

EVENING SESSION

Council Chamber,
City Hall,
Halifax, N.S.,
February 17, 1958,
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 Deputy City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen Abbott, DeWolf, Dunlop, Lane, Macdonald, Butler, Fox, Trainor, Lloyd, Connolly, O'Brien.

Also present were Messrs. A. A. DeBard, Jr., L. M. Romkey, J. L. Leitch, J. F. Thomson, G. F. West, R. H. Stoddard, T. C. Doyle, V. W. Mitchell, Dr. A. R. Morton, A. R. Barry.

The meeting was called specially to consider the following items: 1. Report Housing Committee.

2. 1958 Legislation.
3. Taxation Nova Scotian Hotel.
4. Incinerator Sites.
5. 1958 Estimates.
6. Honorarium to Mr. Justice Pottier.

INCINERATOR SITES ✓

Moved by Alderman Lane, seconded by Alderman O'Brien, that the matter of the selection of a site for the construction of an incinerator be proceeded with.

Aldermen Dunlop stated that as Alderman Wyman was out of the City attending the Canadian Conference on Education in Ottawa as a representative of the Board of Trade, the matter should be deferred until his arrival back in the City.

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

FOR THE MOTION - Aldermen O'Brien, Abbott, Lane, Trainor and Lloyd -5-

Council,
February 17, 1958.

AGAINST IT - Aldermen DeWolf, Dunlop, Macdonald, Butler,
Fox, Connolly -6-

TAXATION NOVA SCOTIAN HOTEL ✓

To: His Worship, C. A. Vaughan, and
Members of City Council,
From: City Manager, A. A. DeBard, Jr.,
Date: February 13, 1958.
Subject: Taxes-Nova Scotian Hotel

The Canadian National Railway makes a grant in lieu of taxes on the Nova Scotian Hotel. His Worship and the writer have been negotiating and on February 11, Mr. Friel, Vice-President and General Counsel, and Mr. McLarnon, Tax Commissioner, came to Halifax to carry on further negotiations.

At some time in the past, assessments were fixed on the relation between the number of rooms and the hotel negotiators were partial to this method as it favoured the Nova Scotian. There was quite some discussion as to whether the Order-in-Council of 1929 was a directive to deal with the Nova Scotian as with the Lord Nelson, or whether it was a directive to deal with both hotels, using the room basis. The taxes paid in recent years are as follows:-

NOVA SCOTIAN HOTEL

<u>Year</u>	<u>Assessment</u>	<u>Fixed Assessment</u>	<u>Amount Paid Real Estate</u>	<u>Business</u>	<u>Special Payment</u>	<u>Total Paid</u>
1947	\$1,251,900.	\$202,800.	\$14,033.76	\$ 6,669.96	\$1,920.	\$22,623.72
1948	1,251,900.	202,800.	13,445.64	6,484.14	1,920.	21,849.78
1949	1,251,900.	202,800.	13,790.40	6,650.40	1,920.	22,360.80
1950	1,251,900.	202,800.	13,689.00	6,601.50	1,920.	22,210.50
1951	1,251,900.	202,800.	16,426.80	7,921.80	1,920.	26,268.60
1952	1,251,900.	300,000.	30,180.00	14,878.74	-	45,058.74
1953	1,251,900.	300,000.	29,850.00	14,716.05	-	44,566.05
1954	1,251,900.	300,000.	29,850.00	14,716.05	-	44,566.05
1955	1,251,900.	300,000.	29,850.00	14,716.05	-	44,566.05
1956	1,590,600.	300,000.	12,112.50	5,966.00	-	18,078.50
1957	1,590,600.	300,000.	16,387.50	8,080.71	-	24,468.21
1958	1,153,400.	750,885.	35,667.00	17,833.00	-	53,500.00

if proposal accepted.

The City presented its thoughts on similar treatment based on regular assessment for both hotels since that is what we do with the Lord Nelson. This would result in a tax of \$82,179.80 on the Nova Scotian on the assessment of \$1,153,400.00 at present rates. The City suggested the assessment might be rounded off at \$1,000,000.00, which would result in a tax rate of \$71,250.00 at present rates.

Council,
February 17, 1958.

The Canadian National Railway stated the proposed new addition hinged on the total tax picture and pointed out that their taxes in various cities on a room basis were:

Charlottetown	\$ 68.75
Edmonton	74.33
Regina	115.38
Winnipeg	157.44
Ottawa	180.23
Halifax (as proposed below)	200.00

The amount produced by taking the Lord Nelson assessment is \$54,350.00 less some business assessments on leased shops.

Using the approach that the Lord Nelson hotel with its 100 room addition would have about the same number of rooms as the Nova Scotian with a 150-room addition it seemed that a tax of \$60,000.00 on the Nova Scotian would be fair on the expanded hotel. (\$60,000.00 is the amount agreed on by Council for the Lord Nelson).

It was then suggested that the Nova Scotian pay the same amount of taxes this year as the Lord Nelson.

We would start with - \$54,350.00
Less - 752.00 Fire Protection
53,598.00
Less - 96.42 Tax on Beauty Shop
\$53,501.58 or \$53,500.00

The deduction for Fire Protection is the same amount as the Fire Protection payment for the Lord Nelson. In the case of the Nova Scotian all properties of the Canadian National Railways are covered by a blanket payment of \$5,500.00, hence a deduction is made.

The taxes for the Nova Scotian for 1958, 1959 and 1960 will be \$53,500.00 or a similar amount adjusted by any change on business tax for leased space. If there is no addition by March 1, 1961 the agreement will have to be renegotiated. If there is an addition the entire property is to pay \$60,000.00 for ten years starting not later than the tax year 1961 or at any time before (when the addition is 50% completed - a provision also in the Lord Nelson agreement).

Several stipulations should be made:-

- 1). Provision for a larger banquet hall and ball room.
- 2). A limitation placed on the type of auxiliary operation the hotel may include without a separate business tax. There is to be no adjustment in the fixed tax of \$60,000. because of separately collected taxes.

Because the tax payment in 1957 was \$24,468.21 rather than the \$44,566.05 the hotel paid for the years 1953, 1954 and 1955 it was agreed that we would receive \$5,000.00 in 1958 and in 1959 to partially make this up.

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

His Worship the Mayor stated that as a result of further contact with Mr. H. C. Friel, C. C., Vice-President and General Counsel of the C.N.R., the taxes on the Nova Scotian hotel would be raised

Council,
February 17, 1958.

\$5,000.00 in 1958 and \$5,000.00 in 1959 to partially make up for the loss in 1957.

Aldermen Lloyd: "They agreed now to bring us to \$44,000.00 for 1957 the same as we got in 1955 but we take a licking of \$26,000.00 in 1956."

His Worship the Mayor: "That is right."

Alderman Lloyd: "Are there any legal grounds on which we can question this?"

City Manager: "The stipulation is that they give us a grant in lieu of taxes. It is purely an act of grace so they say."

His Worship the Mayor: "Following the meeting last Tuesday I am convinced this is the best deal we can get at this time. It amounts to \$53,700.00 per year. It is an increase of almost \$10,000.00 over 1955. They are paying us this year an extra \$10,000.00 on the 1957 taxes plus \$10,000.00 next year."

Alderman Lloyd: "Do you and Mr. DeBard feel we should accept this final offer?"

City Manager: "On the \$60,000.00 there is nothing we can do. On the back years I think that is the best we can do."

Moved by Alderman Lloyd, seconded by Alderman Trainor that the final offer of the C.N.R. with respect to the taxation of the Nova Scotian hotel be accepted and the necessary legislation obtained.

Alderman Dunlop stated he did not agree with Mr. Friel's reasoning and suggested the legislation be obtained the same as with respect to the Lord Nelson hotel.

His Worship the Mayor: "We feel we have gotten away from the room basis."

Alderman Dunlop: "I agree there will be a time when these things will be on a statutory basis. I suggest we at least legalize our position by going to legislation and saying, 'we want this' so we can know where we stand. It will do us no harm."

City Solicitor: "I don't think the legislature will pass

Council,
February 17, 1958.

anything that is binding."

Alderman Dunlop: "There is no harm in trying. It would clear up our own bookkeeping."

His Worship the Mayor: "In our negotiations we departed from the room basis and at the expiration of this ten-year agreement the way is open for council at that date purely on the basis of one hotel against the other. When you accept this recommendation you have departed from the room basis as in the 1929 Order-in-Council. The addition will be spelled out as you have it before you tonight."

Alderman Dunlop: "The legislation will be that the City is authorized to enter into an agreement with the C.N.R."

Alderman Lane: "What is the date where the Lord Nelson hotel is concerned?"

His Worship the Mayor: "They had to start at a certain date."

Alderman Lane: "You mean, dig the hole. Is there anything that they must proceed with?"

His Worship the Mayor: "They can't get any tax exemption until they do so."

Alderman Lane: "They have dug a big hole and erected a fence on one of our main thoroughfares. How long is it to stay that way?"

Mr. West: "We have the preliminary plans of the building and it is our understanding that they intend to proceed in the very near future. We had a meeting in this Council Chamber with their architect and lawyer. We feel their intentions are to proceed as soon as possible."

His Worship the Mayor: "This memo will give \$53,500.00 until the hotel is 50% completed or until 1961."

City Manager: "At the end of 1961 if there is no addition they have to re-negotiate."

The motion was then put and passed.

HONORARIUM TO MR. JUSTICE POTTIER ✓

Moved by Alderman Dunlop, seconded by Alderman Lloyd that Mr. Justice V. J. Pottier be paid an honorarium of \$7000.00 for his

Council,
February 17, 1958.

services in connection with the inquiry on taxation.

Alderman Dunlop: "I think we should thank him because he spent a great deal of his time on this report. We should also express our thanks to Mr. Harper, the Secretary of the Commission, who gave us great service."

Alderman Lloyd: "I think a most profound contribution has been made to municipal thinking in the studies across the country. It is going to be of extreme benefit throughout the whole of Canada. The report focuses attention on disparities in local tax loads and other municipal taxation problems. The evidence with respect to Federal Government properties is most revealing. I am happy to join with Alderman Dunlop in commending Mr. Pottier on the report which will prove most valuable to us in guiding us to a practical solution."

The motion was put and passed.

GRANT SALVATION ARMY ✓

His Worship the Mayor stated that as a result of a conference between City Officials and the Salvation Army he recommended an increase of \$6,000.00 in their grant which would make a total of \$18,000.00 which would also include pauper confinement cases at the Grace Maternity Hospital.

Moved by Alderman Lane, seconded by Alderman Abbott that the recommendation of His Worship the Mayor be approved. Motion passed.

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

Meeting adjourned. 8:40 P.M.

LIST OF HEADLINES

Incinerator Sites	100
Taxation Nova Scotian Hotel	101
Honorarium to Mr. Justice Pottier	104
Grant Salvation Army	105

C. A. VAUGHAN,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
DEPUTY CITY CLERK.

EVENING SESSION
SPECIAL MEETING

Council Chamber
City Hall,
Halifax, N.S.,
February 20, 1958,
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 Deputy City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Butler, Fox, Trainor, Lloyd, Connolly and O'Brien.

Also present were Messrs. A. A. DeBard, Jr., R. H. Stoddard, W. J. Clancey, T. C. Doyle, L. M. Romkey, J. F. Thompson, V. W. Mitchell, G. F. West and Dr. A. R. Morton.

The meeting was called specially to consider the following items:

1. Approval Housing Agreements.
2. 1958 Legislation.
3. 1958 Estimates.

RESOLUTION RE: TAX RATES FOR 1958

February 20, 1958.

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

At a meeting of a Committee of the Whole Council held on the above date, Estimates for the year 1958 were considered.

Your committee recommends that the Estimates for the Civic year 1958 be set at a total amount of \$12,514,182.01; and that the Residential Tax Rate be determined at \$1.75 per \$100.00 of assessment; and that the Commissioner of Finance be authorized to withdraw from the Current Surplus Account the sum of \$308,270.51 to produce a Business Tax Rate of \$4.75 per \$100.00 of assessment.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

Council,
February 20, 1958.

RESOLUTION RE: SCHOOL BOARD ESTIMATES

The following resolution was submitted:

RESOLVED that the Estimates as submitted by the Board of School Commissioners for the Civic Year 1958 amounting to \$2,892,781.15 be objected to in part, and the Council hereby records its objection in respect of the following accounts:

General Office Supplies	\$2,500.00
Conventions & Entertainment	1,000.00

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 Lloyd, seconded by Alderman Trainor, 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.....	12,650.00
To pay as a grant to the Canadian Red Cross Society (Nova Scotia Division) 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 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 Family Service Bureau the sum of.....	1,000.00

Council,
February 20, 1958.

To pay a grant to the Halifax Junior Bengal Lancers the sum of.....	\$ 1,000.00
To pay as a grant towards the Restoration of Menstrie Castle the sum of.....	500.00
To pay as a grant to the Halifax Musical Festival the sum of.....	750.00
To pay as a grant to the Halifax Rehabilitation Centre the sum of.....	1,000.00
To pay as a grant to the Walter Callow Wheel Chair Coach Fund the sum of.....	500.00
To pay as a grant to the Maritime Conservatory of Music the sum of.....	5,000.00
To pay as a grant to the Children's Aid Society the sum of.....	3,000.00
To pay as a grant to the Y.W.C.A. Building Fund the sum of.....	5,000.00
To pay as a grant to the Maritime School of Social Work the sum of.....	500.00
To pay as a grant to the Community Center, Cornwallis Street Baptist Church the sum of.....	1,000.00
To pay as a grant to the Nova Scotia Talent Trust Fund the sum of.....	500.00
To pay as a grant to the Dominion Drama Festival the sum of.....	<u>1,000.00</u>
	\$51,150.00

Moved by Alderman Lloyd, seconded by Alderman Lane, that Legislation be sought enabling the City of Halifax to pay the grants listed in the Resolution as submitted, provided the City Council may withhold payment of any grant for further review if so desired. Motion passed.

SCHOOL REBATE \$2,000.00

The Deputy City Clerk advised that the amount of the School Rebate had been set at \$2,000.00.

Moved by Alderman Lloyd, seconded by Alderman DeWolf, that the sum of \$2,000.00 be placed in the Estimates for 1958 for the purpose of providing a School Rebate for widows who are in receipt of less than \$150.00 annual income.

Alderman Dunlop: "Does that entail much work for the staff, figuring that out?"

Council,
February 20, 1958.

Commissioner of Finance: "Not too much."

Alderman Dunlop: "I think it is outmoded legislation." He suggested that the rebate be discontinued.

His Worship the Mayor suggested that consideration of Alderman Dunlop's suggestion be given at a later date.

Alderman Lane: "How many apply for it? It has to be on application, has it not?"

Commissioner of Finance: "Roughly, about enough to use up \$2,000.00."

Alderman Lane: "Supposing we suddenly develop a tremendous number of people who inform themselves on this, and apply for the rebate."

His Worship the Mayor: "They must be in receipt of less than \$750.00 income per annum."

Commissioner of Finance: "We have been doing this for the last twenty years."

Alderman Macdonald: "What is the percentage today on this deduction compared with ten years ago? Is it equal or is it more? I have gone into it a little bit and it would appear that the percentage of deduction is less today than it was ten years ago."

Commissioner of Finance: "The decrease is 31.438%."

Alderman Macdonald: "Everything else has spiralled and this has come down. If the matter can come back, perhaps, we can discuss it further."

His Worship the Mayor: "It is one exemption we should get rid of."

Alderman Lloyd: "We certainly have the opportunity of discussing this when discussing taxes on residential property and the matter of exemptions comes up. That is the time the question should be reviewed."

His Worship the Mayor: "While on the matter of taxes, I am instructed that we cannot take action on the Fire Protection Rate

Council,
February 20, 1958.

but the rate will be set the same as last year, ten cents per \$100.00 of assessment; and so the picture is the same as last year."

The motion was then put and passed.

LEGISLATION ✓

February 20, 1958.

His Worship the Mayor and
Members of the City Council.

At a meeting of a Committee of the Whole Council held on the above date legislation as prepared by the City Solicitor was considered, and your Committee recommends that the legislation as amended be approved.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

Moved by Alderman Abbott, seconded by Alderman O'Brien, that Council adjourn and meet as a Committee of the Whole in order to discuss the Housing Agreements. Motion passed.

8:15 P.M. Council adjourned.

9:40 P.M. Council reconvened the following members being present: His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Butler, Fox, Trainor, Lloyd, Connolly and O'Brien.

HOUSING AGREEMENTS ✓

February 20, 1958.

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

At a meeting of the Committee of the Whole Council held on the above date consideration was given to Housing Agreements covering:-

- (1) Clearance and Redevelopment of the Jacob Street Area;
- (2) Design and construction of the Mulgrave Park Housing Project; and
- (3) Design and installation of services in the Mulgrave Park Housing Project.

Your Committee recommends that the Agreements, as amended,

Council,
February 20, 1958.

be approved.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

Moved by Alderman O'Brien, seconded by Alderman Abbott, that the report be approved and that His Worship the Mayor and the City Clerk be authorized to execute the Housing Agreements on behalf of of the City. Motion passed.

Moved by Alderman Lane, seconded by Alderman Lloyd, that this meeting do now adjourn. Motion passed.

Meeting adjourned.

9:45 P.M.

LIST OF HEADLINES

Resolution Re: Tax Rates for 1958	106
Resolution Re: School Board Estimates	107
Resolution Re: Legislative Grants	107
School Rebate \$2,000.00	108
Legislation	110
Housing Agreements	110

C. A. Vaughan,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
DEPUTY CITY CLERK.

EVENING SESSION
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N.S.,
February 27, 1958,
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 Deputy City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Butler, Fox, Ferguson, Trainor, Lloyd, Wyman, Connolly, O'Brien and Greenwood.

Also present were Messrs. A. A. DeBaro, Jr., R. H. Stoddard, T. C. Doyle, W. J. Clancey, L. M. Romkey, J. F. Thomson, G. F. West, L. Mitchell, D. Murphy and Dr. A. R. Morton.

The meeting was called specially to consider the following items:

1. Public Hearing Re: Removal & Relocation of Street Line Basinview Drive and Bright Street.
2. Sale and Purchase of Land - Basinview Drive and Bright Street.
3. Fire Protection Rate.
4. Street Lighting Contract.
5. Tenders Uniform Clothing.
6. Incinerator Site.
7. Sale of Land Kempt Road.
8. 1958 Legislation.

PUBLIC HEARING RE: REMOVAL AND RELOCATION OF STREET LINE - BASINVIEW DRIVE AND BRIGHT STREET

A Public Hearing into the matter of the Removal and Relocation of the Street Line - Basinview Drive and Bright Street, was held at this time.

The Deputy City Clerk advised that the matter had been duly advertised and that no written objections had been received.

No person appeared either for or against the relocation of the lines.

A formal Resolution as prepared by the City Solicitor was submitted and same is attached to the original copy of these minutes.

CMD-32-58

Item #4
Council
February 27, 1958

To: His Worship, C. A. Vaughan, and
Members of City Council,
From: City Manager, A. A. De Bard, Jr.,
Date: February 19, 1958
Subject: Nova Scotia Light & Power Co. Ltd. - Contract for Lighting

At the Council meeting of February 13, 1958 you were given a proposed agreement for street lighting. Below appears an analysis showing the changes from the old contract which was dated November 1, 1947.

ANALYSIS OF NEW AGREEMENT FOR STREET LIGHTING BETWEEN
THE CITY OF HALIFAX AND THE NOVA SCOTIA LIGHT & POWER
COMPANY LIMITED EFFECTIVE NOVEMBER 1, 1957.

SECTION 1 Change from a ten year agreement to a 5 year agreement.

SECTION 2 Subsections A, B, C, D, E. No change from present agreement.

Subsection F. New subsection based on the energy losses of the multiple lighting account at 10%. An increase of approximately \$27.75 per month.

Subsections G, H, I, J. No change from present agreement.

SECTION 3 Subsection (1) unit cost increase as follows:

No. of St. Lights as of Nov. 1/57	Size of Lamps	Present Unit Cost per year	Total Yearly Cost	New Cost per Unit	New Cost per year	Increased Cost
1699	250 CP	\$12.20	\$20,727.80	\$ 15.25	\$ 25,909.75	\$ 5,181.95
59	400	16.10	949.90	18.90	1,115.10	165.20
755	600	21.25	16,043.75	24.50	18,497.50	2,453.75
53	1000	32.29	1,711.37	34.20	1,812.60	101.23
135	150 W	12.20	1,647.00	15.40	2,079.00	432.00
6	200	16.10	96.60	18.20	109.20	12.60
17	300	21.25	361.25	23.75	403.75	42.50
40	500	31.20	1,248.00	34.85	1,394.00	146.00
16	450W Merc	26.00	416.00	32.05	512.80	96.80
122	450W Fluor	31.20	3,806.40	32.05	3,910.10	103.70
4	175W Merc	12.20	48.80	17.90	71.60	22.80
			<u>\$ 47,056.87</u>		<u>\$ 55,815.40</u>	<u>\$ 8,758.53</u>

SECTION 3 Subsection (2). No change from present agreement.
Subsection (3). Unit cost increase as subsection 5 (a) as shown.
Subsection (4). Change of cost as in subsection 5 (a).

SECTION 5 Subsection (a). Installation cost changed as follows:

	<u>New Cost</u>	<u>Present Cost</u>	<u>Increased Cost</u>
Installing new fixtures	\$ 12.00	\$ 11.00	\$ 1.00
Change location fixture	12.00	11.00	1.00
Replacing existing fixture	10.00	3.00	7.00
Removing fixture	8.00	3.00	5.00

NEW CLAUSE on actual cost of work involved Section 5 (ii).

Subsection (b). No change except as in subsection 5 (a).

SECTION 6 No change from
SECTION 7 present agreement.

SECTION 8 No change except handling expense charge from 2% to 5%. Approximately \$90.00 per year.

SECTIONS 9, 10, 11, 12, 13, 14, 15.
No change from present agreement.

SECTION 16. Cleaning period changed from three (3) times per year to two (2) times per year.

SECTIONS 17, 18, 19, 20, 21, 22, 23, 24.
No change from present agreements.

SECTION 25 New clause to take care of mercury and fluorescent units.

SECTIONS 26, 27, 28, 29, 30, 31, 32.
No change from present agreements.

Present operation cost including current	\$ 69,846.85
Cost under new agreement	79,055.38
Increased yearly cost	9,208.53
An approximate increase of 13%.	

A. A. Steward

City Manager.

/em

27

CITY OF HALIFAX
 PURCHASING DEPARTMENT
 IN REGARD OF TENDERS
 UNIFORMS AND ACCESSORIES FOR HALIFAX POLICE DEPARTMENT

SUPPLIER	WOOLLEN SUITS	TROUSERS	SUMMER HATS	WINTER HATS	WINTER CYCLE HATS	WOOLLEN HATS
1. Bloomfield Men's Wear	\$ -	\$ -	\$3.90	\$4.00	\$3.00	4.50
2. R. Simpson, Eastern Ltd.	46.00	17.50	-	-	-	-
3. Sart's Clothing Co.	44.25	15.25	-	-	-	-
4. Johnston & Co. Ltd.	46.17	15.70	-	-	-	-
5. Tip Top Tailors Ltd.	42.35X	5.00X 15.35	4.40	4.95	3.00	4.40
6. Colwell Bros. Ltd.	-	-	3.47 3.67	4.42 3.87	3.00	3.47
7. Gordon & Isnor	52.00	-	3.85	4.40	4.00	4.00
8. Morris Goldberg	-	-	3.30	3.30	3.30	-
9. T. Eaton Co. Ltd.	47.13	17.20	3.32	4.32	3.32	3.32
10. Stokes Cap & Regalia	-	-	3.25X	3.75X	3.25X	3.25X

RECOMMENDED BID

WOOLLEN SUITS	Tip Top Tailors Ltd.	Lowest bid
TROUSERS	Tip Top Tailors Ltd.	Lowest bid
SUMMER HATS	Stokes Cap & Regalia	Lowest bid
WINTER HATS	Stokes Cap & Regalia	Not a bid
WINTER CYCLE HATS	Stokes Cap & Regalia	Lowest bid
WOOLLEN HATS	Stokes Cap & Regalia	Lowest bid

WINTER HAT Selected from sample submitted as most suitable for the Police Department by the Chief of Police.

A. A. Desard, Jr.
 A. A. Desard, Jr.
 City Manager

Safety Committee
 February 18, 1958
 Item #
 City Council
 February 24, 1958

CITY OF HALIFAX
 PURCHASING DEPARTMENT
 TABULATION OF TENDERS
 UNIFORM CLOTHING--HALIFAX POLICE DEPARTMENT

SUPPLIER	SHIRTS	UNIFORMS	OFFICER UNIFORMS	FRUCK COATS	OFFICER COATS	TROUSEAS	MOTORCYCLE SUITS
1. Bloomfield Men's Wear	\$3.15	\$51.50	\$53.75	\$39.50	\$39.75	\$12.90	\$16.00
2. R. Simpson Eastern Ltd.	-	43.75	45.00	36.50	36.50	14.15	46.00
3. Sart, 's Clothing mfg.	-	43.75	44.75	33.85	33.85	13.00	44.25
4. Clayton Mfg. Co. Ltd.	3.65	44.05	45.26	35.94	35.94	13.24	46.17
5. Tip Top Tailors Ltd.	-	40.35X	44.55X	31.60X	31.60X	12.45X	42.35X
6. Colwell Bros. Ltd.	3.37 3.70	-	-	-	-	-	-
7. Gordon B. Isnor	3.00 3.35	49.00	51.00	38.15	38.50	12.65	52.80
8. Morris Goldberg	3.67X	-	-	-	-	-	-
9. T. Eaton Co. Ltd.	2.58	47.13	47.13	38.95	38.95	14.85	47.13
10. Stokes Cap & Regalia	-	-	-	-	-	-	-

RECOMMENDED BID

SHIRTS	Morris Goldberg	a Not Lowest Bid.
UNIFORMS	Tip Top Tailors Ltd.	Lowest Bid
OFFICER UNIFORMS	Tip Top Tailors Ltd.	Lowest Bid
FRUCK COATS	Tip Top Tailors Ltd.	Lowest Bid
OFFICER COATS	Tip Top Tailors Ltd.	Lowest Bid
TROUSEAS	Tip Top Tailors Ltd.	Lowest Bid
MOTORCYCLE SUITS	Tip Top Tailors Ltd.	Lowest Bid

aDenson #190 selected as being most suitable by Chief of Police.

A. A. DeBard Jr.

 A. A. DeBard Jr.,
 City Manager.

Safety
 Security
 Health
 Education
 Police
 Fire
 Public Works
 Recreation
 Social Services
 Transportation
 Utilities
 Other

CITY OF HALIFAX
 PURCHASING DEPARTMENT
 TABULATION OF TENDERS
 UNIFORM CLOTHING--HALIFAX CITY PRISON

<u>SUPPLIER</u>	<u>UNIFORMS</u>	<u>GRAY TROUSERS</u>	<u>OVER-COATS</u>		<u>SHIRTS</u>	<u>TIES</u>
1. Bloomfield Men's Wear	\$48.75	\$13.50	\$36.50		\$3.15	\$1.00
2. R. Simpson Eastern Ltd.	43.75	12.50	36.50		-	-
3. Sarty's Clothing Mfg.	41.95	10.95	33.85		-	-
4. Clayton Mfg. Co. Ltd.	44.15	11.19	36.08		3.65	.90
5. Tip Top Tailors Ltd.	38.95X	12.15X	31.65X		-	-
6. Colwell Bros. Ltd.	-	-	-	Tooke Deacon	3.37 3.70	.75
7. Gordon B. Isnor	47.50 43.50	12.80 11.55	35.75	Tooke A.F. Gray	3.35X 3.00	.75
8. Morris Goldberg	-	-	-		2.35	.75
9. T. Eaton Co. Ltd.	47.13	14.85	38.95		2.58	.65X

RECOMMENDED BID

Uniforms	Tip Top Tailors Ltd.	Lowest Bid
Gray Trousers	Tip Top Tailors Ltd.	aNot Lowest Bid
Overcoats	Tip Top Tailors Ltd.	Lowest Bid
Shirts	XXXXXXXXXXXX Gordon B. Isnor	bNot Lowest Bid
Ties	T. Eaton Co. Ltd.	Lowest Bid

a Not Lowest Bid, but selected by Commissioner of Health as being most suitable for Department.

b Not Lowest Bid, but selected by Commissioner of Health as being most suitable for Department

.....
 A. A. DeBarb, Jr.,
 Cit. Manager

Street 100
 Halifax, N.S.
 Feb 11, 1950

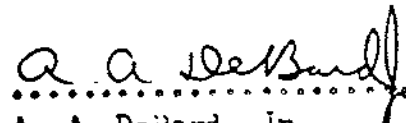
CITY OF HALIFAX
 PURCHASING DEPARTMENT
 TABULATION OF TENDERS
 UNIFORM CLOTHING--HALIFAX FIRE DEPARTMENT

<u>SUPPLIER</u>	<u>UNIFORMS</u>	<u>TROUSERS</u>	<u>OVERCOATS</u>	<u>SHIRTS</u>
1. Bloomfield Men's Wear	\$41.05	\$12.90	\$35.50	\$3.15
2. R. Simpson Eastern Ltd.	39.25	13.25	36.50	-
3. Sart, 's Clothing Mfg.	38.75	12.15	33.85	-
4. Clayton Mfg. Co. Ltd.	39.70	12.35	35.00	3.65
5. Tip Top Tailors Ltd.	34.30X	11.40X	30.60X	-
6. Colwell Bros. Ltd.	-	-	-	Tooke 3.37 X Deacon 3.70
7. Gordon B. Isnor	40.45	12.65	34.65	3.00
8. Morris Goldberg	-	-	-	2.35 Deacon 3.67
9. T. Eaton Co. Ltd.	43.25	14.85	38.95	2.58

RECOMMENDED BID

Uniforms	Tip Top Tailors Ltd.	Lowest Bid
Trousers	Tip Top Tailors Ltd.	Lowest Bid
Overcoats	Tip Top Tailors Ltd.	Lowest Bid
Shirts	Colwell Bros. Ltd.	aNot lowest Bid

a Tooke Transport Shirt selected as being most suitable for Department by Chief of Fire Department.



 A. A. DeBard, Jr.,
 City Manager

Council,
February 27, 1958.

Moved by Alderman Abbott, seconded by Alderman Connolly, that the Resolution be adopted. Motion passed.

SALE AND PURCHASE OF LAND - BASINVIEW DRIVE AND BRIGHT STREET ✓

City Manager: "That is the same piece of land (referred to in the previous item). By removing the line we create another lot but the interior lot is owned by a private individual; and the proposal would be that we would exchange land with him. We have 540 feet to buy from him and we have 908 feet to sell to him but it would be considered an even exchange, and it takes care of the assessment for the curb. This would not be advertised because it is not usable by anybody but him. The other lot is small and it would be suitable only for single family use and should be sold by tender."

Moved by Alderman Greenwood, seconded by Alderman Wyman, that the recommendation of the City Manager be approved. Motion passed.

FIRE PROTECTION RATE ✓

A report was submitted from the Commissioner of Works recommending that the Fire Protection Rate for the year 1958 be set at ten cents (10¢) per \$100.00 of assessment.

Moved by Alderman Lane, seconded by Alderman Abbott, that the recommendation of the Commissioner of Works be approved. Motion passed.

STREET LIGHTING CONTRACT ✓

A report was submitted from the City Manager, copies of which were circulated to the members of Council, setting forth an analysis of the changes in the previous Street Lighting Agreement and the Proposed Agreement between the City and the Nova Scotia Light & Power Company, Limited.

Moved by Alderman Lloyd, seconded by Alderman Abbott, that the proposed Agreement be approved and that His Worship the Mayor and City Clerk be authorized to execute same on behalf of the City. Motion passed.

TENDERS - UNIFORM CLOTHING ✓

A Tabulation of Tenders for Uniform Clothing for members of

February 24, 1958

To: His Worship C. A. Vaughan, and
Members of City Council,
From: City Manager, A. A. De Bard, Jr.,
Date: February 24, 1958
Subject: Incinerator Sites

There is a great deal of information in Committee and Council Minutes. This memorandum will attempt to re-present those phases in which Council is most interested. If something to your interest has been omitted, we will try to answer the question at the meeting.

The area, cost of acquisition, mile ton haulage, and additional costs (for deficiencies in the site) are given for each location. Appendix A gives this information. Explanation of columns:

Column 1 and 2 are self-explanatory

Column 3 is concerned only with the truck during the actual hauling operation from the collection area to the proposed site and return. It does not include cost of collecting in the various areas or the actual dumping operation at the site.

Our calculations are based on our present use of eleven trucks in our daily collection routine with each truck making four trips to the proposed site daily carrying an average of 2.5 tons of garbage and refuse per trip. The total mileage from the center of the daily collection areas to the site by the number of collection days per week, by the tons hauled, by the number of trucks used, by the number of trips gives us the ton miles per week shown in this column.

Column 4 - Cost Per Tone Mile - Cost records on our garbage vans are kept on an hourly basis as well as a mileage basis. We find that the hourly costs are more representative for the type of truck because the unit could be working continually while the mileage covered is relatively small. Hourly costs figures are used in our calculations for this report. For the sites within the City we used a figure of ten miles per hour as the average speed of the trucks, and by actual time checks we were able to substantiate this figure. By considering the hourly operating cost of the vehicle; the average speed; the average tons hauled and labour costs, we arrived at a figure of \$0.462 for the cost of haulage per tone mile in the City. The figure used for the cost of operating the vehicle covers regular maintenance such as gas, oil, tires, repairs, etc., but does not provide any allowance for Capital cost.

Column 5 - Cost Per Week - This column is the aggregate of the daily collection costs.

The sites have the following characteristics:-

1. (H) EXISTING SITE - shows the lowest haulage cost per week. The assessed value of this site however as shown in Appendix A is \$125,000.00. This site is desirable as far as location is concerned and since it would be a continuation of an existing land use objections from residents would probably be a minimum. The new building could be located either immediately south of the existing incinerator or in the area now used as a baseball diamond by children. The former location would be preferable. Foundation conditions at this site are an unknown factor and arrangements have been made to have test borings taken starting Tuesday, September 3rd. Prior contracts prevented our having this work started before that date. From our knowledge of the area however, pile foundations might be necessary.

APPENDIX III

COSTS

SITE	AREA	2. ASSESSED VALUE	3. TON MILE PER WEEK	4. COST PER TON MILE	5. COST PER WEEK
1. <u>H. EXISTING SITE</u> (City-owned)	3.7 Acres	\$125,000.00	815	\$0.462	\$380.00
2. <u>E. WATER FRONT SITE</u>	1.4 Acres	149,600.00	875	0.462	400.00
3. <u>F. STRAWBERRY HILL</u>	4.02 Acres	16,750.00	1,120	0.462	517.00
4. <u>G. COOPER-IRVING</u>	2.7 Acres	40,600.00	1,175	0.462	540.00
5. <u>D. INDUSTRIAL AREA</u> (City-owned)	3 Acres	26,100.00	1,295	0.462	600.00
6. <u>C. MARDEN-WILD</u> (City-owned)	6.2 Acres	64,200.00	1,320	0.462	610.00
7. <u>A. IMPERIAL OIL</u> (City-owned)	3 Acres	52,000.00	1,480	0.462	680.00
8. <u>B. TULLY PROPERTY</u> (City-owned)	1.68 Acres	29,000.00	1,620	0.462	740.00

Up to February 6, 1958 we had spent \$48,561.79 on the incinerator. Of the three main items \$41,800.00 is returnable to the City as this was the amount paid into Court on the expropriation. Messrs. Metcalf & Eddy were paid \$16,501.58

Expropriation Fees - Returnable

Herbert L. Cooper	\$16,800.00	
Irving Oil Company	25,000.00	\$41,800.00
Design of Incinerator - Metcalf & Eddy		16,501.58
		\$58,301.58
A. <u>Basin Shore (former Imperial Oil Property)</u>		2,197.44
Test drilling		
D. <u>Forrester Street Site</u>		
Clearing and grubbing	2,211.23	
Test drilling	2,728.10	
Miscellaneous	56.22	5,000.00
F. <u>Strawberry Hill Site</u>		74.26
Advertising		
G. <u>Cooper-Irving Oil Site</u>		
Test drilling	1,012.50	
Miscellaneous	342.16	1,354.66
H. <u>Present Incinerator Site</u>		
Test drilling		992.81
Miscellaneous		675.42
	<u>Total Expenditures</u>	<u>\$48,561.79</u>

The selection of a site is a matter of some urgency as we are desirous of guarding against price increases on materials for the contract to be completed by March 13, 1957. In addition, a problem of storage and protection is created by taking delivery in order to avoid price increases. At the next meeting of Council, I will present a memorandum requesting a payment of about \$2,500.00 for the performance bond which we compelled Francis Hankin & Co. Ltd. to buy, and which has not been used, but for which they must pay since the need for the bond is as great now as it was when the bond was first taken.

Mr. Dumaresq is also concerned and has been for some time that he can only do certain minor drawings such as windows and doors until the exact location of the incinerator is determined. This is further borne out by the inability of the engineers to order the radial brick for the chimney as the size cannot be determined until the amount of draft which depends on location has been determined. With ninety days required for drawing the plans, time for calculation and awarding of bids, we will be losing some of the good weather so necessary for uninterrupted construction.

A. A. Hebard

City Manager.

/em

Council,
February 27, 1958.

the Police and Fire Departments and City Prison, with recommendations from the City Manager was submitted.

Moved by Alderman Greenwood, seconded by Alderman Butler, that the recommendations of the City Manager be approved. Motion passed.

INCINERATOR SITE ✓

A comprehensive report was submitted from the City Manager covering the eight most logical sites for the incinerator, giving pertinent information on each site. Copies of the report were circulated to the members of Council prior to the meeting and a copy is attached to the original copy of these minutes.

Moved by Alderman Lane, seconded by Alderman Greenwood, that the incinerator be constructed on City-owned land bounded on the southeast by the southern street line of Forrester Street; on the west by the western street line of Garvie Street; on the northwest by the southeastern street line of Bismarck Street; and on the northeast by the northeastern street line of Prince Street, as shown outlined in red on Plan #ER-8-13890.

The motion was put and passed, eleven voting for the same and three against it, as follows:

FOR THE MOTION: Aldermen Fox, Ferguson, Trainor, Lloyd, O'Brien
Greenwood, DeWolf, Abbott, Dunlop, Lane, Macdonald

-11-

AGAINST IT: Aldermen Wyman, Connolly, Butler --3-

SALE OF LAND - KEMPT ROAD ✓

To: His Worship the Mayor and Members of City Council,
From: Committee on Works,
Date: February 25th, 1958.
Subject: Sale of Land, Kempt Road.

The Committee on Works, at a meeting held on the above date considered a report from the City Manager recommending acceptance of the tender of \$5,226.00 from Nuday Cleaners for the purchase of Lot "A", a City owned lot (50' x 150') on the western side of Kempt Road between Hood Street and Windsor Street; and the tender of \$2,511.50 from Peerless Vulcanizing Limited for Lot "B" a City owned lot (43' x 86' x 76' x 90') on the southern side of the Kempt Road diversion.

The Committee approved the report and recommended it to City Council subject to a 30' building line being included as one of the

Council,
February 27, 1958.

Conditions of sale Lot "B".

W. P. Publicover,
CITY CLERK

Per A. R. Barry.

Alderman Dunlop: "Could we have some information about what is proposed to be done with each of those lots; and, also, the assessed valuation or the value of the land? Both lots are bringing considerably lower than we were led to believe that land was worth."

City Manager: "The first lot is bringing 70¢ a square foot, the second lot 45¢ a square foot. With regard to the first lot, the bidders are across the road, and they are going to move a building across the road and place it on this lot. In the case of Lot B, that was the situation whereby the location of Kempt Road was changed and the Peerless Vulcanizing Limited no longer have access to Kempt Road but would be on a sort of 'backwash'; and they feel they should have some access to the new street, and the new piece brings them to the new Kempt Road and gives them a piece of land which runs from the old Kempt Road to the new one. There is still a corner which is still ours and should be retained. The price tendered is quite a good price considering the thirty-foot building line. They indicated that there might be some expansion. I think it was that they didn't want to be cut off from the street."

Alderman Dunlop: "Is the 30-foot line laid down, now?"

City Manager: "No, because there is no actual street there now but there will be a street."

Alderman Dunlop: "Would it not be better to lay down a line before the lot is sold to obviate the difficulties?"

His Worship the Mayor: "I think you are right."

Alderman Dunlop: "Were there any other bidders who propose to use the land for any purpose which might bring the City more revenue?"

City Manager: "No. On the first lot, the successful bidders offered more than the other bidder. In the case of Lot B,

Council,
February 27, 1958.

nobody else bid on that. It is only suitable for the Peerless Vulcanizing Limited. We circularized all the business firms whom we felt might be interested and we advertised in the local Press."

Alderman Dunlop: "I suggest we accept one and defer the other until we set the Line."

It was agreed to deal with each lot, separately.

Moved by Alderman O'Brien, seconded by Alderman Butler, that the tender of Nu-Day Cleaners in the amount of \$5,226.00 for Lot "A" on the western side of Kempt Road between Hood Street and Windsor Street be accepted. Motion passed.

Moved by Alderman Dunlop, seconded by Alderman Butler, that the sale of Lot "B" on the southern side of the Kempt Road Diversion to the successful tenderer, Peerless Vulcanizing Limited, be deferred until a building line is laid down on Kempt Road.

Alderman DeWolf suggested that a covenant in the deed would cover that condition, contending that it would have a stronger effect than the laying down of a building line; and would be a fairer way of dealing with the matter.

Alderman Dunlop: "Was the 30-foot line laid down in the terms of sale?"

City Manager: "I don't remember. I don't think so."

Alderman Dunlop: "It certainly wasn't in the paper. There was very little in the paper."

City Manager: "We don't spell out everything in the newspaper. What we do send out is a description of what it is, with a diagram to show what it is, to those business firms which we think might be interested. There is a thirty-foot mark to indicate that there is a building line."

Moved in amendment by Alderman DeWolf, seconded by Alderman Trainor, that the offer of Peerless Vulcanizing Limited in the amount of \$2,511.50 for Lot "B" on the southern side of the Kempt Road Diversion be accepted subject to a covenant in the deed that the purchaser shall not build within thirty feet of the street line.

Council,
February 27, 1956.

Alderman Ferguson: "Is there a line, now?"

His Worship the Mayor: "It is a proposed line."

Alderman Dunlop: "I think there should be a line laid down on the whole street. I have no objection to the Company keeping the land."

Alderman DeWolf contended that since the land had been advertised and in a similar case, the land had been sold to the successful bidder, it would be only fair to sell the land to the Company and the deed could be deferred pending determination of the question of the building line.

Alderman Dunlop: "We can compromise our differences by moving that the offer be accepted subject to a covenant."

At the Request of His Worship the Mayor the movers and seconders of the previous motion and amendment thereto agreed to withdraw same.

Moved by Alderman Dunlop, seconded by Alderman Butler, that the offer of Peerless Vulcanizing Limited in the amount of \$2,511.50 for Lot "B" on the southern side of the Keapt Road Diversion be accepted, subject to the laying down of a thirty-foot building line. Motion passed.

1958 LEGISLATION ✓

His Worship the Mayor stated that consideration of the 1958 Legislation would have to be deferred as it had not been completed.

POTTIER REPORT ✓

His Worship the Mayor: "The House is going to recess until April 7th so we can discuss some recommendations of the Pottier Commission before it prorogues. Unfortunately, we cannot discuss them tonight as the matter is not on the agenda."

NOTICE OF MOTION ALDERMAN LLOYD RE: ✓ SECTIONS 136 & 137 CITY CHARTER

Alderman Lloyd: "I hereby give notice that at the regular meeting of the Council in April I shall move for amendments to Sections 136 and 137 of the City Charter that will be designed to

Council
February 27, 1958.

provide an improved definition of the procedures and powers of judicial investigations."

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

Meeting adjourned. 8:20 P.M.

LIST OF HEADLINES

Public Hearing Re: Removal and Relocation of Street Line - Basinview Drive and Bright Street	112
Sale and Purchase of Land - Basinview Drive and Bright Street	113
Fire Protection Rate	113
Street Lighting Contract	113
Tenders - Uniform Clothing	113
Incinerator Site	114
Sale of Land - Kempt Road	114
1958 Legislation	117
Pottier Report	117
Notice of Motion Alderman Lloyd Re: Sections 136 & 137 City Charter	117

C. A. Vaughan,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
DEPUTY CITY CLERK.

AGENDA

Prayer
Minutes February 5, 10, 13 and 17, 1958.

1. Appeal from the refusal of the Building Inspector to issue an Occupancy Permit in respect of a proposed building to be constructed at #78 Agricola Street (Date for Hearing).
2. Water Extension - McLean Street
3. Tag Keys
4. Settlement Hospital Accounts
5. Accounts over \$500.00
6. Widow's allowance - Mrs. B.G. Foster
7. Provident Funds 3150 - Supplementary Grants
8. Legislation re; Loan Ordinance
9. Request to Rezone (R-2 to R-3) - #8 Oxford Street (Refused)
10. " " (R-2 to R-3) - #10-12 Quinn Street (Refused)
11. " " (Park & Institutional to C-3 Industrial) - Exhibition Grounds (Hearing May 1, 1958)
12. Modification Lot Frontage #556 Connaught Avenue. (Refused)
13. Report Re. Moning Miller Subdivision - Legislation
14. Subdivision Lot #3 Ridgewood Drive
15. Melgrave Park Housing Project - Revised Clause - Agreement #2
16. Financial Statement - Forum Commission 1957
17. Application to build on undersized lot -- 22 Sherwood Street (To T.P. Board)
18. Re-numbering streets - City of Halifax
19. Assessment - Capital Budget - Parks
20. Appointment Social Worker & Nurses - City Hospital (City Home)
21. Bellevue Property
22. Grant, Capt. R. Currie and Sgt. B. Gronvigh - Legislation
23. Installation Automatic Charging System in Library \$10,500.00
24. Invitation to hold Mayors' Convention in Halifax in 1960
25. Right of Aldermen to apply for Civic Positions - Legislation
26. Offer of land to All Saints Cathedral for \$500.00
27. Tax Exemption - #3 Morris Street - Legislation
28. Borrowing \$100,000.00 - Redevelopment Program
29. Legislation to Retire late Mr. Sabeau on February 6, 1958.
30. Drainage - North East end of City.
31. 1958 Legislation
32. Permission to Sell Land - Hempt Road North of Feron Property
33. Acceptance - Wright Avenue
34. Resubdivisions:
 - (a) Making Property - Bayers Road (Recommended)
 - (b) Mutual Realty - Jubilee Road "
35. Request to rezone (R-2 to R-3) Lot #17 Seaboard Investments Subdivision (Refused)
36. Undersized lot - #8 London Street (Recommended)
37. Tower Terrace Extension
38. Rezoning Portion Mount Olivet Cemetery (To T.P. Board)
39. " Lots 6 & 7 C/S Connaught Avenue " " "
40. Removal Portion Official Street Lines Forrester Street (Hearing April 17, 1958)
41. Questions
42. Public Service Commission - Payment to City
43. Purchase Motorcycle Crash Helmets
44. Conversion Property #77 Young Avenue (To T.P. Board)
45. Rezoning Application #213 Bayers Road " " "
46. " " C/S Pepperell St. " " "
47. Extension - Non-Conforming Use:
 - (a) Jubilee Boat House (To T.P. Board)
 - (b) 440 Shebucto Road " " "

DEFERRED ITEMS

Motion Alderman Lloyd Re: Citizen Status Civic Employees.
Resolutions:

- (1) Trades & Labor Council.
- (2) Property Owners & Tenants Protective Association
Re: Council-Manager Form of Government.

ITEMS FOR INFORMATION ONLY

Tax Payments Nova Scotia Liquor Commission.
Reduction Interest Rates on City Borrowings.
Report Commissioner of Finance Fixing Business Tax Rate.
Administrative Report for February.

EVENING SESSION

Council Chamber,
City Hall,
Halifax, N.S.,
March 13, 1958.
8:00 P. M.

A meeting of the City Council was held on this 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 Deputy City Clerk, joined in repeating the Lord's Prayer.

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

Also present were Messrs. A. A. DeBore, Jr., T. C. Doyle, R. H. Stoddard, W. J. Cloncy, L. M. Romkey, J. F. Thomson, G. F. West, 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

Moved by Alderman Abbott, seconded by Aldermen Dunlop, that the minutes of Meetings held on February 3, 10, 13 and 17, 1958, be approved. Motion passed.

APPEAL RE: REFUSAL OF BUILDING INSPECTOR TO ISSUE OCCUPANCY PERMIT FOR PROPOSED BUILDING AT #78 AGRICOLA STREET

A Notice of Appeal was submitted from Mr. G. Manolopoulos concerning the refusal of the Building Inspector to issue an Occupancy Permit for a proposed building to be constructed at #78 Agricola Street.

The Deputy City Clerk advised that he had received two petitions signed by 687 persons protesting against the proposed use of the premises.

Moved by Alderman Greenwood, seconded by Aldermen Macdonald, that Council fix Thursday, May 1, 1958, at 8:00 P.M., in the Council Chamber, City Hall, Halifax, N.S., as the time and place for a

Council.
March 13, 1958.

public hearing on this matter. Motion passed.

WATER EXTENSION - MCLEAN STREET

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: March 4, 1958.
Subject: Water Extension - MacLean Street.

The Committee on Works, at a meeting held on the above date considered a recommendation by the City Manager that the City contribute \$540.00 towards the cost of extending the water service on MacLean Street.

On Motion of Alderman Lane, seconded by Alderman Trainor, the Committee approved the Manager's recommendation and recommended it to City Council.

Respectfully submitted.

W. P. Publicover,
CITY CLERK.

Per. R. P. Webb.

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

TAG DAYS

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date the following applications for Tag Days were approved:

<u>ORGANIZATIONS</u>	<u>DATE REQUESTED</u>
Canadian Paraplegic Association	March 28
Monarch's A. C.	April 18
Air Cadet League	April 26
Canadian Cancer Society	April 25
Peanut Tag Day for Navy, Army & R.C.A.F. Veterans'	May 3
Girl Guides Association	May 9
Kiwanis Club of Halifax	May 10
I.O.D.E. - Morrow Chapter	May 16
Halifax Symphony Society	May 23
Salvation Army	June 6
Kiwanis Club of ArmGale	June 13
Halifax Colored Citizens Improvement League	June 14
I.O.D.E. - Cornwallis Chapter	June 21
Little League Baseball	June 27
United Free Missions	July 5
I.O.D.E. - Cunard Chapter	Sept. 5

Council.
March 13, 1958.

Callow Veterans' & Invalids Welfare League	Sept. 20
Kiwanis Club of Halifax - Chocolate Bar Day	Sept. 27
Boy Scouts Apple Day	Oct. 1
Camp Brunswick	Oct. 17

Alderman Dunlop wishing to be recorded against the application from the Monarch's A. C.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

Alderman Dunlop: "I am against the Monarch's A. C. application."

Alderman Greenwood: "Could we have an explanation as to who the Monarchs are?"

The Deputy City Clerk advised that the application had been made by Ronald J. MacLean, 83 Claremont Street, Manager of the Monarch's A. C. who said that money is required to defray expenses of their Club as City representatives in the Provincial Junior Hockey play-offs.

Alderman Abbott: "Is this the first time they have applied?"

His Worship the Mayor: "I think so."

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

Alderman Macdonald: "May I speak for one moment on the Tag Day privileges for the various clubs. Particularly, I want to make mention of the Armadale Kiwanis Club. I was sorry that Alderman Dunlop at the Finance and Executive Committee meeting had taken exception to and opposed the application of the Armadale Kiwanis Club to have a tag day. I am sure that he does not know what good this organization has done in Halifax for welfare purposes and many others. I would like to point out that I feel this is not good publicity for our Club; and I don't want it to get abroad and make the citizens feel that this club is not a worthy one, and not working to the benefit of the community. In 1957 our Club contributed to welfare the sum of \$1,005.00. That is not considering the many

Council,
March 13, 1958.

services which have been given by the members in many respects, transporting paraplegics to and from the Centre and others. Every cent collected last year was spent in the City. There was a small project helped outside the City but the materials were purchased in Halifax. I just wanted to make those comments because I feel that, probably some members of the Council did not know what the organization was doing."

Alderman Dunlop: "I am rather pleased that I questioned the three Tag Days for the Kiwanis Club which gave Alderman Macdonald an opportunity to inform the Council on the good work being done by the Club. I am not opposed to it but I just mentioned that some of these organizations might combine together and get as much money in one day as they get in many days. Actually, I didn't oppose it. I opposed the Monarch's A. C. application because I didn't think it was in a different position than any other sport. We have twenty tag days starting March 28, and it was explained that when we give permission to hold the tag day, we or Council are giving approval of the cause; and we were told that tag days no longer mean tags, it means a visit to your door and it means Friday instead of Saturday and it continues on to Saturday. There may be, but I don't think there is one Saturday left out. It is a forced gift from the people who don't reside in the locality." He referred to the earnings of the different organizations as a result of the tag days and continued, "Actually, I don't know how much money these organizations have in their pocket after paying their expenses. I think next year it would be well for organizations such as the Kiwanis Club, which I have supported, before we give any permission for tag days, we should have a broken-down audited statement of what they spend and take in; and we can then better judge whether these are things we want to put our approval on. I hope that the Kiwanis have got full press coverage so that they will have three successful tag days in Halifax this year."

Alderman Macdonald: "The name Armcoale Kiwanis Club doesn't

Council.
March 13, 1958.

mean that it operates outside Halifax. It was chosen to distinguish it from the other Halifax branches of the Club and because the club room was located near the Armada Rotary. Ninety-five percent of its members are living and doing business in Halifax. There might be six or eight living outside the City limits."

Alderman Lloyd: "It was opposed at the Finance and Executive Committee for the reason that three tag days are being held by the one Club. It is largely a decision for these organizations to make. We try to prevent two tag days running into each other. That was the basic reason behind it. We do have some measure of control but it would only be applied in an extreme case. The answer lies with the public. If they feel the organization should be supported, it will be reflected in the 'take'."

The motion was put and passed.

SETTLEMENT -- HOSPITAL ACCOUNTS ✓

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the Commissioner of Health recommending that the City accept the following offers to settle hospital accounts:

	<u>AMOUNT OF ACCOUNT</u>	<u>OFFER</u>
Wilfred J. Cormier	\$63.00	\$46.00
Edward S. Ramsay	\$100.00	\$60.00

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

ACCOUNTS OVER \$500.00 ✓

March 13, 1958.

To: His Worship, C. A. Vaughan, and
Members of the City Council.

Council.
March 13, 1958.

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

Date: February 12, 1958.

Subject: Accounts over \$500.00

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

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Finance	The Eastern Trust Company	Superannuation Fund	\$ 2,034.48
	Province of Nova Scotia	City's share re: Vocational High	16,490.25
Works	Acadia Motor Equipment Limited	Lubricating Equipment	675.00
	Coleman Machinery Co. Ltd.	Hevi-Lift Hoist	915.00
	Harris & Roome Limited	Lampholders, Plates, Ent. Caps, Straps, Fuses, Clamps, Connectors, Screws, Switches, Conduits, Nipples, Bushings, etc.	667.70
	J. D. McKenzie	Surveying Airport	550.00
	Maritime Auto Supply Co. Ltd.	Air Compressor	1,061.00
	Maritime-Newfoundland Agencies Ltd.	Motor Vehicle parts	533.72
	Dept. of Highways	Progress payment #1 & #2 Fairview Overpass	58,157.71
	Gerard Racine	Chimney at Fleming Park Canteen	2,225.50
	F. L. Worth	Repairs to downspouts at T. B. Hospital	616.24
City Prison	C. C. MacDonald Limited	Repairs to heating boilers	942.68
Recreation	The Gillis Co. Ltd.	Chain Link Fence	1,166.54
Tourist Bureau	Wallace Advertising Limited	Guide Books and Folders	8,221.63
			<u>\$ 94,257.45</u>

A. A. DeBard, Jr.,
CITY MANAGER

Council
March 13, 1958.

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

Alderman Wyman: "About the City's share of the Vocational High School, could I have an explanation of how that is collected? How often are we billed for that and what does it cover?"

Commissioner of Finance: "That is our share of the annual cost and we are billed twice a year for the amount. It is \$16,590.25 and it is due April 1, 1958."

Alderman Wyman: "The current account is collected in one sum? At what time of the year?"

Commissioner of Finance: "In the Fall of the year."

Alderman Macdonald questioned the amount of \$2,225.50 for the Chimney at the new Fleming Park Canteen, and said that it seems high.

The Commissioner of Works explained that the amount covered the stone work on the bottom half of the chimney as well as the chimney. The motion was put and passed.

WIDOW'S ALLOWANCE - MRS. G. G. FOSTER

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was considered from the Commissioner of Finance advising that Mrs. Ruth L. Foster has requested assistance under Section 310 "H", sub-section 1 of the City Charter which says she may receive one-half of the amount of her late husband's service benefits as at the date of his death which in this case would amount to \$311.32 per annum effective as of August 1, 1957.

According to sub-section 6 of Section 310 "H" of the City Charter her allowance will be deferred until December 28, 1962 as she has received a refund of her late husband's contributions in the amount of \$1,683.65.

Your Committee recommends that the allowance be paid to Mrs. Foster on the date mentioned above.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

Council,
March 13, 1958.

SUPPLEMENTARY GRANTS UNDER SECTION 316C TO RETIRED EMPLOYEES

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the Commissioner of Finance advising that the following employees have been retired by the Retirement Committee who are entitled to supplementary grants as follows:

	<u>EFFECTIVE DATE</u>	<u>GRANT</u>	<u>TOTAL PENSION</u>
Harry F. Platt	Feb. 1, 1958	\$667.66	\$1,792.28
Chas. A. White	Mar. 1, 1958	808.87	2,292.49
H. H. Langille	Mar. 1, 1958	725.47	2,344.78
B. Gronvigh	Apr. 1, 1958	138.11	765.82
J. Mackinley	Feb. 1, 1958	500.35	1,638.87

The grants for Messrs. Platt and White have been included in the current estimates.

Authority is requested under Section 316 "C" of the City Charter to provide funds to pay the grants to Messrs. Langille, Gronvigh and Mackinley which amount to \$1,363.93.

Your Committee recommends that the authority requested be granted.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

LEGISLATION RE: ZONING ORDINANCE ✓

Referred to Special Meeting March 20, 1958.

REQUEST TO REZONE (R-2 ZONE TO R-3 ZONE) #8 OXFORD STREET ✓

To: His Worship the Mayor and Members of City Council
From: Town Planning Board
Date: February 18th, 1958
Subject: Request to Rezone (R2 to R3) #8 Oxford Street

The Town Planning Board, at a meeting held on the above date considered the attached report from the Town Planning Engineer recommending against the "spot" rezoning of this property, but suggesting that a Public Hearing be held concerning the Rezoning (R2 to R3) of both sides of Oxford Street from South Street to Quinpool Road.

On Motion of Alderman Lane, seconded by Alderman O'Brien, the Board recommended to City Council that the Application

Council,
March 13, 1958.

be denied.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per..R..P..Webb..

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

REQUEST TO REZONE (R-2 ZONE TO R-3 ZONE) #10-12 QUINN STREET ✓

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

From: Town Planning Board.

Date: February 18th, 1958.

Subject: Request to Rezone (R2 to R3) #10-12 Quinn Street.

The Town Planning Board at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending refusal of a request to Rezone the above property from R2 Residential to R3 Residential.

On Motion of Alderman O'Brien, seconded by Alderman Macdonald, the Board recommended to City Council that the Application be refused and that No Public Hearing be held.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per..R..P..Webb..

Alderman DeWolf: "In connection with that, as I understand it this is a set of apartments for which a permit was given for four apartments and it was built as six. I think at that time there was some question as to whether or not six would be allowed. I think for a while six were allowed."

City Manager: "Five were occupied."

Alderman DeWolf: "So many are so close to the line and, surely, that man who built the property must have had some assurance when he built that he would get that permit."

His Worship the Mayor: "It was denied before he built."

Alderman DeWolf: "I wasn't aware of that. However, it seems to me that he is not going to spend thousands of dollars without having something in mind."

Council,
March 13, 1958.

His Worship the Mayor stated that the permit was denied and the owner was fined in Court for violating the law.

Alderman DeWolf: "Not being a member of the Town Planning Board I knew nothing about it." He stated that he had been informed that some old buildings had been demolished to make room for the new building which he contended was a benefit to the area.

His Worship the Mayor: "The gentleman came to Council and asked for an order for demolition for the property immediately to the north of his property. He then acquired the property and built a six-unit apartment building, five of which he occupied in violation of the By-Law, and was fined. This is a move to legalize his position."

Moved by Alderman Fox, seconded by Alderman Lloyd, that Mr. Byron M. Hatfield, Solicitor for Mr. d'Entremont be permitted to address the Council. Motion passed.

Mr. B. M. Hatfield: "This is not the hearing that we would like to get. While I was in Council we didn't ever refuse a public hearing. In this particular case all the neighbors signed a petition and had it examined by the City Assessor for authorized signatures. We would like to have an opportunity to have a public hearing and have the arguments brought before the Council and they can then judge to refuse or permit it."

His Worship the Mayor: "You are suggesting that we have zoning by petition and not by Council action."

Mr. Hatfield: "It has been done in the past. I think it should be a privilege of the people to come before the Council, at least once, so that each can make his decision at that time."

His Worship the Mayor: "You would make the Council the Town Planning Board for the City."

Alderman Lloyd: "I see in this business of having hearings a pointing up of the vagaries of this type of activity. For instance, if, two years ago, it was recommended that we relieve the restrictions and permit six apartments, I think some people might have anticipated this. There was quite a bit of talk in favor of changing the zoning

Council,
March 13, 1958.

restrictions on apartment units. We should have a public hearing on this case where there was a violation. I would like to see how that kind of action would stand up at a public hearing in order to clarify this question of zoning regulations; and, also, to look into this question. Did we give an indication some two years ago? Do we have a responsibility in this matter? I think we did in some instances. It was suggested that some sections of the City be rezoned."

City Manager: "I think it was a request for an increase of what could be done in R-2 zones."

Alderman Lloyd: "I can't see that a hearing in this matter will do any harm. I would like to hear the pros and cons. It would be interesting to see if the people on the street are opposed to it. We don't want the By-Laws to be violated and I think that at such a hearing all the facts would come out and shed some light on the matter."

Alderman Greenwood: "I would like to hear the Town Planning Engineer on the subject. I presume it is an application for 'spot rezoning'."

Town Planning Engineer: "This is a request for 'spot rezoning', the dangers of which I would like to elaborate. In this particular case the building is actually very pleasing in appearance. However, if we grant this we are on very weak ground if a request for rezoning comes from a resident on the other parts of the street. It is a single-family area."

Alderman DeWolf: "I would like to ask the Assessor, do you assess this property as having six apartments or are the other apartments written off as far as the assessment is concerned."

City Assessor: "We value it as a six-apartment building and give an obsolescence for the two apartments that can't be occupied. We reduce it."

Moved by Alderman Fox, seconded by Alderman Lloyd, that Council fix Thursday, May 1, 1958 at 8:00 P.M. in the Council Chamber, City

Council,
March 13, 1958.

Hall, Halifax, N.S., as the time and place for a public hearing on this matter.

Alderman Dunlop: "What is the procedure? It seems to be an appeal. Is it provided for in the By-Law, an appeal from the decision of the Town Planning Board?"

City Solicitor: "The Council sets it. The Council is the final authority. Under the Act, the application is made to Council, is referred to the Board and comes back to Council who can refuse it or set a date for a hearing."

Alderman O'Brien: "I don't feel that we should accept this motion of having a hearing every time anyone makes an application for rezoning. If so, we might as well scrap the Town Planning Board consideration and might as well put it on the agenda to set a date right at the start. But the law is not worded that way. The Council has the right to say, 'No'. If it decides that it might be considered, then it has to call for a hearing in order to protect certain people; but we are maintaining the status quo when we say we are not going to have a hearing. In this case we have enough evidence to throw it out now and I don't see why we should have a hearing any time anyone applies." He referred to the case where a hearing to permit 6-apartment units in R-2 zones was advertised and where a hearing was held there was no mover or seconder, and he contended the hearing was wasted in that Council might have decided in the first place that it was not going to take that action.

City Solicitor: "Under the provisions of the Act, if a person wishes to secure an amendment or repeal a section, he makes application to the Council and, if there is a Board, the Council refers it to the Board for consideration and report. Before approving of any amendment or appeal, Council shall give notice. But if you don't approve of it, you don't have to have a hearing."

Alderman DeWolf: "Can you have a public hearing if the Town Planning Board doesn't approve of it?"

City Solicitor: "All the Board does is send a report to Council."

Council,
March 13, 1958.

Then, it is up to Council to say they approve of the amendment, and in this case they would have to go against the recommendation of the Board."

Alderman DeWitt: "Those who are not members of the Board do not get the full benefit of the different phases of the discussion; and I see no harm in a public hearing on it as it gives all the members of Council the whole story; and, while I might vote one way this time, if I find there are other arguments, I might vote in favor of it after a hearing."

The motion was put and passed, ten voting for the same and three against it.

FOR THE MOTION: Aldermen Ferguson, Lloyd, Wyman, Connolly, Greenwood, DeWitt, Abbott, Dunlop, Butler, Fox. -10-

AGAINST: Alderman O'Brien, Lane, Macdonald. -3-

REPORT TO REZONE (PARK & INSTITUTIONAL TO C-3
(INDUSTRIAL) EXHIBITION GROUNDS

To: His Worship the Mayor and Members of City Council

From: Town Planning Board

Date: February 13, 1958

Subject: Request to Rezone (Park & Institutional to C-3
Industrial) Exhibition Grounds

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer, recommending Rezoning of the Exhibition Grounds from Park and Institutional to C-3 Industrial.

On Motion of Alderman Trainor, seconded by Alderman Macdonald, the Board approved the report and recommended to City Council that a date be set for a Public Hearing.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per..R..P..Webb..

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

NOTICE: 10, LOT HERITAGE #556 CONNAUGHT AVENUE ✓

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

From: Town Planning Board.

Council,
March 13, 1958.

Date: February 18, 1958.

Subject: Modification Lot Frontage #556 Connaught Avenue.

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending approval from a Town Planning viewpoint of reducing the required lot frontage of the above lot from 60 feet to 50 feet to permit the conversion of the existing building to a four-unit apartment building by adding a basement apartment, but pointing out that the Building Inspector has advised that because basements in this area are subject to flooding, the construction of a basement apartment would not be a wise move.

On Motion of Alderman Lane, seconded by Alderman O'Brien, the Board recommended to City Council that the Application be denied.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per. R. P. Webb...

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

REPORT RE: REZONING MILLER SUBDIVISION - LEGISLATION ✓

Referred to Special Meeting March 20, 1958.

SUBDIVISION - LOT #8 RIDGEWOOD DRIVE ✓

To: His Worship the Mayor and Members of City Council

From: Town Planning Board.

Date: February 18th, 1958.

Subject: Subdivision - Lot #8 Ridgewood Drive.

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending approval of the above subdivision and that the necessary Legislation be obtained since this Subdivision has access to City Streets only over a private right-of-way.

On Motion of Alderman Lane, seconded by Alderman Trainor, the Board recommended to City Council that the Subdivision, as shown on Plan No. 00-9-14019 be approved and that the necessary Legislation be obtained.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per. R. P. Webb..

Alderman Dunlop: "What is the position?"

City Solicitor: "It is subject to legislation. The thing is that this is Lot #8. They want to subdivide it. They can but under

Council,
March 13, 1958.

our By-Law the lots must front on the street. It is a private right-of-way so legislation is being secured to ratify the subdivision despite the fact that the lots do not front on the street.

Alderman Dunlop: "Can we subdivide a lot that isn't in conformity with the Charter? We haven't got the legislation yet. The whole matter should be considered because we have many cases, and many more to come, of streets in the South End where it is not possible to lay out streets that are sixty feet in width, not only Ridgewood Drive but Birchwood Drive is in the same position; and others. There is a whole lot of them that should be looked into, and general legislation is needed. Until we do, I don't think we can legally approve of a subdivision subject to legislation."

City Solicitor: "You are only approving it conditionally."

Alderman Dunlop: "That legislation will never get by."

City Solicitor: "Then, there is no subdivision. I have the legislation drafted."

Alderman Lloyd: "I did not have the minutes of the Board of Works meeting but from what the City Solicitor has said, I gather that there is some legislation required in connection with the property which must stem from some other reason. Is it made in anticipation of this matter before you tonight? Are we taking this step in anticipation of some legislation?"

His Worship the Mayor suggested that the matter be deferred for discussion at the meeting of City Council to be held on March 24, 1958, to which Council agreed.

MULGRAVE PARK HOUSING PROJECT-REVISED CLAUSE-AGREEMENT #2

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the City Manager in which he reproduced a letter from C.M.H.C. with respect to a revised Clause #4, sub-section #4 in the Mulgrave Park Housing Project - Agreement #2 which reads as follows:

"The City may charge, levy and collect from tenants of the project only those personal taxes generally chargeable by the City against similar tenants in Halifax and the City

Council,
March 13, 1958.

will provide to the tenants or occupants of the project all facilities and services that are provided to other property owners or tenants in the City including but without limiting the generality of the foregoing garbage collection, police and fire protection and education facilities".

Your Committee recommends that the revised clause be approved.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

FORUM COMMISSION - 1957 FINANCIAL STATEMENT

The Financial Statement for the year ending December 31, 1957 of the Halifax Forum Commission as prepared by the auditors, Gurnham & Hanright, was submitted and copies distributed to the members of Council.

Moved by Alderman Lloyd, seconded by Alderman Abbott, that the Financial Statement of the Forum Commission be tabled but that consideration of same be deferred to the next regular meeting of City Council. Motion passed.

UNDERSIZED LOT - #22 SHERWOOD STREET

An application was received from Mr. C. S. Bower to erect a single family dwelling on an undersized lot, Civic No. 22 Sherwood Street.

Moved by Alderman Ferguson, seconded by Alderman Lloyd, that the application be referred to the Town Planning Board for a report. Motion passed.

HOUSE RE-NUMBERING AND STREET SIGNS - CITY OF HALIFAX

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

From: Committee on Works.

Date: February 25, 1958.

Subject: House Numbering and Streets Signs.

The Committee on Works at a meeting held on the above date, considered the attached report from the Commissioner of Works containing two schemes for a house renumbering system throughout the City with proposals for new street signs to tie in with the proposed renumbering.

Council,
March 13, 1958.

On Motion of Alderman O'Brien, seconded by Alderman Greenwood, the Committee recommended to City Council that Scheme No. 1, as shown on Plan No. SS-1-14010 be approved in principle.

Respectfully submitted

R. H. Stoddard,
DEPUTY CITY CLERK.

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

Alderman Ferguson: "What is the need of re-numbering the streets, generally. There is going to be quite a long period of confusion and some cost is involved as many people have their names on wrought iron railings and in the sidewalks. I would like an explanation. I did see the report but, frankly, it didn't mean too much to me."

His Worship the Mayor stated that Council is only adopting the system in principle and before any street is actually re-numbered, Council approval must be obtained, and the system will be operated on a scheduling basis. The Commissioner of Works will recommend re-numbering certain streets from time to time over a period of years.

Alderman Wyman: "Is there any estimate of how long it will take to complete the job?"

His Worship the Mayor: "I don't think there is."

Alderman Wyman: "I am very much in favor of this. I resided in Montreal at the time it was done there and it went very smoothly and quietly. It took about ten years to complete."

His Worship the Mayor: "It will take approximately the same length of time here."

The motion was put and passed.

CAPITAL BUDGET-PAVING ASSESSMENT ✓

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was presented from the City Manager advising that in the latter report there is a recommend-

Council
March 10, 1958.

ation that assessments for paving be increased from \$2.00 to \$4.00 per lineal foot. He recommended the change be made effective before the 1958 Capital Budget is considered.

Your Committee concurs in the recommendation of the City Manager.

Respectfully submitted,

R. H. Stodderd,
DEPUTY CITY CLERK.

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

Alderman DeWolf: "I am against the \$4.00 per foot frontage charge for paving. Many people have suffered because of the high paving charge in front of their homes." He contended that it is an unfair charge against the abutters as the paving is used by everybody in the City and the cost should be borne by the taxpayers as a whole; also, those people who got in at the lower rate would enjoy an advantage over people who pay the increased rate and some people have lost their property because of the high rate of abutters' charges. "I am against some paying \$1.00 and others paying \$4.00. While I know it is a burden on the City, I think that the \$4.00 rate is too high."

Alderman Wyman: "What was the cost figure on that?"

Commissioner of Works: "It runs, normally, about \$12.00 per foot."

Alderman Wyman: "It is still a relatively small charge. The argument that a paved street is used more by others than the abutters has some merit; and, in fact, there were some who felt that some residents would be willing to pay a premium not to have it done in order to cut down the traffic."

Alderman Lloyd: "This rate is still only a third of the cost. I don't think we can quibble over that. We are still below the 50-50 mark."

Alderman DeWolf contended that with abutters on both sides of the street each paying \$4.00 per foot, that the return is not 50% but 75%.

Council,
March 13, 1958.

The motion was put and passed, Alderman DeWolf wishing to be recorded against.

APPOINTMENT SOCIAL WORKER AND NURSES - CITY HOSPITAL (CITY HOME) ✓

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Public Health and Welfare Committee held on the above date a report was submitted from the Commissioner of Health requesting that the personnel establishment at the Halifax City Hospital (City Home), in order to meet the new standards of the Provincial Department, must be one registered nurse for each 50 patients, or a total of 8 and one attendant for each 6 insane patients making a total establishment of 39.

There will be additional attendants required to care for the welfare cases. At the present time the establishment for Registered Nurses is 3 and the total establishment is 44.

Your Committee recommends that the request be granted.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

BELLEVUE PROPERTY

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the City Solicitor with respect to the decision of the Supreme Court in banco concerning the Bellevue property. Mr. R. M. Fielding, Q. C., does not recommend an appeal to the Supreme Court of Canada against the decision but it is his view that the matter should go back to the County Court Judge for a decision.

Your Committee recommends that no appeal be taken.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

Council,
March 6, 1958.

GRANTS CAPTAIN R. CURRIE AND CONSTABLE B. GRONVIGH-LEGISLATION

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the City Manager dated March 6, 1958 concerning employees injured in service with particular reference to Capt. R. Currie of the Fire Department and Cst. B. Gronvigh of the Police Department.

Had these employees continued in service until retirement age and were the City on a pension plan which paid 2% a year for a maximum of 35 years, the pension paid might be based on the average of the last 5 years salary. Applying this principle to Capt. Currie it follows:

Average salary last 5 years	\$ 3,992.64
Length of Service May 1, 1929 to ret. age May 1, 1966 maximum 35 years @ 2%	.70
	<u>2,794.85</u>
Regular Pension	<u>1,327.11</u>
	<u>1,467.74</u>
Chapter 63, Section 21, Acts of 1957	<u>1,014.14</u>
Supplementary Grant for Injuries	<u>453.60</u>

Applying the same to Cst. Gronvigh it follows:

Average salary last 5 years	3,190.91
Length of Service February 19, 1945 to ret. age Feb. 19, 1965-20 years @ 2%	.40
	<u>1,276.36</u>
Regular Pension	<u>627.71</u>
	<u>648.65</u>
Chapter 63, Section 21, Acts of 1957	<u>138.11</u>
Supplementary Grant for Injuries	<u>510.54</u>

Your Committee recommends that the report be approved and the necessary legislation obtained enabling the City to pay the additional amounts as grants for injuries received in both cases.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

His Worship the Mayor: "These are special cases because they involved injuries to the two employees."

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

INSTALLATION BOOKAMATIC CHARGING SYSTEM-HALIFAX MEMORIAL LIBRARY

Halifax, N.S.,
March 6, 1958.

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

Council,
March 13, 1958.

At a meeting of the Finance and Executive Committee held on the above date it was agreed to recommend that City Council request permission from the Minister of Municipal Affairs for the Halifax Regional Library Board to install a bookomatic charging system at a cost of \$10,500.00 from the Addressograph-Multigraph of Canada Ltd. The funds to be provided from a balance in the Special Book Appropriation fund.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

INVITATION TO HOLD MAYORS' CONVENTION IN HALIFAX IN 1960 ✓

Halifax, N.S.,
March 6, 1958.

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

The Finance and Executive Committee, at a meeting held on the above date, had for consideration a letter which was sent to the Canadian Federation of Mayors and Municipalities from Mr. Leo Charlton, Tourist Director, drawing attention to the very excellent facilities available for convention purposes in Halifax.

A reply was received advising that Victoria, B. C. had been named as the convention City for 1958 and that the procedure in determining convention cities is that Municipalities should extend invitations which are voted upon by the General Assembly at the conference.

Your committee recommends that an invitation be extended to the Federation to hold the 1960 convention in Halifax.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

His Worship the Mayor stated that he had recently received from the Executive Director of the Canadian Federation of Mayors and Municipalities a letter setting forth the procedure governing invitations and methods of soliciting support by municipalities desiring to hold the Annual Conference of the Federation in their City; and he suggested that the matter be deferred so that the information could be circularized, to which the Council agreed.

Council,
March 13, 1958.

RIGHT OF ALDERMEN TO APPLY FOR CIVIC POSITIONS-LEGISLATION

Halifax, N.S.
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date the matter of an Alderman applying for a civic position was considered.

After considerable discussion it was agreed to recommend that legislation be secured amending Section 135 of the City Charter by deleting the words 'nominated for or' and that a sub-section be added to make it clear that a person who is a member of Council shall not be debarred from applying and being considered for a position.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

His Worship the Mayor advised that the legislation was being drafted but had not been completed as yet; and he suggested that the matter be deferred.

Alderman Dunlop requested permission to speak on the matter and addressed the Council as follows: "I think we should clear it up. The first headline is that I am not looking for a City position and I know of no Alderman who is looking for a City position. The press report was very fair but I didn't like the headline or the editorial commending the Manager for his stand, and the letter from the Board of Trade. I am not an applicant for any position and do not look forward to being an applicant. I don't know any outstanding solicitor in the City (and I consider myself among the outstanding solicitors) who would take a position in City Hall under the present conditions. That is well seen by the dearth of applicants we had following our advertisement; and I know of no Alderman who is looking for a position. I was asked, 'What is back of it'. The only thing is that I would like to see the best man available, whether he is black or white, in the positions of City Council and I say that we have had many able men in this Council in times past and we still have; and we have men who I think would give good service to the City." And he said that his

Council,
March 13, 1958.

I was led to believe existed. I find that in New York they are appointing a Supervisor of Education. The man who is getting that job is a member of the Council of the City of New York. I take it he is qualified. That is done everywhere; but I am not going to embarrass my fellow Aldermen by prolonging this discussion. This is academic. All I proposed is that we put the Aldermen in the same class as any other citizen who wants to apply for a position in the City. We didn't ask to take away the City Manager's power. He would have to pass on it. I did say, 'Would you consider an application from an Alderman?' and he said, 'No, I think it is bad practice.' We can pass all the legislation we want but if that is his attitude, there is nothing we can do about it." He said that he had no wish to enter into an argument with the City Manager but would be willing to debate the question with the Board of Trade to see whether the public needs the protection of the City Manager. He referred to the fact that the Board of Trade had entered the controversy which had developed as a result of his suggestion to amend the Charter; but he noted that not too many of his fellow Board members are giving their time to serve on City Council. He continued and said that he was proud to be a member of Council and the citizens should be proud of the good service being rendered by Council.

Moved by Aldermen Dunlop, seconded by Alderman Lloyd, that the recommendation contained in the report be not acted upon at this time.

Alderman Lloyd: "I would like the City Manager, in all fairness, to explain what abuses he thinks might arise from this type of thing."

City Manager: "The first thing I want to say is that if there is legislation which compels me to consider Aldermen for positions, I do not do as I please, I do as the Charter tells me and that would be that an application from an Alderman would receive the same consideration as anybody else. I do hope you don't change the Charter provision as it is now. The reason for that is the answer to Alderman Lloyd's question. All of us have our reactions to certain attitudes

Council,
March 13, 1956.

and actions which are taken towards us by other people and if, for instance, the Alderman in the eighth ward applies for a position with the City and I turn him down, I don't think that makes for good relations between members of Council and the City Manager. You may say that we would be big enough to accept his decision, but I don't think that is so. I don't blame an Alderman if he applies for a position if he thinks he is qualified; but the Alderman is going to think he is right and I don't think that is the sort of situation you should have between the members of Council and the City Manager. If you have people who have their own businesses or professions - perhaps, they don't want to work for the City; but there have been times in the past when members of Council have applied and got positions but I wasn't here then. I think that resigning at the time you are appointed is not doing quite what the legislation intended. I think that the comparison between Provincial and Federal systems is a little bit different because you have party government and with that you have certain things which are not present in municipal government; and I think that with regard to the position Mr. Chevrier got and others get, there are political considerations. We don't have party systems in municipal government, ordinarily; at least we don't have it in Halifax. We have our trials and tribulations with many other things without adding that one, too."

Alderman Lloyd: "I seconded the motion to settle conclusively that I am not seeking a position with the City. I did apply for the position of Redevelopment Officer following a suggestion by several Aldermen that I should apply. I met with the City Manager and he indicated that since it wasn't his appointment that, possibly, the Committee wanted to take the matter into their own hands and he would have no objection; but, subsequently, when he was asked by the members of the Town Planning Board on what applications had been received mine was not reported. In making that application I only did so because there was a suggestion that it would only be a two or three-year term of employment. I think the conditions may have changed since."

Council,
March 13, 1958.

I thought I could do it in all honesty because I was called upon to outline much of the framework of the second volume of the Stephenson Report, and that won't be questioned because Alderman O'Brien knew some of the details of the second volume; and there are so many matters involving taxation and other matters that I thought I could honestly indicate that I had the necessary qualifications but if I was violating the Charter provisions I would not wish to be a party to it. Subsequently, when the City Manager explained what had happened, I withdrew. It doesn't make me feel good to see the matter raised and then dropped. I am not seeking any position and if the door was closed to me on the grounds merely because I was an Alderman--if it is to be shut, it should remain shut. If, so, let it remain shut on that basis. There is one thing wrong with it and it is this: All we said was that the qualifications should be examined, and the City Manager should report on those qualifications. The Alderman should resign. That is as far as we went and for the benefit of the Board of Trade and anybody else I think it should be pointed out to them that the City Manager enjoys a two-thirds vote of this Council before he can be removed. In addition, he has the right to appoint anybody but Heads of Departments--one man over the Heads of Department. The City Manager has the right to appoint any employee in the City. Surely, one could imagine abuses that might arise in that case with far less possibility of avoiding unhappy situations. In this case if there was an appointment to be made he could come to the Council and make his recommendation. If Council disagree with him, there would have to be a majority of Council to do so. I don't think, on the basis of reason, the matter stands at all. I think on the basis of some emotional thinking in some quarters it may stand; and that is the only basis. This serves to indicate that I am not seeking a civic position and when I did there were a number of Aldermen who indicated that there would be some difficulty in getting the type of man needed. I would like to point out to the Board of Trade not to forget that they strongly upheld this two-third

Council,
March 13, 1958.

vote of Council before the City Manager could be removed although it took a simple majority to get him there. I suggest the next time there is a civic election they instruct their Secretary, Mr. Kenneth Ross, to refrain from taking an active part in such elections and campaigning."

Alderman DeWolf: "The inference seems to be of those opposed that Aldermen have been seeking jobs. In the fifteen years I have been in Council never once has a man come to me and said that 'I would like to get that job'. I do know that the inference is that in 1906 an act was passed that a man in Council could not get a position. In the last 25 years I can recall three members of Council getting City positions. I see no reason why an Alderman cannot be appointed. I think it is unfair to those who have the ability and have been in the Council and gained experience that they should be barred from working for the City; and the City has lost good men because of that Act. Although that Act said he could not be nominated, the Alderman resigned and the next day was appointed. Nobody ever criticized those appointments. There is no harm done provided the citizens have a feeling of responsibility of the Aldermen to the public that they are going to see that an appointment is an honest one."

The motion was put and passed.

OFFER OF LAND TO ALL SAINTS CATHEDRAL ✓

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date the matter of selling a 20 ft. right-of-way approximately 425 ft. long to All Saints Cathedral was considered.

The City Solicitor advised that legislation was secured in 1957 to close the lane to public use and vest the title in the City. The City was also authorized to sell the land without calling for tenders and without the approval of the Minister of Municipal Affairs.

Your Committee recommends that the land in question be offered to the Cathedral for the sum of \$500.00.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

Council,
March 13, 1958.

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

TAX EXEMPTION - 63 MORRIS STREET - LEGISLATION ✓

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a letter was considered from Sister Catherine Gerard, Supt. of the Halifax Infirmary requesting exemption from taxation of property at 63 Morris Street which is used as a nurses' residence.

Your Committee recommends that legislation be secured enabling the City to grant this exemption.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

BORROWING \$100,000.00 - REDEVELOPMENT PROGRAM ✓

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date it was agreed to recommend that 2 Borrowing Resolutions for \$50,000.00 each covering housing at Mulgrave Park and slum clearance be approved and forwarded to the Minister of Municipal Affairs.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

The motion was put and passed unanimously, the following members of Council being present and voting therefor:

ALDERMEN: DeWolf, Abbott, Dunlop, Lane, Macdonald, Butler, Fox, Ferguson, Lloyd, Wyman, Connolly, O'Brien and Greenwood.

Borrowing Resolutions were submitted as follows:

\$50,000.00 - Housing Mulgrave Park
\$50,000.00 - Slum Clearance

Moved by Alderman Wyman, seconded by Alderman Greenwood that

Council,
March 13, 1958.

the Resolutions as submitted be approved.

The motion was put and passed unanimously the following members of Council being present and voting therefor:

ALDERMEN: DeWolf, Abbott, Dunlop, Lane, Macdonald, Butler, Fox, Ferguson, Lloyd, Wyman, Connolly, O'Brien and Greenwood.

LEGISLATION TO RETIRE LATE J. F. SABLEAN ON FEBRUARY 6, 1958

Halifax, N.S.,
March 6, 1958.

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

At a meeting of the Finance and Executive Committee held on the above date a report was considered from the Retirement Committee recommending that the late Mr. J.B. Sablean's pension contributions be returned to the City in the amount of \$2,312.90 and that legislation be obtained to retire him on a case where he died so that his widow may receive a pension for 5 years.

Your Committee recommends that legislation be procured deeming that Mr. Sablean was retired as of February 6, 1958.

Respectfully submitted,

R. H. Stoddard,
DEPUTY CITY CLERK.

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

DRAINAGE NORTHWEST END OF CITY

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: February 25, 1958.
Subject: Drainage - North West End of City.

The Committee on Works at a meeting held on the above date, considered the attached interim report from the Commissioner of Works on the drainage problem in the City's North West End containing recommendation for the alleviation of flooding conditions in the area bounded by Dutch Village Road, Mumford Road, Abbott Drive and the C.N.R. Main Line.

On Motion of Alderman Greenwood, seconded by Alderman Trainor, the Committee approved the report and recommended to City Council that the following work be included in the 1958 Capital Budget:-

1. Installation of a sewer on Ashburn Avenue between Abbott Drive and Elliott Street, renewal of the existing sewer from Elliott Street to Desmond Avenue. \$ 30,000.00

City Council
March 13, 1958

- 2. Renewal of existing sewer on Mansford Road from Hemlock Street to C.N.R. Property \$ 30,000.00
 - 3. Renewal of existing sewer on C.N.R. Property from Chebucto Road to Mansford Road 20,000.00
- \$ 130,000.00

Respectfully submitted,
 W. P. Publicover,
 CITY CLERK
 Per: R. P. Webb

Moved by Alderman O'Brien, seconded by Alderman Greenwood, that the report be approved. Motion carried.

1958 LEGISLATION

Deferred to meeting of City Council to be held on March 27, 1958.

PERMISSION TO SELL LAND - KEMET ROAD - NORTH OF FERON PROPERTY

To: His Worship the Mayor and Members of City Council.
 From: Committee on Works.
 Date: March 4, 1958.
 Subject: Permission to Sell Land, Kemet Rd. - North of Feron Property.

The Committee on Works, at a meeting held on the above date, considered a letter from the Feron Company Limited, requesting that the City advertise for sale a portion of City Owned Land, 50 feet wide, to the north of their property on Kemet Road.

On Motion of Alderman Trainor, seconded by Alderman Connolly, the Committee recommended to City Council that the property be advertised for sale by Tender.

Respectfully submitted,
 W. P. Publicover,
 CITY CLERK.
 Per: R. P. Webb

City Manager: "This is another application for a 50-foot strip. This is on the other side of the piece to the South, which was sold."

Moved by Alderman Lloyd that tenders be called for the purchase of the land.

There was no further action on this item.

Council,
March 13, 1958.

Aldermen Ferguson suggested that he would rather that consideration be withheld until there was more than one lot to be sold when a bottom price would be put on each and tenders called.

City Manager: "We don't have very much at the present time. We only have the Kempt Road lot now and a request came to deal with it privately. We have received some favourable prices recently."

Alderman Dunlop: "I suggest we get legislation to authorize us to sell these lots by tender or at public auction. We should do that because the City Prison property will be coming up before too long and that is the way these lots should be sold. We have had some experience in selling lots at public auction. I suggest that the City Solicitor be instructed to bring in some draft legislation and that the sale of this lot be deferred."

Aldermen Ferguson said he would be willing to go along with Aldermen Dunlop's suggestion but he felt that sale of the lot under discussion need not be held up.

Moved by Alderman Dunlop, seconded by Alderman Ferguson, that the report be approved; and that the City Solicitor be instructed to prepare draft legislation empowering Council to sell surplus land either by tender or at public auction. Motion passed.

ACCEPTANCE - WRIGHT AVENUE ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works
Date: March 4, 1958
Subject: Acceptance - Wright Avenue

The Committee on Works, at a meeting held on the above date, considered the recommendation of the Commissioner of Works, that the portion of Wright Avenue, formerly known as Letson's Place be accepted as a City Street and that the necessary Legislation be obtained to permit the acceptance of the portion of Wright Avenue formerly known as Wright Place.

On Motion of Alderman Greenwood, seconded by Alderman Trainor, the Committee recommended to City Council that the recommendations of the Commissioner of Works be approved.

Respectfully submitted,
W. P. Publicover,
CITY CLERK.
Per. R. P. Webb:...

Council,
March 13, 1958.

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

RESUBDIVISION - MALING PROPERTY - BAYERS ROAD ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: March 4, 1958.
Subject: Resubdivision - Maling Property - 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 Resubdivision of the Maling Property, Bayers Road.

On Motion of Alderman Butler, seconded by Alderman Macdonald, the Board approved the Resubdivision, as shown on Plan No. 00-9-14033 and recommended it to City Council with No Public Hearing to be held.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

PER. R. P. Webb...

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

RESUBDIVISION - MUTUAL REALTY COMPANY - JUBILEE ROAD ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: March 4, 1958.
Subject: Resubdivision - Mutual Realty - Jubilee 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 Resubdivision of the Mutual Realty Company Limited, Jubilee Road.

On Motion of Alderman Lane, seconded by Alderman O'Brien, the Board approved the Resubdivision, as shown on Plan No. 00-9-14036, and recommended it to City Council with No Public Hearing to be held.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per. R. P. Webb...

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

Council,
March 13, 1958.

REQUEST TO REZONE (R-2 TO R-3) LOT #17 SEABOARD INVESTMENTS
SUBDIVISION

To: His Worship the Mayor and Members of City Council
From: Town Planning Board
Date: March 4, 1958
Subject: Request to Rezone (R-2 to R-3) Lot #17 Seaboard Invest-
ments Subdivision

The Town Planning Board at a meeting held on the above date, considered the attached report from the Town Planning Engineer, recommending refusal of a request to Rezone the above property from R-2 Residential to R-3 Residential.

On Motion of Aldermen Greenwood, seconded by Aldermen Lane, the Board recommended to City Council that the Application be denied and that No Public Hearing be held.

Respectfully submitted.

W. P. Publicover,
CITY CLERK.

Per...R. P. Webb...

Alderman Wyman: "I understand in connection with this particular request that the owner of this lot in making his request first to the Town Planning Engineer, was not entirely clear on the procedure that this would go through; and I believe he has some presentation he would like to make."

Moved by Alderman Wyman, seconded by Alderman Lloyd, that the matter be deferred to give the applicant an opportunity to appear before the Town Planning Board and present his case. Motion passed.

UNDERSIZED LOT - #8 LONDON STREET

To: His Worship the Mayor and Members of City Council
From: Town Planning Board
Date: March 4, 1958
Subject: Undersized Lot - #8 London Street

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 request to construct a single family dwelling on a lot 33' x 100' at the above address.

On Motion of Alderman Greenwood, seconded by Alderman Connolly, the Board approved the request and recommended

Council,
March 13, 1958.

it to City Council, with No Public Hearing to be held.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per..R. P. Webb..

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

TOWER TERRACE EXTENSION

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

From: Committee on Works.

Date: March 4, 1958.

Subject: Tower Terrace Extension.

The Committee on Works at a meeting held on the above date, considered the attached report from the Town Planning Engineer respecting the future development of Tower Terrace.

Both the City Manager and Town Planning Engineer recommended the installation of Curb, Gutters and Sidewalks.

On Motion of Alderman MacDonald, seconded by Alderman Greenwood, the Committee recommended to City Council that Curbs, Gutters and a Narrow Concrete Sidewalk be installed on both sides of Tower Terrace, from Tower Road to the present dead end.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per.....R. P. Webb..

Alderman Fox: "Is this matter properly before Council at this time?"

His Worship the Mayor: "I believe so."

Alderman Fox: "I believe this matter was passed by Council and a borrowing made for \$9,000.00 for the work to be done. Has the Committee the right to defer Council's action without a motion to rescind?"

Alderman Dunlop: "Through the kindness of Mr. A. Mathews, he has furnished me with a certified copy of the minutes of Council of May 23, 1957, when the Council decided to proceed with the ex-

Council,
March 13, 1958.

tension of Tower Terrace all the way through. I notice I voted for it and all present voted for it. We have talked about Tower Terrace every year since I was in Council and I thought it was settled. The Council having decided to extend Tower Terrace, we instructed the City Manager to proceed with the dealings for these properties and now, a year later, we are back where we started. We resolved the thing and once we resolve it, and in the absence of a notice of reconsideration and a stay of proceedings, they should go ahead and get it done, and when we direct something it should be done. When we decided to spend \$9,000.00 we thought it was money well spent. It is a dead-end and I don't know now whether Mr. Moriarty's property is still available. I think the resolution to put the sidewalk and curb and gutter in is alright, but it is a little premature."

City Manager: "Council itself held it up. When we floated the bond issue you asked me to go through the Capital Budget and suggest which items could be held up. This was one and it was referred back to the Committee on Works to consider it further to see whether it should be excluded and held up; and I don't know whether a motion to rescind is required."

Alderman Lloyd: "I think the City Manager has made a serious statement. He said he didn't know anything about rescinding."

City Manager: "It is up to the Solicitor."

Alderman Lloyd said that the City Manager seems to be very alert to some sections of the Charter but when it isn't convenient he expresses the opinion that it is up to the Solicitor to make the interpretation.

His Worship the Mayor: "I think the City Manager's remark about it being deferred is quite correct."

Aldermen O'Brien: "We had a memorandum from the City Manager suggesting that certain things be deferred; and the minutes of the Council meeting of October 17, 1957, said: 'Alderman DeWolf suggested that the matter of the extension of Tower Terrace be given

Journal
March 13 1957.

early consideration of the acquisition of the houses on East might not be possible next year, and it was agreed to bring the matter at the regular meeting of City Council to be held in November 1957. The item was not on the agenda for the meeting of November 1957, but it went to the Committee on Works on December 3, was referred on again on December 17 where there was a request for the Town Planning Engineer to ascertain the opinion of the Council.

Alderman Lloyd: "On a question of procedure I think Council did pass a resolution to carry this operation through and they voted, I believe, for the sum of \$9,000.00. Once the Council takes such action does it not commit itself to a capital expenditure? We require a motion to rescind that action and it is up to the Staff to carry out the work."

City Solicitor: "It is true that if the resolution is passed to go ahead then it requires another resolution to rescind it. At the same time you have to provide funds to carry out the resolution."

Alderman Lloyd: "Funds were automatically taken care of when that resolution was passed. We are emphasizing what we think we require when we consider our capital budget."

City Manager: "The ones for sidewalks, curbs, gutters and special items we bring them here individually so that they can be approved. Inclusion in the Budget doesn't pass them. I would consider that there are no funds for Tower Terrace."

Alderman Lloyd: "As the matter stands, it should proceed until somebody moves a Notice of Motion to rescind."

Alderman DeWolf: "The fact is that the City Manager was told to negotiate for those properties and the reason for any delay was to be considered when the Council considered the estimates, and the report was to tell us the cost of acquisition of the properties facing on the street; and we have not had a report. Do we know the situation? The City Manager was instructed to negotiate with the property owners so that Council would be informed on the cost of

Council,
March 13, 1958.

acquisition of the properties. Was that done?"

City Manager: "No."

Alderman DeWolf: "That was a definite order and now it comes back to Council through the Committee on Works. I say that is improper. It was passed in May, 1957. It came up in the Fall of 1957 and the item had not been borrowed for but we were informed that one of the owners was receptive to an offer to sell a part of his property and the City Manager was instructed to consult with those people and come back with the cost so that the work could be done."

City Manager: "That was done in 1956. It was stopped because of the business of picking out the items."

Alderman Lane: "If these costs were not presented to Council, then what is the relevance of the minutes of the Committee on Works of May 7, 1957." She then read the minutes wherein the City Manager recommended that the extension not be made as he considered the estimate of \$10,000.00 to be too costly.

City Manager: "We got those costs in 1956."

Alderman Lloyd: "We might have got those properties cheaper two years ago than they are worth, now."

Moved by Alderman Macdonald that the matter be deferred pending receipt of a full report by the City Manager.

There was no seconder to the motion.

His Worship the Mayor: "The only thing we can do is to have the matter rescinded and the Council declare a policy."

Moved by Alderman Ferguson, seconder by Alderman Lloyd, that the City Manager be instructed to enter into negotiations with the property owners concerned and present a report on the cost of acquisition of the necessary properties.

Alderman Wyman stated that he was about to make a motion to proceed with the work.

Alderman Ferguson stated that he would be willing to withdraw his motion, to which Alderman Lloyd, the seconder, agreed.

Council,
March 13, 1958.

Moved by Alderman Wyman, seconded by Alderman Lloyd, that the matter be proceeded with according to the directions of City Council of May 23, 1957. Motion passed.

REZONING PORTION MOUNT OLIVET CEMETERY ✓

An application was submitted from Mr. L. A. Nightingale to rezone a portion of Mount Olivet Cemetery from Park & Institutional to R-2 Zone.

Moved by Alderman DeWolf, seconded by Alderman Abbott, that the application be referred to the Town Planning Board for report. Motion passed.

REZONING LOTS 6 & 7 W/S CONNAUGHT AVENUE ✓

An application was submitted from Mr. B. N. Kennedy to rezone Lots 6 & 7 on the West Side of Connaught Avenue from R-2 to R-3 Zone.

Moved by Alderman Greenwood, seconded by Alderman Butler, that the application be referred to the Town Planning Board for report. Motion passed.

REMOVAL PORTION OF OFFICIAL STREET LINES - FORRESTER STREET ✓

To: His Worship the Mayor and Members of City Council
From: Town Planning Board
Date: March 4, 1958
Subject: Removal Portion of Official Street Lines - Forrester Street

The Town Planning Board at a meeting held on the above date, considered the attached report from the Commissioner of Works, recommending removal of the Official Street Lines on Forrester Street as shown on Section 7E of the City Official Plan, due to the location of the proposed Incinerator and Redevelopment of this area.

On Motion of Alderman Lane, seconded by Alderman Trainor, the Board approved the report and recommended to City Council that April 17th, 1958, be set as the date for a Public Hearing on this matter.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per...R. P. Webb..

Moved by Alderman Lloyd, seconded by Alderman Connolly that

Council,
March 13, 1958.

the report be approved and Council fix Thursday, April 17, 1958 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.

ZONING BY-LAW - REVISION ✓

Alderman O'Brien: "I would like to ask when and how we are to give the further consideration which we promised ourselves to the various aspects of the zoning revisions." He said that consideration was given a year ago to large blocks but that there are many other sections which were to come back for further discussion.

The City Manager said that he had talked several times with the Town Planning Engineer and that the whole thing would have to be re-typed, and asked the Town Planning Engineer to indicate when he would be ready to bring the matter forward again.

Town Planning Engineer: "A lot of work has been done and we could bring it to the May 15th meeting of Council."

City Solicitor: "In the Charter at the present time we have authority to make a Zoning Ordinance and most of the provisions give us the same powers as in the Town Planning Act and I am adding other powers which will be in the legislation. We may even have to enlarge some of the present ones we have been working on."

POTTIER REPORT ✓

Alderman O'Brien: "Could you tell us the dates of the meetings for discussion of the Pottier Report?"

His Worship the Mayor: "March 20th and 24th."

MODIFICATION OF SIDERYARD REQUIREMENTS - SOUTH PARK STREET ✓

Alderman DeWolf referred to the case of a man who recently bought a double house on South Park Street one half of which contains three apartments and the other being a single family unit. The lot size is 50 x 100 feet. He applied for a permit to convert the single unit to three apartments and was denied a permit because the Town Planning Act requires that the building must have two side yards, and there is only one which is 21 feet wide. "It is zoned

Council,
March 13, 1958.

R-3 and you can put five apartments there but you can't put three. I would like to see the Council grant permission to him to put in three apartments in the other half of the building. He is anxious to go ahead with it as he has his men standing by ready to go to work. The Town Planning Act is illogical and I would like to know if Council has any power to suggest that this can be done?"

His Worship the Mayor asked the Commissioner of Works to explain the application of the Act.

Commissioner of Works: "I am not quite clear on how he can build five apartments. I doubt we would give him five as well as three. There is no such thing as three apartments in R-2 Zones."

Alderman DeWolf: "It is R-3. It is sufficiently large to put 15 or 20 apartments but because the two buildings are attached and there is no driveway on one side, then that rules out the permit for the three apartments. I want to see if the Council can provide this."

His Worship the Mayor: "The matter can be brought before the Town Planning Board."

Commissioner of Works: "The Council has authority to modify the sideyards; and if Council gives permission a permit can be issued."

His Worship the Mayor: "Would you notify the applicant?"

Commissioner of Works: "I wasn't aware of it but I can advise him to make application."

Alderman DeWolf: "He has twelve men ready to go to work plus the other sub-trades ready to go to work and that is what I am interested in."

Alderman Ferguson: "I think what is happening is that in an R-3 Zone when you are going to build you must revert to the R-2 zoning requirements. There are several inconsistencies through the whole piece."

His Worship the Mayor: "We should be encouraging that type of construction in R-3 zones as much as possible."

Council,
March 13, 1958.

Alderman Abbott agreed and referred to another case where a person applied for permission to build three apartments in an R-3 zone and was turned down.

His Worship the Mayor (to Alderman DeWolf): "Advise your friend to bring it forward to Council and we will consider it. There is a meeting on the 20th and we can put it on the agenda."

INCINERATOR✓

Alderman Wyman: "With regard to the incinerator; where do we stand on that? I would like to know if the architect has got under way?"

City Manager: "He is able to go ahead now because we know where the incinerator is going to go. At the time that we were talking about it we didn't know where it would be on that piece of land, in addition to the possibility of it being moved to another place. I hope by tomorrow I will have a plan and will be able to tell Standard Paving how much of their land we will want and I am hoping to have it on the Works' agenda on Tuesday; and then it would come to Council for approval to purchase the land from Standard Paving Company."

Alderman Wyman: "The delay has been the matter of dealing with the Standard Paving Company, and deciding the location?"

City Manager: "On the Standard Paving lot there are two or three places where the incinerator might go, within relatively short distances. The fact that we were thinking of another location left us in the position that we shouldn't go ahead as fast as possible."

Alderman Wyman: "The possibility of changing the site was only a possibility for a matter of two weeks, but the actual selection of the lot now chosen, the selection of that is a matter that is nearly a year old."

His Worship the Mayor: "The siting on that property was not fixed for some time."

Alderman Wyman: "It was a matter of checking the spot

Council,
March 13, 1958.

also, a question of the delay in the land to be chosen, is that right?"

City Manager: "Yes."

REFERENCE BY ALDERMAN LLOYD TO HIS REMARKS RE: CITY MANAGER ✓

Alderman Lloyd said that concerning the matter of appointments he did not intend that his remarks should indicate that the City Manager had any personal animosity towards him; and in fact, on one occasion he had received an excellent reference from the City Manager; and he wished to make it clear that his remarks did not have any reference to the City Manager.

DUTIES OF MEMBERS OF THE POLICE DEPARTMENT ✓

Alderman Lloyd: "The other evening I had occasion to visit the Police Station and I found that (the explanation was given that it was due to illness) something like seven policemen were on duty on patrol, together with three radio cars. I don't want to be an alarmist but I would like to know our present total force, the number of men at one time who are directly engaged in police work, such as patrol duty in cars and on foot; and compare that number with the size of the administrative staff. Also, tabulate the hours by day of the effective man force. It seems that our administrative force has got out of line with the actual police work being done in the City. Also, a report showing in the last thirty days the number of men actually on duty through the three shifts."

REPRISAL ✓

Alderman Lloyd referred to the fact that there are some civic employees who are afraid to talk because of the fear of reprisal, and he questioned the procedure in this regard.

WAGES - NIGHT WATCHMEN ✓

Alderman Lloyd: "I had a complaint from a chap who tells me that the Night Watchmen at City Field is earning something like \$6,000.00 a year because of overtime. That may be wrong but it is according to him, and the T-4 form would prove that."

Council,
March 13, 1933.

EXHIBIT FOR REPORT RE ASSESSOR'S DEPARTMENT

Alderman Lloyd: "The other question has to do with the Assessor's Office. I spoke to the City Manager and I am not going to detail it, but I would ask the City Manager to give me a report on the general operations and a report on the records in the Draftsman's Section of the Assessor's Office."

His Worship the Mayor: "I hope you won't limit the City Manager in his reply."

Alderman Lloyd: "I don't want to limit the City Manager."

His Worship the Mayor: "The same gentlemen came to my office."

Alderman Lloyd: "Are there any records in the Assessor's Office where information has been put in ink by other than the person engaged to do that job?"

City Assessor: "Is the point that it is asserted that with City maps on which it is claimed that some records have been put in ink? I discussed that matter. To my knowledge there is no reason why those maps should be marked up, if there is an ink mark on them. None of my staff would put an ink mark on the maps because Mr. Dickey has sole control of the maps because there are certain conditions existing and the members of my staff are loath to touch those maps and no member of my staff would put a mark on any one of them."

Alderman Lloyd: "Is it true that these records are now down in the basement?"

City Assessor: "The maps are now in the Assessor's Office. Mr. Dickey had a number of the maps on top of a filing cabinet and they were in a disorderly condition. The cabinet was up and the maps had to be moved to a temporary office which is shared by the Commissioner of Finance for storage purposes. I have very little space for storage. We have a storage room in the basement which Mr. Dickey feels is not the best because of the

Council,
March 13, 1958.

condition. It is fairly suitable. It is not elaborate but I have not sufficient space to give everyone adequate storage space for all of their records. There is an interesting point. We have a cabinet which has approximately nine trays, individual trays and if Mr. Dickey were to shorten up his maps and put them in the cabinet, he could have found adequate space for the maps which were on the top of the cabinet."

Alderman Lloyd: "My reason for the question was to find if the maps were mysteriously marked in some unexplained fashion. The matter should be looked into. There comes a point with civil employees that, surely, they should be able to take a matter which comes to a point where they may have justification for making a complaint and, yet, they can't come to an Alderman. Technically, they should go to the City Manager but the individual may be fearful of reprisal, which may be warranted. I do hope that in the Assessor's office, whatever may be the situation, that reason will prevail and the records of the City will be protected. Make sure that is looked after and start acting afterwards."

EXPROPRIATION FUNDS - COOPER & IRVING LANDS

Alderman Dunlop: "In the latest Financial Statement I notice an item of \$78,000.00 for the incinerator, a portion of which was reported to be made up of money paid into Court for the expropriation of the Cooper and Irving lands. Has that money been obtained back by the City?"

City Solicitor: "No, not as yet."

Alderman Dunlop: "That is a point the City Manager should be very attentive to. The Cooper-Irving expropriation was abandoned eight or nine months ago. That money should have been back here within a month at least and if the City Manager finds that the City Solicitor is engaged on their matters, he has the authority to employ some additional legal assistance. We are losing \$50.00 a day, or close to it."

Council,
March 13, 1958.

INCINERATOR EQUIPMENT ✓

Alderman Dunlop: "We were told that a delay in this incinerator was liable to cost us some money, and I would like to know if we have a firm contract with the Company for the purchase of the machinery."

City Manager: "I think the wording is that we have a firm contract."

Alderman Dunlop: "Then, there was no danger."

City Manager: "They pointed out that while there was no change, they didn't contemplate that a full year would go by."

Alderman Dunlop: "I don't understand. Business is business. Is that the position of this Company? And there was no danger of an increase in price? We work on a legal basis."

City Manager: "They pointed out that there is a cost of \$2,500.00 for a bond which they have had to pay for. They are asking us to give some consideration towards paying for the bond. There is no provision for it in their price."

TROLLEY COACH OPERATION ✓

Alderman Macdonald stated that it had been brought to his attention that some persons had been subjected to some considerable inconvenience in entering and exiting from trolley coaches; and he asked if the proper authorities could be notified so that extra care would be taken to obviate a recurrence.

His Worship the Mayor stated that it was a matter for the attention of the Public Utilities Board to whom persons should make any complaints that might arise as the City has no responsibility in the operation of the system.

COAT-OF-ARMS - COUNCIL CHAMBER ✓

Alderman Greenwood: "As the sole surviving member of the City Hall Decorating Committee I would like to know about the progress on the Coat-of-Arms."

His Worship the Mayor stated that the work on the Coat-of-Arms is progressing favorably after the original start had been

Council,
March 13, 1958.

abandoned because an inferior piece of wood had been encountered.

PUBLIC SERVICE COMMISSION - PAYMENT TO CITY ✓

A report was submitted from the City Manager in which he advised that the following reply had been received from the Public Service Commission concerning the annual payment to the City:-

"Referring to your letter of 24th February regarding annual payments by this Commission to the City of Halifax, the matter was considered at the last meeting of the Commission held on the 24th February, although your letter had not been received on that date.

I have been instructed to inform you that the Commission cannot make an official appropriation at the present time due to the fact that current surplus account is insufficient in amount for such purpose as a result of an operating loss for the year 1957.

However, it is the intention of the Commission to appropriate, if possible, from its anticipated surplus for the year 1958 an amount which, together with taxes, will be sufficient to provide for a total payment to the City of Halifax of \$125,000 for the year 1958. Taxes will of course be paid in full in accordance with tax bills rendered by the City. Any payment to the City from surplus, however, will be contingent on the Commission's net earnings for the year being sufficient to make such an appropriation without the Commission incurring a deficit in the year's operations or otherwise prejudicing its financial position.

Yours very truly,

PUBLIC SERVICE COMMISSION
(Sgd.) J. W. Churchill
SECRETARY--TREASURER

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

PURCHASE MOTORCYCLE CRASH HELMETS ✓

Halifax, N.S.,
March 4, 1958.

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

At a meeting of the Safety Committee held on the above date tenders were considered for the purchase of Motorcycle Crash Helmets as follows:

Harley - Davis Co.	\$31.75 each
Cake Company	\$54.31 each

The Chief of Police recommended acceptance of the lower tender.

Your Committee concurs in this recommendation and authorizes the Chief to purchase the necessary number

Council,
March 13 1958.

of helmets at this price.

Respectfully submitted,

R. H. Stodjarski,
DEPUTY CITY CLERK.

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

CONVERSION PROPERTY #77 YOUNG AVENUE ✓

An application was submitted from Mr. D. K. Crowdis to convert his property at 77 Young Avenue into four apartment units under Part 4 of the Zoning By-Law and Section 816 of the City Charter.

Moved by Alderman Abbott, seconded by Alderman DeWolf, that the application be referred to the Town Planning Board for report. Motion passed.

APPLICATION TO REZONE #213 BAYERS ROAD - R-2 TO C-2 ZONE ✓

An application was submitted from Mr. B. M. Nickerson to rezone #213 Bayers Road from R-2 Zone (General Residential Zone) to C-2 Zone (General Commercial Zone).

Moved by Alderman Abbott, seconded by Alderman Ferguson, that the application be referred to the Town Planning Board for report. Motion passed.

APPLICATION TO REZONE S/S PEPPERELL STREET-R-2 To R-3 ZONE ✓

An application was submitted from Jet Action Real Estate Brokers Limited to rezone property on the South side of Pepperell Street from R-2 Zone (General Residential Zone) to R-3 Zone (Multiple Dwelling Zone).

Moved by Alderman Ferguson, seconded by Alderman Abbott, that the application be referred to the Town Planning Board for report. Motion passed.

EXTENSION NON-CONFORMING USE - JUBILEE BOAT HOUSE ✓

A request was submitted from the Solicitors for the owners of the Jubilee Boat House to extend the non-conforming use applicable to the Jubilee Boat House property.

Council,
March 13, 1958.

Moved by Alderman Abbott, seconded by Alderman Lloyd, that the request be referred to the Town Planning Board for report. Motion passed.

EXTENSION NON-CONFORMING USE-440 CHEBUCTO ROAD ✓

An application was submitted from Mr. E. Bremner for permission to make an addition to his store at 440 Chebucto Road which is a non-conforming use.

Moved by Alderman Lloyd, seconded by Alderman Abbott, that the application be referred to the Town Planning Board for report. Motion passed.

RESOLUTION HALIFAX & DISTRICT TRADES & LABOR COUNCIL ✓
RE: COUNCIL-MANAGER FORM OF GOVERNMENT

A resolution was submitted from the Halifax and District Trades and Labor Council requesting that a plebiscite be held on the Council-Manager Form of Government.

His Worship the Mayor: "We must have an affirmative vote supporting the Resolution before we can ask for a plebiscite."

As there was no motion on this question, no action was taken by Council on the matter.

MOTION ALDERMAN LLOYD RE: CITIZEN STATUS CIVIC EMPLOYEES ✓

At the request of Alderman Lloyd, this matter was deferred to the next meeting of City Council.

TAX PAYMENTS NOVA SCOTIA LIQUOR COMMISSION ✓

A report was submitted from the City Manager wherein he advised that negotiations with the Provincial Government have resulted in a substantial increase in the tax payments on the retail stores and warehouses of the Nova Scotia Liquor Commission and that an additional amount of \$13,288.75 would be received, making a total of \$29,744.61 for 1958.

FILED.

INTEREST RATES - CITY OF HALIFAX BORROWINGS ✓

A report was submitted from the Commissioner of Finance advising that the interest rate on borrowings of the City of Halifax has been reduced by one-quarter of one percent ($\frac{1}{4}\%$) effective

Council,
March 13, 1958.

February 17, 1958, and the new rates are as follows:

Treasury Bills and Time Notes (not to exceed 90 days) -- 4 1/4%
Overdrafts and Demand Loans ----- 4 1/4%

FILED.

BUSINESS TAX RATE - 1958

To: W. P. Publicover, City Clerk
From: L. M. Romkey, Commissioner of Finance
Date: March 1, 1958

Dear Sir:

I advise you that in pursuance of Section 409 of the City Charter, I have in accordance with the under noted calculations fixed the rate of taxation on business assessments and on business realty for the civic year 1958 at \$4.75 per hundred.

Estimated Expenditures approved by City Council, February 20, 1958	--	\$12,512,182.01
Add School Rebate	-----	2,000.00
		<u>\$12,514,182.01</u>
Income	-----	4,096,899.56
		<u>\$ 8,417,282.45</u>
Less: Appropriated from Current Surplus	----	308,270.51
		<u>\$ 8,109,011.94</u>
Less: Special Assessments	-----	\$50,000.00
National Research Council	-----	9,000.00
Canadian Broadcasting Corporation	-----	8,200.00
Community Housing Ltd.	----	5,586.00
Ferry Commission	-----	4,500.00
Marden Wild Limited	-----	2,100.00
Navy League of Canada	----	1,500.00
		<u>80,886.00</u>
		<u>\$ 8,028,125.94</u>
Less: Poll Tax estimated for 1958	-----	175,000.00
		<u>\$ 7,853,125.94</u>
Less: Residential Realty and Household Assessments \$175,973,500.00 @ \$1.75 per hundred	-----	3,079,536.25
		<u>\$ 4,773,589.69</u>
Business Realty and Business Assessments \$100,496,625.00 @ \$4.75 per hundred	-----	4,773,589.69
		<u><u>4,773,589.69</u></u>

This letter further advises you that I have complied with the resolution of the City Council passed on February 20, 1958, and have declared the current business rate of taxation to be Four Dollars and Seventy-five Cents (\$4.75) per hundred.

Please notify City Council accordingly.

Yours very truly,
L. M. Romkey
COMMISSIONER OF FINANCE

FILED.

To: His Worship, C. A. Vaughan, and
Members of City Council.

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

Date: February 21, 1958

Subject: Monthly Administrative Report for month of January, 1958

1. Electrician's Department

Number of wiring inspections	263
Inspection fees	\$ 648.77
License fees	25.00

2. Building Permits

	No.	Value
Dwellings, new	4	\$ 189,500.00
Garages, new	2	450.00
Commercial, new	2	51,000.00
Dwellings, repairs	26	24,680.00
Garages, repairs	35	112,590.00
Commercial, repairs	1	150.00
Institutional, repairs	1	19,000.00
	71	\$ 397,370.00
Building permit fees	\$496.80	
Plumbing " "	110.15	\$ 606.95

3. Buildings Demolished 1956 - 1958

	No. & Ass'd. Value 1956 & 1957	No. & Ass'd. Value 1958
Bldgs. demolished by owners to make way for new development	63 \$ 372,050.00	1 \$ 6,300.00
" initiated by City and owner complied	21 48,700.00	4 6,900.00
" " " " ordered by Council	18 27,495.00	- -
" " " " permitted to stand	3	- -
" presently being processed for demolition	31	61 -
" under investigation for demolition	76	- -

4. Streets and Sewers

Square yards of streets graded	22,996
Tons of hot patch used on paved streets	131
" " " " stoned & oiled streets	193
Cubic yards of material used to fill pot holes	163
No. of square yards of sidewalk repairs	3
Lineal feet of curb and gutter repairs	30
Number of street signs maintained (new)	21
Sewers cleaned, feet	702
Number of catchpits repaired	12
" " constructed	7
" " cleaned	222
" manholes repaired	11
" junctions installed	3
Miles of street swept by hand	245
" " machine	74
Number of bags of salt used	1,714
" miles of street salted	171

5. Garbage

2,846 tons of garbage and refuse were collected of which 425 tons were burned together with 2,125 tons of privately collected material. Total amount processed 2,550 tons with incinerator in operation 420 hours. Hired trucks worked 10 hours collecting 14 tons of garbage and refuse.

6. Prefab Housing

Houses completely paid	425
Current accounts	<u>387</u>
Original number of houses	812

Current Accounts

5% interest rate	108
5 ³ / ₄ % " "	1
6 ¹ / ₄ % " "	<u>278</u>
	387

Mortgages Receivable, December 31, 1957	\$830,312.33
" " January 31, 1958	<u>819,829.30</u>
" decreased during month	10,483.03

Total borrowings, December 31, 1957	66,788.10
" " January 31, 1958	<u>54,970.09</u>
" " decreased during month	11,818.01

82 accounts two or more months in arrears \$ 14,790.96

7. Claims

B. Viner	Crosswalk & curb, Livingstone St.	\$ 65.00
R. W. Oakley	Tree - 112 Claremont St.	5.50
Bens Ltd.	Fire Alarm Box - Lower Water Street	110.00
Mitchell Fur	Parking Meter	12.00
K. G. Butler	" " - Brunswick St.	26.00
R. Julian	" " - 67 Dresden Row	13.50

8. Snow & Ice Control

Salting streets, labour	\$ 1,431.24
" " salt	1,750.00
" sidewalks	17.80
Sanding streets and filling sand boxes	116.58
Miscellaneous	<u>127.41</u>
	\$ 3,443.03

A. A. Lee Bond

City Manager.

/em

To: His Worship, C. A. Vaughan, and
Members of City Council,
From: City Manager, A. A. De Bard, Jr.,
Date: March 13, 1958
Subject: Monthly Administrative Report for February, 1958

1. Electrician's Department

Number of wiring inspections 245
Inspection fees \$ 542.18

2. Building Permits

	No.	Value
Dwellings, new	2	\$ 35,000.00
Commercial, new	1	19,500.00
Dwellings, repairs	50	38,732.00
Garages, repairs	1	50.00
Commercial, repairs	21	32,022.53
Institutional, repairs	1	85.00
	76	\$ 125,389.53
Building permit fees		\$ 331.40
Plumbing permit fees		90.00
		\$ 421.40

3. Buildings Demolished 1956-1958

	No. & Ass'd. Value 1956 & 1957	No. & Ass'd. Value 1958
Buildings demolished by owners to make way for new development	63 \$ 372,050.00	3 \$ 19,000.00
" initiated by City & owner	21 48,700.00	2 8,750.00
" " " complied and ordered by Committee on Works	18 27,495.00	-
" " by City & permitted to stand	3 -	--
" presently being processed for demolition	- -	45 -
" under investigation for demolition	- -	19 -

4. Streets and Sewers

Square yards of streets graded	18,330
Tons of hot patch used on paved streets	204
" " " " stoned & oiled streets	120
Number of square yards of sidewalk repairs	8
Linear feet of curb and gutter repairs	20
Number of new street signs	11
" catchpits repaired	4
" " constructed	8
" manholes repaired	4
" " constructed	2
" manholes installed	2
" catchpits cleaned	27
Miles of streets swept by hand	50

Council,
March 13, 1958.

MONTHLY ADMINISTRATIVE REPORT

The monthly administrative reports for the months of January and February were submitted from the City Manager and some are attached to the original copy of these minutes.

FILED.

NOTICE OF MOTION ALDERMAN DUNLOP RE: DAYLIGHT SAVING TIME

Alderman Dunlop gave notice that at the next meeting of the City Council he would move that the resolution passed at the meeting of City Council held on February 13, 1958, concerning Daylight Saving Time be rescinded.

Moved by Alderman Greenwood, seconded by Alderman Butler that this meeting do now adjourn.

Meeting adjourned. 10:15 P.M.

LIST OF HEADLINES

Minutes	119
Appeal Re: Refusal of Building Inspector to Issue Occupancy Permit for Proposed Building at #78 Agricola Street	119
Water Extension-MacLean Street	120
Tag Days	120
Settlement-Hospital Accounts	123
Accounts Over \$500.00	123
Widow's Allowance-Mrs. G.G. Foster	125
Supplementary Grants Under Section 3160 to Retired Employees	126
Legislation Re: Zoning Ordinance	126
Request to Rezone (R-2 Zone to R-3 Zone) #8 Oxford Street	126
Request to Rezone (R-2 Zone to R-3 Zone) #10-12 Quinn Street	127
Request to Rezone (Park & Institutional to C-3 Commercial) Exhibition Grounds	131
Modification Lot Frontage #556 Connaught Avenue	131
Report Re: Rezoning Miller Subdivision-Legislation	132
Subdivision-Lot #8 Ridgewood Drive	132
Mulgrave Park Housing Project-Revised Clause-Agreement #2	133
Forum Commission-1957 Financial Statement	134
Undersized Lot-#22 Sherwood Street	134
House Re-Numbering and Street Signs-City of Halifax	134
Capital Budget-Paving Assessment	135
Appointment Social Workers and Nurses-City Hospital(City Home)	137
Bellevue Property	137
Grants Captain R. Currie and Constable B. Gronvigh-Legislation	138
Installation Bookmatic Charging System-Halifax Memorial Library	138
Invitation to Hold Mayors' Convention in Halifax in 1960	139
Right of Aldermen to Apply for Civic Positions-Legislation	140
Offer of Land to All Saints Cathedral	145
Tax Exemption-63 Morris Street-Legislation	146
Borrowing \$100,000.00-Redevelopment Program	146
Legislation to Retire Late J.B. Seaton on Feb. 6, 1958	147
Drainage Northwest End of City	147
1958 Legislation	148
Permission to Sell Land Keant Road North of Feron Property	148
Acceptance-Wright Avenue	149

Council,
March 13, 1958.

Resubdivision-Maling Property-Bayers Road	150
Resubdivision-Mutual Realty Company-Jubilee Road	150
Request to Rezone(R-2 to R-3) Lot #17 Seaboard Investments Subdivision	151
Undersized Lot #8 London Street	151
Tower Terrace Extension	152
Rezoning Portion Mount Olivet Cemetery	152
Rezoning Lots 6 & 7 W/S Connaught Avenue	156
Removal Portion of Official Street Lines-Forrester Street	156
Zoning By-Law Revision	157
Pottier Report	157
Modification of Sideyard Requirements-South Park Street Incinerator	157
Reference by Alderman Lloyd to his remarks Re: City Manager Duties of Members of the Police Department	159
Reprisal	160
Wages-Night Watchmen	160
Request for Report Re: Assessor's Department	161
Expropriation Funds-Cooper & Irving Lands	162
Incinerator Equipment	163
Trolley Coach Operation	163
Coat-of-Arms - Council Chamber	163
Public Service Commission-Payment to City	164
Purchase Motorcycle Crash Helmets	164
Conversion Property #77 Young Avenue	165
Application To Rezone #213 Bayers Road-R-2 to C-2 Zone	165
Application to Rezone S/S Pepperell Street R-2 to R-3 Zone	165
Extension Non-conforming use-Jubilee Boat house	165
Extension Non-conforming use-440 Chebucto Road	166
Resolution Halifax & District Trades and Labor Council Re: Council-Manager form of Government	166
Motion Alderman Lloyd Re: Citizen Status Civic Employees	166
Tax Payments Nova Scotia Liquor Commission	166
Interest Rates-City of Halifax Borrowings	166
Business Tax Rate-1958	167
Monthly Administrative Report	168
Notice of Motion Alderman Dunlop Re: Daylight Saving Time	168

C. A. Vaughan,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
DEPUTY CITY CLERK.

EVENING SESSION
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N.S.,
March 27, 1958,
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 joined with the Deputy City Clerk joined in repeating the Lord's Prayer.

There were present His Worship the Mayor, Aldermen, Aldermen DeWilde, Abbott, Dunlop, Lane, Macdonald, Butler, Fox, Ferguson, Trainor, Wyse, 1958 and Greenwood.

Also present were Messrs. S.A. Denora, J. H. Stoddard, W. J. G. ... T.C. Doyle, L.M. Romkey, J.F. Thomson, G.F. West, W.A.G. Snook, F.W. ... and Dr. ... Morton.

The meeting was called specially to order for the following items:

Prayer.

1. Modification Sideyards - Property Lucknow St. & Victoria Rd. (Recommended)
2. Sale of Land Business Drive & Bright Street.
3. Modification Sideyards - Property South Park Street (Recommended)
4. Motion Alderman Dunlop to Revoke Resolution of Council passed February 17, 1958 respecting Daylight Saving Time
5. Motion Alderman Lloyd Respecting Citizen Status Civic Employees
6. Legislation - Zoning Ordinance.
7. " - Zoning Miller Subdivision.
8. " - Subdivision Lot #8 Ridgewood Drive
9. " - 1958 General.
10. Report Housing Committee.
11. Leave of Absence Mr. W.F. Pughover.
12. Undersized Lot #27 Acadia Street (Recommended)
13. " Lot #43 Cutlot Street.
14. " Lot # 6 Dartmouth Avenue. (Refused)
15. Resubdivision City-owned Lot - Kempt Road. (Recommended)
16. Application - Junk Dealers' Licenses (Refused)
17. Culvert - Kempt Road at Fairview Underpass.
18. County Sewers.
19. Application Billboard - Robie & Livingstone Streets (Recommended)
20. License Fees and Permits - Preliminary Consideration.
21. Consideration Pottier Report.

PASSING EX-ALDERMAN FRANK ALMS

His Worship the Mayor referred to the death on March 26, 1958, of Ex-Alderman Frank Alms who has served on the City Council for twenty-six years prior to his death in October last year. Ex-Alderman Alms was a senior member of the ...

March 27, 1948.

Alderman Abbott: "I would like to say that I am sorry of the death of Ex-Alderman Adams. Many of us served with him in the military, as was his kindly nature. I would like to see that a memorial trophy be extended to his relatives."

Alderman Abbott: "I would like to say that I am sorry of the death of Alderman in Ward 3 and that he was a very good person. He was a personal friend of mine and I am sorry that he is dead. He was always ready to give his opinion and I am with regret that we learn of his passing."

The resolution was then adopted.

MODIFICATION OF ZONING REGULATIONS AT LUCKNOW STREET

To: His Worship the Mayor
From: Town Planning Board
Date: March 18th, 1948.
Subject: Modification of Zoning Regulations at Lucknow Street.

The Town Planning Board at a meeting held on the above date, considered the attached report of the Town Planning Engineer recommending approval of a request to modify the zoning requirements for a proposed apartment building, at the above address, from 20 feet on each side to 27 feet on each side.

On Motion of Alderman Macdonald, seconded by Alderman Macdonald, the Board approved the report and recommended that a Public Hearing be held.

Respectfully submitted,
W. F. Hutchinson,
Chairman
Ray H. F. Webb

Alderman Dunlop: "I would like to see a motion to have an explanation of it. Today I went down to see the proposed building and, also, on Spring Garden Road. I was very surprised at the last meeting. If I had seen the exact situation, I might have voted for it. I would like to know of the exact situation. The zoning regulations seem to be totally inadequate. I am sure that the Board will go over that apartment on Lucknow Street and see what the zoning is. It

March 27, 1954

certainly doesn't look like it. I think we should have a plan and a diagram and we should be shown that there are adequate parking spaces. We have a City Manager and a Town Planning Engineer, both people who are supposed to devote their full time to this, and we find that our Town Planning Engineer is able to give his services to another town but we don't seem to be able to get our own work up to date. I would like to see a plan and I would like to know if the one on Lower Road is in accordance with the requirements and the requirements we have now.

His Worship the Mayor did not agree with the observation that certainly our standard, so far as streets for parking spaces, with these apartment houses is concerned is entirely adequate. He said that the general standard across Canada is to have a minimum of 100 square feet for parking; and one operator in 100 square feet that is worked on the basis of 250 feet per apartment.

The Town Planning Engineer, in response to the Mayor, displayed a blue print of the South Street property.

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

Alderman Dunlop commented that the question of side-yard requirements required further study and suggested that no further building permits be issued pending the results of that study.

His Worship the Mayor agreed that the regulations with respect to side-yard requirements are most inadequate and contended that as more apartment houses are built there is going to be overcrowding of these areas and the cars will pose a problem with respect to parking during the winter.

Alderman Dunlop: "Could we have an amendment to the By-law brought forward to the next meeting, and could we hold up some of these permits?"

His Worship the Mayor: "There is going to be a discussion later on during the consideration of the next regulation on that particular phase."

The motion was then put and passed, Alderman Abbott refraining from voting.

Council,
March 27, 1958.

SALE OF LAND - BASINVIEW DRIVE AND BRIGHT STREET ✓

To: His Worship the Mayor and Members of the City Council
From: Town Planning Board.
Date: March 18th, 1958.
Subject: Sale of Land - Basinview Drive and Bright Street

The Town Planning Board at a meeting held on the above date, considered the attached report from the City Manager regarding the purchase of 140 small triangles of land, containing 13 1/2 acres, fronting Basinview Drive, to be sold to the abutters for the nominal price of \$1.00.

On motion of Alderman Lane, seconded by Alderman Butler, the Board approved the report and recommended it to City Council.

Respectfully submitted,

W. P. Publications,
CITY CLERK

Per: R. F. Worth.

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

8:05 P.M. Alderman Lloyd arrives.

MODIFICATION SIDEYARDS - #12 SOUTH PARK STREET ✓

TO: His Worship the Mayor and Members of City Council
From: Town Planning Board.
Date: March 18th, 1958.
Subject: Modification of Sideyards - #12 South Park Street

The Town Planning Board at a meeting held on the above date, considered the attached report from the Commissioner of Works, recommending modification of the sideyard requirements for #12 South Park Street, and attached building having a 21'6" sideyard on the South side, in order to allow conversion from a single family dwelling to a three unit apartment.

On Motion of Alderman Greenwood, seconded by Alderman Butler, the Board approved the report and recommended it to City Council.

Respectfully submitted,

W. P. Publications,
CITY CLERK

Per: R. F. Worth.

Commissioner of Works displayed a plot plan of the property and stated, "It was before the Town Planning Board at the last meeting and the problem here is that this was once a single dwelling building on #12 South Park Street

Council,
March 27, 1958.

and a request was made by the owner to convert it into 3 apartments. He has a 21 foot sideyard on the North side but none on the South Side. We consider this an R-3 use and he can put the three apartments there but Council is the only body with the authority to modify sideyards, and the request is to put three apartments in without a sideyard on the South side."

Alderman Dunlop: "Will this be followed by an application for seven or eight more apartments?"

Commissioner of Works: "I can't say."

Alderman Wyman: "The adjoining house on the other side has been divided into apartments already, has it not?"

Commissioner of Works: "Yes."

Alderman Wyman: "Would they have to come to City Council for the same thing?"

The Commissioner of Works stated again that the Council is the only body with authority to modify sideyards.

Alderman DeWolf: "This is a double house on a lot 100' x 100' (actually there are two lots). There are presently three apartments in the house on the South side of the lot, or South lot, and they have been there for 10 to 15 years, before any zoning regulations came into effect. The man owns both houses and he wants to make the North half conform with the South half. Normally, you could put 15 apartments on that lot. It is the same size piece of land as that on which the Westminster Apartments are located, and I suggest that there is more than ample land to build up to 15 apartments but he is only asking for three more apartments."

Alderman Wyman suggested that the land could be re-subdivided and made into a single lot and the sideyard deficiency would thereby be overcome.

Alderman Ferguson: "Does he have the same sideyard on the other side?"

Commissioner of Works: "More".

Alderman Ferguson: "If he combined it, it would automatically fall under the regulations."

His Worship the Mayor: "A modification will give you authority to do what?"

Council,
March 27, 1958.

Commissioner of Works: "It will give us authority to issue a permit."

The City Solicitor stated that the application is for three apartments and the permit would only be granted for three apartments.

Alderman Dunlop: "That is not binding on him and if he gets his modification, he can build five apartments. There is no way that I know that this Council can say in R-3 zones that you can only build three apartments. The logical way is to resubdivide the land, and then there is no question about giving rights. He is entitled to do it and to do what he pleases."

City Solicitor: "I disagree. The application is for three apartments. He hasn't been granted a permit because he can't meet the requirements. So, in order to get the permit for three apartments, he applies for a modification of the sideyard."

Alderman Wyman: "If I understood the background correctly, the property is in an area which is zoned R-3 and if the owner was asking for permission to put five apartments there, since it is an R-3 zone he can go ahead, but because the number of apartments is within the R-2 usage he has to meet the R-2 requirements and that is why it is here."

The Commissioner of Works said that unless it was resubdivided it would still have to be modified to meet the sideyard requirements.

Alderman DeWolf: "This man told me that he wasn't unwilling to put it all in one but that would take time and he had ten or twelve men ready to go to work. The reason I took an interest in the matter is that he had many men ready to go to work and there was no common sense why it couldn't be done."

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

MOTION ALDERMAN DUNLOP TO RESCIND RESOLUTION OF COUNCIL PASSED FEBRUARY 13, 1958 DAYLIGHT SAVING TIME ✓

At the request of Alderman Dunlop this matter was deferred to the next meeting of City Council.

COUNTY SEWERS ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: March 18th, 1958.
Subject: County Sewers - Deal Street and Howe Avenue

Council,
March 27, 1958.

The Committee on Works at a meeting held on the above date, considered the attached report from the City Solicitor outlining provisions of a draft agreement, between the City and the County of Halifax permitting the County to lay a sanitary Sewer from Dutch Village Road, through Deal Street, Lanes, Percy Street and along Howe Avenue.

On Motion of Alderman Greenwood, seconded by Alderman Trainor the Committee approved the report and recommended it to City Council along with a provision that the County be assessed an annual fee of 12 $\frac{1}{2}$ ¢ per lineal feet.

Respectfully submitted,

W.P..PUBLICOVER,
CITY CLERK.

Per.. R.P. Webb.

To: His Worship the Mayor and Committee on Works.
From: T.C. Doyle, City Solicitor,
Date: March 18, 1958.
Subject: Re; County Sewer - Deal Street & Howe Avenue.

Sometime ago your Committee approved in principle the granting of permission to the County to lay a sewer from Dutch Village Road, through Deal Street, lanes, Percy Street and along Howe Avenue, and requested that the matter be again brought forward when a draft agreement had been prepared. Attached herewith is such an agreement.

This Agreement provides:

- (1) for annual payment to the City of an amount which has not yet been fixed;
- (2) that the sewer must be constructed in a manner satisfactory to the Commissioner of Works and the Municipality must restore the surface and repair any curb, gutter or structures which might be damaged;
- (3) that if the location of the sewer interferes with any of the City works it must be re-located and if it cannot be re-located, must be removed;
- (4) that the sewer is to be put in and maintained at the Municipality's expense, subject to the direction of the Commissioner of Works;
- (5) that the permission cannot be transferred;
- (6) the Municipality has no claim against the City in respect to any damages arising from the installation of the sewer;
- (7) should street repairs or any other purpose require the sewer to be temporarily removed, the Municipality shall do so at its own expense;
- (8) the Municipality indemnifies the City against any damages arising from the installation of the sewer;
- (9) the agreement can be terminated if the Municipality fails to comply with the terms of this agreement.

T.C. Doyle,
CITY SOLICITOR.

Council,
March 27, 1958.

City Solicitor: "I conferred with Mr. Rogers, Solicitor for the County, who advises me that they have taken objection to two clauses that I had in the agreement, which was passed by the Committee on Works to permit them to put the sewer down Deal Street and Howe Avenue. One was 'that if the location of the sewer interferes with any of the City works it must be re-located and if it cannot be re-located, must be removed' and the other was, 'should street repairs or any other purpose require the sewer to be temporarily removed, the Municipality shall do so at its own expense'. They have taken objection to these clauses. They say that if they were obliged to move the sewer, it would cost considerable; and they might consider going through the County."

Mr. Rogers: "I have been speaking with Mr. Hattie, Municipal Clerk, for the County, and the County has agreed to this agreement with the possibility of amending the two clauses Mr. Doyle has read, by adding to each, 'provided however, that no action under this paragraph shall be taken without the matters first having been discussed by the City Council and Municipality of the County of Halifax'. This is merely to ensure that both Councils would be acquainted with the matter before proposed action was taken to stop the sewer and create a difficult position in the County. As a result of the discussion negotiations could be reached before such action were taken. It in no way affects the protection that the City obtains under the proposed agreement but those are the only objections the County wishes to take at this time."

His Worship the Mayor: "The City Solicitor advises that he has to object to the Clauses being worded in that manner."

Alderman Dunlop felt that it was an impractical clause and was too high handed. "It means we have to wait for the County and to me it means nothing. If the County is not satisfied with the agreement, it should not do it at all."

City Solicitor: "Mr. Rogers discussed it with me and I told him, frankly, that I had to protect the City and if the sewer really interfered with something we wanted to do, I certainly could not see allowing the County and we may have to go somewhere else to do that work at considerable expense. Our agreements with the C.N.R. and National Harbours Board pin us down in the same way as this clause does. We have outlets in the Harbour and in the Basin and

Council,
March 27, 1958.

that clause is in every agreement we have with the C.N.R. and the National Harbours Board covering these outlets. Frankly, I can't see why we should give them any greater advantage than we ourselves don't have with the C.N.R. or the National Harbours Board."

Alderman Dunlop: "Who represents the City in that agreement?"

City Solicitor: "The City Council."

Alderman Wyman: "These clauses which have been included in the agreements are designed to protect necessary City services and they are operations which of necessity would come under the direct concern of the Committee on Works; and it seems to me there is in the proposed amendment an implication which might very well occasion some delay and I don't think we should decide about this tonight. I think a suggestion should go to the Committee on Works to see if it is liable to interfere with the expeditious carrying out of some necessary work at some future time."

Moved by Alderman Wyman, seconded by Alderman Trainor that the matter be referred back to the Committee on Works.

Alderman Trainor suggested that the Members of the Committee be provided with a copy of the agreement with the changes that are proposed.

Alderman Lane: "The sewer under discussion is the one that is to come down through Dutch Village Road and returns back into the County and then into the Basin. It goes through a certain number of our streets. It was quite clear to the members of the Board of Works that the agreement should read in such a manner as to protect our streets in the eventuality that something went wrong with the sewer and it made no particular reference to any proposed work that the City might do. The question arose 'who is to pay for the cost of repairs to the City streets?'. It is very obscure. In the Board of Works I heard nothing such as that."

The motion was put and passed.

MOTION ALDERMAN LLOYD RESPECTING CITIZEN STATUS CIVIC EMPLOYEES ✓

Alderman Lloyd: "I am going to introduce a resolution requesting the Finance and Executive Committee to draft an ordinance with respect to the duties, functions and qualifications of civic employees. I would like to speak to that motion."

Council,
March 23, 1952

Section 133 of the City Charter requires all officers of the City, before entering upon their duties to take two oaths. One is the oath of allegiance and the other is the oath of office. The oath of office is set forth. The same section permits the City Council by ordinance or resolution to exempt any officer before entering upon his duties from taking or subscribing to either of those two oaths, or both of them. However, the Charter refers to officers but it doesn't contain a definition of the word officers. I think that we have inferred that officers mean the heads of the departments in practice. Now, the City Solicitor may not find that strong enough but there may be some doubt. I conferred with members of the City Solicitor's staff on the matter and subject to further inquiries by them, I believe the term 'officers' for all practical purposes has not been defined. It is inferred to be heads of departments. In practice, only the heads of departments and their deputies have been required to take the oath of office. On the other hand, I can't recall any occasion where any specific resolution of the Council was passed in accordance with Section 133 of the Charter which is required by it to exempt such officers, with one exception that I know of. There may be somewhere a resolution on this matter but I don't believe that it actually cited that only heads of departments be required to take the oath of office. In 1952 the Council by resolution exempted the City Manager from taking the oath of allegiance required under Section 133. No time limit was placed on that exemption. Therefore, if that principle was followed a citizen of another country could spend a lifetime of service in the civic administration without ever becoming a Canadian citizen. You have heard me say it before and I will say it again. I do not agree with that policy. I am convinced that a Canadian citizen could have been found to meet the qualifications to perform the duties and functions of a City Manager despite the recommendations of the experts the City engaged to find a manager for the City, and thus enlarge and encourage the development of Canadians as civic administrative officers. I think it should be clearly understood that the basic principles of the manager system as described in the United States are the basic principles in common practice

Council,
March 27, 1958.

of Cities in England where the City Clerk is the Chief Executive Officer. I feel that it cannot be claimed that the basic principles of the Council-Manager plan were an exclusive development of Civic Government in the United States. On the other hand I believe the United States found that they had made a serious mistake when they adopted the policy of electing everybody to office and they went back to some basic principles which were recognized by those who planned government administration in England and Canada for many years. I think the development in the United States was a case of going back to some basic principles which for a time they had abandoned.

There is another section of the Charter which seems to be related to this matter of oath of office and officers and it is Section 134. Under that Section the Council may establish by ordinance the qualifications required of employees of the City. If the City Council doesn't make such an ordinance then under the same Section 134 the right to decide the qualifications of Civic personnel falls into the hands of the City Manager. It is an essential element of the so-called manager system that the qualifications and functions of personnel should be governed by Civil Service regulations laid down by Council and in the absence of those regulations you give more power to the City Manager than the manager system contemplates. Therefore, it seems we are duty bound if we support the City Manager system to see to it that ordinances are drafted which set forth the functions, duties and qualifications of officers whom we may appoint as officers in the City employ. We may go into more detail for executive officers and be more general for Clerks and others. We are neglecting a responsibility if we do not attempt to draft ordinances that would serve the purpose of improving the understanding between the Council and the Manager and the Manager and his staff and put an orderly procedure approved by the Council within the framework under which the City Manager would operate. Such regulations are an attempt to establish the limits of the powers of the City Manager to prevent unfair treatment of employees. I am not suggesting that is so but in designing this system I would have to describe it in that fashion. It is my considered opinion that the oaths of office were intended to be administered because it was expected that Canadian Citizens would enjoy

Council,
March 27, 1958.

employment in Canadian Civic Government. I feel certain that this particular provision under which we exempted the City Manager from taking the Oath of Allegiance was intended more to give us the power to relieve us from applying those two oaths of office to subordinate officers. I don't think it was intended to be used as a device for the purpose for which it was used. Legislation should be obtained. I think it is also honest to say that if before the plebiscite on the system was held we had informed the public that a City Manager could not be obtained in Canada, I am quite sure there would not have been a vote in favor of the system. I don't want any of my remarks to be construed as reflecting upon the performances of our present City Manager. I am dealing in an objective way with a situation that needs attention in the future. Coupled with these omissions on our part to keep the steps on the City Manager form of Government we still have the two-thirds vote. I would like to table this letter from the International City Managers' Association since the matter has been given some Press attention." He then read the following letter:

THE INTERNATIONAL CITY MANAGERS' ASSOCIATION

March 24, 1958.

Mr. J.E. Lloyd,
P.O. Box 333,
Halifax, Nova Scotia
Canada.

Dear Mr. Lloyd:

In reply to your telephone inquiry, it is almost universal practice among the 1,550 cities and towns in the United States and Canada that have the Council-Manager plan to require only a majority vote of the council for the appointment or removal of the manager. There are of course some exceptions, but the theory and practice is that on all important actions taken by the council, no more than a majority vote is required. If more than a majority vote of the council is required to remove the manager one of the important features of the council manager plan is disregarded, and that is that the council can remove the manager by the same vote by which he is appointed in the first place. I hope this answers your inquiry.

Sincerely yours,

Orin F. Nolting
Executive Director.

Alderman Lloyd continued: "I think we should make another step forward in bringing ourselves in line with some basic principles of good administration

Council,
March 27, 1958.

that are in vogue in Great Britain as well as United States and to that end I am going to move that the Finance and Executive Committee prepare draft ordinances setting forth the duties and functions pertaining to the office of any officer of the City and the qualifications required to be held by a person appointed to such office, including a provision that all employees shall be Canadian citizens. The matter requires drafting and it could be discussed and come back to Council."

The motion was seconded by Alderman Wyman.

Alderman Dunlop: "This is rather a personal matter to vote on without some little thought. It is quite true that the mover gave notice of motion" and he contended that the notice of motion was not comprehensive enough and that Alderman Lloyd's motion made it mandatory that the matter be deferred to the Finance and Executive Committee to draft the regulations. "The man to draft regulations for the Heads of Departments is the City Manager so long as we have him."

Alderman Lloyd read Section 134 of the City Charter and said: "All I am saying is that the Finance and Executive Committee prepare the ordinances which have to come back to Council for debate and vote."

Alderman Dunlop: "I would think that a great many of those things must be covered, now. We must have an ordinance, particularly, after having the City Manager for 5 years? Have we not such an ordinance?"

City Manager: "No."

Alderman Dunlop: "Well, where have we been for the last 5 years? Who decides about the Commissioner of Finance and Commissioner of Works' qualifications?"

City Manager: "It is in the Charter."

Alderman Dunlop: "We actually have something in the Charter which covers the duties of these officers? I would like to ask the mover. I wasn't in the Council when the City Manager was appointed. I presume there was a resolution to exempt him from taking the Oath of Allegiance. If there is any thought in the resolution then that that should be made a prerequisite, that the City Manager should now be required to take the Oath, he should say so now. When the City

Manager, and appointed, he gave no undertaking and wasn't asked to change his
policy and, but the Council having taken this I wouldn't want to vote on it now
and if there is any thought to make the City Manager take the data it should
be done soon now."

Underman Lloyd: "I assure him that this resolution is not intended to be
an excuse for another resolution which might involve a vote with respect to the
City Manager's employment with the City. If I feel the City Manager should
vacate his office, for reasons, I will not hesitate to say so. This resolution
has to do with the future. If you read carefully, you will find that in future
before entering upon his duties may be exempted by the Council. In the City
intention to go through a such door to deal with any number of the staff,
even if he is the City Manager or some other employee. The answer is definitely
no this is not a motion for a resolution leaving the door open for the Council
if any officer of the City of Halifax. On the contrary it is to set down
regulations and to settle questions for the future. We never know when the City
Manager may, in his own relation, decide to leave us or what events may bring
forth a severance of his employment from the City. When that time comes we
must have the matter settled on the question of Canadian citizenship."

Underman Robert: "I would like to express my opposition to the motion,
initially, on the part that has to do with Canadian citizenship. It is very
important to the functioning in the job to be a Canadian citizen, then I think
the motion would be accepted; but I feel that an American citizen can perform
the functions of the Chief administrative officer without any handicap and I
might say that I feel that many Halifaxians born and brought up here seem to
have a distrust or prejudice to people from outside the area. The prejudice
could be as great to a man from Toronto as from the United States. The prejudice
is unjustified and in the interests of good government we should have available
to us people who may be American citizens and since there are few people trained
as City Managers I would not want us to close the door on this potential source
where there are many more citizens being trained for the job of City Manager."

His Worship the Mayor ruled that under the rules of order of Council proper
notice of motion had not been given and further debate would have to be withheld.

Council,
March 27, 1958.

Alderman Lloyd: "I had some difficulty in finding a definition of 'Officer'. I was trying to find it and I thought the proper place to do it would be the Finance and Executive Committee. That came after the basic principle occurred to me and if you wish to rule that this particular resolution must be put in the form of a notice for a future meeting I think that point is well taken as the Alderman should have time to analyze the views and to consider their future implications. I think the statement that 'few people are trained in the basic principle of the Manager plan' is not entirely correct. We are not showing any prejudice or distrust of anybody but we are showing we have faith in our ability to conduct our own affairs."

Alderman Lloyd then gave Notice that at the next meeting of City Council he would move the following resolution: BE IT RESOLVED that the Finance and Executive Committee prepare ordinances setting forth the duties and functions pertaining to the office of any officer of the City and the qualifications required to be held by a person appointed to such office, including a provision that all employees shall be Canadian Citizens.

NOTICE OF MOTION ALDERMAN LLOYD RE; AMENDING SECTION 119 (2) CITY CHARTER ✓

Alderman Lloyd gave Notice that at the next meeting of the City Council he would move the following resolution: RESOLVED that legislation be sought removing the City Charter provision requiring a 2/3 vote of City Council to dismiss or superannuate Heads of Departments and the City Manager; and substituting therefor the Council's right to dismiss or superannuate the City Manager and the Heads of Departments upon a simple majority vote in favor of such action of all members of the Council whether such members are present or not present at the meeting at which such a vote is taken.

REPORT HOUSING COMMITTEE ✓

His Worship the Mayor said that the Committee had met on Monday, March 24 but there was nothing to report.

LEAVE OF ABSENCE MR. W.P. PUBLICOVER ✓

City Manager: "Mr. Publicover was in my office on Monday, and I had Dr. Morton there. He is feeling quite well. His leave expires on March 31. I

Council,
March 27, 1958.

discussed with him whether he wanted to come back and he felt he could not give any assurance as to when he could get back. His physical condition is such that Dr. Morton would recommend his retirement. I would suggest that he be retained on the payroll until the next meeting of the Retirement Committee which should be within the next week.*

It was agreed to approve the recommendation of the City Manager

UNDERSIZED LOT #27 ACADIA STREET ✓

To: His Worship the Mayor and Members of City Council
From: Town Planning Board.
Date: March 18th, 1958.
Subject: Undersized Lot #27 Acadia Street.

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 request to construct a single family dwelling on a lot 60' x 100' at the above address.

On Motion of Alderman O'Brien, seconded by Alderman Connolly, the Board approved the request and recommended it to City Council with No Public Hearing to be held.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per: R.P. Webb.

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

UNDERSIZED LOT #43 CABOT STREET ✓

At the request of the applicant this matter was deferred to a meeting of City Council to be held on April 17, 1958.

UNDERSIZED LOT #6 DARTMOUTH AVENUE ✓

To: His Worship the Mayor and Members of City Council
From: Town Planning Board.
Date: March 18th, 1958.
Subject: Undersized Lot #6 Dartmouth Avenue.

The Town Planning Board at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending refusal of a request to construct a three unit apartment building on a lot with an area of 4,500 sq. feet at the above address.

Council,
March 27, 1958.

On Motion of Alderman Lane, seconded by Alderman O'Brien, the Board refused the request and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per: R.P. Webb.

Alderman Wyman: "I have not seen the minutes of the meeting of the Town Planning Board that considered this and I am not too sure that I am altogether clear as to what is proposed. I have looked at the location and there is a partly-built house there and I wonder if that is the one. How does it happen that that house is that far along and the request is before us at this time?"

His Worship the Mayor: "A summons was issued today against the builder."

Commissioner of Works: "That is right, that work progressed without our permission."

Alderman Dunlop: "Is this a small man, a persistent violator or someone who didn't know the regulations? I was going to suggest a more effective remedy, that is an application to the Court for a Writ of Mandamus to compel him to take it down. This is probably a matter of a \$15.00 or \$20.00 fine. The way to deal with it is to get an injunction to prevent further building."

His Worship the Mayor asked the Commissioner of Works to report more fully on the matter.

Commissioner of Works: "He made the application after the foundation was in. He hadn't the lot area for three apartments and actually not enough for two. He has asked for permission for two. We have no alternative, we have to take necessary action when they build. This person certainly isn't a large man or builder, but he is a builder and is acquainted with our laws, rules and regulations. He admitted he needed permission and should not have gone ahead with it. We haven't given any permit. There is another matter of a drain connection which requires a bit of consideration before he can connect with the sewer. He requires a right-of-way over another person's property and we were working that out prior to giving a permit."

His Worship the Mayor: "He can build two apartments if you agree."

Council,
March 27, 1958.

Commissioner of Works: "The matter will not be clarified until the Court takes action."

His Worship the Mayor: "There is no application before us if he only applies for two."

Alderman Wyman: "Has he formally withdrawn his request for modification of the lot requirement?"

Commissioner of Works: "Yes. We refused to issue a permit on the three. We cancelled it. He applied to Council after our refusal."

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

RESUBDIVISION CITY-OWNED LOT - KEMPT ROAD ✓

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

From: Town Planning Board.

Date: March 18th, 1958.

Subject: Resubdivision City Owned Lot - Kempt Road - South of Feron Property.

The Town Planning Board, at a meeting held on the above date, considered the attached report from the Town Planning Engineer recommending approval of resubdividing the above City Owned Lot 150' x 291' in order to cut from it a section 50' x 150' recently sold by tender.

On motion of Alderman Greenwood, seconded by Alderman Lane, the Board approved the Resubdivision, as shown on Plan No. SS-1-14044, and recommended it to City Council with No Public Hearing to be held.

Respectfully submitted,

W.P. PUBLICOVER,
CITY CLERK.

Per...R.P. Webb.

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

APPLICATION - JUNK DEALERS' LICENSES ✓

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

From: Committee on Works.

Date: March 18th, 1958.

Subject: Application - Junk Dealers Licenses.

The Committee on Works at a meeting held on the above date, considered the attached report from the Town Planning Engineer regarding two applications for Junk Dealers Licenses and recommending that since both

Council,
March 27, 1958.

activities; one at 53 Cork Street and the other at 830 Robie Street; are carried on in R2 Residential Zones they are not compatible with their respective neighborhoods and should be discontinued.

On Motion of Alderman Macdonald, seconded by Alderman O'Brien, the Committee approved the report and recommended it to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per...R.P. Webb.

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

CULVERT - KEMPT ROAD AT FAIRVIEW UNDERPASS

To: His Worship the Mayor, and Members of the City Council.
From: Committee on Works.
Date: March 18th, 1958.
Subject: Culvert - Kempt Road at Fairview Underpass.

The Committee on Works, at a meeting held on the above date, considered the attached report from the Commissioner of Works, requesting permission to proceed without delay on the construction of a new sewer under Kempt Road, just east of the existing Underpass, in order that this work be completed prior to the placing of fill for the new Overpass now under construction.

On Motion of Alderman O'Brien, seconded by Alderman Trainor, the Committee approved the report and recommended to City Council that \$30,000.00 be included in the 1958 Capital Budget.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per...R.P. Webb.

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

APPLICATION BILLBOARD - ROBIE & LIVINGSTONE STREETS

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: March 18th, 1958
Subject: Application - Billboard - Corner Robie & Livingstone Streets

The Committee on Works at a meeting held on the above date, considered the application of E.L. Ruddy Co. Ltd., for permission to erect three 25' billboards on the Whitman property at the corner of Robie and Livingstone Streets.

Council,
March 27, 1958.

On Motion of Alderman Trainor, seconded by Alderman Macdonald, the Committee approved the Application and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per....R.P. Webb.

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

LICENSE FEES AND PERMITS - PRELIMINARY CONSIDERATION

A report was submitted from the City Manager setting forth the license and permit fees charged in 1931 and 1957 together with suggested fees based on the changed value of the dollar.

Copies of the report has been distributed to the members of the Council prior to the meeting.

Moved by Alderman Lloyd, seconded by Alderman Wyman that the matter be deferred until the meeting of City Council to be held April 17 to give the members of Council an opportunity to study it. Motion passed.

CONSIDERATION POTTIER REPORT

Deferred.

LEGISLATION - ZONING ORDINANCE

To: His Worship the Mayor and Members of City Council.
From: The Committee on Works.
Date: February 18th, 1958.
Subject: Legislation re: Zoning Ordinance.

The Committee on Works, at a meeting held on the above date, considered the attached report from the City Solicitor recommending that Legislation be obtained to amend the City Charter in order that the City Zoning Ordinance include all powers given under the Town Planning Act.

On Motion of Alderman Trainor, seconded by Alderman Connolly the Committee recommended to City Council that Legislation be obtained to amend Section 727 (a) of the City Charter, so that all powers given under the Town Planning Act are included in the City Zoning Ordinance.

W.P. Publicover,
CITY CLERK.

Per...R.P. Webb.

Council,
March 27, 1958.

The City Solicitor stated that when Section 727A was placed in the Charter certain clauses were lifted right out of the Town Planning Act but the Section was not comprehensive enough and his recommendation would give the City all the powers included under the Town Planning Act.

Alderman Dunlop suggested that the matter could be simplified by saying 'The Town Planning Act should apply to the City of Halifax' rather than by trying to cover all the provisions of the Act in detail in the Charter.

City Solicitor: "We have spent quite a bit of time on this and we found that the Town Planning Act (in the opinion of the Administrative staff) is designed for the Province of Nova Scotia. It is our opinion that it isn't suitable for the City because of extra-ordinary conditions that exist in the City and we have found certain things in the Act regarding zoning that we don't like and don't think are applicable to the City and we have tried to get our own Zoning By-Law; the same thing we have done with subdivisions. That has been our sole purpose from the start, to try to get the City to have its own zoning ordinance because of the different zoning conditions that exist in the City which are found in other parts of the province." He said that with respect to non-conforming usages the City's Zoning By-Law contradicts the Town Planning Act.

Alderman Dunlop: "What governs that?"

City Solicitor: "The Act governs. There is nothing in the Town Planning Act giving anybody the right to create, regulate and control parking. There is nothing that gives a municipality the right to attach conditions to rezoning; and that has been before this Council in many instances and you were told that when you rezone you cannot attach conditions on it. I have tried to put that in this. It is a matter for Council to say. It is a matter of policy."

His Worship the Mayor stated that the matter would be discussed further later on during consideration of the general legislation.

1958 GENERAL LEGISLATION

The City Solicitor submitted draft legislation for the year 1958 which was considered item by item and same is attached to the original copy of these minutes. Copies of the legislation were furnished the members of Council for their information.

DRAFT LEGISLATION - 1958

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

545G. The City may lay out and accept Wright Avenue 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.

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 provisions 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:

(EXPLANATION: At the present time under Section 375D of the Charter, vacant land, no matter whether it is in a residential or business zone, is taxed at the residential rate, unless it is used for business purposes. This section will enable the City to tax the land either at the residential rate or at the business rate, according to the zone in which it is situated).

That portion of Forrester Street laid out and bordered in red on Plan No. SS-1-14031 entitled "Forrester Street, Portion of Street to be Closed to The Public" dated March 4th, 1958, 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.

(EXPLANATION: This portion of the street is part of the incinerator site and had official street lines laid down. It is necessary to extinguish the right of the public to use it.)

The City may pay to B. D. Stevens the sum of fifteen hundred and forty-seven dollars and seventeen cents, being the amount of sewer charges paid by the said B. D. Stevens in respect of assessment for sewer laid in the year 1952 on Desmond Avenue.

(EXPLANATION: This clause permits the refund for sewer charges as the person assessed, at his own expense, constructed a storm sewer, thus relieving the City of this obligation).

Notwithstanding the provisions of the zoning by-law of the City, the subdivision of lot 8, Ridgewood Drive, as shown on plan OO-9-14019 entitled "Subdivision of lot 8, Ridgewood Drive" dated February 15th, 1958, and approved by the Town Planning Board on February 18th, 1958, is hereby ratified and confirmed and declared to be within the authority of the City.

(EXPLANATION: The City zoning by-law requires lots to front on a street. Ridgewood Drive is a private right-of-way and this clause is necessary to overcome the above Section of the zoning by-law).

Subsection 2 of Section 403 as that Section is enacted by Section 14 of Chapter 53 of the Acts of 1955, is amended by inserting immediately after the word "Solicitor" in the second line thereof, the following words "or any barrister of the staff of the Solicitor".

(EXPLANATION: This subsection requires the City Solicitor himself to appear in the Court and does not permit members of his legal staff.)

The City may in each of the years 1958, 1959, 1960, 1961 and 1962, pay, as a grant to The Young Women's Christian Association, to be used for the purpose of assisting in the erection of an addition to its premises on Barrington Street, the sum of five thousand dollars and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

The City may in each of the years 1958, 1959, 1960, 1961 and 1962, pay, as a grant to The Trustees of Cornwallis Street Baptist Church, to be used for the purpose of assisting in the cost of the erection of a community centre for the said Cornwallis Street Baptist Church, the sum of one thousand dollars, and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

The City may in each of the year 1958 and 1959, pay, as a grant to the Children's Aid Society, for the purpose of assisting in the purchase of a new building to carry on the operations of the said Society, the sums of three thousand dollars and two thousand dollars, respectively, and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

The Charter is amended by inserting therein immediately following Section 99 thereof, the following Section:

99A. Notwithstanding the provisions of Section 99 and any other provision of the Charter, the Mayor, or in his absence or incapacity, the Deputy Mayor, or in the absence or incapacity of both, the City Clerk, may, in case of an emergency or disaster, forthwith call a meeting of the Council and the Council may, at such meeting, on a majority vote, suspend any of the rules of order of Council.

(EXPLANATION: The Charter at present requires two days notice of a special meeting. This clause is designed to give authority to call a meeting immediately in case of an emergency).

Subsection (2) of Section 447 is amended by striking out the words "accountant general of the Supreme Court at Halifax" in the twentieth line of the form of Warrant and substituting therefor the word "treasurer".

(EXPLANATION: Section 457 used to require the City Collector to pay the surplus from tax sales to the accountant general of the Supreme Court. This section was amended in 1947 to the treasurer, but the form of the Warrant was not changed).

(1) Subsection (1) of Section 409, as that subsection is enacted by Section 12 of Chapter 62 of the Acts of 1957, 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 following owners of real property, namely:-

Royal Nova Scotia Yacht Squadron, Point Pleasant Park

Halifax Curling Club, 20 Bland Street

South End Lawn Tennis Club, Young Avenue

Waegwoltic Limited, 217 Coburg Road

Saint Mary's Boat Club, 1 Fairfield Road
 North West Arm Rowing Club, South Street
 Nova Scotia Division of the Canadian Corps of
 Commissionaires, 310 Barrington Street
 Roman Catholic Episcopal Corporation, 372 Barrington St.
 City Club, 408 Barrington Street
 (excluding that portion thereof which is
 occupied for business purposes).
 Halifax Club, 124-6 Hollis Street
 Elk's Club (Halifax) Ltd., 61 Hollis Street
 Trustees of the International Longshoremen's
 Association, Local 269, 57-9 Hollis Street
 Trustees of Local 83, District No. 7 of the United
 Brotherhood of Carpenters and Joiners of America,
 A. F. of L., 109-11 Gottingen Street
 (excluding that portion thereof which is
 occupied for business purposes).
 Governing Council Salvation Army, 77 Hollis Street
 Wanderers A. A. Club, Sackville Street
 Hum Kwong Tong Limited, 43 Grafton Street
 (Chinese Club)
 Trustees of the Chinese Freemasons of Halifax,
 11-13 Granville Street
 Trustees of the Home for Aged Chinese, 32 Grafton Street
 (excluding that portion thereof which is
 occupied for business purposes)
 Trustees of the Chinese Nationalist League of
 Canada, 41 Grafton Street
 (excluding that portion thereof which is
 occupied for business purposes).
 Canadian Cancer Society, 151 South Park Street
 Halifax Labour Temple Association, 2 Cogswell Street
 City Fire Fighters Club Bldg. Ltd. 434-6 Gottingen Street
 International Union of Marine & Shipbuilding Workers
 of Canada, Local No. 1, 60 Gerrish Street
 Dean & Chapter of All Saints Cathedral, College Street
 (Tennis Court)
 Loyal Wilberforce Lodge, Independent Order of
 Oddfellows, Manchester Unity No. 7336, 107 Gerrish St.
 Mayflower Social & Benefit Club, 71 Cornwallis Street
 Mayflower Curling Club, 182 Agricola Street
 Bydostone Horsehoe Club, Devonshire Avenue
 Manchester Union Building Co. Ltd., 149 Agricola Street

(CONT'D.)

Trustees of Melbourne Lodge, L.O.L. No. 2510,
300 Fuller Terrace

Local No. 108, Union Civic Workers, Cnr. Isleville
and Bloomfield Streets

(cont'd)
Loyal True Blue Association Defence Lodge, 8-10 Isleville St.
(excluding that portion thereof which
is occupied for business purposes).

Children's Aid Society, 24 South Street

which are not by any enactment declared to be exempt
from taxation, and which property is occupied in whole
or in part by such respective clubs, associations, trade
unions, organizations, societies and Commissionaires,
for the purpose of carrying out the main or chief
purpose thereof, to the extent such real property is so
occupied,

for the civic year which commenced on the first day of January,
1957 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) Section 13 of Chapter 62 of the Acts of 1957 is
repealed.

(3) This Section shall be read and construed and shall be
given effect as if it had been enacted on the 12th day of
April, 1957.

3
The City shall pay to Raymond F. Currie, retired Captain of the Fire Department of the City, as and from the first day of September, 1957, for the remainder of his life, an annual allowance of four hundred and fifty-three dollars and sixty cents, the said allowance to be in addition to the allowance of two thousand three hundred and forty-one dollars and twenty-five cents which he is entitled to receive from the City of Halifax Superannuation Plan and supplementary grant thereto, 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 shall be paid out of current revenue of the City and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

11

The City shall pay to Blance Gronvigh, retired member of the Police Department of the City, as and from the first day of April, 1958, for the remainder of his life, an annual allowance of five hundred and ^{ten}~~thirteen~~ dollars and ^{fifty-four}~~sixty-two~~ cents, the said allowance to be in addition to the allowance of seven hundred and sixty-five dollars and eighty-two cents which he is entitled to receive from the City of Halifax Superannuation Plan and supplementary grant thereto, 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 shall be paid out of current revenue of the City and the sums so paid in any year shall be shown as an expenditure made by the City in such civic year.

Section 370 of the Charter is amended by adding thereto the following subsection:

15
(22) Notwithstanding the provisions of the Bonus Act, The Sisters of Charity shall not be liable to be assessed in respect of its ownership or occupancy of the land and premises known as civic No. 63 Morris Street, for the year 1958 and for so long thereafter as the said real property continues to be owned by The Sisters of Charity and used as a residence for the nurses of the Halifax Infirmary.

Section 366B is repealed and the following substituted therefor:

16
366B. On all poll taxes unpaid on the thirtieth day of June, a penalty of ten percent shall be payable, together with interest at the rate of six percent per annum on the amount of such tax and penalty then unpaid, until the same is paid, and payment of such penalty and interest may be enforced in the same manner provided for the enforcement of poll taxes.

(EXPLANATION: At present the penalty and interest are not payable until after November 1st; this clause brings poll taxes in line with other taxes).

Sections 819 and 822 are repealed.

(EXPLANATION: These Sections are in conflict with the zoning plan and this area has recently been rezoned).

18
Section 916 is amended by striking out the words "22nd day of January" as they appear in the first and second lines thereof and substituting therefor the words "first day of December".

Section 135 as enacted by Section 28 of Chapter 56 of the Acts of 1940, and amended by Section 15 of Chapter 69 of the Acts of 1951, is further amended by striking out the words "nominated for or" in the second line thereof.

(EXPLANATION: This clause is to enable an Alderman to apply for a City position).

(1) Section 816 as amended by Section 25 of Chapter 58 of the Acts of 1938 and by Section 22 of Chapter 65 of the Acts of 1939, is further amended by striking out the words "or in the Miller property as hereinafter defined" in the second and third, fifth and sixth lines thereof.

(2) This Section shall come into force on and not before such day as the Governor in Council orders and declares by Proclamation.

The assessment for a sewer constructed on the west side of the Dutch Village Road opposite Clinton Avenue to a point opposite Lexington Avenue as shown on a plan "Proposed sewer Clinton Avenue to Lexington Avenue, West Side Dutch Village Road" dated May 30th, 1956, and filed in the office of the Commissioner of Works on May 30th, 1956, as plan No. RR-5-13458, is hereby ratified and confirmed and declared to be within the authority of the City, and payment of the amounts assessed against the owners of properties on the east side of the said Dutch Village Road opposite the said sewer may be enforced with the same remedies as provided for the recovery of assessments for sewers laid in the City.

(EXPLANATION: The City laid a sewer on the west side of Dutch Village Road and there was some doubt as to whether an assessment made against the owners on the east side of Dutch Village Road was valid, and this legislation is to clear up this doubt).

Notwithstanding the provisions of Section 20 of Chapter 67 of the Acts of 1951 and Clause 17 of the Superannuation Plan, the City shall pay to the Estate of Joseph Brenton Sabean, former Clerk of Works, the sum of five thousand nine hundred and ten dollars and ten cents, by monthly instalments of ninety-eight dollars and fifty cents each, payable in advance on the first day of each month.

(1) Clause (b) of subsection (1) of Section 46 of Chapter 53 of the Acts of 1956 is amended by inserting between the words "person" and "who" in the second line thereof, the words "whether an employee or a former employee".

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on the 11th day of April, 1956.

(EXPLANATION: Employees of the City were refunded payments made prior to January 1, 1945. Some employees had been retired on pension before this Section was enacted and did not receive the same refund).

Section 727A as enacted by Section 21 of Chapter 65 of the Acts of 1939 and amended by Section 43 of Chapter 54 of the Acts of 1953, is further amended by inserting immediately after clause (g) thereof, the following clauses:

(h) dividing the City or any portions thereof into districts, which may be described by detailed descriptions or by the use of plans or partly by one method and partly by the other;

(i) regulating the erection and repair of buildings, preventing the erection of wooden fences in specified areas, prohibiting the erection or placing of buildings, other than with main walls of stone, brick or concrete and roofing of incombustible material, within defined areas, and regulating the construction and dimensions of chimneys.

(j) modifying the yard or lot area or width regulations or lot coverage for purpose of permitting the effective use or development of any lot,

(k) defining non-conforming use and regulating the continuance thereof,

(l) amending or repealing any provision of such zoning by-law with authority to attach terms and conditions to such amendment or repeal,

(m) regulating and controlling parking areas,

(n) imposing penalties for the violation of any provision of this ordinance,

(o) generally to make regulations in any matter relevant to zoning, town planning and the use of land for building or other purposes.

(EXPLANATION: At the present time the City has the power to make a zoning ordinance, but the present legislation does not include the above powers. With these additions the City has the same powers as is given by the Town Planning Act.)

The City may by resolution of Council close to public use the streets or portions of streets shown on a plan entitled "Expropriation Plan of Certain Lands Required by the City of Halifax for Slum Clearance Purposes" dated January 31st, 1958, to wit:

(1) That portion of Market Street lying between the northern official street line of Buckingham Street and the southern official street line of Jacob Street.

(2) That portion of Grafton Street lying between the northern official street line of Duke Street and the southern official street line of Jacob Street.

(3) That portion of Buckingham Street lying between the western official street line of Argyle Street and the eastern official street line of Market Street.

(4) That portion of Starr Street lying between the northern official street line of Jacob Street and the southern official street line of Hurd Street and also all that portion of Starr Street lying to the north of the northern official street line of Hurd Street.

(5) That portion of Jacob Street lying between the western official street line of Barrington Street and the eastern official street line of Brunswick Street and also that portion of Jacob Street lying between the western official street line of Water Street and the eastern official street line of Barrington Street.

(6) That portion of Argyle Street lying between the southern official street line of Jacob Street to a line approximately eighty feet south of the said southern

official street line of Jacob Street.

(7) Poplar Grove lying between the northern official street line of Jacob Street and the southern official street line of Hurd Street.

(8) Proctor Court lying to the south of the southern official street line of Proctor Street.

(EXPLANATION: These streets are located in the area cited for re-development. It is possible when the final plan of re-development is completed that all or some of these streets will be relocated. The proposed legislation, which is permissive, will enable the City to close off these streets if such a move is necessary.)

Clause 7 of the Superannuation Plan is amended by inserting immediately after the word "Committee" in the eleventh line thereof, the following: "provided however that if such member dies whilst retained after his normal retirement date, his estate shall be entitled to all such benefits under the Plan as if he had retired at his normal retirement date".

EXPLANATION: Under the present Plan, if an employee is retained after reaching his normal retirement date and dies while still in the employ of the City, his estate only gets his contributions. This legislation is designed to give him all the benefits he would have been entitled to if he retired at his normal retirement date.

Section 493 is repealed.

(EXPLANATION: This is a tax on non-resident building contractors. A similar provision in the City of Charlottetown Charter was found to be ultra vires by a decision of the Supreme Court of Canada. I am informed the City has not received any such tax.)

Subsection (4) of Section 449 is amended by striking out the number "(4)" in the first line thereof and substituting therefor the number "(5)"; and subsection (5) of said Section 449 as that subsection is enacted by Section 18 of Chapter 54 of the Acts of 1955 is amended by striking out the number "(5)" and substituting therefor the number "(6)".

(EXPLANATION: There are two subsections (4).

Section 618F as that Section is enacted by Section 21 of Chapter 53 of the Acts of 1955, is repealed and the following substituted therefor:

618F. Notwithstanding any of the provisions of the Charter, and subject as hereinafter provided, the City shall not sell or otherwise dispose of any real property owned by the City unless by public auction or until tenders for the sale of such real property have been called for in such manner and for such period as the Council may from time to time determine in respect to particular parcels of real property, and no sale of any such real property shall be made to any person who has not bid at such public auction or who has not submitted a tender therefor; provided, however, that in any case in which the City may desire to sell or dispose of any parcel of vacant land which is not in itself of sufficient size to constitute a site for a building unit, as provided in the Charter or Zoning By-law or any other enactment, such parcel of land may be sold or disposed of in such manner as the Council may determine.

(EXPLANATION: At the present time City-owned land is sold by tender. This gives an alternative method.)

Subsection (2) of Section 46 of Chapter 53 of the Acts of 1956 is amended by adding immediately after clause (c) thereof the following clause:

(d) The provisions of this subsection shall apply to any member of the Superannuation Plan who continued in the employ of the City after reaching his normal retirement date.

(EXPLANATION: The 1956 supplementary grant did not apply to employees over the retirement age. The proposed amendment is to extend to those employees the benefit of the 1957 legislation).

Section 21 of Chapter 63 of the Acts of 1957 is amended by adding the following subsection:

(4) The provisions of this Section shall also apply to any member of the Superannuation Plan who continued in the employ of the City after reaching his normal retirement date.

20

(EXPLANATION: The 1957 supplementary grant did not apply to employees over the retirement age. The proposed amendment is to extend to those employees the benefit of the 1957 legislation.)

Subsection (5) of Section 743 as that Section is enacted by Section 23 of Chapter 57 of the Acts of 1940, is repealed and the following substituted therefor:

21

(5) For the purposes of this Section the value of a building to be erected shall be determined by the Inspector, whose determination shall be final, and the value of existing buildings altered, added to or repaired shall be the assessed value.

(EXPLANATION: At the present time the Inspector determines all value. Section 730, which deals with repairs and alterations of over fifty percent, has been amended to make the value of the building the assessed value, and the above subsection is proposed so there will not be any difference in determining value.)

Section 730 is amended by inserting between the words "the" and "value" in the second line thereof, the word "assessed".

22

(EXPLANATION: At the present time there is no guide as to how the value is to be determined. This amendment is intended to make assessed value as the figure to be followed.)

The Charter is amended by inserting therein immediately following Section 545G the following Section:-

23

545H. The City may lay out and accept the extension of Tower Terrace from its present western extremity to Wellington

Street, notwithstanding that such extension when laid out and accepted does not comply with the requirement of subsection (1) of Section 524 and clause (a) of Section 545.

EXPLANATION: The City proposes to extend the present Tower Terrace, which is less than sixty feet in width, to Wellington Street, and this Section is necessary to enable the extension to be laid out and accepted as a City street.)

Section 545 is repealed and the following substituted therefor:

545. Every such new street and every such alteration or extension of any existing street, shall be laid out on such plan of such extent and dimensions as the Commissioner of Works determines; but no new street shall, except by resolution of Council, be laid out with a width of less than sixty feet.

(EXPLANATION: Legislation is required every time a street is laid out or is to be accepted when such street is less than sixty feet in width. This would permit Council to accomplish the same result by resolution.)

An Act to Incorporate a Port and Industrial Development Commission for the City of Halifax.

Be it enacted by the Governor and Assembly as follows:

1. This Act may be cited as the Halifax Port and Industrial Commission Act.
2. There shall be a Commission, (in this Act referred to as the "Commission"), which shall consist of _____ members appointed in the manner hereinafter set out and which shall be known as "The Halifax Port and Industrial Development Commission".
3. The Commission shall be a body corporate.
4. (1) The Mayor of the City of Halifax for the time being shall, while holding office as such, be a member of the Commission.

(2) The remaining members of the Commission shall be appointed thereto in the manner following:

25 (Cont'd)

(3) The members of the Commission constituting the original appointees, other than the Mayor of the City of Halifax, shall hold office for the terms established in the manner hereinafter provided. They shall hold office until their respective successors are appointed.

(4) (Length of term to be decided at first meeting)

(5) (eligibility for re-appointment)

(6) The term of office of any member of the Commission other than an original appointee and the Mayor of the City of Halifax shall be three years. Such members shall hold office until their respective successors are appointed.

(7) Notwithstanding anything hereinbefore provided, upon a vacancy occurring in the Commission through the expiration of the term of a member or the death or resignation of a member or by the vacating of his seat by a member by non-attendance as herein provided, the City Council of the City of Halifax shall, upon being notified in writing of such fact by the Secretary of the Commission, forthwith proceed to fill the vacancy so existing.

(8) Any person appointed to fill a vacancy in the Commission, caused by the death or resignation of a member prior to the expiration of his term of office or by his vacating his seat for non-attendance as herein provided, shall hold office for the remainder of the term of the member in whose place he was appointed, and such person shall upon the expiration of that term be eligible for reappointment.

(9) Each of the members of the Commission shall serve without remuneration.

5. The Commission may appoint such officials and employees as it may consider expedient for the efficient operation of the Commission, who shall be paid such remuneration as the Commission may from time to time determine.

6. Until the Commission by resolution otherwise determines, members of the Commission shall constitute a quorum.

7. At the first meeting of the Commission held in each year the Commission shall appoint from its members a chairman and a vice chairman, who shall hold office until their respective successors are appointed.

8. The Commission may from time to time appoint such standing or special committees as it may consider expedient in order to carry out the objects of the Commission.

9. The objects of the Commission shall be:

(a) to promote the development of the Port of Halifax in the best interests of the citizens of the City of Halifax, and in particular, but not so as to limit the generality of the foregoing, to study and endeavor to improve the maintenance, equipment, administration and development of the said Port;

(b) to serve as a medium of communication between the National Harbours Board and the City of Halifax and the citizens thereof in all matters of common interest concerning the said Port and to deal and consult with the National Harbours Board or its representatives respecting such matters;

(c) when requested by the City Council of the City of Halifax to act on behalf of the City of Halifax in any matter concerning the National Harbours Board and the Port of Halifax;

(d) to consult with the Steamship Committee of the Halifax Board of Trade with respect to all recommendations proposed to be made by the Commission respecting the said Port;

(e) to solicit and encourage the establishment and development of new industries within and about the City of Halifax;

(f) to encourage the expansion of existing industries within the said City;

(g) to sponsor by means of advertising, personal solicitation and otherwise, campaigns of publicity for the purpose of making known the advantages of the City of Halifax and its environs as a location for industrial enterprises;

2-5 (Cont'd.)
(h) to prepare and disseminate statistical and other information for the purpose of creating interest in the City of Halifax as a location for industrial enterprises;

(i) to make recommendations to the City Council respecting:

(i) zoning of the City for industrial and business purposes;

(ii) the provision of sites suitable for specific industries and the municipal services required therefor;

(iii) the effect of the taxation system of the City of Halifax upon corporations or persons commencing business in the City;

(iv) such other matters which in the opinion of the Commission relate to the development of industry in the City of Halifax; and

(v) when requested by the City Council of the City of Halifax to advise the said Council on matters relating to the establishment and development of the City of Halifax as a centre for industrial enterprises.

10. The Commission may receive from the City of Halifax and from any governmental body, grants of money to be applied by the Commission to the furtherance of the objects of the Commission.

11. The Commission may accept gifts, assignments, devises and bequests of real and personal property and apply the same to the general purposes of the Commission or to any specific purpose of the Commission.

12. The Commission shall hold a meeting of the Commission at least once in every month, at such time and place as the Commission shall determine, and the chairman may convene a meeting of the Commission at any time.

13. Where any member of the Commission has failed to attend four consecutive meetings of the Commission, of which due notice has been given to him, without having been excused from attending such meetings by a resolution of the Commission entered in its

(Cont'D)

minutes prior to the close of the fourth or last meeting, such member shall forthwith vacate his seat as a member of the Commission and shall be deemed to have resigned, and the remaining members shall at the next meeting of the Commission declare his seat to be vacated and the secretary shall immediately notify in writing the City Council of the City of Halifax and such Council shall forthwith proceed to fill the vacancy.

14. The Commission shall within six months after the end of each calendar year submit to the City Council of the City of Halifax a report covering the activities of the Commission for such year together with a financial statement of the Commission for such year.

15. (1) The Commission may make and from time to time amend, alter or repeal regulations in respect of

(a) the conduct and duties of the officials and employees of the Commission;

(b) the method of calling meetings of the Commission and the conduct of business of such meetings and at any committee appointed by the Commission, and may make rules governing the order and proceedings at such meetings;

(c) the appointment of such bodies or special committees as it may from time to time determine.

(2) Every such regulation or rule or amendment, alteration or repeal thereof shall come into effect upon the approval of the same by the Commission and shall require the written approval of the chairman of the Commission for the time being.

Chapter 90 of the Acts of 1952 and Chapter 56 of the Acts of 1955 are repealed.

6
11
This Act shall come in force on and not before such day as the Governor-in-Council orders and declares by Proclamation.

(EXPLANATION: This Bill is intended to combine the Port Commission and the Industrial Commission. If Council decides to approve this Bill, Section 309, subsection qqD which provides for a grant to the Industrial Commission, will have to be amended so the grant will be payable to the new Commission. Section 618G, which provides for expropriation of land for industrial development and sale of such property, will also have to be amended.)

67
11
Section 624A as enacted by Section (23) of Chapter 58 of the Acts of 1938, and amended by Section 53 of Chapter 46 of the Acts of 1944, is repealed.

(EXPLANATION: This Section is not used as it provides that the money borrowed shall form part of the consolidated fund of 1905 and is to be secured by stock or debentures of that fund. Today City borrowings are made under the authority of the Municipal Affairs Act.)

Subsection (1) of Section 2 is amended by inserting therein between lines seventeen and eighteen thereof, the following words: "Commissioner of Works" means Commissioner of Works and Buildings.

38

Subsection (1) of Section 119, as that Section is enacted by Section 15 of Chapter 56 of the Acts of 1940, and amended by Section 9 of Chapter 66 of the Acts of 1950, is further amended by striking out the numerals and words therein as follows:

39

- (7) Inspector of Buildings
- (13) Town Planning Engineer
- (14) City Engineer

Subsection (1) of Section 123 is amended by inserting therein between the words "Internal Auditor" and "Clerk of Works" the words

40

- Inspector of Buildings
- Town Planning Engineer
- City Engineer

Subsection (2) of Section 726, as that subsection is enacted by subsection (2) of Section 31 of Chapter 66 of the Acts of 1950, is further amended by striking out the words "The Commissioner of Works shall act as Inspector of Buildings, and" in the third and fourth lines thereof and substituting therefor the words "The City Manager shall, on the recommendation of the Commissioner of Works and Buildings, appoint a qualified person to act as Inspector of Buildings, who".

41

11-14-81

Approved.

ITEM #2

Alderman Lloyd referred to a property in a residential area with living apartments on the second floor and a shop on the ground floor and he asked if when making the assessment, the assessor apportions a land value between the residential and commercial area.

City Assessor: "Yes, we do."

Alderman Lloyd: "Under the legislation, would all the land be classed as commercial or would you merely take the proportion of the land on which the building is located?"

The City Solicitor stated that the Section dealt only with vacant land.

City Assessor: "If there is a building classified as a non-conforming use we take the building and we assess it with the residential rate."

Alderman Lloyd referred to a property on Berrington Street on the top floor of which there are four residential apartments, and he said: "You take the total assessment and you apportion it at residential and commercial? So a proportion of the land in your total value become taxes at the residential rate. If this passes, what do you do?"

City Assessor: "This would not apply to improved property. This would apply only to vacant land."

Alderman Lloyd: "Is it equitable to tax vacant land at the commercial rate and take a piece of land next door and tax it, or a portion of it, at the residential rate?"

City Assessor: "Under the Charter..."

Alderman Lane: "I thought we were discussing completely vacant land. He is discussing a hypothetical case."

His Worship the Mayor: "He was drawing a comparison."

Alderman Lloyd: "The Royal Bank Chambers has staff quarters on the top floor of the building and, properly, the City Assessor takes the total value of the assessment and he determines what proportion of that total value shall be residential assessment and what proportion shall be commercial. In fixing the

total value of the property, including the value of the building, is not to be determined by reference to the land value alone.

City Assessor, Mr. [Name], stated that under Section 43 of the Charter, (which he reads,

Alderman Boyd: "As you know you mentioned the difference between residential and commercial property, and the assessment of property."

City Assessor: "Yes, that is correct."

Alderman Boyd: "I would like to know if there is any provision which is made in the Charter of Halifax which would be that it happens to have a small portion of a lot which is being used for residential purposes. If there is any provision in the Charter which would be contained in the Charter?"

The City Assessor: "The Charter is not intended to be interpreted and said that it is not intended to be interpreted. The owner argued that the value of the property should be determined by reference to the value of the land alone, and that it should be considered a residential use for the purposes of the Charter. Under the proposed legislation if that is the case, the value of the property should be determined as 'business property' for the purposes of the Charter."

Alderman Boyd: "I would like to know if there is any provision of any kind which would be in the Charter which would be that the land value and the value of the building are to be determined by reference to the value of the land alone. In our Appeal Court in no instance has the Court ever held that there is any distinction of such values. Under the Charter you don't have to pay the same rate on these values many of these pieces of property in the City, and there are many in Halifax, there is the problem of changing the Charter so that the value is determined. In many cases it is not the case that the value of the property is determined from commercial taxation. There are many cases where the value is determined given a separate value for the land and the building in Halifax, and the Court can't render an appeal on the basis of a separate valuation of values."

Alderman Boyd: "I would like to know if there is any provision in the Charter which would be that the value of the land and the building are to be determined by reference to the value of the land alone."

any person...
When our...
improvement...

Alderman...
said they
consult the...
should not...
many...
zone...
would think...
where...
commercial...
decisions...

City...
would be...
business...
tax...

Alderman...
purchased by...

City...
it would go...

Alderman...
without interpret-
ing how it might apply...
vacant land...
problem of...
profit and we gain...
He referred to...
land and pay...
values. Under this...
and it will have...
vacant and...

Note...

Council,
March 27, 1958.

adopted.

Alderman Butler: "I would like to get this clear in my mind before I vote. Do I understand from the motion in respect to the proposed legislation that we are now going to disregard the use and tax it on the basis of the area or zoning in which it is located? If that is the case, then we are changing our policy completely from what we have been following in the past right up to the present time. I suggest if you have a piece of land in an area zoned commercial and the use to which it is put in, for example, residential, will it then be taxed on the business rate because of the location, or will it be taxed on the residential rate?"

His Worship the Mayor: "It is only vacant land and once something is built on it, it changes the character."

City Manager: "Taxation on vacant land is according to the Zoning. Taxation on other land is according to use."

Alderman Butler: "I spoke against such a motion some time ago, before I was a member of Council, and I want to be sure the Aldermen know what it is we are proposing to do; and, would like to know is it for the purpose of getting more revenue or is it a case of encouraging people to build on vacant land, whether they are in a financial position to do so, or not? Is it equitable to impose a business rate on something that is not earning its keep, that is not revenue producing?" He contended that the use to which vacant land is put should be the prime factor in determining the rate to be paid.

His Worship the Mayor referred to property at the corner of Cogswell and Gottingen Streets where the land is zoned commercial and the company is taxed at the business rate; while across the street is a piece of land which is taxed at the residential rate. "Doesn't it seem odd that this kind of situation exists. It seems to be wrong."

Alderman Dunlop referred to vacant land on Sackville Street which is owned by a wealthy man in Halifax who left it vacant in order to save taxes; and he contended that some people were tearing down buildings for the purpose of getting the land vacant and thus enjoy the lower rate.

Alderman Lloyd: "I don't think it is logical to assume that any person is going to hold land that is not producing income unless he is holding it for capital gain through inflationary tendencies and the land market value is rising

Council
March 21, 1958.

constantly because the City is providing services which tend to improve that value and the tax bears no relation to the value of the services which give him that capital gain."

Alderman Wyman: "The discussion raises another question and I think it perhaps clarifies the point. If in a commercial area you have a piece of land on which you have a commercial building which you are not using yourself and the place falls vacant, you have not only a piece of land, but also a building which is not producing, do you pay the commercial or residential rate?"

His Worship the Mayor: "You pay the commercial rate."

Alderman DeWolf: "I would like to see permissive legislation, rather than make it forcible. Suppose, on Dresden Row or Birmingham Street which are both zoned as commercial, a house was recommended to be torn down. At present the house is being taxed at the residential rate. Does the land then jump to the 4.75 or business rate because that house was torn down?"

His Worship the Mayor: "Yes."

Alderman DeWolf: "As a matter of fact, Alderman Lloyd was speaking about land and the value of land. I suggest that the Assessor does value it the same but in many cases the value of the building depreciates the value of the land. The same applies to a new building on a poor lot. I would like to see permissive legislation. I might have made up a list of properties which might be affected and if the owner is forced to pay the higher rate he is penalized and he might sell it. Years ago the tax rate on vacant land was jumped to \$8.00 and many people lost their land because of that jump which I hope will not come about again; and I would like to see it permissive and then we still have time to argue this and see if there is any bad effect."

Alderman Butler: "I believe when this was first introduced by an Alderman that he did have principally in mind the Simpson's situation, and in respect to that matter, I believe there was a part of that parking lot being used or classified as residential and part of that parking lot was being taxed on the business rate; and I believe the Aldermen feel that since all of that land was being used in conjunction with the operation of the store, it was only proper that it be all taxed at the business rate but the point is that it is nevertheless being used; and there is a difference. It isn't vacant land. I am referring to land that is incapable of use, it is in the rough form, land that is going to be developed

March 20, 1958.

which is a street purpose will be delayed for a long time and to suppose a business site on such land would be a penalty on the owner. The original intention was to use the land that was being used for business and to be that was classified as residential.

The motion was put and passed, Aldermen DeWolf and Butler wanting to be recorded against.

ITEM #1

Approved.

ITEM #2

Approved.

ITEM #3

Alderman Dunlop: "That is special legislation to deal with a special case which I don't think is too different from a good many other cases."

His Worship the Mayor: "It was passed by Council."

Alderman Dunlop: "I don't think it is a special case. It is a matter of fact. This matter is a matter of fact. There is legislation further along that would take Ridgewood Drive. It allows the City to take over a street which is not sixty feet wide and if that is correct, I don't think we need this Section 545. Ridgewood Drive is not a street yet, so I think that Section 545 on Page 47 would apply."

City Solicitor: "Ridgewood Drive is a private right-of-way. It is not a new street. I don't see how Section 545 would apply to Ridgewood Drive."

His Worship the Mayor: "Three people presently on Ridgewood Drive refuse to have it as a City Street."

Alderman Lugo: "It doesn't involve any tax loss to the City. It does enable the people to subdivide the land. It increases the use of a lot of land without compelling the owner to conform to the regulations. Is the right of way assessed?"

City Assessor: "No. It has no market value."

City Solicitor: "The individual is leaving a portion of it for street purposes if we are to take it."

Alderman Dunlop: "We are not to have the street. It is a situation where the individual is leaving a portion of it for street purposes. Last year the value of the ad-

Council,
March 27, 1958

ministrators of the Gregory Estate and the same problem arose and we just couldn't get a 60-foot driveway into it. He dropped it and had to sell it for a single-family dwelling. If we give approval to one, we should give approval to all, and cover the whole subdivision."

City Solicitor: "The Ridgewood Subdivision was approved before the zoning By-Law came into effect."

Alderman Wyman: "If this legislation is obtained and the subdivision proceeded with and Ridgewood Drive continues to be a private right-of-way, might the subdividers or the purchasers of the lot be faced with the situation that the owner of Ridgewood Drive say that you can't use the driveway?"

Mr. G. B. Robertson, solicitor for the owners: "When Ridgewood Park was subdivided they took the whole lot and reserved a right-of-way and in the original subdivision your lot #8 was reserved for future subdivision. The right-of-way wasn't wide enough so this part is now planned on a 60-foot section to conform with any future requirements of the City."

Alderman Wyman: "I am concerned with the part of Ridgewood Drive that has to be used in order to get into this subdivision."

Mr. Robertson: "It is an absolute right-of-way."

Alderman Wyman: "Who keeps it up?"

Mr. Robertson: "They pay for it themselves."

The Motion was put and passed, Alderman Wyman wishing to be recorded against.

ITEM #6

Approved.

ITEM #7

Approved.

ITEM #8

His Worship the Mayor: "There is one correction. I would like to change the word 'For' to 'By' in the fourth line."

Approved.

ITEM #9

Approved.

Council,
March 27, 1958

ITEM # 10

Alderman Dunlop: "This deals with the emergency. It doesn't deal with the other matter."

Alderman Wyman: "How is an emergency defined? Has it to be declared an emergency by some official? Should that not be clarified?"

Alderman Dunlop: "It will be up to Council to decide, and they may adjourn."
Approved.

ITEM # 11

Approved.

ITEM # 12

Alderman Wyman: "Has Council reviewed that list to make sure that no names are left out or added?"

City Solicitor: "I received the list from the City Assessor."
The item was approved.

ITEM # 13

Approved.

ITEM # 14

Approved.

ITEM # 15

Approved.

ITEM # 16

Alderman Dunlop: "Was the 6% mentioned in Council? I think the rate should be set by Council. Mortgage money is 7 to 7½% now, and if people are using their tax money for other purposes, they should be paying the same rate as for mortgage money. I suggest we change it to 6% or such rate as Council may from time to time fix.

Approved.

ITEM # 17

City Solicitor: "This is the Miller subdivision. Certain sections of the Charter deal with that subdivision and you had before you a rezoning of that district; and therefore, I have to repeal two sections but there should be a provision that it won't come into effect until the rezoning has been passed by Council."

Council,
March 27, 1958.

Alderman Abbott: "Has this been before Council, before? It was just before the Board of Works. Did anybody appear?"

City Solicitor: "Yes."

Alderman Abbott: "I am not so sure that all the people are happy about this."

Moved by Alderman Abbott that the item be deferred for further study.

There was no seconder to the Motion.

City Solicitor: "There is a little thing left out. Until your zoning comes up it should be there that these sections come into force until they are proclaimed, which won't be done until the rezoning is approved. If you decide against the rezoning these sections will stay in the Charter. These two sections won't be repealed until Council asks the Governor-in-Council to repeal the section which won't be done until the rezoning is decided."

Alderman Ferguson: "I think it is a serious situation. You are taking out your over-all safeguard. If you take your legislation out before you change your zoning you are doing away with your safeguard. When this came up two years ago there was heavy objection, here. As it stands now, there is another important thing--their definition of the zoning. It talks about residential use; and the one thing that is not clear is if this residential use means 'third density' or 'first density'; and they thought it couldn't be decided until it went to the Supreme Court. There is a lot more to it. It is dangerous to take away your over-all safeguard before rezoning."

City Solicitor: "You are not taking away your safeguards because these sections are not going to come into force and effect until Council asks the Governor-in-Council to proclaim it."

Alderman Lloyd: "It may hold up a substantial development."

Commissioner of Works: "This doesn't really include the whole of the Miller property. The whole Miller property goes from Tower Road, easterly to View Street, and northwardly to Owen Street; and this rezoning is tied in with the part east of Young Avenue and from Harbor View Drive."

His Worship the Mayor: "We would have to rezone the whole area; and, if Council decides to rezone it under a new plan and we ask the Governor to proclaim it, then the protection is lost forever."

Council,
March 27, 1958.

City Solicitor: "You can't have it under the Zoning By-law, and under the Charter; and both of them different."

City Manager: "The rezoning has been carried out according to the way the people wanted it; and they have the same protection as they have under the Charter. There would still be a hearing, and that doesn't come into effect until after the hearing."

Commissioner of Works: "It all started two or three years ago when the Cameron Construction Company bought the Mack Estate, and we brought it to the attention of the Committee to see whether they could build multiple dwellings on it; and the interpretation was given that they could."

His Worship the Mayor: "The Zoning By-law passed in 1950 gives protection to the rest of the subdivisions."

City Solicitor: "Under the By-law the Miller Subdivision was supposed to be all R-1, but by the Charter, contrary to our opinion they could build multiple dwellings."

Alderman Ferguson: "Is it all R-1, now?"

Commissioner of Works: "No, part is R-3 and part Industrial."

Alderman Wyman: "We are being quite concerned about the danger of removing protection by taking Sections out of the Charter, but at the time, this subject became opened up because someone wanted to do something down there and from the conflict it appeared that the actual facts were that the zoning By-law was more protection than the Charter; and the Charter takes precedence over the By-law. Therefore, the sooner we get the restrictions the better protection we have."

The item was approved.

ITEM # 18

City Solicitor: "The School Board had a different date and I made it the same."

The item was approved.

ITEM # 19

Approved.

Council,
March 27, 1958.

ITEM # 20

Approved.

ITEM # 21

Approved.

ITEM # 22

Approved.

ITEM #23

Alderman O'Brien: "Can the Solicitor tell us which parts are in the 1957 Planning Act and which parts are his additions. He told us before that items from 'A' to 'Z' and certain others were to be added; and I would like to know which are his and which are the Act."

City Solicitor: "'H' and 'I' are taken directly from the Act of 1957, and the rest are my own."

Alderman O'Brien: "I would like to look at the individual clauses a little further."

Alderman Wyman: "I have read this through and I am satisfied myself, that it is satisfactory."

Moved by Alderman Wyman, seconded by Alderman Macdonald, that the item be approved. Motion passed.

ITEM # 24

City Solicitor: "We don't know whether these streets are to be re-located and this is giving us permissive legislation."

The item was approved.

ITEM #25

Alderman Dunlop: "It is a new development which should be very carefully explained to Council; and it goes farther than any other Civil Service Plan in effect in the Provincial or Federal field. It allows service based on the normal retirement age to be considered for pension or grant. Jobs are getting scarce and I think our policy should be to retire people on their normal retirement date; and, if they are kept on, then by reason of it their pensions should not be increased. The effect will be to encourage people to stay in service and put pressure on the Aldermen for increased grants. We are going to be urged

Council,
March 27, 1958.

to increase grants and keep people on the service."

Alderman DeWolf: "I think it is fair. If our Plan had been in effect for more years, then I would say the Alderman was correct; but there are some men who have worked for 15 years whose pension is lower than men who retire, say 15 years hence; and it gives a man of 65 the chance to live more reasonably for that time. I think it is reasonable in view of the short term of the Superannuation scheme."

Alderman Wyman: "If we have a valuable employee who is still doing a good job and you find for one reason or another that it is maybe difficult to replace him, and he is willing to stay, I can't see why his remaining should seriously affect the settlement which his estate would receive from the Plan; and I think this particular thing corrects that."

Moved by Alderman Wyman, seconded by Alderman Lloyd, that the item be approved.

Alderman Lloyd: "I view it this way. If a man completes his normal employment with the City, then he retires. To be continued in employment we must go through a procedure and I think the City Manager must recommend it; and there is a limit as to how long he can be retained, and each year it must be reviewed; so that compels us to review the man's case compared to the qualifications he holds. A lifetime of experience might apply to the individual which might be valuable to us. Technically and morally on the date his retirement is due he has completed his service. There is nothing to stop that employee leaving the employ and selling those qualifications to another employer; and he should enjoy the protection under the Fund, making sure that he has a minimum of benefits if he should die within two days of his retirement from the City employ. This, in effect, says he doesn't suffer from that if he continues to work for the City, after his normal retirement date. It ties in with his contributions on an actuarial basis to the Plan. He has contributed to the Fund which has been built up to take care of such contingencies."

The motion was put and passed.

IFM #26

Approved.

Council,
March 27, 1958.

ITEM # 27

Approved.

ITEM # 28

Approved.

ITEM # 29

Approved.

ITEM # 30

Approved.

ITEM # 31 & 32

City Solicitor: "The question as to the value to be used arose in the Board of Works at the last meeting. (He then read Section 730 & 740 of the City Charter). We are making Section 730 to read, 75% of the assessed value."

Alderman Dunlop: "We are making the Assessor the evaluator as per the Building Inspector."

Alderman Lloyd referred to a property which had recently been sold for \$10,500.00 and the assessment was \$5,000.00; and he said, "Something is wrong. This case helps us in our efforts. We get the benefit of the doubt. The assessment will be lower than what the owner will want. This will help in our redevelopment program."

Moved by Alderman Wyman, seconded by Alderman Trainor that the Assessor's value be used.

Alderman Macdonald questioned whether the assessed value referred to land or buildings.

Alderman Lloyd: "You get a computed value from the Assessor. Technically, under the law there isn't any assessed value on the land. The assessor would like a separate assessment put on both the land and buildings."

Alderman Dunlop: "This is going to cause trouble. It won't be applicable until next year. We should not change values in the midst of hearings."

His Worship the Mayor: "What value do you use on demolition?"

Commissioner of Works: "The value of the building less the value of the basement, based on the assessed value."

Council,
March 27, 1959.

Alderman Lloyd: You might re-word this, as follows: "The value of the building to be erected shall be determined by the Building Inspector, and the value of the existing building as altered or repaired, could be established by the City Assessor, I suppose from the assessment records and that would give him the opportunity to fix the value of the land, and to determine the value of the building."

Commissioner of Works: That is the method used.

Alderman Dunlop: I think it is dangerous to put the responsibility in the hands of one man. We have appraisers who are available.

Commissioner of Works: "In the demolition of buildings, what is our critical point we are concerned with. Actually, I think it should be settled down to whether we want a dilapidated building to exist in the center of the City."

City Solicitor: I am concerned with the 75% of the value. Where do I have got to be satisfied.

Alderman DeWolf: Why not make it the residential value as stated by the Commissioner of Works.

Commissioner of Works: We could give you the replacement value.

Alderman Lloyd suggested the assessed value of the property less the fair market value of the land.

Alderman Lane: I like Mr. West's suggestion of the "replacement value".

Alderman Ferguson: That would be an exceedingly high value.

Alderman Lane: If you have to fix it up, that would mean "replacement".

Alderman Dunlop: "Is this a really very serious problem?" I would think that if the scales were fairly balanced, I think the value should go to the man who owns the property."

His Worship the Mayor: I agree and I think it does.

Moved in amendment by Alderman Dunlop that the Item be deleted from the legislation.

There was no seconder to the amended motion.

Alderman Lloyd asked if the present method was a fair yard stick and said, "I don't think it can be uniformly applied. Where would it originate?"

Council,
March 27, 1935

Alderman DeWolf: "I think it should be on the found value, rather than the assessed value which might have been determined months before. I think the City Engineer is the one who could determine the replacement value, what is the depreciation and what is the value left."

Alderman Greenwood: "Can we take it back to the Committee on Works?"

The Commissioner of Works stated that in the so-called 'brick district' the Building Inspector's decision is final.

Alderman Wynn said he was willing to withdraw his motion.

Moved by Alderman Lloyd, seconded by Alderman Ferguson, that Section 10 of the City Charter be amended by inserting between the words 'the' and 'Building Inspector' in the second line thereof the words 'Building Inspector's'. Motion passed.

ITEM # 33

Approved.

ITEM # 34

Approved.

ITEM # 35

Deferred.

ITEM # 36

Approved.

ITEM # 37

Approved.

ITEM # 38

Approved.

ITEM # 39

His Worship the Mayor: "These men are under the direct control of the City Manager; and in the re-organization of the City Staff some years ago it was decided to get authority to put them under the Commissioner of Works."

In the setting up of the City Manager plan they were put under his authority and it seems to me that there are too many people reporting ^{to} the City Manager."

Alderman O'Brien: "What is the City Manager's view?"

City Manager: "I don't mind."

The item was approved.

Council,
March 27, 1958.

ITEM # 40

Approved.

ITEM # 41

Approved.

DATE FOR PUBLIC HEARING - REZONING - MILLER SUBDIVISION ✓

Moved by Alderman O'Brien, seconded by Alderman Abbott, that Council fix Thursday, May 1, 1958 at 8:00 p.m. in the Council Chamber, City Hall, Halifax, N.S., as the time and place for a public hearing on the matter of the rezoning of the Miller Subdivision. Motion passed.

GRANT - CANADIAN MENTAL HEALTH ASSOCIATION ✓

His Worship the Mayor stated that the Commissioner of Health had requested that a annual grant of \$2,000.00 be made to the Canadian Mental Health Association in lieu of appointing and paying for a Social Worker at the City Home. Provision had been made in the 1958 Estimates to engage such a person but the local auxiliary of the Association have been doing the work most satisfactorily and have indicated their desire to continue the work.

Moved by Alderman Lloyd, seconded by Alderman Macdonald, that legislation be sought enabling the City to pay the Canadian Mental Health Association a grant of \$2,000.00 for 1958 only. Motion passed.

POTTIER REPORT ✓

His Worship the Mayor commented that there was no great urgency in connection with the Pottier Report as legislation could not be obtained on any measure until 1959.

Alderman Dunlop felt that Council should at least look at the Report and he referred to the fact that the Board of School Commissioners will be faced with a request for a substantial increase in teachers salaries.

No further action was taken on the matter.

REQUEST TO REPEAL SECTION 512 OF CITY CHARTER ✓

The Commissioner of Works requested that Section 512 of the City Charter be repealed as, in his opinion, it is meaningless and not consistent with other Sections of the Charter; and he felt that if the Section were retained a similar provision should apply to all other Civic Departments.

Council,
March 27, 1958.

City Manager: "It is designed to take care of the situation when the position of Commissioner of Works was split; and, in order to provide for a re-allocation of duties, that Section was put in but it doesn't provide for an Engineer to do the work."

Consideration of this matter was deferred.

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

Meeting adjourned. 11:20 P.M.

LIST OF HEADLINES

Passing Ex-Alderman Frank Adams	170
Modification Sideyards - Property Lucknow St. & Victoria Road	171
Sale of Land - Basinview Drive and Bright Street	172
Modification Sideyards - #12 South Park Street	173
Motion Alderman Dunlop to Repeal Resolution of Council passed February 13, 1958 Re; Daylight Saving Time	174
County Sewers	175
Motion Alderman Lloyd Respecting Citizen Status Civic Employee	176
Notice of Motion Alderman Lloyd Re: Amending Section 119 (2) City Charter	184
Report Housing Committee	184
Leave of Absence Mr. W.P. Publicover	184
Undersized Lot #27 Acadia Street	185
Undersized Lot #43 Cabot Street	185
Undersized Lot # 6 Dartmouth Avenue	185
Resubdivision City-owned Lot - Kempt Road	187
Application - Junk Dealers' Licenses	187
Culvert - Kempt Road at Fairview Underpass	188
Application Billboard - Robie & Livingstone Streets	188
License Fees and Permits - Preliminary Consideration	189
Consideration Pottier Report	189
Legislation - Zoning Ordinance	189
1958 General Legislation	190
Date for Public Hearing - Rezoning - Miller Subdivision	206
Grant - Canadian Mental Health Association	206
Pottier Report	206
Request to Repeal Section 512 of City Charter	206

C.A. VAUGHAN,
MAYOR AND CHAIRMAN.

R.H. STODDARD,
DEPUTY CITY CLERK.