1952 amendment was merely to place who was the actual owner of the Commission - the one who would be liable in the event of anything up

Therefore, it would appear that nothing of the nature to require the City Council to be the agent of the City Council in the event of anything up for the purpose of its undertaking. The effect of the amendment is to place

It would appear that where the Commission proceeded to carry out the operation of the undertaking and this might prejudice the carrying on of the undertaking, I feel that in such a case the consent of the City Council should be obtained.

Yours very truly

CARL P. BETHUNE,  
CITY SOLICITOR

As far as I am concerned, there is no objection to the detached areas might become available as a recreational area for the City. It is not such an impractical idea. It might be possible to have a better effect for water supply and make all this valuable land available for re-planting. If the Public Service Commission wanted they could get it, but they would have to make away. If that should be practical, they would get it from the City of the Detached Area. Who is going to get the benefit from the disposal of these lands, the City or the Public Service Commission? It would be to the Metropolitan Commission. That is what I understand to be the intention of the Public Service Commission. That is why we are not going to put anything on them that they could not sell without the approval of the City Council.

Alameda County Board of Supervisors... legislation with respect to... San Francisco... there is a section which was passed after the Act was passed... Act is no longer out and... City... have a... that... any reason why... with Alameda County... I for the... rather from... this case.

Alameda County Board of Supervisors... San Francisco... Alameda County... they... about

City Board of Supervisors... City for the... of

Alameda County Board of Supervisors... City... thought... be... when... They were... as...

Alameda County Board of Supervisors... \$1,000,000... with respect to... required is... for next year.

OFFICE OF CITY SOLICITOR

City Hall, Halifax, N.S.

February 28, 1957.

1957 Legislation

Item 21

Acceptance of Clinton Lane.

The Charter is amended by inserting therein, immediately following Section 545D thereof, the following Section:

545E. The City may accept Clinton Lane, connecting Clinton Avenue and Chebucto Road, as a City street, notwithstanding that such street when laid out and accepted does not comply with the requirements of subsection (1) of Section 524 and clause (a) of Section 545.

(Explanatory note: Under the provisions of Section 524(1) and clause (a) of Section 545 no street less than 60 feet in width may be laid out and accepted as a City street. In completing the Armdale Rotary it was decided to lay out a by-pass lane 20 feet in width off Chebucto Road, connecting with Clinton Avenue. The City desires to accept this lane and maintain it as a City street.)

Item 51

Legislation re lane running from Summer Street to Tower Road through Cathedral Barracks.

(1) The lane laid out on plan No. 0-2-1839, dated November 2nd, 1908, entitled "Design for the Subdivision of the Old Exhibition Grounds" and filed in the office of the Commissioner of Works, is hereby declared to be closed to public use and the legal title thereto vested in the City.

(2) Notwithstanding the provisions of Section 618E and 618F, the City may sell and convey all or any part of the lands comprised in such lane for such sum or sums as it may determine and give a good and sufficient deed therefor.

(Explanatory note: When the Old Exhibition Grounds (being part of the Common of Halifax, bounded by College Street, Tower Road, Morris Street and Summer Street, was subdivided a plan of subdivision (above referred to) showed a lane 20 feet wide running from Summer Street to Tower Road. Certain lots were sold in this subdivision which were described as bounded by this lane but no rights were ever given over it and it does not ever appear to have been open and used. A portion is now enclosed as part of Cathedral Barracks under lease from the City.

The City desires to sell the eastern portion to the Dean and Chapter of All Saints Cathedral which owns the land on both sides of the portion of the lane the sale of which is contemplated. In order to ensure that any rights in the public to use this lane are extinguished and the City has the right to convey, the foregoing legislation is submitted.)



OFFICE OF THE CITY SOLICITOR

City Hall, Halifax, N. S.

February 13, 1957.

1957 Legislation.

Item 4.

Clause (a) of subsection (3) of Section 280, as that section is enacted by Section 36 of Chapter 46 of the Acts of 1955, is amended by striking out the words "rate has been" in the first line thereof and substituting therefor the words "rates have been determined and".

(Explanatory note: Prior to 1956 only one tax rate was fixed by the Council, the other being set at a definite amount by legislation. In 1955 legislation was enacted effective in 1956 which required both rates to be established by the Council. To avoid confusion in referring to these rates one rate is said to be "determined" and the other "fixed". The above amendment is necessary to conform with the present method.)

Item 5.

(1) The City may write off and cancel any or all of the assessments for concrete sidewalks laid during the year 1951 in the Hydrostone District (so called) as set out on the plan and list filed in the office of the Commissioner of Works on the 29th day of September, 1955, for which payment to the City has not been made.

(2) The City may repay to any person who has paid the City any sums in respect of any of such assessments the sums so paid by such person, and upon the repayment of any such sum the City may write off and cancel the assessment in respect of which such sum was so paid.

(Explanatory note: The cancellation of charges and refunds of payments made is sought because the sidewalks so laid were laid by arrangement with the Halifax Relief Commission, which made a contribution towards such costs. This contribution, it was considered, would be regarded as the abutters' share.)

Item 6.

(1) The Council may by resolution close to public use that portion of Southwood Drive in the City of Halifax (formerly known as Owen Street) lying to the east of Young Avenue, and upon the passage of such resolution the right of the public to use such portion of such street shall be terminated and extinguished.

(2) Upon the passage of the said resolution the City may sell and convey the lands formerly constituting such portion of

- 2 -

said Southwood Drive in the manner provided in the Charter and give a good and sufficient deed thereof.

(Explanatory note: Many years ago the City received a conveyance of the above land from one Jacob Miller et al for the purpose of opening a street. Since that time the Halifax Ocean Terminals have made the opening of a street in this location impossible. As a result the City desires to dispose of the land. In order to do so it is considered advisable to extinguish any possible right the public may have acquired, if any, due to the fact that the land in question has been shown on various plans as a street.)

Item 7.

Section 807 is amended by striking out the period at the end thereof and substituting therefor a comma and by adding thereto the following words "or by any Ordinance made under the authority of Section 827A."

(Explanatory note: It is contemplated to incorporate Schedules A, B and C of Part IX of the Charter into a comprehensive Building Ordinance. The Schedules will then be repealed. The above amendment to Section 807 is made in anticipation of such repeal.)

Item 8

The Charter is amended by inserting therein, immediately following Section 234, the following Section:

234A. (1) Any police officer of the City may arrest without warrant any person whom he shall find committing an offence or whom he has reason to believe has recently committed an offence against any enactment respecting scavenging or the disposal of garbage or refuse in the City or respecting the City Dump.

(2) Any police officer making such arrest without warrant shall with reasonable diligence take the person arrested before a stipendiary magistrate to be dealt with according to law.

(Explanatory note: For some years the enforcement of regulations controlling scavenging both on the streets and on the City Dump have been difficult to enforce because of the inability of the police officers to arrest violators on sight. This amendment is submitted to enable such persons to be arrested without the necessity of having a warrant issued prior to arrest.)

Item 10.

Subsection (1) of Section 939 is repealed and the following substituted therefor:

(1) Except as is hereinafter provided, every ordinance shall be passed at two regular meetings of the Council, the second of such regular meetings being held not less than twenty-one

days after the first of such meetings. If the second reading of an ordinance is not had at the meeting hereinbefore provided therefor, such reading may be adjourned to the regular meeting of the Council next held following the expiration of twenty-one days after the day hereinbefore provided for such second reading thereof but not for any further period.

(Explanatory note: During the past year a suggestion was made that two regular Council meetings be held each month. This was not proceeded with at the time but if it should be made effective at a later date it will be necessary to amend Section 939, which provides for the enactment of ordinances. At the present time the second reading of an ordinance occurs approximately one month after the first reading. If two regular meetings are held in each month it is desirable that a second reading should not follow the first reading without allowing a reasonable time for consideration of the effect of the ordinance. The foregoing amendment provides that three weeks must elapse between the first and second readings. This will not interfere with the enactment of our ordinances under our present system of one regular meeting per month and will allow a regular meeting to intervene between the two readings if two regular meetings are held each month.)

Item 11.

(1) Subsection (2) of Section 656, as that Section is enacted by Section 102 of Chapter 56 of the Acts of 1940, is amended by inserting therein between the words "Gardens" and "and" in the third line thereof the words "at Horseshoe Island".

(2) Subsection (3) of said Section 656 is amended by inserting therein between the words "Gardens" and "or" in the second line thereof the words "or at Horseshoe Island".

(Explanatory note: Since Section 656 was last re-enacted the City has constructed a canteen at Horseshoe Island. This amendment will extend the manner and term of licenses for concessions to this canteen which now apply to the Public Gardens and Fleming Park.)

Item 15.

(1) The Board of School Commissioners for the City of Halifax may include in its annual estimates a sum sufficient to enable the said Board to pay to Harry Davis, a retired employee of the said Board, for the remainder of his life, as and from the sixth day of March, 1956, an annual allowance of three hundred and seventy-seven dollars and thirty-one cents, which shall be paid to him in monthly instalments, in advance, on the first day of each month, and the sums required to pay the said allowance in the year 1957 may be provided by the City to the Board under the authority of Section 316C upon the request of the said Board and paid to the Board at such times as the City may determine.

(2) The payment of any sums by the said Board to the said Harry Davis as a retiring allowance prior to the first day of May, 1957, is ratified and confirmed.

(Explanatory note: The above section provides for the payment of a pension to a retired employee of the School Board as and

March 6th, 1956. Certain sums have been paid to him from the salary appropriation after his retirement on the grounds of his need therefor and this is ratified by the above section.)

Item 16.

(1) The City shall pay to Dr. H. S. McFatriage, retired Dairy Inspector in the Department of Health of the City, as and from the first day of May, 1957, for the remainder of his life, an annual allowance of one thousand four hundred and sixty-seven dollars and thirteen cents, which shall be paid to him in monthly instalments, in advance, on the first day of each month.

(2) Any sums required to pay such allowance in the civic year 1957 shall be shown as an expenditure of the City in the civic year 1957, and all sums necessary to pay such allowance in subsequent years shall be included in the estimates for the civic year in which such allowance is to be paid.

(3) The payment of any sums to the said Dr. H. S. McFatriage during the civic years 1956 and 1957 from the appropriation for salaries for such years in lieu of such allowance is hereby ratified and confirmed and declared to have been within the authority of the City.

(Explanatory note: This section provides for a retiring allowance for Dr. H. S. McFatriage as and from May 1st, 1957, and for the ratification of the payment of an allowance prior to that date pending the enactment of this legislation.)

Item 17.

(1) Section 338A, as that Section is enacted by Section 8 of Chapter 46 of the Acts of 1944, is amended by adding thereto the following clause:

(d) any amount now on hand for unclaimed wages or unclaimed witness fees and any amount hereafter in hand for such purposes and not claimed within one year from the time when the payment of the same is due.

(2) Section 34 of Chapter 70 of the Acts of 1931 is repealed.

(Explanatory note: By the 1931 enactment above repealed such sums were required to be paid into the General Sinking Fund for the purposes of that fund. Since the fund is now on an actuarial basis such unforeseen accretions are not required therefor. The above amendment makes such sums part of the Current Surplus.)

Item 18

The Charter is amended by inserting therein, immediately following Section 578B thereof, the following Section:

578C. (1) The owner of any property abutting upon any street upon which property is situated any tree which in the opinion of the Commissioner of Works constitutes a source of danger to persons

using such street, shall when so ordered in writing and within the time designated by the said Commissioner of Works abate such danger to the satisfaction of the said Commissioner of Works.

(2) Any person who fails to comply with such order of the Commissioner of Works shall be liable to a penalty not exceeding fifty dollars and in default of payment to imprisonment for a period not exceeding thirty days.

(Explanatory note: This amendment gives the City power to protect persons using the streets from danger from falling trees located on private property.)

Item 19

Subsection (5) of Section 104 is repealed and the following substituted therefor:

(5) A copy of the minute of the proceedings or part of the proceedings at a meeting of the Council or a Committee thereof purporting to be certified by the Clerk or in his absence the Deputy City Clerk to be a true and correct copy of such proceedings or part thereof and to be signed by such Clerk or Deputy City Clerk and purporting to bear the Seal of the City impressed thereon, shall be received in evidence in all Courts in the Province of Nova Scotia without further proof and shall constitute evidence of the proceedings or such part of the proceedings at such meeting without proof of the official character of the Clerk or Deputy City Clerk or of his signature or of the said Seal.

(Explanatory note: This is a re-enactment of the present Section whereby minutes signed by the Mayor, Deputy-Mayor or presiding Alderman (i.e. the Chairman of the meeting) were accepted as evidence of the proceedings of a meeting. It is felt that a certified copy of the proceedings by the officer of the City charged with the duty of keeping the records would be a more convenient way of providing this evidence. This is similar to the method of proving by-laws in a town.)

Item 29

Clause (a) of subsection (1) of Section 926 is amended by striking out the word "Supervisor" in the first line thereof and substituting therefor the word "Superintendent".

(Explanatory note: I have been advised by the City Manager that the Board of School Commissioners desire to have the title of its chief officer changed from "Supervisor" to "Superintendent". The foregoing legislation will accomplish this purpose.)

Item 31.

(1) The owner of the lot of land, hereinafter more particularly described, upon complying with the other provisions of the Zoning By-law approved by the City Council on the eleventh day of May, 1950, as amended, may use the said lot of land as a site for a residential dwelling, notwithstanding that the area of the said lot is less than three thousand square feet.

(2) The land hereinbefore referred to is described as follows:

All that certain lot, piece or parcel of land situate, lying and being on the eastern side of Connaught Avenue between Chebucto Road and Berlin Street in the City of Halifax and being more particularly described as follows:

Beginning at a point where the eastern official street line of Connaught Avenue is intersected by the southern boundary line of land now or formerly the Estate of John Banks: thence eastwardly along the said southern boundary line of land now or formerly the Estate of John Banks for a distance of seventy-six feet more or less or to the rear boundary line of the lots fronting on Swaine Street; thence southwardly along the said rear boundary line of the lots fronting on Swaine Street for a distance of thirty-five feet more or less or to the northern boundary line of land now or formerly owned by Wanda Bianco: thence westwardly along the said northern boundary line of land now or formerly owned by Wanda Bianco for a distance of seventy-six feet more or less or to the aforesaid eastern official street line of Connaught Avenue; thence northwardly along the aforesaid eastern official street line of Connaught Avenue for a distance of thirty-five feet more or less or to the place of beginning; containing an area of twenty-six hundred and sixty square feet.

(Explanatory note: Under the Zoning By-law the minimum size of a lot to be used for a single family dwelling house is 4,000 square feet, but in the case where a lot is owned by a person at the time of the passage of the By-law, who does not own any adjoining lot or lots, such minimum is reduced to 3,300 square feet. In addition to this, the City Council may further reduce this minimum area in special cases of hardship to 3,000 square feet. In this case the area is 2,660 square feet and special legislative authority must be granted.)

Item 32.

The Charter is amended by inserting therein, immediately following Section 651 thereof, the following Section:

651A. (1) The City may, by ordinance, prescribe conditions under which any lot in Camp Hill Cemetery and in Fairview Lawn Cemetery may be transferred by the purchaser thereof from the City.

(2) The City may repurchase any lot sold in Camp Hill Cemetery or Fairview Lawn Cemetery.

(Explanatory note: In the course of the operation of these cemeteries it is found necessary at times to permit purchasers of lots to transfer their rights therein to some other person. The City wishes to have the right to approve of the person to whom such lot is sold on such resale. This would also prevent

trafficking in such lots. The City also requires authority to repurchase lots if it sees fit to do so.)

Item 33A.

(1) Section 409 is repealed and the following substituted therefor.

409. (1) Subject to the provisions of Section 375A, the rate of taxation upon

- (a) the owners of real property which is of a residential character or nature, or of which a portion is of a residential character or nature, and
- (b) the owners of real property which in whole or in part is other than of a residential character or nature but which is occupied in whole or in part by such owner for any purpose other than for the purpose of any trade, calling or profession or other calling carried on for purposes of gain, to the extent such real property is so occupied,

for the civic year which commences on the first day of January 1958, and for subsequent years, in respect of the ownership of such real property or portion thereof, shall be such rate as the City Council may, in respect of each such year, by resolution determine prior to the fixing of the tax rate as provided in subsection (2) of this Section.

(2) The Commissioner of Finance and Accounts with the assistance of the Assessor shall estimate as correctly as may be the probable amount to be yielded by -

- (a) licenses, company taxes and all other special or specific taxes; and
- (b) real property taxes yielded by real property taxes on or in respect of the real property subject to the rate determined pursuant to the provisions of subsection (1) of this Section and by the Household Tax; and
- (c) the poll tax and non-residents tax;

and after deducting the amount so arrived at from the total sum required, shall add together the assessed valuations for real property in respect of real property other than that of a residential character or nature and that occupied by the owner thereof for any purpose other than for the purpose of any trade, calling or profession or other calling carried on for purposes of gain to the extent that such real property is so occupied, and that to which the Household Tax applies, and for the Business Tax, and fix a rate upon the amount so arrived at of so much on the dollar in respect of all property so valued and assessed, excepting the property described in subsection (1) of this Section to which the rate determined thereunder applies, as will produce the amount required to be raised by taxation, in addition to all other sources of taxation or revenue.

(3) Notwithstanding anything in this Section contained, the Council may, instead of determining a rate on the real property described in subsection (1) of this Section and

fixing a rate on the real property described in subsection (2) of this Section, in respect of any year, fix a uniform rate on all assessable property in the City.

(2) This Section shall come into force on, from and after and not before the second day of July, A. D. 1957.

Item 33B.

Notwithstanding the provisions of Section 409, as that Section is enacted by Section 6 of Chapter 55 of the Acts of 1955, the tax rate for the civic year which commenced on the first day of January, 1957, upon the owner of real property which is occupied in whole or in part by such owner for other than residential purposes and for other than for the purpose of any trade, calling or profession or other calling carried on for purposes of gain, to the extent that such real property is so occupied, shall be the rate determined pursuant to the provisions of subsection (1) of said Section 409 instead of the rate fixed pursuant to the provisions of subsection (2) of said Section 409.

Item 34.

(1) Notwithstanding the provisions of the Bonus Act, the Halifax Branch of The Navy League of Canada (Mainland Division) shall, in respect of the year 1957 and subsequent years, be assessed in respect of its ownership and occupation of the real property 41-43 Hollis Street in the City of Halifax, known as The Sea Gull Club, at an amount sufficient to produce at the tax rate annually determined pursuant to the provisions of subsection (1) of Section 409 a total annual real property tax and tax in respect of its occupancy of one thousand five hundred dollars.

(2) Notwithstanding the provisions of the Bonus Act and the City Charter, the taxes imposed upon the Halifax Branch of The Navy League of Canada (Mainland Division) in respect of its ownership and occupation of the real property 41-43 Hollis Street in the City of Halifax for the civic years 1956 and 1957 shall be and the same are hereby fixed, in respect of each such year, at the amount of one thousand five hundred dollars, and the City shall pay to the said Halifax Branch of The Navy League of Canada (Mainland Branch) any sums paid in respect of such taxes in each such year in excess of the said sum of one thousand five hundred dollars.

(Explanatory note: This section fixes the annual tax on the Sea Gull Club at \$1500.00, at the so-called "residential rate". Subsection (2) makes this tax applicable to the years 1956 and 1957 and provides for refunding any amount paid in excess of this sum.)

Item 35(a)

The City may write off and cancel any tax assessed in respect of the Baron deHirsch Synagogue for the years 1956 and 1957 and may refund any taxes paid pursuant to any such assessments for such years.



Item 35(b)

The City may write off and cancel any tax assessed in respect of St. Thomas Aquinas Church for the years 1956 and 1957 and may refund any taxes paid pursuant to any such assessments for such years.

Item 36.

The City may write off and cancel any tax assessed in respect of the Shaar Shalom Synagogue for the years 1955, 1956 and 1957 and may refund any taxes paid pursuant to any such assessments for such years.

Item 37.

(1) Section 370 is amended by adding thereto the following subsection:

(21) Notwithstanding the provisions of the Bonus Act, no real property tax or tax in respect of the occupancy thereof shall be assessed in respect of the premises known as civic number 38 Windsor Street (formerly St. Mary's College) during such time as the same is occupied by the Maritime Conservatory of Music for its purposes.

(2) The City may write off and cancel any real property tax or tax in respect of the occupancy of real property assessed in respect of the premises known as civic number 38 Windsor Street due to the occupation of the said premises by the Maritime Conservatory of Music.

(Explanatory note: This section provides an exemption from taxation for the building formerly St. Mary's College, Windsor Street, while the same is occupied by the Maritime Conservatory of Music. The second subsection provides for the cancellation of any taxes which have already been assessed because of the premises ceasing to be exempt.)

Item 38

Subsection (4) of Section 366, as that Section is enacted by Section 21 of Chapter 51 of the Acts of 1942 and amended by Section 18 of Chapter 64 of the Acts of 1954, is further amended by striking out the words "subsection (4) of Section 6 of The Assessment Act" and substituting therefor the words "subsection (11) of Section 5 of The Assessment Act".

(Explanatory note: Since the amendment to the above Section in 1954, the Assessment Act has been amended and the subsection referred to in Section 366(4) of the Charter is now known as Section 5(11) of the Assessment Act )

Item 40.

Clause (b) of subsection (2) of Section 357 is amended by striking out the words "subsection (3) of Section 409" in the sixteenth and seventeenth lines thereof and substituting therefor the words "subsection (2) or subsection (3) of Section 409 as the case may be".

(Explanatory note: At the 1956 session of the Legislature an amendment was made to Section 409 of the Charter relating to tax rates by providing that in place of having two tax rates the City could decide upon a single uniform rate. This was done by adding a subsection (3) to Section 409. The above section (357) referred to a tax rate imposed under subsection (3) as it formerly existed but which is now subsection (2) of Section 409. The above amendment will enable section 357 to continue to apply to the tax rate originally intended and will also apply in the event of a single tax rate being in effect under subsection (3) of Section 409.)

Item 44.

The action of the City in accepting the conveyance from Nova Scotia College of Art of certain lands and premises at the intersection of Argyle Street and George Street in the City of Halifax is hereby ratified and confirmed and declared to have been within the authority of the City and the City may sell or dispose of the said lands and premises in the manner and subject to the conditions set out in Section 618F.

(Explanatory note: Upon acquiring its new site, the Nova Scotia College of Art conveyed to the City of Halifax its old site. The City has under consideration the disposition of this property and the above confirmation and power of sale will remove any doubt as to the City's title or right to dispose of the property.)

Item 45.

Subsection (1) of Section 589 is amended by adding thereto the following clause:

- (1) for regulating or preventing the ringing of bells, blowing of horns, shouting and the whistling of locomotives and steamboats and other unusual noises, or noises calculated to disturb the inhabitants of the City.

(Explanatory note: The above authority will enable the City by ordinance to control among other things the whistling of trains in the City. This is similar to the authority granted the City of Sydney as far back as 1903.)

Item 46

Notwithstanding the provisions of the Bonus Act, the assessment of Moirs Limited for taxation for the year 1956 in respect of the ownership of real property and the occupation of the same (other than for the Fire Protection Rate) shall be such amount as will, at the tax rate fixed pursuant to the provisions of subsection (2) of Section 409, produce a total tax of sixty thousand dollars, and the City shall write off and cancel any taxes assessed against Moirs Limited in respect of the year 1956 (excepting charges for Fire Protection) in excess of the said sum of sixty thousand dollars.

(Explanatory note: The purpose of this section is to fix the amount of real property and occupation taxes to be paid by Moirs Limited for 1956 (not including Fire Protection rates) at \$60,000.00.)

Item 47

The Charter is amended by inserting therein, immediately following Section 503 thereof, the following Section:

504. No vehicle shall in the City of Halifax be used for the purpose of transporting therein for hire passengers unless the owner thereof has first obtained a license therefor from the Chief of Police.

The Charter is amended by inserting therein, immediately following Section 506 thereof, the following Section:

507. Notwithstanding the provisions of The Motor Vehicle Act, the City may, by ordinance, from time to time limit the number of vehicles so licensed to transport therein for hire passengers.

(Explanatory note: In order to better enforce the regulations for safety and to maintain a high standard of quality in the vehicles used as taxis, it is desirable that some restriction be placed on the number of vehicles permitted to be used in the business to ensure sufficient business for all. It is felt that if a limit is placed on such number a benefit to all will result. Under the Motor Vehicle Act, Section 248(2)(f), the only limitation is on the number of drivers. The above amendment will limit the number of vehicles.)

Item 52.

(1) The owner of the lot of land, hereinafter more particularly described, upon complying with the other provisions of the Zoning By-law approved by the City Council on the eleventh day of May 1950, as amended, may use the said lot of land as a site for a residential dwelling, notwithstanding that the area of the said lot is less than three thousand square feet.

(2) The land hereinafter referred to is described as follows:

All that certain lot, piece and parcel of land situate on Green Street in the City of Halifax and being that lot numbered

on the plan of certain lands in the neighborhood of said streets belonging to the Estate of the late Judge Bliss, the lot hereby conveyed being bounded and described as follows:

Beginning at a point on the north side line of Green Street, being the eastern boundary of land formerly owned by Rev. Wm. Bowers Bliss et al; thence northerly along said boundary seventy-five feet one inch or to the southeasterly angle of a lot formerly owned by Margaret Hawe; thence westerly along the rear line of said Margaret Hawe's lot thirty-five feet five inches or to the southwesterly angle thereof; thence southwardly along the eastern boundary of land conveyed to one Edward Hanna et al for a distance of seventy-three feet more or less or until it meets the northern side line of Green Street; thence easterly along the aforesaid northern line of Green Street for a distance of thirty-four feet more or less to the place of beginning. The above described property is intended to convey only that lot of land conveyed to The Provincial Realty Company Limited by the Eastern Trust Company et al in 1949 less that part conveyed by The Provincial Realty Company Limited to Edward Hanna et al by deed dated July 7, 1919.

(Explanatory note: Under the Zoning By-law the minimum size of a lot to be used for a single family dwelling house is 4,000 square feet, but in the case where a lot is owned by a person at the time of the passage of the By-law who does not own any adjoining lot or lots, such minimum is reduced to 3,300 square feet. In addition to this the City Council may further reduce this minimum area in special cases of hardship to 3,000 square feet. In this case the area is 2,700 square feet and special legislative authority must be granted.)

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

SCHEDULE "A".

(Item 28.) To pay as a grant to the Halifax  
Community Chest the sum of ..... \$ 9,000.00

February 28, 1957.

Alderman Fox: "At the time the assets were transferred to the Public Service Commission in this Council I voted against it. I am glad to see Council has new interest in this matter tonight."

The City Solicitor suggested legislation to consent to the sale of any assets.

Alderman Dunlop: "If we got any legislation it should be to get the assets back to us. We all agree that the Public Service Commission is doing a good job and has done a good job but as time goes on these questions should be settled."

Moved by Alderman Lloyd seconded by Alderman O'Brien that the Committee appointed to deal with the Public Service Commission consider and report to the City Council the practical advantages to the City incorporating the Commission to give it corporate status that will vest ownership in the City of Halifax. Motion passed.

1957 LEGISLATION ✓

The City Solicitor submitted draft legislation for the year 1957 which was considered item by item and amendments attached to the original copy of these minutes. Copies of the legislation were furnished the members of Council for their information.

ITEM #1

Approved

ITEM #2

City Solicitor: "It is a lease over City property. There is nothing to give any abutting owner a right to use the land."

Alderman O'Malley: "Were they consulted in the matter?"

City Solicitor: "No."

Alderman O'Malley: "They should be consulted. They may have some legal rights we are not aware of."

Alderman Dunlop: "The house by it needs that lane to get their car in. Have they any right because they need it?"

City Solicitor: "That is the only reason for that legislation at all."

February 28, 1957.

Alderman DeWolf: "I would go along with it and that we inform him we are getting legislation on it. The second house has a right-of-way to get on to the Cathedral land. It has an exit on it. A notice should go to Miss Reid."

Moved by Alderman Lloyd, seconded by Alderman DeWolf that the legislation be approved and that all abutters who may have any interest in the matter be informed and that they write to the City Solicitor advising whether they have any objections and if they have that the matter be withdrawn from the City's Bill in the Legislature. Motion passed.

ITEM # 4

Approved.

ITEM # 5

Approved.

ITEM # 6

Approved.

ITEM # 7

Approved.

ITEM # 8

Approved.

ITEM # 9

Approved.

ITEM # 10

Approved.

ITEM # 11

Approved.

ITEM # 12

Approved.

ITEM # 13

Approved.

ITEM # 14

Alderman Dunlop: "I suggest that the trees be taken down and the expenses charged to the owners."

City Solicitor: "There is the danger of the City going on private property."

February 28, 1957.

Alderman Dunlop: "We enter buildings and tear them down."

Alderman Wyman suggested that there be a daily penalty on persons who fail to comply with the order of the Commissioner of Works.

Moved by Alderman Dunlop, seconded by Alderman O'Malley that the Item be drafted to include any article that may cause damage.

Alderman Abbott: "Give the Commissioner of Works power to go on private property and remove such dangers. Would it not be possible to give him that power and charge the expenses to the owner. Trees fall down on properties and the owners ask if somebody pay for it."

City Solicitor: "That can be done and if it is not collected it becomes a lien on the property."

The motion was put and passed.

ITEM # 2

Approved.

SWEEPING IN COAL WEIGHERS

The Deputy Mayor said he thought the matter of swearing in of Coal Weighers should be done by the City Clerk rather than the Mayor.

Alderman Dunlop: "I think the motion should come out of the Charter entirely."

Alderman DeWolf stated that perhaps the Companies might want their men sworn in for reasons of their own.

Moved by Alderman Dunlop, seconded by Alderman Abbott that the Section in the Charter with reference to the swearing in of Coal Weighers be removed.

Alderman Fox advised that the Police check on the weight of loads of coal at the present time.

The Chief of Police advised that what Alderman Fox said was so.

The motion was put and passed and referred to the Chief of Police and City Solicitor to work out the details.

ITEM # 3

Approved.

ITEM # 4

Approved with Alderman O'Brien voting to be reported against.

February 28, 1957.

ITEM #12

To be re-drafted to include "any one."

ITEM #13

Alderman Lloyd: "Have we anything for the continued rate?"

City Solicitor: "Yes this goes on."

Alderman O'Brien: "I would like to make two additions (1) To include under the business rate rented residential property and (2) to set on the street between business and residential rates not greater than  $2\frac{1}{2}$  to 1 for 1958."

Moved by Alderman O'Donoghue that the Section be re-drafted to include rented residential property to come under the business tax rate the same as previously; that the residential rate be on all cases where an owner rents one apartment or one dwelling unit in addition to his own.

There was no second to this motion.

Moved by Alderman O'Brien for a clause to be inserted which would prevent us from separating the rates and that the ratio be not greater than  $2\frac{1}{2}$  to 1.

There was no second to this motion.

Alderman Dunlop: "How much residential property has been added to the rolls during the last 18 months? Would it be due to the removal of the rented residential property from the business rate?"

The Deputy Mayor: "I received the information from the Building Inspector's Office. In 18 months there were 588 additional units built."

Alderman Dunlop: "I feel we have to take care in new construction."

Alderman O'Brien: "What is he referring to? Is he talking about a certain type of businessmen at the expense of the residential tax payers. There is no indication that I have seen that the kind of construction that has been undertaken is the kind we would promote if we had a housing policy designed to get housing for people."

Alderman O'Malley: "Does the figure stated cover rented housing?"

The Deputy Mayor: "The figure covers the figure for 40 apartments. Single dwellings were not included."



February 28, 1957.

Moved by Alderman Lloyd, seconded by Alderman Wyman that the item be approved subject to any action the Council may take with respect to Household Tax.

Alderman Lloyd: "In view of the fact that the Taxation Inquiry is proceeding, I think for the next year and even the year after that we should leave ourselves some flexibility in the matter of business and residential tax rates. I would be happy to see a single tax rate on residential assessments of \$1.60."

Alderman Dunlop: "Would there be any objection in amending the present legislation by striking out 1957 and 1958 and putting in a new section dealing with the new subjects of Clubs alone?"

The City Solicitor preferred to have the legislation in the form drafted.

Alderman O'Brien: "What is Section 2-C about?"

Mr. Thomson: "If there was some method of employers advising the City of employees coming from outside the Province we would get the information direct. It is a very hard tax to get."

Alderman Macdonald: "Are there any regulations for the employers to give the information to the City regarding their employees?"

The Deputy Mayor: "No."

Alderman Macdonald: "I think we can tax in that. Would that be a very difficult matter to require the employers to give such information?"

City Solicitor: "Not at all."

Moved by Alderman Macdonald that information be required to be given the City Assessor regarding new people coming into the City as new employees.

There was no second to this motion.

Alderman DeWolf: "I think the employer should include the names of all those who live outside the City. We should include the names of all those who live outside the City. We should change that."

Alderman Lloyd stated that there were certain administrative difficulties in connection with this matter. He referred to the case of restaurant employees.

The motion was put and passed.

February 28, 1957.

ITEM # 33- B

Approved.

ITEM # 34

Approved

ITEM # 35- A

Approved.

ITEM # 35-B

Approved.

ITEM #36

Approved.

ITEM # 37

Approved.

ITEM # 38

Approved.

ITEM # 40

Approved.

ITEM # 44

Approved.

ITEM # 45

Approved.

ITEM # 46

Approved.

ITEM # 47

Approved.

ITEM # 52

Approved.

SCHEDULE "A"

Approved.

Moved by Alderman Lloyd, seconded by Alderman Wyman that this meeting adjourn until Thursday, March 7, 1957 at 8:00 o'clock p.m. Motion passed.

Meeting adjourned. 11:00 P.M.

February 28, 1957.

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C.A. Vaughan,  
DEPUTY MAYOR AND CHAIRMAN.

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

EVENING SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.  
March 7, 1957,  
8:25 P.M.

An adjourned meeting of the City Council was held on the above date.

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

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, G.P. Bethune, Q.C., W.A. Gray, L.M. Ronkey, V.W. Mitchell, A.F. Hagell and Dr. A.R. Morton.

1957 LEGISLATION ✓

ITEM # 62

The provisions of Chapter 5 of the Acts of 1956, "An Act of Ensure Equal Pay to Men and Women for Equal Work", shall not apply to teachers employed by the Board of School Commissioners for the City of Halifax until the first day of January, A.D. 1958.

Approved.

ITEM #18

The Charter is amended by inserting therein, immediately following Section 576 thereof, the following Section:

576A. (1) The owner of or agent for any real property abutting upon any street, upon which real property is situated any building or tree which or any portion of which, in the opinion of the Commissioner of Works, constitutes a source of danger to persons using such street, shall when so ordered in writing and within the time designated by the said Commissioner of Works abate such danger to the satisfaction of the said Commissioner of Works.

(2) If such owner or agent shall fail to so abate the said danger as hereinbefore provided within the time so designated the Commissioner of Works with such assistance and equipment as may be necessary therefor may enter upon such property and cause such danger to be abated to his satisfaction.

(3) The cost to the City of so abating any such danger shall constitute a debt due to the City by the owner of the said real property which may be recovered from such owner by action in the name of the City.

(4) Upon the completion of the said work, the Commissioner of Works shall in his own office file a certificate specifying such cost and shall at the same time furnish the City Collector and Chief Accountant with copies of such certificate, and such cost shall from the date of the filing of such certificate constitute and be a lien upon such real property, which shall be enforceable in the same manner as a lien for betterment charges.

March 7, 1957.

(5) The said cost shall become payable as and from the date of the filing of the said certificate as hereinbefore provided.

Alderman Vaughan: "Does the Commissioner of Works give any allowance or time to the home owner to do the work?"

City Solicitor: "It is usually in an emergency."

His Worship the Mayor: "I think the danger you envisage is not liable to arise. If we found that it were being abused we could take steps in the future. We could have a right of appeal within 3 days after receiving notice direct to the Committee on Works."

Alderman Dunlop: "I think a man could get an injunction. The purpose of the legislation is for the protection of the public."

Approved with Aldermen Wyman, Vaughan and O'Brien wishing to be recorded against.

ITEM # 59

The Charter is amended by inserting therein, immediately following Section 234 thereof, the following Section:

234A. (1) (a) Any police officer upon discovery of a motor vehicle apparently abandoned upon any street or elsewhere in the City for a period longer than twenty-four hours or of a motor vehicle that apparently has been involved in an accident and that is a menace to traffic may take such motor vehicle into his custody and may cause the same to be taken to and stored in a suitable place.

(b) "Motor vehicle" as used in this Section means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway which is propelled or driven otherwise than by muscular power excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(2) There shall be no liability attached to such police officer for any damages to such motor vehicle while in his custody.

(3) Whenever any motor vehicle is so taken into custody by a police officer, all charges necessarily incurred by such officer, in the performance of such duty, including towing charges, shall be a lien upon the motor vehicle.

(4) The owner or keeper of any garage or other place where such motor vehicle shall be stored, as hereinbefore provided, shall have a lien upon the same for his storage charges and towing charges, if any.

(5) If such motor vehicle has been so stored for a period of ninety days the Chief of Police may order the sale of the said motor vehicle.

(6) Whenever a motor vehicle is sold pursuant to the order of the Chief of Police, the sale shall be conducted in such manner as the Chief

March 7, 1957.

of Police may determine and shall be by tender or public auction. At least seven days before the sale the Chief of Police shall publish a notice of the sale in one or more newspapers published and circulated in the City of Halifax and at the same time shall give notice of the sale to the registered owner of the motor vehicle. Such notice shall be mailed to the owner as his name and address appear on the records of the Motor Vehicle Department.

(7) Upon any sale of any such motor vehicle being made as hereinbefore provided the Chief of Police shall forthwith notify the Registrar of Motor Vehicles of the Province of Nova Scotia of the name and address of the purchaser of such motor vehicle and the date of the sale. Such sale shall vest in the purchaser the legal title to the said vehicle free and clear of all encumbrances thereon.

(8) The proceeds of the sale shall be applied toward the payment of any debt or obligation which may have been incurred in connection with the seizure impounding or taking into custody of the said motor vehicle and the towing and storage thereof and after deducting any charges incurred in connection with the sale, the balance of the proceeds shall be paid to the City Treasurer who shall hold the same for a period of six months after the date of the sale and any claims to such proceeds or any portion thereof shall be established within such period. After the expiration of the said period of six months, if no claim to the proceeds has been established, the proceeds so held by the City Treasurer shall be paid to the City and shall form part of the current surplus, and all claims for any interest in the said motor vehicle or in the proceeds derived from the sale of the motor vehicle shall be forever barred.

Alderman Lane: "Could I be informed as to what is an abandoned vehicle and would such a vehicle be one that was parked on the Commons all winter on the Sackville Street unlicensed parking lot?"

City Solicitor: "It is for vehicles abandoned on a street. Anything left more than 24 hours. I have restricted it to the street because of our Police."

Alderman Lane: "It should be an abandoned vehicle within the meaning of the Act."

Alderman Dunlop: "All it requires is a slight amendment to the Motor Vehicle Act to allow it to be exercised by the Traffic Authority."

His Worship the Mayor: "What about it Chief?"

Chief Mitchell: "We have been processing this about 5 years. We have tried everything. We suggested to the Department that the Chief of Police be made an official of the Department to do this. I think they don't want to make special legislation for one Town or City."

His Worship the Mayor: "Extend it beyond the streets."

Alderman Wyman: "I do think it would be wise to say 'within the meaning of the Motor Vehicle Act'."

The item was approved with the suggested change.

March 7, 1957.

ITEM # 61

(1) Notwithstanding the provisions of clause 13 of the Superannuation Plan for the employees of the City, including the officers and members of the Police Department and Fire Department, which was ratified and confirmed by Section 20 of Chapter 67 of the Acts of 1951, and until such time as the said Plan shall have been amended to provide that current service benefits thereunder for a retiring member of the Plan be based upon the earnings of such retiring member during the twelve months immediately preceding his retirement, current service benefits for any retiring member of the said Plan shall be based upon the average of each year's earnings upon which such member's contribution to the Plan has been based in the period commencing with the date in the year 1953 which corresponds with the date in the year 1956 or subsequent years upon which the retirement date of such member fell and ending with the retirement date of such member.

(2) Any portion of the current service benefits to be paid to any retiring member of the said Plan pursuant to the preceding subsection which is in addition to the sums which any such member would be entitled to receive under the provisions of said Clause 13 of the said Superannuation Plan shall be paid to such member by the City, and any sums so required shall be shown as an expenditure by the City in the year in which the same was made and such sums shall be included in the estimates for the civic year in which the same is to be paid; provided, however, that

(a) subject to clause (b) of this subsection, the amount to be paid in any year by the City in addition to the sums which any such member would be entitled to receive under the provisions of said Clause 13 of the said Superannuation Plan shall not exceed such sum as together with the sums payable pursuant to said Clause 13 in respect of such year would exceed sixty per cent of the average earnings of such member upon which his contributions under the said Plan have been based, and received by him during the three years immediately preceding the date of his retirement, and

(b) that in the case of any member of the said Plan who has been in the employ of the City for not less than fifteen years, immediately prior to his retirement, and who at the date of such retirement was a member of such Plan, the amount to be paid by the City in any year, in addition to the sums which any such member would be entitled to receive under the provisions of said Clause 13 of the said Superannuation Plan, shall not be a less sum as together with the sums payable pursuant to said Clause 13 would amount to twelve hundred dollars.

Alderman Vaughan: "In order to get over the period we are passing through it is suggested that provision be made to provide retiring allowances based on the last 3 years of service in the case of those employees who retire in 1956, 4 years in 1957 and so on until the plan reached a final earnings base."

His Worship the Mayor: "Could a person be entitled to a pension of \$1,200.00 being in the employ 4 or 5 years?"

Alderman Vaughan: "No sir. 15 years."

Moved by Alderman Vaughan, seconded by Alderman Lane that the legislation be approved.

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Alderman Dunlop: "This happens every year since I have been in Council. To meet this every year we bring in special legislation. This is the first time I have seen it. I don't know where we stand. We employ a City Manager and pay him a fairly good salary. I thought he was to advise us. I don't know what his recommendation is. Apparently he is not asked for one. I think every widow who is now getting less than \$600.00 will result in them getting more money. I would like to see legislation so that a person when he retires will know what he will get and we would know what he will get. If we want to extend pensions to widows let us bring our employees under it so they will not have to lobby the Aldermen. There is a case where one widow is going to be dealt with entirely different from another widow. The residential and business tax is not as disturbing to us as these changes in the superannuation plan. The mover says it is to cover 3 employees. You will have to bring in everyone from now on."

Alderman Vaughan: "In last year's legislation the widow only received <sup>5</sup> half of the superannuation amount and not the supplementary amount. I am trying to bring this to a basis where everyone would be treated alike."

Alderman Lloyd: "I agree with the Deputy Mayor's view and it should be observed that this legislation does just what Alderman Dunlop has been objecting to. Leaving it in this phase I think we put all employees one step further towards a uniform basis."

The City Manager stated that today was the first time he had seen the proposed legislation. Quite some time ago he had presented extensive recommendations as to what might be done to the pension plan which would involve further contributions by the employees as well as the City.

Alderman Vaughan: "I asked the City Solicitor this question and I will ask it again. My understanding of the present plan is more or less of an agreement rather than the plan. If we find we are faced with other benefits we should have the right to make these benefits possible. Section 46 of Chapter 53 was passed last year. As a result of that we are faced with an application from a gentleman at the City Field. To some men we gave \$720.00; \$840.00 and \$960.00. According to a formula this man would get \$580.00."

His Worship the Mayor: "Can we have retroactive claims arising from this?"



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Alderman Vaughan: "The Solicitor says 'no'. We have been assured by the City Solicitor that this will not apply retroactively."

Alderman Dunlop: "Does this legislation put a floor on the amount of pensions? Does it not put a floor of \$1,200.00 on pensions? I feel sure that this legislation if passed will result in a demand of a floor of \$1,200.00 by everyone who is getting less than that and an increase in the widows pension. In some cases I understood the full contributions have been given back."

His Worship the Mayor: "There are many people who maybe getting less than \$1,200.00 who retired in 1955. Are you going to go back to them? It is a big item."

Alderman O'Malley: "It was pointed out to me that this legislation was for present employees only and we were assured by the City Solicitor that those previously pensioned would have no claim."

His Worship the Mayor: "That is the law but what would we do? How many employees have we that would be affected?"

Mr. Romkey: "We may have about 20."

Alderman Dunlop: "If this goes through I am not going to support increased pensions. I will feel I should do unto others as others are being done to; We are building our superannuation plan around 3 cases. One man did not contribute anything to the plan. He is entitled to  $\frac{1}{2}$  of his salary. I don't understand the position of the City Manager in cases like this. We hold him responsible for the finances of the City. He can say in a year's time he was not in favor of this. One case started widows pensions in this City. Look where we are now."

Alderman Lloyd: "For those employees who got \$780.00 we made an allotment of \$5,000.00 a year and it was distributed. I was talking to one man who served the City for 30 years and his pension was \$80.00 per month. I for one would not say 'no' to an appeal in such cases where there was the years of service. I really think it is a separate matter. This deals with our present employees. The question of the older employees could be a matter of examination and review. I think that is why it is a separate matter. I think it should be considered."

His Worship the Mayor: "I think it is necessary that you make up your mind what you will do with the other employees."

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Alderman Lloyd: "You could add a clause that the Council could be authorized to pay the former employees an amount not exceeding a certain sum."

His Worship the Mayor: "This will work itself out."

Alderman Vaughan: "We would not envisage going back beyond January 1, 1956."

Alderman Dunlop: "Why can't we do it for others if we do it for one person to get \$1,200.00?"

Alderman Vaughan: "We wanted to keep away from naming persons."

His Worship the Mayor: "You would be better off if you made 20 years and treated her separately. The Chief told us he would not want to hire a young woman and for that reason she would not be able to work a great many years."

Alderman Vaughan then suggested the following "in the case of any member of the said plan who has been in the employ of the City as a Policewoman."

Alderman Dunlop: "I have no objection to Mrs. Rafuse getting \$1,200.00 and I don't see why we can't get a section in our Charter on that. There are other cases. I can't divorce widows from pensioners. I would suggest that that section be deleted entirely."

The legislation was then approved after deleting Section 2-B.

Moved by Alderman Vaughan, seconded by Alderman Lane that legislation be approved providing for a supplementary grant which would give Mrs. Rafuse a maximum pension of \$1,200.00 per annum. Motion passed.

ITEM # 18 SUB-SECTION 3

(3) The provisions of this Section shall apply only to those members of the said Superannuation Plan in the employ of the City prior to the first day of January, 1951, who have contributed to the fund provided by the said Plan towards past service benefits in respect of all of the years between the first day of January, 1945, and the thirty-first day of December, 1950, in which they were employed by the City or who have commenced to make such contributions to the said fund as provided by Section 46 of Chapter 53 of the Acts of 1956.

Moved by Alderman Vaughan, seconded by Alderman Lane that the legislation be approved.

His Worship the Mayor: "Are you going to do this with other persons who came in and say I retired in 1954 and I seek the same treatment?"

Alderman Dunlop: "I am."

March 7, 1957.

Alderman Lloyd: "I think the number of employees below the \$1,000.00 figure who served the City for 30 years are worthy of some consideration. I think it needs some study."

His Worship the Mayor: "It will follow."

Alderman Vaughan: "Some of those who are getting \$720.00; \$840.00 and \$960.00 now, if you apply the formula to them will get less than what they are getting at the present time."

His Worship the Mayor: "I would recommend a cut-off period. We should stick to 1956 or 1955."

Alderman Lane: "For your information the City Manager was present at our meeting. It seemed to me we were fairly well safeguarded and there would be a great demand made if you stick to 1956 as the basic year of retirement. You can't go back. It is regrettable that some are suffering from low pensions. I have no hesitation in supporting the Bill as it was presented."

#### TUBERCULOSIS HOSPITAL CLOSING ✓

Alderman Vaughan: "The action of City Council in deciding to close the Tuberculosis Hospital has presented a problem. A person leaving the employ of the City gets back his contributions with interest. If he leaves after 20 years of service he may elect to leave his money in the fund and pick up the pension at 60 or 65 whichever is applicable. I think in all justice the employees at the Hospital are entitled to this consideration that their contributions remain with the fund and they can pick up their benefits at the applicable age."

City Manager: "What would be the situation where we wanted the employees to continue in the service with the City; if we offered them employment somewhere else?"

His Worship the Mayor: "There are too many factors involved here. I think this should go through the Retirement Committee, Public Health and Welfare Committee and the Finance and Executive Committee first."

Alderman Vaughan: "I have no objection to the deferring of it."

The matter was then deferred.

#### CARD MEN AT CITY FIELD ✓

Alderman O'Malley: "Card Men at the City Field pay Union dues and they are deprived of holidays and fringe benefits. They are ruled out of the Pension

March 7, 1957.

scheme. There should be some consideration given to these Card Men."

Alderman Vaughan: "It was agreed to place the matter before the Council and ask the Council to recognize this problem at the City Field where this situation exists. I think it should be corrected. They are contributing to the plan. We will be faced with paying them supplementary grants."

His Worship the Mayor: "I think we should have a report from the City Manager to give us his recommendation."

The suggestion was approved by Council.

ITEM # 47

SECTION 504 CITY CHARTER

The following legislation was submitted: "No vehicle shall in the City of Halifax be used for the purpose of transporting therein for hire passengers unless the owner thereof has first obtained a license therefor from the Chief of Police."

Approved.

SECTION 507 CITY CHARTER

The following legislation was submitted: "Notwithstanding the provisions of The Motor Vehicle Act, the City may, by Ordinance, from time to time limit the number of vehicles so licensed to transport therein for hire passengers."

Moved by Alderman Lane, seconded by Alderman Lloyd that the legislation be approved.

Alderman O'Brien: "I would like to hear if there are any limitations on other forms of enterprise."

Alderman Lane: "The taxi drivers are trying to improve the service they are giving. They feel with the number of wildcat drivers nobody is making a living. They are under heavy expense to buy cards. If there were fewer the City would have a better service. They have formed an Association where members will be admitted if their driving is good. As far as I am concerned taxi drivers are an important part of the safety of this City. Parents will call taxi drivers to take their children to places in this City. I feel they are making a concerted effort to improve their own calling in our City. This maybe one way we can help them."

March 7, 1957.

His Worship the Mayor: "This does not mean the sale of a license from one man to another."

Alderman Macdonald: "The only point I have to offer is that we are limiting one particular type of business. Is that different from limiting any other business in the City? Do they differ?"

Alderman O'Brien referred to the fact that gas stations are not held to a certain number.

Alderman Lane: "In my opinion they differ. It is from the safety angle. I went to bat for it."

Alderman Macdonald: "I feel that putting a limit on the number of cabs is going too far. It is getting away from our democratic way of doing things."

His Worship the Mayor: "They are having an investigation in Toronto now. What is your opinion, Chief?"

Chief Mitchell: "I was heartily in favor of this some 2 years ago. I am not quite sure now that I am in favor of it. There was a committee appointed to discuss it."

Alderman Lloyd: "One reasonable regulation would be limiting the quantity of cars. The real test of this would come when you determine the number. This is just enabling legislation to do it. Alderman Macdonald used as an example mobile canteens because they were unfair to shopkeepers. If he is going to be consistent he should not object to mobile canteens. I suggest to him to reconsider his position on this matter."

Alderman DeWolf: "If it were limiting to full-time men you might get better safety. The part-time man can be a little more careless because he is not dependent on it for his livelihood. In Toronto there was quite a controversy about it. I can't believe it is a good move. I am in a business that anyone may come into. The more the merrier. I know of no business that is limited at the moment. I use taxis as I do not drive a car. I called a company who has about 50 cars and they said I would have to wait about a half an hour. If you limit the number of cars it might be one hour. A man said he wanted to get to a train and the company said they could not get a car."

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

March 7, 1957.

FOR THE MOTION - Aldermen Adams, Fox, O'Malley, Lloyd, Wyman and Lane - 6  
AGAINST IT - Aldermen Vaughan, O'Brien, Greenwood, DeWolf, Abbott, Dunlop  
Macdonald - 7 -

ASSESSMENT HALIFAX SHIPYARDS LIMITED 1957 ✓

March 7, 1957.

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 a request from the Halifax Shipyards Ltd for tax concessions for the current year.

It was agreed to recommend that legislation be obtained at the present session of the Legislature to continue the same arrangement with the Halifax Shipyards Ltd as last year for a further period of one year.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

Alderman Lloyd: "The question of looking into the Balance Sheet or income of companies is a very serious question on the matter of assessments. I am not so sure what the resulting tax would be if we followed that for all our assessments. It has not been the practice to do that and in as much as the motion suggests that the taxes be the same as last year until Judge Pottier finishes his inquiry and that inquiry will deal with value for assessment basis, I think it is better for us to avoid the use of balance sheets for discussion. This whole question of looking into the value of a building from the point of view of its use to the owner is a very contentious question in the matter of assessment. I hope the Judge will shed some light on that question before us. I feel it is premature for us to discuss the question of income at this stage."

Alderman O'Brien: "I for one would vote against any tax concession to any company that would not show its balance sheet to a small group in private including the City Manager who could advise us."

Alderman Vaughan: "The Shipyards did come forward and ask that the taxes be increased when they found themselves in a better financial position."

His Worship the Mayor: "That was a 25 year agreement."

March 7, 1957.

Alderman Lloyd: "It is not likely that Judge Pottier will single out industries. He will treat them as a class and his judgment will be influenced by some research work in that field."

Alderman Wyman: "I hope when we get the Pottier Report that the general basis for considering problems such as this will be treated and we will have the benefit of some phases based on study. Having received our tax situation we will be in a much better position to decide what should be done with applications such as these. The situation as it applies to the Shipyards to the end of the last year was based on an agreement which at the time it was made was intended to carry on to the point where we had settled on a fixed and fairly laid out tax plan for the City, something which has not come into being, but which we do foresee, which is a probability at least within the next year. I do think to continue the agreement for another year is a better way of looking at it than that they be considered for another year and at that time I would hope that a thorough study would take place before the plan for another year is decided."

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

The following legislation respecting Halifax Shipyards Limited was submitted:

19. Notwithstanding the provisions of the Bonus Act, Halifax Shipyards Limited shall not be liable to be assessed for the civic year commencing on the first day of January, 1957, in respect of its occupancy of real property in the City for the purpose of any trade, profession or other calling carried on for the purposes of gain.

Moved by Alderman Vaughan, seconded by Alderman Wyman that the legislation be approved. Motion passed with Alderman O'Brien wishing to be recorded against.

ASSESSMENT MOIRS LIMITED 1957 ✓

March 7, 1957.

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 a request from Moir's Ltd. to continue the same tax arrangement as last year.

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

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

March 7, 1957.

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

The following legislation respecting Moirs Limited was submitted:

52. Notwithstanding the provisions of the Bonus Act, the assessment of Moirs Limited for taxation for each of the years 1956 and 1957 in respect of the ownership of real property and the occupation of the same (other than for the Fire Protection Rate) shall be such amount as will, at the tax rate fixed for each such year pursuant to the provisions of subsection (2) of Section 409 produce a total tax of sixty thousand dollars and the City shall write off and cancel any taxes assessed against Moirs Limited in respect of each such year (excepting charges for Fire Protection) in excess of the said sum of sixty thousand dollars.

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

ASSESSMENT A.M.SMITH & COMPANY LIMITED 1957 ✓

Moved by Alderman Dunlop, seconded by Alderman O'Malley that legislation be obtained fixing the amount payable for the civic year 1957 by A.M. Smith & Co., Ltd. at \$7,500.00.

Alderman Lloyd felt that with respect to exemptions in the case of the Halifax Shipyards Limited and Moirs Limited they were being continued for another year but in the case of A.M. Smith & Company Limited it was a departure and a new exemption. He suggested that the status quo being maintained for the moment would be the best course to follow.

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

FOR THE MOTION - Aldermen Fox, O'Malley, Abbott, Dunlop and Adams - 5 -

AGAINST IT - Aldermen Lloyd, Wyman, Vaughan, O'Brien, Greenwood, DeWolf, Lane and Macdonald - 8 -

ITEM # 53

1. Subsection (2) of Section 477 is repealed and the following substituted therefor:

(2) The fee payable for such license shall be such sum as the Council may from time to time by ordinance determine.

2. Section 479 is repealed and the following substituted therefor:

479. The fee payable for a license to do business as a pawnbroker shall be such sum as the Council may from time to time by ordinance determine.



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3. Section 480 is repealed and the following substituted therefor:  
480. The fees payable for a license to do business as a junk dealer and for each boat or vessel employed in connection therewith shall be such sum as the Council may from time to time by ordinance determine.
4. Subsection (2) of Section 489 is repealed and the following substituted therefor:  
(2) The fee payable for such license shall be such sum as the Council may from time to time by ordinance determine.
5. Subsection (2) of Section 489A is repealed and the following substituted therefor:  
(2) The fee payable for such license shall be such sum as the Council may from time to time by ordinance determine.
6. Subsection (2) of Section 491 is repealed and the following substituted therefor:  
(2) The fee payable for such license shall be such sum as the Council may from time to time by ordinance determine.
7. Subsection (2) of Section 492 is repealed and the following substituted therefor:  
(2) The fee payable for such license shall be such sum as the Council may from time to time by ordinance determine.
8. Subsection (2) of Section 496 is repealed and the following substituted therefor:  
(2) The fee payable for such license shall be such sum as the Council may from time to time by ordinance determine.
9. Subsection (3) of Section 496A is repealed and the following substituted therefor:  
(3) The fee payable for such license shall be such sum for each day for which such license is in effect as the Council may from time to time by ordinance determine.
10. Subsection (3) of Section 510D is repealed and the following substituted therefor:  
(3) The fee payable for a license for each automatic machine shall be such sum as the Council may from time to time by ordinance determine, and the Council may discriminate between the license fees payable for automatic machines used for vending as in this Section provided and other automatic machines.
11. Clause (d) of subsection (4) of said Section 510D is repealed.
12. The license fees lawfully in effect on the date of the coming into effect of this Section shall continue to be the license fees payable for the respective licenses until such time as the amount of such fees may be altered by ordinance made by the Council.

The City Solicitor was instructed to include Mobile Canteens in this legislation.

March 7, 1957.

ITEM #49 HOUSEHOLD TAX ✓

Alderman Vaughan requested that this legislation be deferred until after the report from Judge Pottier is received.

The request was agreed to by Council and the legislation withdrawn.

NOTICE OF MOTION ALDERMAN DUNLOP Re: POLL TAX ✓

Alderman Dunlop gave notice that at the next meeting of Council he would move that the Poll Tax for 1957 be \$10.00.

ITEM # 41 - A

REAL PROPERTY ✓

Moved by Alderman Lloyd, seconded by Alderman DeWolf that consideration of this legislation be deferred for 6 months.

Alderman Dunlop began to speak on this matter when Alderman Lloyd rose to a point of order and asked if a motion to defer could be debated and was advised by His Worship the Mayor that each Alderman who had not spoken could do so.

Alderman Lloyd with the permission of his seconder and consent of Council withdrew his motion.

Moved by Alderman Dunlop, that the expression "real property" includes, as the circumstances and the context require, land and land covered with water, and whatever is erected or growing upon or affixed to or placed in land and also rights issuing out of, annexed to, or exercisable within or about, the same."

There was no seconder to this motion.

Alderman Dunlop: "It may not be taken advantage of but it will make clear if we want to tax the Public Service Commission mains, we can do so. The present legislation cuts the Assessor down. It should be the same as the Assessment Act."

City Solicitor: "The first definition is based on the Ontario Assessment Act. You have two good choices there."

Alderman DeWolf: "If this goes through the man pays on the water pipes leading in from the street."

His Worship the Mayor: "I would not want to back into a fundamental change which would give us another re-assessment without us being aware of it."

March 7, 1957.

If we pass this our Assessor will have to act on it. I don't know whether I would personally recommend that we make the sweeping changes."

Alderman Lloyd: "I feel that we have been deferring a number of suggestion on taxation in view of the Pottier Investigation. It seems to me that there have been a number of things happening that are very contentious questions. In one Province they do separate land from the buildings that is in British Columbia. It seems to me that that is a suggestion that might very well be fully inquired into. You might change the definition. It gives our Assessor quite a load. It might give us another picture this year where you have a concealed amount. Because of the Appeal Court decisions there have been changes in assessments. It seems to me that there is a great deal of merit in what the mover has said in support of changed definitions but again I must repeat it is a matter for the judicial inquiry."

Moved by Alderman Lloyd, seconded by Alderman Abbott that the matter be deferred until September.

Alderman Wyman: "When we come to consider this again I would like to have considerably more information as to what the actual effect of such an amendment would be. At the time it comes to us again I would hope there will be a report to give us some idea as to what it will do other than include the water pipes."

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

ITEM # 54

- (1) Section 424 is repealed.
- (2) Subsections (1), (2) and (3) of Section 425 are repealed.
- (3) The Charter is amended by inserting therein, immediately following Section 423 thereof, the following Sections:

424. (1) All rates and taxes which have been assessed at any time after the first day of May in any civic year in respect of such year shall become due upon the date of the delivery or mailing of the notice of assessment of such tax.

(2) All other rates and taxes shall become due on the first day of May of the year in respect of which they have been assessed.

425. (1) The Council may by resolution passed on or before the first day of March require the payment of rates and taxes to be made to the Collector on or before the day to be named therein.

March 7, 1957.

(2) The Council may also by resolution passed on or before the first day of March provide that on all rates and taxes remaining unpaid on such day so named interest shall be payable thereon until the same are paid, at such rate as the Council may in respect of each civic year by resolution determine.

(3) If the Council in respect of any year shall fail by resolution to name a day on or before which payment of rates and taxes shall be made, such rates and taxes shall be paid on or before the first day of July in the year in respect of which such rates and taxes were assessed if such rates and taxes were assessed prior to the first day of May in such year and if such rates and taxes were assessed after the first day of May in the year in respect of which such rates and taxes were assessed, such rates and taxes shall be paid within one month after the date of the delivery or mailing of the notice of assessment of such tax.

(4) In the case of rates and taxes payable in respect of any property the valuation of which is or the rates and taxes in respect of such property are fixed by legislation, such rates and taxes shall be paid on or before the first day of June of the year for which such rates and taxes are payable.

(5) If the Council in respect of any year shall fail to determine by resolution, the rate of interest to be paid on rates and taxes unpaid on the day named by the Council or as hereinbefore provided, such rate of interest in respect of such year shall be six per centum per annum until such rates and taxes are paid.

(4) Subsection (3) of said Section 425, as that subsection is enacted by Section 48 of Chapter 46 of the Acts of 1944 and amended by subsection (2) of Section 28 of Chapter 54 of the Acts of 1953 and by Section 19 of Chapter 53 of the Acts of 1956, is further amended by striking out the words "notwithstanding the provisions of subsection (3) of this Section" in the first and second lines thereof and substituting therefor the words "notwithstanding the provisions of this Section".

His Worship the Mayor wondered if the Council were putting itself in a position where it could change the rate of interest too easily.

The City Manager felt that if a rate of interest of 7% were set for one year it would not be logical that the rate go back to 6% the following year.

Alderman Dunlop: "I say the rates should continue until altered by the Council.

The City Solicitor advised that the following would have to be inserted in section 425-1 and 425-2 "passed on or before the first day of March in any year."

Moved by Alderman Lloyd, seconded by Alderman Fox that the legislation be approved with the changes suggested by the City Solicitor. Motion passed.

ITEM # 55

Amendments changing name of Halifax Infectious Diseases Hospital and City Home to "Halifax City Hospital".

March 7, 1957.

(1) Sub-clause (II) of clause (c) of subsection (1) of Section 109, as that Section is enacted by Section 11 of Chapter 56 of the Acts of 1940, is amended by striking out the words "City Home" in the fourth line thereof and substituting therefor the words "Halifax City Hospital".

(2) Subsection (1) of Section 887A is amended by striking out the words "Halifax Infectious Diseases Hospital" in the second line thereof and substituting therefor the words "Halifax City Hospital".

(3) Clause (4) of Section 889, as that Section is enacted by Section 29 of Chapter 56 of the Acts of 1941, is amended by striking out the words "City Home" in the first line thereof and substituting therefor the words "Halifax City Hospital".

(4) Clause (6) of said Section 889 is amended by striking out the words "City Home" in the fourth and fifth lines thereof and substituting therefor the words "Halifax City Hospital".

(5) Clause (7) of said Section 889 is amended by striking out the words "City Infectious Diseases Hospital" in the second line thereof and substituting therefor the words "Halifax City Hospital".

(6) Subsection (1) of Section 929 is amended by striking out the words "City Home" in the third line thereof and substituting therefor the words "Halifax City Hospital".

(7) Subsection (1) of Section 931 is amended by striking out the words "City Home" in the third line thereof and substituting therefor the words "Halifax City Hospital".

Approved.

LEGISLATION TO USE 1957 POLL TAX LIST FOR ELECTION IN 1957

Mr. Romkey: "I suggest we obtain legislation to use the 1957 Poll Tax list for the election this year."

Moved by Alderman DeWolf, seconded by Alderman Abbott that the legislation be prepared by the City Solicitor and submitted to the Legislature.

Motion passed.

COMMITTEE ON ELECTIONS

Alderman O'Brien: "There was a committee appointed to meet on elections. I would like to see legislation to broaden the franchise. I wonder if the Committee has met?"

His Worship the Mayor: "The Committee met and we had a very long meeting. This is one of the items that comes out of it. The question of Household Tax payments is another that arose from it. I called it to review these items that had been called to my attention."

Alderman Dunlop: "The Committee has not fallen by the wayside. We were seeking information from other cities. It is not possible to do anything this year."

March 7, 1957.

CORRECTION OF STATEMENT BY ALDERMAN O'BRIEN ✓

Alderman O'Brien stated that when the estimates were being considered by Council on February 21st he had made reference to Sir Charles Tupper School as having 3 grade sixes of 24, 25 and 26 pupils which could be put into 2 classes of 37 and 38. He said that there were only 2 grade sixes as the third was due to a typographical error in the report. He requested that this matter be recorded in the minutes.

ENROLMENT FIGURES FOR 1957 ✓

Alderman Vaughan: "As of June 1st could we have the anticipated enrollment for September?"

The City Manager was requested to write to Dr. Marshall for this information.

Moved by Alderman Vaughan, seconded by Alderman O'Brien that this meeting do now adjourn. Motion passed.

Meeting adjourned. 10:30 P.M.

LIST OF HEADLINES

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L.A. KITZ,  
MAYOR AND CHAIRMAN.

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

CITY COUNCIL MEETING  
THURSDAY, MARCH 14, 1957

A G E N D A

Prayer.

Minutes (February 14, 19 and 21)

1. Motion Alderman Dunlop Re: Poll Tax.
2. Catherine McDonald Property Airport.
3. Public Service Commission - Release of Mortgaged Property.
4. Tag Days.
5. Accounts over \$500.00.
6. Letter United Brotherhood of Carpenters & Joiners of America Re: Rent Control.
7. Tenders for College of Art Property.
8. Tenders for Clothing - Police and Fire Departments & City Prison Staff.
9. Widow's Allowances:
  - (a) Mrs. Grace M. Poole - \$289.73
  - (b) Mrs. Beatrice Elford - \$571.42
  - (c) Mrs. Margaret Rhuda
10. Grants Mr. M.B. Cody and F. Bignell (Deferred)
11. Undersized Lots:
  - (a) 5 College Street (Recommended)
  - (b) 298 North Street (Recommended)
12. Resubdivisions:
  - (a) Lot 3 Bayers Road (Recommended)
  - (b) Lands C.A. Fry - Dutch Village Road (Recommended)
13. Rezoning 118 Stairs Street (Date for Hearing)
14. Application Beauty Parlor - 30 Fenwick Street (Recommended)
15. Use South Commons - Model Shows - Canadian Legion - May 20- June 1.
16. Mobile Canteens.
17. Acquisition Land - Lady Hammond Road .
18. Claim J.H. Breen Sewer Backup \$65.00
19. Cossor Canada Ltd. - Heating.
20. Approval Y.W.C.A. Building on Shirley Street.
21. Leases:
  - (a) A.W. Burbs - Ferry.
  - (b) Spring Garden Road Parking Lot.
22. Sale Land T. Eaton Co.Ltd. - Bayers Road.
23. Questions.
24. Sherbrooke Twinning.
25. Invitation Kiwanis Club of Halifax to Luncheon May 20,1957.
26. Legislation Re: Carpenters Hall, Gottingen Street.
27. Appointment to Public Service Commission.
28. " " City Hope Committee.
29. Legislation
30. Building Sites - Board of Trade and County of Halifax.
31. Vocational School - Budget Approval.

ITEMS FOR INFORMATION ONLY

City Manager's Administrative Report.  
Tax Collections.  
Annual Report Forum Commission.  
Approvals Minister of Municipal Affairs.  
Tax Rates 1957.

EVENING SESSION

Council Chamber,  
City Hall,  
Halifax, N.S.,  
March 14, 1957.  
8:00 P.M.

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

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

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Abbott Dunlop, Lane, Macdonald, Adams, Fox, O'Malley, Lloyd, 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. Ronkey, G.F. West, J.F. Thomson, W.A.G. Snook, 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.

MINUTES (FEBRUARY 14, 19 and 21)

Moved by Alderman Vaughan, seconded by Alderman Greenwood that the minutes of the meetings held on the above dates be approved. Motion passed.

MOTION ALDERMAN DUNLOP RE: POLL TAX

Moved by Alderman Dunlop, seconded by Alderman Fox that the Poll Tax for 1957 be set at \$10.00.

Alderman Dunlop: "I could not get a seconder that the Household Tax be set at a minimum of \$20.00. I have received from the City Manager a report about the number of Household Tax payers in the City. There are 10,422 who pay less than \$20.00 and they pay a total of \$160,014.00 or an average of \$11.73. There are 3,518 who pay over \$20.00 and they pay a total of \$102,713.00. One third of the Household taxes are below \$10.00. The minimum household assessment can be \$250.00 with a tax less than \$5.00. There must be a great many people who pay much less than the Poll Tax payer. A girl who occupies a room pays \$20.00. I am not against a \$20.00 Poll Tax but I am against the principle by



March 14, 1957.

reason of 15,000 people being assessed Household Tax. They pay less than the people who pay a Poll Tax. The \$10.00 Poll Tax was set back in 1942. We have to look into this. We can't leave everything for Judge Pottier to decide. This is slipping by and his report will not likely be in until the latter part of this year. We require legislation to make this change. 1958 will be on us and we will be in the same situation. I say a Poll Tax of \$20.00 under the situation with regard to the Household Tax is not fair to the person in that situation."

Alderman Vaughan: "What was the Poll Tax prior to 1942?"

City Assessor: "In 1939 we had a graduated tax. The more money made the larger the Poll Tax."

City Solicitor: "In 1941 we secured legislation providing for a Poll Tax of \$1.00 per \$100.00 of income in excess of \$750.00. If I recall, it went up to \$45.00 for men and \$38.00 for women. That was submitted to the Legislature. The Committee struck it out and substituted a \$10.00 tax. In the 1931 Charter the Poll Tax was \$5.00 on persons who received not less than \$800.00 a year."

Alderman Vaughan: "I did receive information from the Assessor's Office that a Poll Tax of \$10.00; \$20.00 and \$30.00 was based on income. Today they would be in the \$30.00 bracket."

His Worship the Mayor: "It is surely unfair and unreasonable to have the bulk of the City paying a few dollars to occupy their living quarters and a man or woman who is boarding to pay almost twice that of the Household Tax payer."

Alderman O'Brien: "It seems to me the taxes are not comparable. I would feel that the people paying a Poll Tax are not paying the general kind of property tax that most Household Tax payers do. The person who is paying the rent is paying a property tax indirectly too. I question whether a Poll Tax payer is paying that tax indirectly. Anyone who is not paying a property tax should pay a tax of \$20.00 or more."

Moved in amendment by Alderman DeWolf that the Poll Tax and Household Tax be set at \$15.00 and that any two people not related would pay \$15.00.

There was no seconder to this amendment.

March 14, 1957.

Alderman DeWolf mentioned the fact that the City had budgetted for a \$20.00 Poll Tax this year.

His Worship the Mayor asked how many Poll Tax payers paid last year to which Mr. Romkey replied there were 8300.

His Worship the Mayor asked how many Household Tax payers paid last year to which Mr. Thomson replied there were 15,000 assessed.

Alderman DeWolf: "I would suggest a minimum of \$15.00."

City Manager: "We have done about one third of the work on the Poll Tax. Bills have gone out and in some instances we have received \$20.00 payment. We can't backtrack on Poll Tax. If you decided the Household Tax as a minimum would be \$20.00 I think we can bring it up to \$20.00. I don't see how we can possibly do anything about the \$20.00 Poll Tax this year. The returns were made on the basis of certain incomes. I think the Poll Tax just could not be touched this year."

Alderman O'Malley: "I think we are making the wrong approach to the whole matter. With the proposal tonight of increasing the Household Tax you are putting an added burden on a group of people already over-burdened. I feel this is not the time to deal with the Household Tax. It is all very well perhaps to point up the matter of the Poll Tax payer with respect to the larger incomes today as compared with 1942. To associate the Household Tax with the Poll Tax I think we are making a great mistake. I would like to see both remain until after the Pottier Report is submitted."

Alderman Lane stated she thought Alderman Dunlop's point was well taken and that most of the Council appreciated the fact that inequity existed. She suggested that perhaps the timing was wrong in this matter.

Moved in amendment by Alderman Lane, seconded by Alderman Vaughan that the whole matter be referred to the Taxation and Assessment Committee for a report with the co-operation of the City Officials involved and that the City Manager give a report to the next meeting of the Finance and Executive Committee.

Alderman Dunlop: "I would suggest that legislation be obtained adding a subsection that the Council may set a minimum amount payable. We should not

March 14, 1957.

allow the situation to exist. To pay a \$20.00 Household Tax a person must be assessed \$12,000.00."

His Worship the Mayor: "I would accept a motion that permissive power be given to Council for legislation."

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

FOR THE AMENDMENT -- Aldermen Wyman, Vaughan, O'Brien, Greenwood, Abbott, Lane, Macdonald and Adams - 8 -

AGAINST IT - Aldermen O'Malley, Lloyd, DeWolf, Dunlop and Fox - 5

HALIFAX AIRPORT - CATHERINE McDONALD PROPERTY ✓

March 7, 1957.

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

The attached report from the City Solicitor respecting the Expropriation of Lands of Mrs. Catherine McDonald - Halifax Airport was considered by the Finance and Executive Committee at a meeting held on the above date.

Your Committee concurs in the recommendation of the City Solicitor.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

Date: March 7, 1957.

Subject: Re: Expropriation of lands of Mrs Catherine McDonald - Halifax Airport

Your Worship and Aldermen:

On two previous occasions I reported to you on the progress of negotiations respecting the compensation for this property.

On the information then available I advised you that I had made a tentative offer of \$3200.00 and was met with a counter offer of \$6,085.00. This counter offer was not acceptable to your Committee and I was requested to continue negotiations.

It appeared that there was a variation in the quantity of pulpwood on the land between the estimate of our cruiser and that of an independent lumberman in the district Alfred V. McDowell. I therefore suggested an average of the estimates. The result of this was to increase the City's offer to \$4,118.00

I reported this to the Committee on June 7th, 1956, and also stated that I had been informed by the solicitor of the owner that she claimed a sum in the vicinity of \$5500.00. Your Committee therefore instructed me to discontinue negotiations and let the matter of compensation be determined by the Court. Moreover your Committee did not feel that any additional sums should be paid into Court.

March 14, 1957.

While the January 10th, 1957, Finance meeting was in progress, representatives of the owner of the property called at the City Hall and desired to speak to the Committee. I was instructed to meet with them and report back. Since that time I have been in touch with them and feel that due to certain new information the City might be justified in increasing its offer.

The grounds for this increase above \$4,118.00 are as follows:

(1) Evidence of an adjoining neighbor that between 7 to 8 acres had been under cultivation for market gardening and raising hay. This would result in an increase in land value of \$895.00.

(2) Evidence of an increased quantity of pulpwood to 400 cords from 125 cords. This would result in an increase from the original offer which was \$625.00, but since the amount proposed in the offer of \$4,118.00 was a sum based on the average of the estimates of our cruiser and that of Mr. McDowell the increase over and above the \$4,118.00 proposed would be \$667.00.

The compensation to be broken down as follows:

Land: 7 acres cleared and cultivated at \$150.00 per acre	\$1,050.00
93 acres, balance at \$10.00 per acre	930.00
Well	150.00
Buildings: Camp \$1,000.00 New Well 500.00	1,500.00
Pulpwood - 400 cords at \$5.00 per cord	2,000.00
Hardwood - 20 cords at \$2.00 per cord	40.00
Miscellaneous for fence, hay, etc.	200.00
Total.. ..	\$ 5,770.00

In my opinion, based on the information available to me regarding the pulpwood and the cultivated land and also the value of the new work done on the new camp, it would seem that such a sum would be a proper maximum amount for a settlement of this matter.

I am today in receipt of a letter on behalf of the owner in which it is stated she is willing to accept the sum of \$5,650.00 as a lump sum settlement for the land and waive any claim to interest and apparently also to legal fees. I had previously informed the owner that the City could not pay legal fees or interest unless by order of the Court.

I would therefore recommend that the offer of the owner of \$5,650.00 be accepted and the money paid to the owner of the property, Mrs. Catherine McDonald.

Yours very truly,

CARL P. BETHUNE,  
CITY SOLICITOR.

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

March 14, 1957.

PUBLIC SERVICE COMMISSION - RELEASE OF MORTGAGED PROPERTY ✓

March 7, 1957.

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 a letter from the Public Service Commission advising that a tender for the sale of approximately 46 acres of land in the Armdale district for the sum of \$35,000.00 was accepted subject to all necessary approvals and requesting the City of Halifax as a Bondholder to consent to the sale.

Your Committee recommends that the request be granted and the Mayor and City Clerk authorized to execute a release on behalf of the City satisfactory to the City Solicitor

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

TAG DAYS ✓

March 7, 1957

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 applications for permission to hold tag days be approved as follows:

<u>DATE REQUESTED</u>	<u>ORGANIZATION</u>
April 5	The Halifax Women's Auxiliary of the Canadian Cancer Society.
April 13	Ways and Means Committee of Ladies Auxiliary of Canadian Paralegic Association (Mar. Div.)
April 26	Silver Cross Women of Canada
May 4	The Air Cadet League of Canada
May 10	Girl Guides Association
May 18	Kiwanis Club of Halifax
May 24	W.A. Halifax Symphony Society
May 31	Marion S. Morrow Chapter I.O.D.E.
June 15	Halifax Colored Citizens Improvement League
Sept. 6	Sir Samuel Cunard Chapter I.O.D.E.
Sept. 13	Kiwanis Club of Armdale
Sept. 21	Kiwanis Club of Halifax
Sept. 26	Callow Veterans' and Invalids Welfare League
Oct 8	The Boy Scouts Association "Apple Day"
Nov. 9	Poppy Day.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

March 14, 1957.

Moved by Alderman Macdonald, seconded by Alderman Lane 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: March 12, 1957.

Subject: Accounts over \$500.00.

In accordance with section 119F<sup>1</sup> 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	Chappell & Sons Ltd.	Tires & Tubes	\$ 536.35
	The Eastern Trust Co.	Payment re Superannuation Plan	1,458.18
	The National Cash Register Co. of Can.	Cleaning, Lubricating & installing new parts in machine	670.00
	Phillips & Marshall	Ledger Sheets, voucher forms, Journal sheets binders & cheque forms	782.98
Police	Mi-Co Meter Sales & Service Limited	Parking Meters & parts	561.20
Works	The Brookfield Construction Co. Limited	Oak & Fir Doors	520.00
	T.P. Calkin Limited	Utility Fan, Steam Heating Pipes, Insulators, switch & pilot light, filters	832.33
	Wm. Collings & Sons, Limited	supplying & installing handrail	539.00
	Dominion Sound Equipments Limited	Acoustical treatment	1,812.60
	The Gillis Company, Limited	Parts for Elgin Sweeper	670.76
	Halifax Shipyards Limited	Panelling Mayor's Office & Council Chamber	12,240.50
	Wm. Stairs, Son & Morrow, Limited	Rad. valves, transformer, thermostats & Pipe	822.34
	Standard Paving Maritime Ltd.	Sewers - Summer St.	2,296.89
Municipal Spraying & Contracting Ltd.	Gravel	5,285.06	

March 14, 1957.

T.B. Hospital	Canadian Industrial Alcohols & Chemicals Limited	Unmatured Hospital Spirits	543.25
Civil Defence	Carter & Smith Limited	Repairing sirens, changing transformers & timers	<u>566.80</u>
			\$30,138.24

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

Moved by Alderman Lloyd, seconded by Alderman O'Malley that the report be approved.

Alderman O'Brien: "With respect to the item for \$12,000.00 I would like to know whether that results from the completion of a contract. Were tenders called and how was the order placed?"

Mr. West: "That work was awarded to the Halifax Shipyards Limited by the City Council at a meeting held in the Police Station."

The motion was then put and passed.

LETTER UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA RE: RENT CONTROL

A letter was submitted and read from the above organization protesting against the action of City Council in abolishing rent control as of April 30, 1957.

Alderman O'Brien gave notice that he would move at the next regular meeting that the action taken by Council in abolishing rent control be rescinded.

City Solicitor: "That motion would not be effective. The By-Law has been repealed. We have to re-instate rent control from scratch. The whole thing is washed out at the present time."

His Worship the Mayor: "You could not do it tonight. That matter is for the information of Council only. If any action is to be taken a notice of motion would have to be given at a later meeting."

Alderman Vaughan stated he was informed that the Minister of Municipal Affairs had repealed the Rental By-Law.

His Worship the Mayor: "That is right."

City Solicitor: "It is our By-Law that has been repealed."

Alderman Vaughan: "Does the legislation still exist?"

March 14, 1957.

City Solicitor: "It is my understanding that the last part of the Rental Control Act has been retained."

Alderman Lloyd suggested to Alderman O'Brien that before he made a motion to re-instate Rent Control that he consider the possibility of a judicial inquiry into the matter.

NOTICE OF MOTION ALDERMAN O'BRIEN Re: RENT CONTROL ✓

Alderman O'Brien gave notice that at the next regular meeting of City Council he would move that Council provide for the re-instatement of rent controls on May 1, 1957 and that a committee be appointed to report on a system of rent controls which would be adequate, effective and just to both tenants and landlords and which would be made possible through legislation.

TENDERS FOR COLLEGE OF ART PROPERTY ✓

March 7, 1957.

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

Pursuant to a call for tenders for the sale or lease of the Old Nova Scotia College of Art property at the Southwest corner of Argyle and George Streets the Finance and Executive Committee had for consideration two tenders for the sale of the property.

It was agreed to recommend that, the tender of Moir's Ltd., offering to pay the sum of \$20,550.00 for the property be accepted.

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: March 14, 1957.

Subject: Nova Scotia College of Art Building.

The writer had two inquiries concerning rental of the Nova Scotia College of Art Building and brought the matter to the Works Committee's attention. Permission was given to advertise for either rental or sale, sale being included as a trial balloon to see what the property would bring.

Two bids were received for sale, none for rental. I might say one of the parties interested in rental refused to tender if there was the possibility of sale. One of the tenders for sale was the other party interested in rental - Moirs Limited.

The writer recommended against sale of the building at the Works Committee meeting - for the reasons:



March 14, 1957.

- 1). Property fronting on the Grand Parade should be kept for civic uses.
- 2). Inadequate price - the offer for the property for the value of the land alone may be fair or even high. With a usable building on it the price is low.

The Works Committee directed that the City Manager confer with Moirs Limited on their proposed use of the property.

The tenders were referred to the Finance & Executive Committee for price and this Committee voted to accept the Moirs Ltd. tender.

As directed by the Committee on Works the writer conferred with officials of Moirs Ltd., as to the proposed use. They stated:

- 1). They wished to expand their paper box business to handle regional seasonal business which requires large storage.
- 2). There is great convenience to have storage adjacent to manufacturing facilities which have been recently expanded.
- 3). If a new building is built it will be as little the factory type as possible and the design will be in good taste with the surroundings.
- 4). Moirs Ltd. have no date in mind for a new building.

The City Manager recommends strongly against sale of this building not only to Moirs but to anyone else with the exception of the suggestion made below. On the north and south sides of the Grand Parade we have historic buildings - St. Paul's Church and the City Hall. On the East side there are acceptable office buildings as far north as The Toronto Dominion Bank building and ultimately the rest of that side will have more modern buildings. It is true that Moirs are already on the west side, but that is no reason for further expansion. All the land west of Moirs' present holdings from Prince to Duke Sts. is available at a price and probably as well suited for expansion as this piece they seek. There is no criticism of Moirs seeking this land, they have a space problem, but it should only be solved considering the over-all development of the area.

If this land is to be sold it is suggested that the Municipality of the County of Halifax acquire it together with the two pieces to the South. A new County building on this site would serve several generations, be convenient to our civic offices, financial and legal offices and the entire downtown business district. With the parking lot one block away, the parking problem would be solved with the second or third level. All that has been said about the County offices being located here apply equally well to the proposed Board of Trade building. Incidentally, I doubt there is sufficient room on Bell Road for two buildings and the attendant parking they would attract.

This plot 40 x 60 is assessed at \$12,200.00 for land and \$10,300.00 for the building, a total of \$22,500.00. The vacant lot to the south is 40 x 60 and is assessed at \$9,000.00. I understand the purchase price was \$12,000.00. Sale of this property at \$20,550.00 will further have the effect of depressing assessments. To have the same ratio between assessment and market price, the tender should have been \$29,925.00.

In the interest of long range planning and to prevent the Grand Parade from becoming a second rate open area, it is recommended the tender be refused and that the City advertise for tenders to rent or to approach either the County or the Board of Trade with the suggestion they consider this site.

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

Moved by Alderman Dunlop, seconded by Alderman O'Malley that the report be approved and the City Solicitor prepare the necessary deed for execution by His Worship the Mayor and City Clerk.

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Alderman Dunlop: "Was that letter in the custody of the City Manager at the last meeting?"

City Manager: "Yes."

Alderman Dunlop: "I can't understand why the information was not given to us. We wanted to find out from Moirs what they wanted to use the land for. I think when a tender comes in we should not be left in the dark. We should be told what is in it."

City Manager: "After talking to Moirs I still don't know what they are going to do with the property except in a general way."

His Worship the Mayor: "I would think this would be a grave error if we sold this parcel. Some one can get enough out of it by renting it to carry the equivalent of \$20,000.00. Surely to no group is that property more valuable than to the City. If we were going to build something in the future we would pay a price for that location. The price is a fair one but if it were on the market we would probably urge the City to pay \$20,000.00 and then have the right to control it and keep it for City purposes in the years to come. We can't lose on it. Surely you will get \$20,000.00 and much more in 5 years. Let us hold this land."

Alderman O'Malley: "In the Finance and Executive Committee I voted against this but at that time I had no knowledge of the use it was going to be put, I was concerned about the building remaining there indefinitely and for that reason I voted against it. I took under advisement your words to us at the last meeting and I have come to the conclusion that I don't think the City should retain that property to increase facilities for the City Departments because we will be building an extensive building against a so-called factory and the traffic would flow north and south of us. I have come to the conclusion that I am going to support the sale of the property for those reasons."

Alderman Vaughn: "The Industrial Commission made inquiries of Moirs Limited and found they were making paper boxes and they are serving a wider area. It is to extend their paper box business and to handle seasonal business. Here we have an established business carrying on this kind of trade providing employment for many. If you are going to sell more you will create more

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employment. I support the tender of Moirs. They own the property to the west I see nothing wrong with Moirs building facing the Parade."

Alderman Fox: "Is the price right? Some 8 or 9 years ago the City wanted property and at that time I made a survey in that area for a parking lot. I believe it was in 1947 and after some investigation we found that the whole block produced something like \$3,000.00 revenue from it but when the City went to buy it, it cost nearly \$100,000.00."

His Worship the Mayor: "I thought we got it very reasonably."

Alderman DeWolf: "If we hold the property we will lose taxes possibly \$1,500.00 a year if Moirs are assessed at the purchase price. The City will get the benefit of the interest on \$20,000.00 which would be \$1,100.00. The City is paying a caretaker and heating the property which would not be less than \$1,700.00. The City benefits \$3,400.00 a year by selling that property. There were two properties we sold for \$12,000.00. There was a building on it. The purchaser held the land and after three years he sold it for what it cost him. Mr. DeBard says in his report the price is inadequate. I don't know whether it is too low or some person should pay more. I feel I am correct in saying that the price is not too low. I thought we were assessed on the market value. I am satisfied that \$20,000.00 is a good price."

City Manager: "If the other piece of property was assessed at \$9,000.00 and sold for \$12,000.00 then if we take Mr. Thomson's assessment on the Nova Scotia College of Art of \$22,500.00 the tender price should have been \$29,000.00 to have the same ratio."

Mr. West stated he would not like to see the City rent to any tenant. He recommended that the building be demolished.

Alderman O'Brien: "I think the arguments prepared by the City Manager are valid. I feel since we are having a survey conducted at the present time the central core of our City involves re-development, we should not take action which would increase industrial facilities in a part of the City where we should have the centres of Government for other kinds of commerce or retail outlets. I would like to see any action on this sale deferred until we see what is proposed for our downtown areas. In any case it would be in keeping

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with any long range plan and that this property be developed for the County of Halifax or Board of Trade."

Moved in amendment by Alderman O'Brien that this matter be deferred for 6 months.

There was no seconder to this amendment.

Alderman Lloyd: "By the ratio of a known sale to an assessment, the City Manager feels the market price should be something near \$29,000.00. Moirs enjoy a fixed assessment. I have no doubt in my mind that they would likewise expect this property to join the rest."

His Worship the Mayor: "I trust you are wrong."

Alderman Lloyd: "I agree with you. I hope they would exclude this from their fixed assessment but it does not appear likely. On those two points of view there is nothing to stop us from making a counter offer."

Moved in amendment by Alderman Lloyd, seconded by Alderman Fox that the City make a counter offer to Moirs Limited that the land be sold for \$29,025.00 and that this property will not be included in their exempt category.

Alderman DeWolf: "Moirs Limited might want to advise if they would be willing to pay the regular taxes."

His Worship the Mayor: "The building is more than 125 years old. I question whether Moirs are not going to use it. I don't see what the difference is for us to rent it to another tenant. I think you can get a rental for it. I hope when the motion is put that you will put a rider on it that this property does not go into the tax exempt category."

Alderman Abbott: "I felt the tender from Moirs was high enough. I believe \$10,300.00 assessment is a little high for the building and \$20,550.00 was a good price for it. If we are not going to accept the highest tender would it not be wise to accept no tender and call for new tenders? Is that a right thing to do?"

Alderman Dunlop: "I find Moirs are anxious to extend their box factory I think to go back for \$9,000.00 we are getting down pretty small. I suggest they are not buying it to leave it a vacant lot. They are really paying \$29,000.00 because it will cost them \$10,000.00 to take that building down. Before they

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can use it they have to get permission from the Commissioner of Works and they will not get it unless they do substantial repairs."

Alderman DeWolf again asked if Moirs would indicate if they would be willing to pay regular taxes on the building.

Mr. Fraser: "That question has not come up. I think it would be favourably considered."

Alderman Macdonald: "It is supposed to be used for the manufacture of paper boxes. If we can provide some facilities for the increase in this particular product we would be doing something and in this case we would be helping Moirs and indirectly the City of Halifax."

The amendment was put and lost.

Moved in amendment by Alderman O'Malley, seconded by Alderman Lloyd that the land be sold to Moirs Ltd. for \$20,550.00 with the stipulation that normal taxes be paid on it.

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

FOR THE AMENDMENT - Aldermen Lloyd, Vaughan, DeWolf, Abbott, Lane, Macdonald, Adams, Fox and O'Malley - 9 -

AGAINST IT - Aldermen Wyman, O'Brien, Greenwood and Dunlop - 4 -

The City Manager was requested to write Moirs Limited in this regard

Alderman Dunlop: "I would suggest that the money be applied to the Capital Account."

His Worship the Mayor: "That item can properly be discussed."

LEGISLATION TO LIMIT THE NUMBER OF TAXIS ✓

Alderman Lane asked if the above item could be re-introduced into Council.

His Worship the Mayor: "I believe the situation is this. It came before the Council as a regular motion. It was debated and voted down. The Rules of Order say that where a motion that has been resolved in the negative it cannot be re-introduced until two months have elapsed or only with the consent of two thirds of the whole Council."

Moved by Alderman Lane, seconded by Alderman Lloyd that the matter be re-considered. Motion passed with Aldermen Dunlop and Macdonald wishing to be recorded against.

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Alderman DeWolf: "Does the Chief of Police give the license? I asked the people why they wanted this. They said the Chief could not refuse a license to anyone who applied. Instead of limiting the number the Chief granting the license to those who are qualified would answer the question."

Moved by Alderman Lane, seconded by Alderman Lloyd that the following legislation be approved: "Notwithstanding the provisions of the Motor Vehicle Act, the City may, by Ordinance, from time to time limit the number of vehicles so licensed to transport therein for hire, passengers."

Alderman Lane: "Because of the safety angle involved the fact that adults and children are committing their lives in the hands of the man who is driving the cab, there should be a limit put on the number. These men have formed an Association with the intent of raising the ethics of their calling. These men claim there is too much competition on the street. We had a survey made about a year ago and it pointed out according to the best knowledge we could get that we had about 100 vehicles too many."

His Worship the Mayor: "This does not encompass the right of a license holder to assign, sell or transfer that license."

Alderman Lane: "The control is in the hands of the Traffic Authority."

Alderman O'Brien: "I voted against this the last time because I had expected a committee was going to do something and we were to have a recommendation on the principle of the matter. Since the last meeting I have thought about it further and I have changed my view. This is enabling legislation and there are details which must be worked out. Those details of the control are important. Much will depend on how those details are worked out. Some of the Officials of the Association have suggested that they would like to see a Board with City representation on it. I would now favor the enabling legislation."

Chief Mitchell: "Two years ago I was wholeheartedly in accord with this suggestion. I am not of that opinion today. I have taken a long hard look at it. I can see several reasons why it should not be passed. I would like to present those reasons to this Association and let them give me their answer. I would like to discuss it."

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Alderman Lane: "Do you object to enabling legislation?"

Chief Mitchell: "No."

Alderman Dunlop: "I am against it. I have not yet to hear any valid reason why the number of taxi operators should be controlled any more than the number of lawyers or doctors. If the Chief is committed to give a license to every Tom, Dick and Harry it is news to me. A man has to make out an affidavit and give his whole life record."

Chief Mitchell: "It has been changed to the past 7 years."

Alderman Dunlop: "I am glad to hear that. The people who give service are the people who get the business."

Chief Mitchell: "It is proposed to reduce the number from 340 to 250. It has been suggested that this be reduced by way of suspension, cancellation and death. I would hazard a guess to reduce the number by approximately 100 would take approximately 10 years by that method. At that time we could well need the other 90. If and when it ever does reduce I could see a situation developing where a group of 3 to 10 could put a taxi office out of business. It could be a club that would turn against him. It would have to be shown to me how it would give better service."

Alderman DeWolf: "Is there sufficient authority to select or reject applications for taxi licenses?"

Chief Mitchell: "It is on a character basis; not on a number basis."

Alderman DeWolf: "I use taxis all the time and I hope I have many friends amongst the taxi operators. I think that in some way there should be some greater control of the type vested with the Chief. If you want to catch a train and you call a taxi office and you say 'I want a taxi at 8.30 A.M.' you should expect to get that service. I understand from 2 people right in this Council Chamber that within a short while ago they could not get a cab as there were no taxis available. Maybe too many men are working at night and they are not available in the morning. Taxis should be available for trains."

Alderman Macdonald: "I feel that we have to have some faith in our fellow man with whom we are doing business. There is the postman, milkman and we

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should also have faith in the taximan providing his application is given the necessary scrutiny. Creating a monopoly I don't think is very good. There is no monopoly in the transportation business. I don't think we should limit the number of cabs."

Alderman Fox: "Is there anything to compel a man if he buys a taxi license to do anything?"

The Chief advised that there was nothing.

Alderman Lloyd: "Last year a taxi driver came to me and asked 'where do you stand on the subject of taxis?'. I endeavoured to answer him and I said the economic well-being of the taxi business is the governor of their ethics. The man asked 'are you against the part-time driver?' I said I was against the man who has a good livelihood and who is indifferent about the taxi business and in many instances not too much concerned about the ethical conduct carried out in the performance of his work. There are some who have summer jobs and winter occupations. This man is a golf pro in the summer and a taximan in the winter. I am citing this as an illustration of an actual case. On the subject of earnings, many drivers are in debt to the finance company year after year. Unless they set aside money to cover depreciation on their vehicles, their net earnings would not be too substantial. They are at the level in my opinion which makes it difficult for them to add the kind of service and efficiency which we would like to see in the taxi business in the City. The safety angle is a very strong factor in its favor. Public convenience demands the support of this Council. It is enabling legislation only and the full debate of the pros and cons as to how we go about limiting can be gone into later."

The motion was put and passed 10 voting for the same and 3 against it as follows:

FOR THE MOTION - Aldermen Wyman, Vaughan, O'Brien, Greenwood, Abbott, Lane, Adams, Fox, O'Malley and Lloyd - 10 -

AGAINST IT - Aldermen DeWolf, Dunlop and Macdonald - 3 -

BUILDING SITES - BOARD OF TRADE AND COUNTY OF HALIFAX

Alderman Vaughan: "The Committee held 3 or 4 meetings. At the first meeting it was proposed to sell to the County a piece consisting of some



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40,000 sq. ft. for \$60,000.00. For 21,250 sq.ft. the Board of Trade proposed that they were willing to pay the sum of \$25,000.00 the City paying \$15,000.00 towards the purchase price and they would pay the City \$10,000.00 not later than 20 years from the date of the agreement."

His Worship the Mayor: "In the last verbal negotiations with the Board of Trade their agreement had been reached by some members of the Committee including myself on the proposal made between us but their later submission coming in was rejected by the Committee of 4 unanimously."

Alderman Lloyd: "Could we have the reasons?"

Alderman Vaughan: "I am not opposed to the Board of Trade acquiring land in the locality for their purposes but I am of this opinion that we don't know the school needs of the City of Halifax for next 20 years. I think it would be unwise to sell off large portions of land adjacent to the high school and then later on have to seek land again. I think the County should seek land elsewhere for their building."

Alderman Dunlop: "I am opposed to selling the land to the County and Board of Trade. I am shocked at the Board even asking us for it. To leave the downtown section of this City and go into an open space seems to be like a desertion. This City is full of slum housing and poor business buildings downtown here that should be torn down and replaced with modern buildings. The Board of Trade can get a site within the immediate area of the building we are now in. The piece of land adjacent to the school, the proposal is to put the building within 125 feet of the school. Nobody knows what use will be required of that land. The present proposal to crowd 2 buildings will put the County building within 21 feet of the C.B.C. and the Board of Trade within 30 feet of the County building. It would almost be another Hollis Street."

Moved by Alderman Lloyd, seconded by Alderman Lane that the Rules of Order of Council be suspended for discussion and a representative of the Board of Trade and County of Halifax be invited to take part in that discussion at the discretion of the Chair. Motion passed.

Mr. A.I. Barrow spoke on behalf of the Board of Trade as follows: "The proposal was that we would be the only organization next to the C.B.C. There

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is sufficient land there for our needs and that of the Tourist Bureau. I thought the City would grant us this land in view of the fact that we are not a profit making organization. In St. John, N.B. they have seen fit to supply premises for the Board free of rent on the understanding that the Board would furnish it. We feel the Board of Trade has done much and can do much for the benefit of this City."

Mr. William Cox representing the County of Halifax addressed Council as follows: "There are a few points I would like to place before you. The County is in grave need of expanded facilities. The present facilities in the Court-house are very inadequate and they must find a new site. The County has provided \$500,000.00 to cover the expense of acquiring a new site and a new building. Government offices would be very suitable for that locality. It was felt that \$60,000.00 was a fair price. The property would be taxable. They are quite willing to pay taxes on that building."

His Worship the Mayor: "I was going to suggest a motion that Council on suitable terms being arranged favor in principle the use of the land by the Board of Trade and or County of Halifax or by such other persons who may come along and that taxes be paid on the land."

Alderman Lloyd: "I think the Board of Trade is an indirect branch of the economic life agencies of Government. I think that they are deserving of exemption from taxation since they must raise their funds by subscription. In the County we do pay taxes on our watershed properties."

Moved by Alderman Lloyd, seconded by Alderman Greenwood that Council approve in principle the sale of these areas of land or such lesser amount under such terms and conditions as it may determine.

City Manager: "I think 2 buildings on this piece of ground is too much. I would not say which one should go. I have not thought of it."

Mr. Snook: "I feel that this small portion that remains is of no particular Commons value and could be well sold for such a private or public use."

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

FOR THE MOTION - Aldermen Vaughan, O'Brien, Greenwood, DeWolf, Macdonald, Adams, Fox, Lloyd and Wyman - 9 -

AGAINST IT - Aldermen Abbott, Dunlop, Lane and O'Malley - 4 -

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Moved by Alderman Vaughan, seconded by Alderman Lloyd that legislation be secured to give effect to the last motion. Motion passed with Aldermen O'Malley Lane, Dunlop and Abbott wishing to be recorded against.

Alderman Dunlop gives Notice of Reconsideration at the next regular meeting of the Council.

Moved by Alderman DeWolf, seconded by Alderman Greenwood that the sale of the property as outlined on this plan be effected with the County of Halifax at the price of \$60,000.00 and that the funds be reserved for housing purposes anticipated in the near future through Limited Dividend Corporations or other means.

Alderman DeWolf: "In selling this land to the County we would get the interest on that money which would be \$3,000.00 a year and if the County is assessed we would get another \$30,000.00 or \$35,000.00. Leaving that land idle means quite a lot to us,"

Alderman Vaughan: "I am opposed to the sale because the type of building to be built should be erected in the downtown area on Brunswick Street where certain lands are now owned by the City. Present plans call for a widening of Brunswick Street from Sackville Street to Buckingham Street. It would provide ample parking space. Those people should come to the downtown area and people would be attracted to the shopping areas. We should negotiate with the County for an area now held by the City or we could expropriate land. This half million dollar building would have an uplifting effect on the whole area and would attract other enterprises which would like to go there. I would go all out to help them in this redevelopment program. The Board of Trade propose to incorporate in their building the Tourist Bureau which will operate for 2 or 3 months a year. If the Board of Trade building is moved further east it will leave room for an addition to the Queen Elizabeth High School and any other high school that might be built. We should maintain on that area a Tourist Bureau operation. My only reason for supporting the Board of Trade is the fact that they will provide in their building sufficient space for the Tourist Bureau."

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His Worship the Mayor: "I would like this matter held up pending finalization with the Board of Trade because the present building is located on part of the land where the County people would be. We are limited to the type of building we can put there. What type of similar buildings will pay us taxes?"

Alderman Dunlop: "I would urge a great deal of caution about collecting full taxes. I will venture to predict the moment the County gets a tax bill for \$25,000.00 there maybe different Councillors there and different pressures maybe brought to bear. I would not put that in as an asset in the City Budget. I would be very happy if they pay taxes. I would suggest that the legislation be carefully framed so that the only building that can be built there will be used for municipal purposes."

Alderman Abbott: "Where does the \$60,000.00 figure come from?"

His Worship the Mayor: "That came from the Committee. We decided in our wisdom that the land was worth \$2.00 a foot in front and \$1.50 a foot in back?"

Moved in amendment by Alderman Macdonald, seconded by Alderman Abbott that the piece of land shown on the plan comprising 21,250 sq. ft. or such lesser part, be sold to the Board of Trade subject to negotiation by the Council Committee and that pending agreement with the Board, action on the main motion be stayed.

Alderman Vaughan stated that someday there might be two levels of high schools in the field of education which would attract more pupils to them and sufficient land would be required for their construction. One level would be that of pupils preparing to go to university.

Alderman Lloyd: "It seemed to me there was ample room for both of these properties. I think there is something to be said about keeping this activity in the centre of the City. I feel the amendment should be supported and we should get along with doing something."

The amendment was put and lost 5 voting for the same and 8 against it as follows:

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FOR THE AMENDMENT - Aldermen Greenwood, DeWolf, Macdonald, Fox and  
Lloyd - 5 -

AGAINST IT Aldermen O'Brien, Abbott, Dunlop, Lane, Adams, O'Malley,  
Wyman and Vaughan - 8 -

Moved in amendment by Alderman Vaughan, seconded by Alderman Lloyd that the Committee set up by Council negotiate with the Board of Trade for the sale of a portion of the property outlined on the plan between the C.B.C. property and lands used by the Queen Elizabeth High School on such terms and conditions which will be acceptable to Council.

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

FOR THE AMENDMENT - Aldermen Greenwood, DeWolf, Abbott, Macdonald,  
Fox, Lloyd, Wyman, Vaughan and O'Brien - 9 -

AGAINST IT - Aldermen Dunlop, Lane, Adams and O'Malley - 4 -

It was agreed that the same committee negotiate with the Board of Trade with the exception of Alderman Dunlop.

TENDERS FOR CLOTHING - POLICE & FIRE DEPARTMENTS AND CITY PRISON STAFF

Reports were submitted from the City Manager making various recommendations with respect to the above item and same are attached to the original copy of these minutes.

Alderman Dunlop referred to the fact the Blumenthal and Company were lowest on several items and were not recommended for acceptance.

The City Manager had a memo on the bottom of his reports advising that this tenderer had refused to honor a tender for Police Uniforms back in 1956

Alderman Dunlop: "What did the tenderer refuse to comply with?"

City Manager: "8 suits. They did not want to give them."

Alderman Dunlop: "There are a number of items on which that Company is low. If we adopt that policy we should make it known when we send out tenders."

City Manager: "In this case he just refused to deliver."

Moved by Alderman Abbott, seconded by Alderman Macdonald that the reports be approved. Motion passed with Aldermen Dunlop and DeWolf wishing to be recorded against.

Alderman Greenwood: "The firm of Sarty Tailoring; are they tax payers? Do we give any consideration when tenders are close together to large tax payers?"

City Clerk

ITEM #8  
City Council  
March 14, 1957

TABULATION OF TENDERS  
UNIFORMS - FIRE DEPARTMENT

<u>BIDDER</u>	<u>UNIFORMS</u>	<u>TROUSERS</u>	<u>OVERCOATS</u>	<u>SHIRTS</u>	<u>CAPS</u>
Robert Simpson Eastern Limited	\$ 43.25	\$ 13.70	\$ 36.70	\$ 4.35 3.45 3.25	\$ -
The T. Eaton Co., Ltd., (Maritime)	41.13	12.65	34.50	-	-
Morris Goldberg (Men's Wear)	-	-	-	3.71	3.18
Tip Top Tailors Limited	39.75	12.35X 12.55	36.65	-	3.30
Colwell Brothers Limited	-	-	-	3.14 3.36½ 3.68	3.23½
Clayton Mfg., Co., Limited	41.35	12.49	33.95X	-	-
Montreal and Company	41.14	12.41	33.88	-	-
Sarty Tailoring	38.25X	12.75	35.00	2.59X	4.75
Robin Men's & Boy's Wear(Quinpool)Ltd.	44.90	13.50	36.90	-	-
Stokes Cap & Regalia Limited	-	-	-	-	3.30
Mr. Scully Limited	-	-	-	-	3.00X 3.75

RECOMMENDED BID.

UNIFORMS	-	Sarty Tailoring	-	Lowest Bid
TROUSERS	-	Tip Top Tailoring Limited	-	Lowest Bid
OVERCOATS	-	Clayton Mfg., Co., Limited	-	See Below
SHIRTS	-	Sarty Tailoring	-	Lowest Bid
CAPS	-	-	-	Deferred, sample requested from low bidder.

Bid received from Gordon B. Isnor, 269 Gottingen Street, Halifax, Nova Scotia at 2:15 p.m. March 5, 1957. Recommended that it not be opened.

It is recommended that the Tender for OVERCOATS for the Fire Department not be awarded to Montreal and Company since this supplier refused to honor a Tender for the Police Uniforms bid. See Safety Committee Minutes May 9, 1956 (pp.21-22) also City Council Minutes May 14, 1956 (p.357)

A. A. DoBard Jr.,  
City Manager.

TABULATION OF TENDERS

UNIFORMS - - - POLICE DEPARTMENT

	<u>UNIFORMS POLICE</u>	<u>UNIFORMS OFFICERS</u>	<u>SHIRTS</u>	<u>RAIN COATS</u>	<u>GREY MOUNTED SUITS</u>
Empire Eastern Limited	\$ 46.70	\$ 46.70	\$ 4.35 3.45 3.25	\$ -	\$ 46.70
Wool Co., Ltd., (Maritime)	44.95	44.95	-	-	48.20
Defecting Co., Limited	-	-	-	19.00	-
Wiberg (Men's Wear )	-	-	3.71	-	-
Empire Limited	48.10	52.25	-	-	53.90
Wool Co. Limited	-	-	3.36 <sup>1</sup> 3.68 X 3.14	-	-
Wool Co., Limited	44.39	44.39	-	-	44.29 X
Wool Co., Limited	44.17	44.17	-	-	44.17
Wool Co.	39.95 X	39.95 X	2.59	-	-
Wool Co.'s Wear (Quinpool) Ltd.	48.10	48.10	-	-	48.10
Wool Co. Limited	-	-	-	18.00	-

BIDS

Wool Co.	-	Sarty Tailoring	Lowest Bid
Wool Co.	-	Sarty Tailoring	Lowest Bid
Wool Co.	-	Colwell Brothers Limited	Not lowest Tender but Deaco 190 selected as being most suitable for Department by Chief.
Wool Co.	-		Deferred, sample requested from low bidder.
Wool Co.	-	Clayton Mfg., Co., Limited	See below

Mr. Gordon B. Ishor, 269 Gottingen Street, Halifax, Nova Scotia, at 2:15 p. m.  
Recommended that it not be opened.

It is noted that the Tenders for GREY MOUNTED SUITS - for Police Department not to be awarded to Wool Co. and Company since this supplier refused to honor a Tender for Police Uniforms in 1956. Committee Minutes May 9, 1956 ( pp. 21-22 ) also City Council Minutes May 17, 1956 (p.357)

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

## TABULATION OF TENDERS

UNIFORMS - - POLICE DEPARTMENT

	<u>GREY MOTORCYCLE SUITS</u>	<u>GREY SLACKS</u>	<u>GREY WINTER BREECHES</u>	<u>GREY COATS</u>	<u>NAVY BLUE COATS</u>
Burton Eastern Limited	\$ 46.70	\$ 15.00	\$ 17.40	\$ 43.15	\$ 38.55
Burton Co., Ltd., (Maritime)	48.20	14.52	17.20	42.90	38.95
Blumenthal and Company Limited	-	-	-	-	-
Blumenthal (Men's Wear)	-	-	-	-	-
Tip Top Tailors Limited	49.55	14.25 14.45	18.40	39.20 X	41.20
Blumenthal and Company Limited	-	-	-	-	-
Clayton Mfg., Co., Limited	44.29 X	12.22 X	15.85 X	39.40	35.90
Blumenthal and Company Limited	44.17	13.31	15.73	39.33	35.70
Sarty Tailoring	-	-	-	-	35.00
Men's and Boy's Wear (Quinpool) Ltd.	48.10	14.50	17.10	42.90 46.80	38.90
Blumenthal and Company Limited	-	-	-	-	-

RECOMMENDED BID

MOTORCYCLE SUITS	-	Clayton Mfg., Co., Limited	-	See below
SLACKS	-	Clayton Mfg., Co., Limited	-	Lowest Bid
WINTER BREECHES	-	Clayton Mfg., Co., Limited	-	See below
COATS	-	Tip Top Tailors Limited	-	Lowest Bid
NAVY BLUE COATS	-	Sarty Tailoring	-	Lowest Bid

Received from Gordon B. Isnor, 269 Gottington Street, Halifax, Nova Scotia, at 2:15 p. m. on 1957. Recommended that it not be opened.

Recommended that the Tenders for GREY MOTORCYCLE SUITS and GREY WINTER BREECHES for the Department not be awarded to Blumenthal and Company since this supplier refused to honor the Police Uniforms in 1956. See Safety Committee Minutes May 9, 1956 (pp.21-22) and Council Minutes May 17, 1956 (p.357)

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



TABULATION OF TENDERS

UNIFORMS - - - CITY PRISON.

<u>TENDER</u>	<u>UNIFORMS</u>	<u>CAPS</u>	<u>TROUSERS</u>	<u>SHIRTS</u>	<u>ULSTER</u>
Robert Simpson Eastern Limited	\$ 46.70	\$ -	\$ -	\$ 3.25 3.45 4.25	\$ 43.15
The T. Eaton Co., Ltd., (Maritime)	48.15	-	-	-	42.90
Is Goldberg (Men's Wear)	-	3.45	-	3.71	-
Tip Top Tailors Limited	47.00	4.60	11.20 X 11.40	-	36.85
Colwell Brothers Limited	-	3.23½	-	3.14 3.36½ 3.68	-
Mayton Mfg., Co., Limited	44.39	-	-	-	39.48
Blumenthal & Company Limited	44.17	-	-	-	39.33
Sarty Tailoring	39.95X	12.75	13.25	2.59X	35.00X
Robin Men's & Boy's Wear (Quinpool) Ltd.	48.10	-	-	-	42.90
Stokes Cap and Regalia Limited	-	3.30	-	-	-
Mr. Scully Limited	-	4.00	-	-	-

RECOMMENDED BID.

<u>UNIFORMS</u>	Sarty Tailoring	-	Lowest Bid.
		-	Deferred - sample requested Stokes Cap and Regalia Limited. Next lowest bid Colwell Tender not to specification.
<u>TROUSERS</u>	Tip Top Tailors Ltd.	-	Lowest Bid.
<u>SHIRTS</u>	Sarty Tailoring	-	Lowest Bid
<u>ULSTER</u>	Sarty Tailoring	-	Lowest Bid.

Bid received from Gordon B. Isnor, 269 Gottingen Street, Halifax, Nova Scotia, at 2:15 p. m. March 5th, 1957. Recommended that it not be opened.

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

March 14, 1957.

City Manager: "No we take the lowest tenders. I understood Sarty Tailoring were local."

Alderman DeWolf asked if the firm of Blumenthal and Company were to be excluded for ever from tendering.

City Manager: "If that particular ~~Company~~ wants to tender."

WIDOWS' ALLOWANCES - MRS. GRACE POOLE AND MRS. BEATRICE ELFORD ✓

March 7, 1957.

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 under the authority of Section 310H of the City Charter annual allowances be paid to widows' of former employees of the City as follows:

1. Mrs. Grace M. Poole	\$289.73
2. Mrs. Beatrice Elford	571.42

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

WIDOW'S ALLOWANCE MRS. MARGARET RHUDA ✓

Alderman Dunlop: "One year ago we provided for another widow much more liberally than this one. I would suggest that the legislation we provided to cover firemen and policemen be amended so that the amount paid into the super-annuation fund should not be wholly returned. In one particular group of widows they get all the money back but in another group it is used against the grant. We have no policy. If we treat Mrs. Rhuda as we treated our last widow she will get something like \$2,200.00 as against \$1,100.00. I don't see how we can do it for one without doing it for another. We will have to change the legislation."

Alderman O'Malley: "Is the amount stated by Alderman Dunlop the correct amount?"

Mr. Romkey stated that the amount was over \$1,700.00.

Moved by Alderman O'Malley, seconded by Alderman Fox that the pension of Mrs. Rhuda be supplemented by an amount which would give her a total of

March 14, 1957.

\$1,700.00 which included a \$600.00 allowance from the Workmen's Compensation Board.

Alderman Vaughan advised that Police and Fire Department employees do not come under Workmen's Compensation benefits.

Moved in amendment by Alderman Dunlop, seconded by Alderman Vaughan that this matter be referred to the Finance and Executive Committee for further consideration.

Alderman Dunlop: "This Council has to consider non-contributory widows pensions."

The amendment was put and passed.

GRANTS MESSRS. M.B. CODY AND F. BIGNELL

Deferred.

UNDERSIZED LOT # 5 COLLEGE STREET

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: March 5, 1957.  
Subject: Undersized Lot- 5 College Street.

At a meeting of the Town Planning Board held on the above date, an application to convert a single family dwelling, situated on a lot 31' x 167' into a duplex dwelling, was again considered.

The Board recommended that upon presentation of an application and building plans to the Building Inspector for his approval that incorporates the removal of the ell, the authority to proceed be automatically granted.

Respectfully submitted,

W.P. Publicover.  
CITY CLERK.

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

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

UNDERSIZED LOT # 298 NORTH STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: . March 5, 1957.  
Subject: Undersized Lot - 298 North street.

At a meeting of the Town Planning Board held on the above date, a

March 14, 1957.

request for permission to construct a single family dwelling on a lot 33' x 100' at 298 North 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 Abbott, seconded by Alderman O'Brien that the report be approved. Motion passed.

RESUBDIVISION LOT # 3 BAYERS ROAD ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: March 5, 1957  
Subject: Resubdivision of lot 3 - Bayers Road.

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending approval of a Plan of resubdivision showing the western boundary line being changed to correct a survey error.

The Board approved same as shown on Plan No. RR-6-13703.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

RESUBDIVISION LANDS C.A. FRY - DUTCH VILLAGE ROAD ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board,  
Date: March 5, 1957.  
Subject: Resubdivision of lands of Charles A. Fry - Dutch Village Road.

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending approval of a Plan to subdivide Lot "A" into two lots to provide for the existing dwelling and a new building lot.

The Board approved same as shown on Plan # 00-8-13712.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

March 14, 1957.

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

REZONING 118 STAIRS STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: March 5, 1957.  
Subject: Rezoning - 118 Stairs Street.

At a meeting of the Town Planning Board held on the above date, the attached report from the Town Planning Engineer relative to extending the present industrial Zone some 66 feet eastwardly along Stairs Street to permit the construction of a Warehouse and office, was considered.

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

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

Moved by Alderman Abbott, seconded by Alderman O'Brien that the report be approved and Council fix Thursday, April 25, 1957 at 8.00 P.M. in the Council Chamber, City Hall, Halifax, N.S. as the time and place for a hearing on this matter. Motion passed.

APPLICATION BEAUTY PARLOR AT # 30 FENWICK STREET ✓

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: March 5, 1957.  
Subject: Application for Beauty Parlor, 30 Fenwick Street.

At a meeting of the Town Planning Board held on the above date, a request for permission to operate a home beauty parlor at 30 Fenwick Street was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

March 14, 1957.

Alderman DeWolf: "If this permission is given will this person enjoying the operation be permitted to put a sign outside the door?"

His Worship the Mayor: "No."

USE OF SOUTH COMMONS - MODEL SHOWS - CANADIAN LEGION - MAY 20 - JUNE 1, 1957 ✓

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

From: Committee on Works.

Date: March 5, 1957.

Subject: Use of South Commons.

At a meeting of the Committee on Works held on the above date, an application for use of the South Common, on the usual terms, for two weeks to begin May 20, 1957, to enable showing by Model Shows, under sponsorship of Scotia Branch #25, Canadian Legion, was considered.

The Committee recommended that permission be granted to the Scotia Branch Canadian Legion.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

Read letter from Mr. Walter Callow requesting use of the Commons for Lynch's Shows.

Alderman Lane: "The application we had was from the Model Shows and none from Lynch."

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

Alderman Macdonald: "I had a call from Mr. Callow and he pointed out the same facts to me as in the letter. The only thing that comes to my mind is that a letter was sent out to show organizations 2 or 3 years ago asking them to have their applications in by not later than April 1st. I wonder if that might have been misconstrued as April 1st. There maybe other applications to come in

Alderman Lane: "As far as I am concerned I would not want any of them on the Commons. I am opposed to these shows anyway. I don't think any of them do us any good. How do we know Lynch is coming at all. It would be better if he did not."

March 14, 1957.

Alderman Lloyd: "I still feel that Mr. Callow's letter should be considered as an application in the spirit of our previous ruling on the matter."

Moved in amendment by Alderman Lloyd, seconded by Alderman Fox that the starting date for the Model Shows follow after June 22, 1957.

Moved by Alderman Dunlop, seconded by Alderman Vaughan that the matter be deferred until after April 1st when applications will again be considered by the Committee on Works. Motion passed.

MOBILE CANTEENS ✓

Deferred until the next regular meeting of City Council.

ACQUISITION OF LAND LADY HAMMOND ROAD ✓

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works,  
Date: March 5th, 1957.  
Subject: Land Acquisition - Lady Hammond Road.

At a meeting of the Committee on Works held on the above date, the attached report from the City Manager relative to exchange of land with McColl-Frontenac Oil Company was considered.

The Committee recommended the Plan outlined by the City Manager, with the understanding that any modification be discussed with the Company in the meantime.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

To: His Worship, L.A. Kitz, and  
Members of City Council.  
From: City Manager, A.A. DeBard, Jr.,  
Date: February 4, 1957.  
Subject: Land Acquisition - Lady Hammond Road.

Several plans have been submitted for consideration of a traffic improvement at the intersection of Lady Hammond and Kempt Roads. There is no final accepted plan but we are fairly certain of what we need in the area.

Two diagrams are attached. Diagram 1 shows part of Lot B and Lot A in full which shows the 19,800 square feet which we will require of the McColl-Frontenac Oil Co. Diagram 2 shows part of Lot A and Lot B in full which shows the 6,300 square feet which is excess to our needs. Because of its shape and because it abuts on land on McColl-Frontenac it could be part of the consideration in acquiring what we need.

March 14, 1957.

Land in the area has been selling for 60 - 70 cents a square foot and it is recommended that we exchange the lands mentioned with payment of \$9,450.00 to McColl-Frontenac Oil Company for the excess quantity they are selling us - funds to be obtained from the Land Sale Account.

I understand the suggested price is about what was paid for the land.

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

Moved by Alderman Vaughan, seconded by Alderman Lloyd that the report be approved and the funds provided from the Land Sale Account.

His Worship the Mayor: "This is to acquire the land for \$13,000.00 for a traffic improvement."

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

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

FOR THE AMENDMENT - Aldermen DeWolf, Abbott, Dunlop, Fox, O'Malley and Greenwood - 6 -

AGAINST IT - Aldermen Lane, Macdonald, Adams, Lloyd, Wyman, Vaughan, and O'Brien - 7 -

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

FOR THE MOTION - Aldermen Abbott, Lane, Macdonald, Adams, Lloyd, Wyman, Vaughan, and O'Brien - 8 -

AGAINST IT - Aldermen Dunlop, Fox, O'Malley, Greenwood and DeWolf - 5 -

CLAIM MR. J.H. BREEN FOR SEWER BACKUP \$ 65.00

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

From: Committee on Works.

Date: March 5th, 1957.

Subject: Claim - Mr. J.H. Breen - No. 61 Point Pleasant Drive.

At a meeting of the Committee on Works held on the above date, the attached report from the Commissioner of Works relative to a Claim for \$65.00 to cover damage caused by blockage in the private drain connection at No. 61 Point Pleasant Drive, was considered.

The Committee recommended that this Claim be paid.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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



March 14, 1957.

To: His Worship the Mayor, Chairman, and Members of the Committee on Works.  
From: G.F. West, Commissioner of Works.  
Date: March 2nd, 1957.  
Subject: Claim - Mr. J.H. Breen, No. 61 Point Pleasant Drive.

On October 24th, 1956, City workmen responded to a call regarding blockage in the private drain connection at the above address. They cleared this trouble but on investigating further discovered that seventy (70) lineal feet of the main sewer had collapsed.

Mr. Waller, our Sewer Engineer, investigated this claim thoroughly and, in his opinion, faulty backfilling at the time of the original installation, in 1942, together with repeated traffic vibrations on the street immediately above, could have combined to cause the sewer to collapse.

The City Solicitor's opinion is that if the method of backfilling constituted poor workmanship, or improper construction, then the City should accept liability, under Section 593 of the Charter. He adds, however, that he is not in a position to determine the exact cause of the failure.

It is very difficult to state definitely that faulty backfilling contributed to the collapse of the sewer but we feel there is enough doubt to prompt us to recommend settlement in this case.

The amount of the claim is \$65.00, and covers the expense of clearing and painting the basement.

G.F. West,  
Commissioner of Works.

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

COSSOR CANADA LIMITED - HEATING

To: His Worship the Mayor and Members of City Council.  
From: Committee on Works.  
Date: March 5th, 1957.  
Subject: Cossor Heating.

At a meeting of the Committee on Works held on the above date, the attached report from the Commissioner of Works relative to the Agreement with Cossor (Canada) Limited, and recommending that a Steam Flow Meter be installed in the boiler room at the Halifax Forum, at a cost of \$1100.00 was considered.

The Committee recommended that a Meter be installed.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

March 14, 1957.

His Worship the Mayor: "The Forum Commission has written to you, or the Solicitor many months ago saying in their opinion there is a good cause of action and Cossor are not paying the bill and they recommend that Cossor should be sued."

City Manager: "Mr. Doyle has sat in on most of the Works meetings. I don't think that is a solution to sue them for the money. I don't know whether that is the best way to do it."

Alderman Vaughan: "Has this been discussed with the Solicitor?"

City Manager: "Mr. Doyle has been at the agenda meetings."

His Worship the Mayor: "I would issue a writ on it."

Moved by Alderman Vaughan, seconded by Alderman Fox that the matter be referred to the Finance and Executive Committee for a report and recommendation.

Motion passed.

APPROVAL OF Y.W.C.A. BUILDING ON SHIRLEY STREET

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

From: Committee on Works.

Date: March 5th, 1957.

Subject: Re: Approval of Y.W.C.A. Building - Shirley Street.

At a meeting of the Committee on Works held on the above date, the attached letter from the Y.W.C.A. in regard to approval of the new building they propose to build on the Arena Rink Property on Shirley Street was approved and recommended to Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

February 5th, 1957.

Mr. George West,  
Building Inspector,  
City Hall,  
Halifax, N.S.

Dear Sir:-

We propose to build our new Y.W.C.A. building on the Arena Rink property on Shirley Street, and understand that the approval of City Council will be required for this type of building. It would be appreciated if you would bring this matter to the attention of Council at the next opportunity.

March 14, 1957.

In the meantime, we are proceeding with the preparation of the building plans, which will be submitted in due course for your approval.

Yours very truly,

Mrs. Edward Roberts,  
President.

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

The City Solicitor suggested securing legislation at the present session of the Legislature to permit the Y.W.C.A. to use that site.

Moved by Alderman Lloyd, seconded by Alderman O'Brien that the suggestion of the City Solicitor be approved. Motion passed.

LEASES MR. A.W. BURNS -- FERRY

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

From: Committee on Works.

Date: March 5th, 1957.

Subject: A.W. Burns - Leases of Ferry Landings.

At a meeting of the Committee on Works held on the above date, an Application from Mr. A.W. Burns for renewal of Leases of the Ferry Landings at Quinpool Road and Fleming Park, on the same terms and conditions, was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,  
CITY CLERK.

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

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

LEASE SPRING GARDEN ROAD PARKING LOT

His Worship the Mayor: "I don't think we should sign a lease for one year when we get an agreement for 5 years."

Moved by Alderman Vaughan, seconded by Alderman O'Brien that this matter be deferred. Motion passed.

SALE OF LAND TO T. EATON REALTY CO., LTD. - BAYERS ROAD

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

From: Committee on Works.

March 14, 1957.

Date: March 14th, 1957

Subject: Sale of Land - Bayers Road.

At a meeting of the Committee on Works held on the above date, a report from the City Manager recommending the sale of a small piece of land, 565 square feet, to T.Eaton Realty, Co. Ltd., for the sum of \$100.00, was considered.

The Committee approved and recommended same, subject to a Water Easement over the property.

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: March 4, 1957.

Subject: Sale of Land.

The T. Eaton Co. Ltd. are interested in acquiring a small triangle of land which is surplus to our needs for street purposes and which adjoins their land. A diagram is shown on the reverse side.

It measures 62' x 22' x 57' all more or less containing 565 Square feet. Since there is a sewer easement across part of this land, and it is too small for a building lot, it is recommended that the T. Eaton Co. pay \$100.00 for this piece of land.

It should be understood that in setting this relatively low price, we are not establishing the same price for larger pieces of land which would have value for building purposes. The Building Line established for Bayers Road also precludes possibility of any building being erected on this land.

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

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

FERRY LANDING NORTH WEST ARM - ROCKPILE ✓

In connection with Mr. Burns' lease for the Ferry Landing on the North West Arm Alderman Macdonald referred to a pile of rocks and earth that had been dumped at the landing and asked what had been done to clear it up.

Mr. West stated that that matter comes under the National Harbours Board and the rockpile had been reported to them. The rocks were put there to improve the landing and the Harbours Board was allowing Mr. Burns to do it for that purpose.

March 14, 1957.

GARBAGE REMOVAL FROM BACKYARDS ✓

Alderman DeWolf: "I would like to have the cost of removing garbage from backyards instead of in front of buildings."

The matter was referred to Mr. West.

TAX EXEMPTION J. & M. MURPHY LTD. ✓

His Worship the Mayor submitted and read a letter from the above firm requesting tax concessions on the part of their plant used for manufacturing.

Same was referred to the Finance and Executive Committee for consideration.

SALES TAX BY CITY - LEGISLATION ✓

His Worship the Mayor: "There is a large proportion of revenue derived from this area from cars and we get nothing; liquor and we get nothing. If a sales tax were put on 25% might be raised, and 15% would enure to the benefit of the City. It might be wise to get permissive legislation so we will not have a tax field pre-empted before we were to step in. I foresee the possibility of the Government of Nova Scotia implementing one."

Alderman Lloyd: "When the Bill is introduced it could be discussed at the Public Hearing."

His Worship the Mayor stated that since the Federal Government was going to relinquish taxation on Insurance premiums the City might be able to put on a type of tax on companies. He felt this would be a lucrative field and again the City would get a disproportionate share of the revenue. He then asked if the City could implement a tax to which the City Solicitor replied that legislation would have to be secured.

Alderman Lloyd felt that the Pottier Commission would consider these matters and that the Government would not shut the City off from this field. In any event all municipalities would probably be treated alike with regard to these taxes.

Alderman O'Brien: "This should be considered by the Taxation Committee."

This was agreed to by Council.

SHERBROOKE TWINNING ✓

It was agreed that His Worship the Mayor name a committee to make arrangements for the return visit to Sherbrooke.

March 14, 1957.

INVITATION KIWANIS CLUB OF HALIFAX TO LUNCHEON MAY 20, 1957

An invitation was received from the above Club to the members of City Council to attend the regular luncheon on Monday, May 20, 1957.

It was agreed to accept the invitation.

LEGISLATION CARPENTERS' HALL - GOTTINGEN STREET

His Worship the Mayor: "We should get full taxes from the rest of the building not used by the Union."

Alderman Vaughan: "That is what I thought."

Moved by Alderman [unclear], seconded by Alderman Vaughan that the present legislation be rescinded and that they be assessed at the residential rate on the one part and the [unclear] rate on the rest of the building. Motion passed.

LEGISLATION MINIMUM HOUSEHOLD TAX

Moved by Alderman [unclear], seconded by Alderman Vaughan that legislation be secured whereby the Council may set a minimum amount payable by every occupier of real property for residential purposes and may from time to time change or vary the same. Motion passed.

APPOINTMENT TO PUBLIC SERVICE COMMISSION

His Worship the Mayor nominated Mr. Samuel Jacobson to replace Mr. Frank Nightingale on the Public Service Commission to fill the unexpired term ending April 30, 1958.

The nomination was approved.

His Worship the Mayor stated he would write a letter of condolence to the family of the late Mr. Nightingale.

APPOINTMENT OF CITY HOME COMMITTEE

The following were named to the City Home Visiting Committee:

Mrs. H.C. Studd, Miss Marion Helibarton, Mr. Arthur Fordham, Mr. William Ead and Miss Dorothy Gill, R.N.

LIMITED DIVIDEND COMPANIES

City Solicitor: "Respecting the tax on Limited Dividend Companies. The Charter fixes the tax at \$98.00 for each housing unit. There was some suggestion made that they might be dealt with."

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

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

March 6, 1957

Administrative Report for February, 1957

1. Electrician's Department

214 Wiring inspections made, permit income \$387.18  
6 lights replaced on Barrington St. - South to Morris Sts.  
6 " " Hollis St. - South to Morris Sts.

2. Building Permits

	<u>Number</u>	<u>Value</u>
Dwellings, new	1	40,000.00
Commercial, new	2	100,000.00
Garages, new	1	300.00
Dwellings, repairs	44	27,812.00
Commercial, repairs	18	30,310.00
Institutional, repairs	1	2,000.00
	<u>67</u>	<u>\$ 200,422.00</u>

Income from Fees:

Building Permit Fees	431.85
Plumbing Permit Fees	87.15
	<u>519.00</u>

3. Claims

George F. Tibbetts	2 Parking meters	167.00
Oland & Son Ltd.	1 " meter	72.00
Annabel Ellis	Police Vehicle	15.00
	Windstorm Damage	179.92

4. Streets and Sewers

Tons of hot patch used on paved streets	213
Cubic yards of material used on streets	280
Number of street signs maintained	28
" sewers cleared and cleaned	5
" catchpits repaired	2
" " constructed	3
" " cleaned	117
" manholes repaired	2
" junctions installed	4

5. Garbage

2,355 tons of garbage and refuse were collected of which 479 tons were burned together with 1,874 tons of privately collected materials. Total amount processed 2,353 tons with incinerator in operation 388 hours.

6. Snow Removal

500 miles of streets were plowed and 1,111 miles of streets were salted using 11,175 bags of salt.

	<u>January</u> <u>1957</u>	<u>February</u> <u>1957</u>	<u>Total</u>
Salting streets - labour	10,241.05	4,609.85	14,850.90
"    "    salt	34,213.44	10,728.00	44,941.44
"    sidewalks	570.44	375.96	946.40
Plowing    "	702.24	225.87	928.11
"    streets	13,755.36	4,488.77	18,244.13
Clearing City properties	1,675.52	424.76	2,100.28
"    catchpits & crosswalks	5,045.00	4,137.35	9,182.35
Removing snow	10,403.16	156.02	10,559.18
Sanding streets, filling sand boxes	222.96	115.46	338.42
Miscellaneous	194.54	976.43	1,170.97
	<u>\$ 77,023.71</u>	<u>\$ 26,238.47</u>	<u>\$ 103,262.18</u>

Prefab Housing

Houses completely paid      375  
 Current accounts              437  
 Original number of houses   812

Mortgages Receivable, January 31, 1957	\$980,925.21
"    "    February 28, 1957	<u>963,151.61</u>
Mortgages decreased during month	17,773.60
Total borrowing, January 31, 1957	\$ 257,231.57
"    "    February 28, 1957	<u>233,302.45</u>
Borrowing decreased	23,929.12
"    accounts two or more months in arrears	15,540.96

Sewers

<u>Street</u>	<u>Size</u>	<u>Started</u>	<u>Total Feet</u>	<u>Completed</u>
Rainnie Drive Right-of-way	15" - 18"	11/16/56	370	45%
Bottingen St. Seaboard Investors		2/15/57	755'	Excavation only

*A. A. Seabard Jr.*  
 City Manager.



March 14, 1957.

City Manager: "Mr. Hatfield wanted more time to deal with it. I don't think you will have to deal with legislation this year."

Alderman Dunlop: "I think we have the power to change the rate if there has been a re-assessment."

The matter was referred to the Finance and Executive Committee for consideration.

VOCATIONAL SCHOOL - BUDGET APPROVAL ✓

Amendments to Schedules 2, 11, 12, 14 and 20 of the Halifax County Vocational High School Agreement were submitted. These amendments deal with the matter of bringing the salaries of the clerical and maintenance staff in line with corresponding Provincial Civil Service scales.

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

CITY MANAGER'S ADMINISTRATIVE REPORT FOR FEBRUARY

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

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

FILED

ANNUAL REPORT FORUM COMMISSION ✓

The annual Financial Statement covering the operations of the Forum Commission for the year ended December 31, 1956 was submitted.

Copies were furnished the members of Council for their information.

Deferred to next regular meeting.

APPROVALS DEPARTMENT OF MUNICIPAL AFFAIRS ✓

The following approvals by the Department of Municipal Affairs were reported:

1. \$140,000.00 withdrawal from Land Sale Account for Fire Station.
2. \$3,120.00 withdrawal from Land Sale Account for purchase of land to widen Dutch Village Road.
3. \$500,000.00 borrowing for new Incinerator.
4. Rescinding Rental Control By-Law.

FILED

March 14, 1957.

TAX RATES 1957 ✓

A report was submitted from the Commissioner of Finance advising that in pursuance of Section 409 of the City Charter he had fixed the rate of taxation of business assessments and on business realty at \$4.75 per one hundred dollars.

FILED.

Moved by Alderman Vaughan, seconded by Alderman O'Brien that this meeting do now adjourn. Motion passed.

Meeting adjourned. 11:30 P.M.

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L.A. Kitz,  
MAYOR AND CHAIRMAN.

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

AFTERNOON SESSION  
SPECIAL MEETING

Council Chamber,  
City Hall,  
Halifax, N.S.,  
March 28, 1957,  
4:30 P.M.

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

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

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

There were also present Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., L.M. Romkey, J.F. Thomson, V.W. Mitchell and G.F. West.

The meeting was called specially to consider the following items:

1. Approval of sale of land to Board of Trade.
2. Approval of Incinerator Plans.

INCINERATOR PLANS ✓

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

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

Date: March 26, 1957.

Subject: Incinerator Plans - Approval.

This matter was considered at some length by the Works Committee at its meeting on March 19, 1957. Mr. Harrison P. Eddy, Jr., of Metcalf & Eddy our engineering consultants, Mr. Dumaresq, our architect, and Mr. West were present to explain the plans and answer questions.

The City Manager pointed out that approval by City Council was necessary to establish the type of building, location on the plot, etc. After the plans for bidding are prepared, changes are expensive.

Mr. Dumaresq first showed a color sketch of the building, explaining how trucks would enter at the left side of the area (see Sheet #1 on reverse) dump and go out to Lady Hammond Road.

The building will have a steel frame with porcelain-enamel and glass. The building has been designed for economy without being 'cheap'. The present estimate of cost is about the same as before \$1,350,000.00. Steel framing is necessary to provide headroom for the crane. The floor will be concrete with vinyl tile in the office, washroom and lunchroom. The chimney will be 175 feet high or above 165 feet above Lady Hammond Road. The specifications include warning lights for aircraft. In answer to a question by

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Alderman Abbott the City Manager stated the building was designed for a particular location and if the building were moved it would cost money to change the design.

The basement plan is marked Sheet #2 and the ground floor plan on the reverse of that side is marked Sheet #3.

The Committee on Works recommended the plans as submitted to City Council for its approval.

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

Moved by Alderman Lloyd, seconded by Alderman Abbott that the recommendation of the Committee on Works be approved.

Alderman Dunlop: "I would suggest that the Council should meet as a committee of the whole in closed session to consider some matters which might perhaps change our thinking about the location of the building. I would like to have a report from the Solicitor with respect to the land. We should know something about the probable cost of the land before we go ahead with it."

Alderman Macdonald: "When this location was chosen I think it was chosen on the merits of the contour of the ground and I notice that the entrance to the dumping area is off of Forrester Street."

Mr. West: "MacIntosh Street."

Alderman Macdonald: "The decline is running to the northwest and one of the reasons is the lesser cost of construction as far as the ramp is concerned."

His Worship the Mayor: "That is one of the things we can consider after we hear such other factors as Alderman Dunlop can enlighten us on."

It was agreed to defer consideration of this matter until Item #1 of the agenda was disposed of.

#### SALE OF LAND TO BOARD OF TRADE

Moved by Alderman Vaughan, seconded by Alderman DeWolf that a portion of land located on Camp Hill be sold to the Halifax Board of Trade for the sum of \$1.00 on the following conditions:

1. That the Board of Trade provide the City of Halifax with quarters for the operation of the Halifax Tourist Bureau, rent free, for a period of 25 years.

2. That the Port of Halifax Commission and the Halifax Industrial Commission be provided space for their operations at the rate of \$1,000.00 per annum.

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3. That any building erected thereon be assessed and rated at the normal rate applying to such structures.

A report was submitted from the City Manager giving the following opinions concerning the land in question:

1. This land should not be built upon as it is a further whittling down of the Public Common.
2. If it is to be built upon it should be reserved for City use for another school building. Although Q.E.H. may have reached the maximum size (with the proposed addition) an entirely separate school can be built on the adjoining land. This area of land may well represent \$200,000 of cost for land acquisition for this purpose in another part of the City.
3. If the land is not to be retained for City use as open ground or for a school building it should be used for the Board of Trade building.
4. There should not be two buildings on this land as with necessary parking it will be crowding the area. Construction of the Board of Trade building in the center of this land remaining would more achieve the objective in #1 above than having two buildings.

Mrs. J. Elliott Hudson, speaking on behalf of the Local Council of Women stated that a resolution had been passed by their Council urging no further encroachment on the Commons. Their main objection was the location and that all open spaces should be left as such for all the citizens of Halifax. The proposed building would be adjacent to the Central playground where it was felt traffic would be a hazard to the children playing in that area.

Mr. J.M.C. Duckworth, Chairman of the Recreation Commission, addressed the Council on the matter as follows: "Are there any restrictions if this property is for sale? Could a referendum be taken on this subject and if the public were opposed I would like to know if the Council would overrule that opinion and proceed with this venture in spite of this view? I feel if the public did express its opinions, it would be opposed."

He also submitted and read a brief setting forth various reasons why the land should not be sold.

Alderman O'Malley arrives at 4:50 P.M.

Mr. William Cox appeared on behalf of the County of Halifax and asked if the report of the committee covered the triangle shaped piece of land consisting of 21,250 sq.ft. and was advised in the affirmative.

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Mr. A.I. Barrow addressed Council on behalf of the Board of Trade as follows: "With respect to our present building, we have sold it and it is to be razed for a new building to be constructed by the Nova Scotia Trust Company. From the last Council meeting I understood the sale had already been settled and it was only a matter of deciding on a price. The land is already built on by the C.B.C. and it is not being used for recreation. For 40 years I have watched the Commons and I have not seen it put to any greater use. The businessmen might see the lack of use of the Commons and might press for some."

His Worship the Mayor: "The sale would have to be confirmed by legislation. That legislation has gone to the House and such action you take today is conditional upon the Government passing the Bill."

Alderman Dunlop: "What about my Notice of Reconsideration?"

City Clerk: "That will come up at the next regular meeting of Council."

His Worship the Mayor: "It was my view that we would be well off to debate the sale to the County at the same time but I am given to understand that it is the Council's view that it be done piece by piece."

Alderman Lloyd: "There is still a quantity of land left sufficient for the County of Halifax. Could we have from the City Solicitor some briefing on the Commons lands. Sometimes from some newspaper articles it appears we are intruding on the Commons. Is it not true that Camp Hill is part of the general Commons land? Could we get some clear distinction. We are not talking about any intrusion on playgrounds or on the north commons."

His Worship the Mayor: "This land has always been referred to as the Camp Hill land lying to the south of Bell Road."

Alderman Lloyd: "We had to get permission from Ottawa to build the Queen Elizabeth High School."

City Solicitor: "No. The clearance rights were removed. Anything can be built within that area. Originally the Common ran from Cunard Street to South Street and from Robie Street down by Citadel Hill. The Gardens and City Field are parts of it; also the School for the Blind. All of that portion south of Jubilee Road, more or less, ceased to be used in the old sense of the meaning of the word 'common'. Every bit of that has been authorized by legislation. The

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area between Tower Road and Robie Street and the rear of Spring Garden Road, lots on the north side up to Robie Street and down through to College Street were disposed of by the City on 99 year leases. Rent was paid on those lots but authority was obtained enabling the people who held the leases to acquire legal ownership by commuting the leases and getting deeds from the City. Nothing can be done with the Common land without getting legislative authority."

Alderman Lloyd: "That applies to the piece we are speaking about today."

Alderman Dunlop: "I am opposed to the sale of this particular portion of land and also the other portion proposed to be sold to the County. I presume legislation to be introduced covers both lots."

City Solicitor: "Yes."

Alderman Dunlop: "I am not subscribing that this land be kept vacant for time immemorial. I am opposed to the Board of Trade going there. The Board is composed of 3,500 business and professional people in the City and I think they should be the last body who want to desert this main business area. There are buildings beside us that should be torn down and should be replaced by this type of building that the Board proposes to build. It should be downtown."

Alderman O'Brien: "Some of us expressed the idea that we should sell to the Board of Trade and not the County. I understood that was right. The Manager's memo gives his first choice as not selling at all and second selling to the Board of Trade. What about the Town Planning Engineer. Did he attend the Committee meeting since the last meeting of Council?"

Mr. Snook: "I don't feel that this piece of land is of any use for recreational use. I don't regard it as any part of the Commons. It is too small for recreational purposes. I think both buildings can sit there very nicely. I would still prefer to see the two buildings go in our downtown area. Both could start a revitalizing of our downtown district such as Brunswick Street. Our Department is working on plans to put up a retaining wall and clean up the street. The block where the School Offices are would be a good place to clear out and erect the buildings."

Alderman Lane: "I have yet to be convinced that we may not see the day when an annex to Queen Elizabeth High School will not be necessary. I am not convinced that we won't need it. Dividing our school plant is uneconomical."



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Alderman Lloyd: "I wonder in view of the fact that we have a Notice of Reconsideration to deal with if this is the time to discuss it?"

His Worship the Mayor: "I think so. I think this is in order."

Alderman O'Brien: "I do not see serious objection to the Board of Trade there with the Tourist Bureau but the new building should be roughly on the same location as the old Tourist Bureau."

Alderman Lloyd stated that Dr. Stephenson's Report on re-development would be submitted shortly to the Council and for that reason the location of both the County and Board of Trade buildings should be deferred until the report is received.

Moved in amendment by Alderman Lloyd, seconded by Alderman Wyman that this matter be deferred until after legislation is obtained authorizing the sale of these lands and that the meeting be held at the call of the Chair.

Alderman Macdonald: "The thoughts expressed by Mrs. Hudson and Mr. Duckworth are very serious ones and are very pertinent. I think some further consideration should be given to it. I would like to have time for a little further thought."

The amendment was put and passed 10 voting for the same and 4 against it as follows:

FOR THE AMENDMENT - Aldermen Macdonald, Adams, O'Malley, Lloyd, Wyman, Vaughan, O'Brien, Greenwood, DeWolf, and Abbott - 10 -

AGAINST IT - Aldermen Lane, Fox, Ferguson and Dunlop - 4 -

Moved by Alderman Vaughan, seconded by Alderman O'Brien that Council adjourn for a short recess. Motion passed.

5.25 P.M. Council adjourned.

5.45 P.M. Council reconvened the following members being present: His Worship the Mayor Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Adams, Fox, Ferguson, O'Malley, Wyman, Vaughan, Greenwood and O'Brien.

#### INCINERATOR PLANS

Moved by Alderman Dunlop, seconded by Alderman Lane that this matter be deferred until the next regular meeting of the City Council. Motion passed.

Moved by Alderman Vaughan, seconded by Alderman O'Brien that this meeting do now adjourn. Motion passed.

March 28, 1957.

Meeting adjourned. 5.50 P.M.

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L.A. Kitz,  
MAYOR AND CHAIRMAN.

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