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apart except perhaps in getting down to specific terms and amounts. The only difference is principle. I think one that perhaps we might all agree with is this -- that we meet as a Finance and Executive Committee; and I envision that at that meeting we will be guesstimating how long it will take these people to do this job. Opposed against that will be the suggestion of some interim proposal effective January 1, 1960 for the staff. Now, the amount of the interim proposal should be geared to the ending, shall we say, of the job evaluation consultants' work being completed -- the date of completion. Once you get some idea of a rate you can get some idea of a figure and you can get some idea related to the budget. As you know, there will be some argument if we take up an amount now. Usually, when job evaluation is made, nobody goes below the amount -- I think that has pretty well been the experience in the past. You don't take down, you adjust in the future to the revised figures as you go along. So, it seems to me there again the amount of the interim settlement pending the job evaluation and the amount it should be, should be tested out, first, to see how it will stack up with the various observations made in the report of the Salary Committee. I only envision this going to the Finance Committee, (a) to determine the rate, if any, as an interim rate is reasonable; (b) how long will it be before we get the report of the job evaluation committee, so that we can say, 'Well, it looks as though our interim rate will cost us so much money this year'."

Alderman Ferguson suggested, in view of the fact that the Mayor and City Manager will be out of Town for the next meeting, that a special meeting of the Finance and Executive Committee be held on the following Monday to consider the selection of a firm to carry out the job evaluation.

It was agreed to defer the matter for consideration at a special meeting of the Finance and Executive Committee to be held on Monday, February 1, 1960 at 8:00 P. M.

MOTION - ALDERMAN O'BRIEN RE: DUDLEY STREET ZONING

Moved by Alderman O'Brien, seconded by Alderman Connolly that the unzoned portion of Dudley Street be referred to the Town Planning Board for consideration of a motion to zone the said land R-2 (General Residential) Zone.

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His Worship the Mayor: "A Public Hearing on this matter was deferred at the December 17th meeting of Council. The matter is properly before us."

Alderman Macdonald: "Was there a date set for a Public Hearing on this matter at the Council meeting after it was approved by the Town Planning Board."

His Worship the Mayor: "We had one on December 17th for the R-3 zoning and the request was rejected by Council. There is still no zoning on it and Alderman O'Brien's motion is to have the area zoned R-2."

Alderman Butler: "At the last Council meeting, I believe on the agenda at that time, it was stated that the item was on to set it down for a Public Hearing on February 25th. I just want to bring it to your attention and say this -- are we being perfectly fair with all parties concerned in view of the fact that it was a continuation or adjournment of a public meeting? But, according to the agenda and our own thoughts on it at the time, we were in error; and we thought that there hadn't been a Public Hearing. I am wondering, in fairness should the Public Hearing held at the last meeting have been continued on to the next Council meeting to give the parties concerned an opportunity to be present."

His Worship the Mayor: "All those persons who wanted to be heard at the Public Hearing were heard, that is the representations of the owners on the R-3 Zoning. We merely adjourned the Hearing to the following meeting at which time the Council took action on the R-3 recommendation."

Alderman Butler: "I agree with you, Your Worship, but it would have given them an opportunity to say anything further that they might have wished to say. I just want to be sure that we were fair in our action last week. If I recall it, I was the one who pointed out the fact it was the continuation of a Public Hearing."

His Worship the Mayor: "When we adjourn a Public Hearing, we merely defer the action of the Council. We don't continue to hear representations. When a hearing is advertised for a certain night, we must, by law, hear them on that night; and we did hear them. Another thing, they have the right to come forward and be heard on their reasons why it shouldn't be R-2."

The motion was then put and passed.

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MOTION - ALDERMAN FERGUSON RE: RESCINDING RESOLUTIONS OF
COUNCIL - SEPTEMBER 17 & OCTOBER 15, 1959 - FIRST AND
SECOND READINGS OF ORDINANCE NO. 53

Moved by Alderman Ferguson, seconded by Alderman Lloyd, that the resolutions of Council passed at meetings of Council held on September 17 and October 15, 1959, whereby the first and second readings of a proposed Ordinance No. 53 (Respecting Enlargement of City Boundaries) were approved, be rescinded.

His Worship the Mayor explained that the Ordinance would have to be re-drafted as the description of the area given in the Ordinance includes a portion of the County highway system.

The motion was put and passed.

LEASE - RAINNIE DRIVE PARKING LOT

January 28, 1960.

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

At a meeting of the Finance and Executive Committee held on January 18, 1960 a Lease between the City of Halifax and Province of Nova Scotia covering the operation of the Rainnie Drive Parking Lot was considered.

Your Committee recommends that the Lease be approved and the Mayor and City Clerk authorized to execute the same on behalf of the City of Halifax.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

LEASE - BELLEVUE PARKING LOT

January 28, 1960.

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

At a meeting of the Finance and Executive Committee, held on January 18, 1960, a letter was submitted from the Minister of Public Works advising that in view of the possibility of the land at Bellevue being required by the Province sometime during the year, no formal lease would be entered into with the City for the operation of the Parking Lot.

The letter also advised that the Province would be willing to enter into an arrangement with the City on a month-to-month basis with vacant possession being given on 30 days' notice and at an annual rental of \$41.87 which covers the fire protection charges on this lot.

Your Committee recommends that the above arrangements be approved.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

TAX EXEMPTION - ANGLICAN DIOCESAN CENTRE

January 28, 1960.

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

At a meeting of the Finance and Executive Committee held on January 18, 1960, a letter was submitted from the Chairman of the Anglican Diocesan Centre Corporation requesting exemption from taxation on the portion of the Centre which will be used by the Congregation of the Cathedral and the Church of England Institute.

Your Committee recommends that legislation be secured to grant the Centre full exemption.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

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

REPORT - SMOKE ABATEMENT ADVISORY BOARD

January 28, 1960.

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

At a meeting of the Smoke Abatement Advisory Board held on January 11, 1960 consideration was given to a report from the Building Inspector in which he advised that the following City-owned properties have been the subject of many complaints regarding excessive smoke nuisance:

Halifax Mental Hospital	-	South Street
Bloomfield School	-	Robie & Almon Streets
Chebucto Road School	-	Chebucto Road
St. Patricks Jr. High	-	Brunswick Street

It was agreed that before attempting to enforce the regulations laid down in Ordinance No. 51, corrective action should be taken where City-owned properties are in violation.

It was further agreed to recommend that consideration be given to the thought of engaging a consulting combustion engineer to investigate the cause of the excessive smoke and to recommend remedial action in each case, in this way giving the lead to private enterprise.

Respectfully submitted,

R. H. Stoddard,
CITY CLERK.

Moved by Alderman Wyman, seconded by Alderman Connolly that the report be adopted and that the City Manager seek competent persons to undertake the survey.

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Alderman Wyman: "It was the feeling of the Advisory Board that we don't want to put the Board or the City, as such, in the position of telling citizens how they are to solve their smoke problems; then, perhaps, afterwards being considered to be at least in part responsible for the nuisance. And, we would hope that those who cannot solve their smoke problems by themselves would employ suitable experts to advise them and we felt that the suggestion of the City doing the same or at least on some of the City-owned systems which are known to be in violation at the present time, might give a lead to other people to do the same."

Motion passed.

RESUBDIVISION - NO. 1 GEORGE STREET

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

From: Town Planning Board.

Date: January 19, 1960.

Subject: Resubdivision - No. 1 George Street.

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending approval of a resubdivision at No. 1 George Street, as shown on Drawing #P200/97; 00-9-14754 and that no public hearing be held in accordance with Section 727C of the City Charter.

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

Alderman Macdonald was recorded as being "against".

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

His Worship the Mayor: "This is to subdivide the property of the Scotia Flour and Feed Co. Ltd. so that it can be conveyed to a person who has made application to erect a service station."

Alderman Ferguson asked for an explanation of what is proposed to be done with the land and a plan of the area was displayed.

The Planning Director then displayed a plan of the area and stated: "The request before the Town Planning Board was to subdivide the Scotia Flour and Feed Store which would result in the area colored orange on the Plan being detached from the present holdings and being transferred to the owners of the property, Nos. 1 and 3 Upper Water Street."

Alderman Lane: "Your Worship, was that information included in the

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application for subdivision or is that something that we know and it is extraneous to the subdivision itself?"

The Planning Director: "The application didn't specify the purpose for which the land was to be used."

Alderman Lane: "So, we are assuming that?"

Alderman Ferguson: "What is the size of the piece of land?"

The Planning Director: "35 feet x 16 feet."

His Worship the Mayor: "Will we, in effect, make three parcels of land there -- two larger ones and a small one?"

The Planning Director: "No, there will be only two parcels."

Alderman Ferguson: "Will this be a separate lot?"

The Planning Director: "No, it will be attached?"

Alderman Ferguson: "When they give a deed, it will be a separate lot. They don't own it now so it can't be attached. It must be given as a deed. They don't need to attach it and come back. You are only taking it off of one. You are not necessarily adding it into the other -- not by deed."

Alderman Lane: "We are assuming that that is what they are going to do, but it doesn't say so in the application."

His Worship the Mayor: "Do we have three parcels of land?"

The Planning Director: "In that case we will."

Alderman Dunlop: "We can subdivide it and say it is for addition to another lot."

Alderman O'Brien: "That purpose must be stated to us."

His Worship the Mayor: "That is right. Otherwise, why would Council create a small lot of this size in that part of Halifax?"

Alderman Macdonald: "I think we should have further information as to the further use it is going to be put."

The Planning Director: "The letter states that this application is being made on the understanding that they propose to sell the lot to Mr. Harry Smilestone to round out the adjacent property owned by him."

Alderman Lane: "Well, then it was included."

The Planning Director: "Yes."

Alderman Ferguson: "But once Mr. Smilestone gets the deed, he necessarily

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doesn't have to put it in that property. He well may. That, no doubt, is his intention; but I raised that point because I ran into that very same problem today on my own property. I had a small lot on Clifton Street and we included it in the whole piece even by the planning; but, still, legally, I had to make a deed transferring it."

Alderman Lane: "What is the size of the piece we are presently subdividing? Is it a lot that is a proper size for subdivision in that area as a separate piece of land?"

Alderman Ferguson: "Any commercial land would be. There is no minimum size on a commercial lot."

Alderman Lloyd: "I am opposed to this leadership. I am only trying to find out if this is the place where we can take off our coats and roll up our sleeves and go to work; and if there is any possibility of stopping that service station from going there, I intend to try if this would do it."

Alderman O'Brien: "This is one way of stopping them from getting the land."

Alderman Lloyd: "If this will help us do it, then, I say bend the forces to stop it right now."

Alderman Trainor: "This, to me, looks like two wrongs trying to make a right, but they can never make a right because there isn't enough land in that particular area for a service station."

His Worship the Mayor: "The City Solicitor states now the plan should be endorsed with the words 'to be added to', the property. In other words, we are transferring the land."

Alderman O'Brien: "From two to two."

His Worship the Mayor: "That is right. What we are doing here now, as I see it, is merely creating three parcels of land -- two larger ones and one small one."

Alderman Ferguson: "As I found out today, to create a legal subdivision you must have two things. One is the proper approval of the Town Planning Board; and the second is, you must have the deed. They can approve a piece of the lot which as far as it goes on paper, is acceptable and specific; but unless those deeds -- in fact, it may be some merit to see when the City approves these

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subdivisions that they have the deeds before them which would pass at that time because you could approve a single lot which is the case and the piece is being owned by different people because the deeds making up those separate pieces have not been passed."

City Solicitor: "There is another way out -- what we call 'holding the deed in escrow'."

Alderman Ferguson: "Yes, but we have no way of knowing if it was even issued."

City Solicitor: "When they bring the subdivision here, the deed is already there, but it is held in escrow until the subdivision is approved."

Alderman Ferguson: "This may be something the legal department should look into."

Alderman Lane: "Your Worship, this was recommended by the Town Planning Engineer, was it not?"

His Worship the Mayor: "Yes."

Moved by Alderman O'Brien, seconded by Alderman Macdonald that in view of the purpose of the subdivision indicated in the application that we reject the application.

His Worship the Mayor ruled the motion out of order contending that Council would not have the right to reject the application on the basis of the intended use, and that any rejection should be on the basis of good planning principles.

Alderman Wyman: "The recommendation which comes to us at the present time appears to be creating three lots out of two which I don't think is either the original intention or what we want to do; and I would say, therefore, that the application as it stands should be rejected and a fresh application be made to the Town Planning Board to see what they want to do with it."

Alderman Dunlop: "I think we might as well face this issue. You are either in favor of a service station down here or you aren't. Why put people to the expense of having to come back to the Board. I think it can be done the way the City Solicitor suggested. It is not making three lots at all. The plan can be stamped. I saw one today from the County Planning Board -- 'Lot so and so approved subject to the following condition:'

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We have done that down in the Marlborough Woods district where a double lot was subdivided and someone took one half and someone took the other. We know that the purpose of this is for a service station and you are either for it or against it. I am against it because I think it should come as a positive recommendation from the Town Planning Board and a vote taken on it and the matter settled."

Moved by Alderman Lane, seconded by Alderman Fox, that the recommendation of the Town Planning Board be approved subject to the condition that Lot "B" be attached to and conveyed to the owners of the adjacent property fronting on Water Street.

Alderman Abbott: "Before I vote on the motion I would like to know, is that the purpose for the subdivision -- to make the lot larger so that the service station can be built. I am not in favor of a service station there and never have been, but on the other hand, I wouldn't want to penalize one citizen from selling a piece of land to another citizen. We don't know at this point whether there is a service station going there or not."

Alderman O'Brien: "Yes, we do. We have issued or approved a building permit for a service station on the other lot."

Alderman Abbott: "How many months ago was that that we approved of the application?"

Alderman Lane: "Well, speaking to that motion, this subdivision has no bearing on that. In other words, the adding of this to that plot of land has no bearing on whether or not the service station will be built because that already has been approved; and obviously the land must have been of proper proportions when it was approved or it wouldn't have been approved so that the addition of this piece of land obviously is to square off the lot for other purposes, but I don't think they need it."

Alderman Lloyd: "It was only approved by the Board of Works and it was a conflict of opinion. We didn't agree with what the Board of Works did."

Alderman Abbott: "The service station has not been started and perhaps it will never be started. That being the case, there will be no objection to resubdividing this piece of land, but I will have to vote against it because

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I don't want a service station there. But I should know whether there is going to be a service station there before I vote. I think it should go back to the Town Planning Board to see if we can find out that information. I wouldn't want to penalize the Scotia Flour and Feed Co. Ltd. if there is not going to be a service station built, but if there is going to be a service station built, I am prepared to vote against it."

Alderman Butler: "Can we say clearly at this time that if this is turned down tonight there will not be a service station there?"

His Worship the Mayor: "No."

Alderman Butler: "Therefore, I don't think it is fair to say that if we turn this subdivision down tonight that we are turning down a service station because that already has been approved. So, I don't see at this stage of the game that this lot being subdivided is going to change the situation with which some of us aren't satisfied, tonight. That is not going to do it. Obviously, this subdivision must have been applied for for some purpose allied or in connection with a service station, but, obviously, the amount of land is there and it has been approved for a service station. So, I don't know by voting against this tonight we may be voicing objection against a service station, but we are not changing the decision that has already been made. To reduce it to that, I don't like to vote on this tonight on that basis. I was on the Board of Works when this was approved. It was considered at length and the matter was approved by the Board of Works and I don't want to be put in the position tonight of voting on this tonight -- that it is a question of turning down something that was already approved."

Alderman Dunlop: "That area to be added is part of a larger lot, is it not?"

His Worship the Mayor: "Yes."

Alderman Dunlop: "Is the recommendation of the Planning Director based on the fact that he knows that an application for a service station has been made for the larger lot outlined in red and his recommendation is to add it to that lot for the purpose of giving additional land."

The Planning Director: "No, that is not my reason for recommending it. I am treating it quite in a detached way. I am not informed of the purpose

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of this subdivision and the present regulations do not require the applicant to state reasons."

Alderman Ferguson (to Planning Director): "If you thought there was a possibility that this lot remain as a separate identity, which is precisely the legal question right now that it will if we don't include it, would you then be prepared to recommend the subdivision?"

The Planning Director: "No, I wouldn't if that lot was to remain as a separate lot."

Alderman Ferguson: "That is precisely the legal situation right now, isn't it Mr. Doyle?"

City Solicitor: "Yes, it is. What is before the Council right now is not what the purpose of the applicant is, but whether the subdivision creates a lot that can be built on commercially."

Alderman Ferguson (to Planning Director): "In view of the City Solicitor's ruling, I would ask what your recommendation is at this minute."

The Planning Director: "My understanding of the submission was, as I read from the letter, that they were to attach this piece of land."

Alderman Ferguson: "It is a legal question; and I am not criticising your recommendation, but I am pointing out the legal position."

Alderman Lane pointed out that it is part of her motion approving the recommendation of the Town Planning Board that the lot be added to the existing subdivision.

Alderman Connolly asked if the permit which had been issued for a service station is still valid and the City Manager advised that it was good for a year.

The motion was put and lost, 4 voting for the same and 9 against, as follows:

FOR THE MOTION: Aldermen Lane, Butler, Trainor and Connolly - 4 -

AGAINST THE MOTION: Aldermen DeWolf, Abbott, Dunlop, Macdonald, Fox, Ferguson, Lloyd, Wyman and O'Brien - 9 -

The City Solicitor raised the question as to whether or not this was a plan of subdivision or resubdivision of the land and opinion was divided.

NOTICE OF MOTION - ALDERMAN LLOYD - RE: SUB POLICE STATION

Alderman Lloyd gave notice that at the next regular meeting of the City Council he would move a resolution that the City of Halifax expropriate the George-Water Streets area for a sub police station or other civic purpose.

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RESUBDIVISION - DESMOND AVENUE - MARITIME TELEPHONE AND TELEGRAPH
COMPANY LIMITED

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

From: Town Planning Board.

Date: January 19, 1960.

Subject: Resubdivision - Desmond Avenue (Maritime Telephone and Telegraph Company, Limited).

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending approval of a resubdivision of Maritime Telephone and Telegraph Company, Ltd. property on Desmond Avenue, as shown on Drawing No. P200/98; 00-9-14755, as it effects Lot P only, and that no public hearing be held in accordance with Section 727C of the City Charter.

Alderman Butler 'abstained' from both the discussion and the voting on this matter.

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

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

Moved by Alderman Abbott, seconded by Alderman Lane, that the report be approved. Motion passed with Alderman Butler abstaining from voting.

RESUBDIVISION - INDUSTRIAL MILE AREA - EXHIBITION GROUNDS

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

From: Town Planning Board.

Date: January 19, 1960.

Subject: Resubdivision - Industrial Area - Exhibition Grounds.

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending approval of a resubdivision of land at the Exhibition Grounds, as shown on Drawing No. P200/93; 00-9-14750 and that no public hearing be held in accordance with Section 727C of the City Charter.

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

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

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PROPOSED TOWER - TOBIN STREET -- DATE FOR A PUBLIC HEARING --
FEBRUARY 25, 1960

The City Clerk advised he had received a letter from the solicitors for the Maritime Broadcasting Company Limited advising that due to a change in plan the Company has decided to withdraw its application for permission to erect a steel tower at its Tobin Street Property.

Alderman Dunlop asked if the Company's decision had been influenced by the action of the Committee or Council and he said that he had read where the Planning Director had recommended against it.

His Worship the Mayor said that neither the Committee on Works nor the City Council had taken any action to discourage the Company; and the Planning Director had objected only to the design of the proposed tower and had suggested that it be modified.

ACCEPTANCE - WRIGHT AVENUE

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

From: Committee on Works.

Date: January 19, 1960.

Subject: Acceptance - Wright Avenue.

The Committee on Works at a meeting held on the above date considered a report from the City Engineer recommending the formal acceptance of Wright Avenue as a City street, as shown on Plan #SS-5-14737.

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

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

ACCEPTANCE -- REMAINING PORTION - TOWER TERRACE

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

From: Committee on Works.

Date: January 19, 1960.

Subject: Acceptance - Remaining Portion - Tower Terrace.

The Committee on Works at a meeting held on the above date considered a report from the City Engineer recommending acceptance of the remaining portion of Tower Terrace, as shown on Section 19-C of the official City plans.

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

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

LEASE OF LAND - PROVINCIAL MOTORS LIMITED

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

From: Committee on Works.

Date: January 19, 1950.

Subject: Lease of Land - Provincial Motors Limited.

The Committee on Works at a meeting held on the above date considered a request by Provincial Motors Limited for a renewal of their lease for a small piece of City land adjacent to their property for a period of three years.

On motion of Alderman Butler, seconded by Alderman Macdonald, the Committee agreed to lease a small piece of City land to Provincial Motors Limited which is adjacent to their property for a period of three years at the fee of \$64.00 per year, and recommended the same to City Council.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

PROGRESS PAYMENT NO. 14 -- INCINERATOR CONSTRUCTION

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

From: Committee on Works.

Date: January 19, 1960.

Subject: Progress Payment No. 14 - Incinerator Construction.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending payment of Progress Payment No. 14, re Incinerator construction.

On motion of Alderman Lane, seconded by Alderman Abbott, the Committee recommended to City Council payment of Progress Estimate No. 14, re Construction of the New Incinerator, in the amount of \$52,412.27 to Foundation Maritime Limited.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

Alderman Trainor asked when the report respecting the extra cost for the added supports required at the new incinerator would be forthcoming and the City Manager advised that he was awaiting a legal opinion, but hoped to have the report available shortly.

PROGRESS PAYMENT NO. 12 -- MATERIAL AND EQUIPMENT --
NEW INCINERATOR

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

From: Committee on Works.

Date: January 19, 1960.

Subject: Progress Payment No. 12 - Material and Equipment - New Incinerator.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending payment of Progress Payment No. 12, re material and equipment for the New Incinerator.

On Motion of Alderman O'Brien, seconded by Alderman Connolly, the Committee recommended to City Council payment of Progress Estimate No. 12, re material and equipment for the New Incinerator, in the amount of \$7,755.30 to Francis Hankin and Company, Limited.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

CERTIFICATE NO. 2 (FINAL) - STREET PATCHING - 1959

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

From: Committee on Works.

Date: January 19, 1960.

Subject: Certificate No. 2 (Final) - Street Patching - 1959.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending payment of Certificate No. 2 (Final), re Street Patching, 1959.

On motion of Alderman Connolly, seconded by Alderman Butler, the Committee recommended to City Council payment of Certificate No. 2 (Final), re Street Patching - 1959, in the amount of \$1,787.18, to Standard Paving Maritime Limited.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

CERTIFICATE NO. 7 (FINAL) - STREET PAVING - 1959

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

From: Committee on Works.

Date: January 19, 1960.

Subject: Certificate No. 7 (Final) - Street Paving - 1959.

The Committee on Works at a meeting held on the above date considered a report from the Commissioner of Works recommending payment of Certificate No. 7 (Final), re Street Paving - 1959.

On motion of Alderman Trainor, seconded by Alderman Macdonald, the Committee recommended to City Council payment of Certificate No. 7 (Final), re Street Paving - 1959, in the amount of \$40,748.50 to Standard Paving Maritime Limited.

Respectfully submitted,

K. C. Mantin,
CLERK OF WORKS.

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

SALE OF LAND - EXHIBITION GROUNDS - IDEAL ALUMINUM COMPANY

The City Manager advised that an offer for land at the Exhibition Grounds had been referred to the Industrial Development Commission which has given approval to sell the land to the bidders, The Ideal Aluminum Company.

City Manager: "There was some thought of the railroad being relocated and we didn't know if it would affect any of the land on which they had bid."

He referred to a diagram showing the location of the lots and said: "The lots fronting on the East which are Lots 28, 27, 26, 25 and 24 are the ones which they want. When we advertised the land, we didn't indicate the fact that we wanted to retain 60 feet on the eastern side, which would be Lots 26, 27 and 28. I talked with representatives of the Ideal Aluminum Company and pointed out to them that we were going to have that right-of-way and they said it was all right with them. They didn't care which five lots they got just so long as they were as far East as we could conveniently put them. We have resubdivided Lots 25, 26, 27 and 28 so that 26, 27 and 28 are 60 feet both front and back; and because of the way the land lies, Lot 25 which lies between those particular lots has 20.9 feet in the front and 10.2 feet in the rear.

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"After the bid was put in for the five lots and after this situation was explained to the Company, they talked with Mr. Simpson and me and said: 'Well, if there is an odd piece there, we would just as soon have six lots as five, although five were actually advertised.' Since it is an irregular lot, if the Council agrees, Lots 20, 21, 22, 23, 24 and 25, which are roughly five and one-half lots, could be sold to the Ideal Aluminum Company. It is just a little more land than what they originally bid on.

"The price that they offered was 77¢ a square foot; and they would, therefore, pay the same price for all of this. It was about 31,000 feet, but it will be something more than that with the addition of that odd sized lot. They are going to have a manufacturing plant for aluminum products on that site."

Alderman Lloyd: "Did we tie them to construction and completion dates on this land?"

City Manager: "We have not, but I understand they have their financing for whatever money they don't have themselves. In other words, they are prepared to go ahead as soon as the land is available; and I believe they are quite anxious to get started this Spring."

Alderman O'Brien: "Is it an outside firm?"

City Manager: "No, it is a small firm located here. They want to expand."

Alderman Ferguson: "The firm has been doing business in manufacturing in the City for some time, the same as some of the others who have built in the County. It is my understanding that in principle this land was to be used for manufacturing. That was the understanding, and I think it was quite proper and fair to the Council and citizens because the price of 77¢ a square foot is below market for general land use. It is bid 77¢ because it is for manufacturing use because there aren't enough people interested in manufacturing. That same land would go for \$1.50 to \$2.00 per foot if it was for general use. For that reason I think it would be quite proper if the City Solicitor drew up the appropriate agreement to include a provision for the land use, and that would apply to any land we sell in that area for that purpose. If it is going to be open sale, then we don't put it in because we will derive the benefit of increased price. I think the necessary restriction and safeguards, so they will stand up in Court, should be included to fully protect the City."

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Alderman Connolly: "What would they be manufacturing?"

Alderman Ferguson: "Aluminum windows and doors."

Alderman Connolly: "Is that manufacturing or just assembling?"

City Manager: "No, it is manufacturing?"

His Worship the Mayor said that the ground rules laid down by the Industrial Development Commission are that manufacturing or processing must be carried on.

Moved by Alderman Macdonald, seconded by Alderman Trainor that the lots be sold to Ideal Aluminum Company at the price offered, namely 77¢ per square foot, subject to restrictions as to the land use.

His Worship the Mayor: "What about a time limit? There is another problem before we sell this land off, and that is that the Police Boys' Club are presently on this land in a building which we permit them to use. I don't want to stop the building of a manufacturing business there, but it is kind of short notice to give to the people who are carrying on a good work for some 300 youngsters."

Alderman Abbott: "How many employees would Ideal Aluminum Company have?"

City Manager: "About 40 or 50; and they thought if things go the way they have been going, it wouldn't take too long to get up to about 75."

Alderman Lloyd said that the Company should be willing to make a little concession for acquiring the land at a preferred price because, in the advertisement calling for tenders, it was indicated that a preferred price would be given to anyone establishing a manufacturing plant and he said: "I think you have to tie it down pretty tightly."

His Worship the Mayor: "We do. We rejected another one. You remember we had an application from a trucking company."

Alderman Dunlop: "I think before we finally pass on the sale that we should have before us the deed with the covenants in it. Supposing the Company goes out of business in 5 years, who owns the land, then?"

His Worship the Mayor: "They do."

Alderman Dunlop: "Then they will be able to take advantage of the enhanced values of the land which Alderman Ferguson speaks of. I think that the deed should be drawn up and all the restrictions should be before us before we

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approve of the sale."

His Worship the Mayor: "All we are agreeing to tonight is to empower the Solicitor to draw up an agreement subject to the approval of the Council for the sale of this land."

Alderman Lloyd: "I haven't any doubt that it is fully the intention of the bidders to do exactly what he indicates they are going to do with the land; but as Alderman Dunlop pointed out, any sort of situation might arise compelling them to alter their plans. They can still hold the land and still command a higher price for it for manufacturing purposes, the way it is right now."

Alderman Ferguson stated that the firm is definitely a manufacturing concern having done work for his company as well as others; and he suggested that as a matter of principle a set of ground rules be laid down which would apply to the sale of all land assembled for industrial use so that there will be no special rules for any one particular bidder.

His Worship the Mayor: "The Solicitor thinks we should only deliver the deed on the completion of the building. Otherwise, we are going to find ourselves with an awful lot of loop holes."

It was agreed that the matter be referred to the City Solicitor to prepare a draft agreement for submission to Council.

Alderman Connolly asked if the Police Boys' Club which is situated on the land had been taken into consideration and was advised by His Worship the Mayor that the matter had been discussed at the Finance and Executive Committee meeting in an endeavour to secure a better building for them at Wellington Court.

Alderman Lloyd asked if a report respecting the land which had been sold to Cossor Canada Limited was available or if the matter was still active.

City Solicitor: "It is very much active. We have pursued our interests very intensively, but it has to go a long way before we get an answer."

REQUEST FOR LAND FOR WAREHOUSE

Alderman Ferguson said that an out-of-town firm is interested in purchasing land on which to build a warehouse as they wish to establish a distributing center and they wanted to know if any City-owned land was available. He asked

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if any land in the north end of the City near the abattoir or the north end of Robie Street could be made available for sale by public tender.

His Worship the Mayor advised that the only land available is that which has been assembled for industrial purposes, but it has to be used for the purpose of a manufacturing or the processing industry which are the ground rules laid down by the Industrial Development Commission and a warehouse operation would not qualify. He contended that warehouse operators should buy land on the open market.

Alderman Ferguson said that that has not been made clear to the general public and he contended that he was not aware of it; and if it is a general policy, it should be made known to the general public.

REPORTS - REDEVELOPMENT COMMITTEE

No reports were submitted for consideration at this time.

RECEPTION OF PETITIONS AND DELEGATIONS

No petitions were received or submitted and no persons wished to be heard on any matter respecting the public interest.

ALTERATION OF STREET LINES - LADY HAMMOND ROAD

The matter of the altering of a portion of the northwestern street line of Lady Hammond Road which had been deferred at the meeting of Council held December 17, 1959 was considered.

A formal resolution as prepared by the City Solicitor was submitted.

Moved by Alderman Ferguson, seconded by Alderman Lloyd, that the resolution as submitted be approved. Motion passed.

Meeting adjourned. 10:15 P. M.

LIST OF HEADLINES

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There were present the Deputy Mayor Wyman, Vice-Chairman; Aldermen DeWolf, Abbott, Ferguson, Fox, Lloyd, Connolly, Greenwood, O'Brien and Lane. Also present were Messrs. L. M. Rowley, Acting City Manager, R. H. Stoddard, T. C. Doyle, and G. F. West.

The meeting was called specially to consider the removal of the Official Street Lines - Portion of Dundonald Street.

C. A. Vaughan,
MAYOR AND CHAIRMAN.

R. H. Stoddard,
CITY CLERK.

Hearing into the matter of removing the Official Street Lines of a portion of Dundonald Street was held at this time.

No persons appeared for or against the proposal.

A formal Resolution, as prepared by the City Solicitor, was submitted.

Moved by Alderman Lane, seconded by Alderman Abbott, that the Resolution as submitted be approved. Motion passed.

Meeting adjourned 8:05 P. M.

H. R. WYMAN,
DEPUTY MAYOR AND
VICE-CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

CITY COUNCIL MINUTES
SPECIAL MEETING
EVENING SESSION

Council Chamber,
City Hall,
Halifax, N. S.
February 4, 1960
8:00 P. M.

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

After the meeting was called to order by the Vice-Chairman, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present the Deputy Mayor Wyman, Vice-Chairman; Aldermen DeWolf, Abbott, Ferguson, Fox, Lloyd, Connolly, Greenwood, O'Brien and Lane.

Also present were Messrs. L. M. Romkey, Acting City Manager, R. H. Stoddard, T. C. Doyle, and G. F. West.

The meeting was called specially to consider the Removal of the Official Street Lines - Portion of Dundonald Street.

A Public Hearing into the matter of removing the Official Street Lines of a portion of Dundonald Street was held at this time.

No persons appeared for or against the proposal.

A formal Resolution, as prepared by the City Solicitor, was submitted.

Moved by Alderman Lane, seconded by Alderman Abbott, that the Resolution as submitted be approved. Motion passed.

Meeting adjourned 8:05 P. M.

H. R. WYMAN,
DEPUTY MAYOR AND
VICE-CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

CITY COUNCIL
MINUTES

February 11, 1960
Council Chamber,
City Hall,
Halifax, N. S.
February 11, 1960
8:00 P. M.

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

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

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

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

MINUTES

Moved by Alderman Abbott, seconded by Alderman Dunlop, that the minutes of the meetings held on December 17, 1959, and January 14, 1960, be approved. Motion passed.

SALE OF LAND TO HALIFAX INFIRMARY

Deferred in Committee.

HOSPITALS - CAPITAL GRANTS

Deferred in Committee.

PUBLIC HEARING RE: SECOND READING RENTAL CONTROL BY-LAW

February 11, 1960

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

At a meeting of the Finance and Executive Committee held on February 1, 1960, the Rental Control By-Law as amended was submitted and considered.

Mr. H. A. Shea, representing the Halifax-Dartmouth District Trades and Labor Council, was present and asked if the By-Law could be amended to provide for a maximum penalty of \$1,000.00.

Alderman Dunlop suggested the By-Law should contain a provision for the dispossession of obnoxious tenants.

After a short discussion it was agreed to recommend that the By-Law as amended be read and passed a second time and forwarded to the Minister of Municipal Affairs for approval, and that the City Solicitor be instructed to

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write the Province of Nova Scotia requesting it to amend the Act Respecting Rentals to provide for:

- (1) dispossession of obnoxious tenants;
- (2) increase penalty from a minimum of \$100.00 to a maximum of \$1,000.00.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

A Public Hearing into the matter of the Rental Control By-Law was held at this time.

Mr. H. A. Shea was asked by His Worship the Mayor if he had anything further to say since the meeting of the Finance and Executive Committee to which he replied in the negative.

Mr. Fletcher Smith then addressed Council as follows:

"Is this only to consider the question of revision of a proposed draft of a By-Law, or is it to consider whether or not the City is recommending Rent Control?"

His Worship the Mayor: "With the passing of this By-Law tonight, Rental Control will come into effect upon the approval of the Minister of Municipal Affairs."

Mr. Smith: "The Commission has had its hearings and made its recommendations. It is still difficult to understand why, in the light of the experience of other countries, and our own City, that they would recommend Rent Control. I sat in a number of meetings of Council over past years when they were considering whether or not they would extend the life of Rent Control. It was a very difficult thing to terminate at that time and it would seem to me that, if you were to get a more extensive type of authority in Rent Control, you would be directly into the problem that the City of Paris is in where they put on a temporary Rent Control during First World War, and it has lasted up to the present time. With respect to Rental Control, I would like it clearly understood that it is not because I happen

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to be interested in apartment houses, because the apartment houses I am interested in, are relatively of new construction and the Commission found that the rate was not out of line for that type of construction. Being interested in the subject, I feel led that some things should be said. It is generally known that controls and Boards set up for controls have the tendency to perpetuate themselves. If you have a Rent Control that is relatively small and ineffective, it is no good or not much good. If you endeavor to set up adequate staff of a reasonable size, then you accentuate the tendency of that staff to want to perpetuate itself, to increase its own members by adding further staff, or at least such is the history in North America of bodies which are set up officially. The fundamental point is, why all this talk? The talk is because there are cases of exploitation. Why do you get exploitation? Only for one reason; lack of sufficient accommodations in that price range. Get sufficient accommodations in any price range and you won't get exploitation. What does Rent Control do? In that article they show that Rent Control has a tendency to decrease the number of housing units. It sounds very well to say 'Yes, we have Rent Control' so John Jones is not exploited, but the trouble is that Willie Smith and John Brown may be denied a housing unit or have to live in very much worse conditions than they would if there were not free play of the Law of Supply and Demand. I submit that Rent Control is putting the cart before the horse." (He then read an editorial from the Saturday Evening Post).

Mr. Smith: "Should we, in the light of the experience of many places, go ahead with a project which will have a tendency to work against what is needed, and what is needed is more housing, especially in the lower-income brackets? I don't think I would add anything further to that because it is clear enough and illustrates the point. As to the proposed By-Law, in a general reading of it, I believe it is the intention not to freeze rents but to consider individual cases. I think it should be more clearly defined in the By-Law that it is for individual cases. On Page 3, Section 6, Sub-section 2, I would think that to keep the general spirit of what seems to

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be the intention, it should be re-written. As it now reads: 'Subject to the provisions of Section 2 hereof, a fixation of rentals of any housing accommodation in the City of Halifax may be applied for by any recognized Welfare Agency within the City'. There is no definition, I believe, of any recognized Welfare Agency. If the Communist Society of Greater Halifax sets itself up, are they then not recognized as they are known?"

Alderman Lloyd: "I don't think it needs any stretch of the imagination that any group dedicated to destroy our political system will not be recognized too kindly by any Court."

Mr. Smith: "That would be a reasonable assumption. Is the law to follow such assumptions or should it be more clearly defined?"

Alderman Lloyd: "I think we can rely on our Courts to use reasonable prudence in hearing cases, no matter who brings them forward."

Mr. Smith: "There are certain groups who might come under the definition of 'recognition'."

Alderman Lloyd felt that it could be a dangerous practice because some groups could be tagged by some name-calling which might be grossly unfair.

Mr. Smith: "This Section goes on as follows: 'or the Rental Authority itself, without any such application, may proceed to fix such rentals'. In other words, if you should happen to get a man who tends to develop into an autocrat, is it not putting things pretty well in his hands as to whether or not he might decide that instead of individual cases, he might consider a whole class? He might say 'I will take all the units that have two or more rental units within a house'. At the moment, that would be more difficult for him under schedule 'A', wherein it gives the form that the application might be made. In groups, if he wanted to have fixation of the general class of dwelling, it would be more difficult because they would have to fill out more section 'A's' than in individual cases. In Section 16 on Page 6, you are not even bound by this form which tends to keep it to individual cases because the Rental Authority can change the form at any time. If the Rental Authority

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should change it to a form that allowed for a more sweeping application, then you can get most any group to come in and ask for a whole class of freeze which is contrary, I think, to the general spirit in which this is written. I would suggest that those clauses be re-written. Perhaps Clause 2 of Section 6, on Page 3, might be re-written: 'Subject to the provisions of Section 2 hereof, a fixation of rentals of any specific individual housing accommodation'. Add the words 'specific individual'. With respect to Section 3, it might be wise to revise that somewhat. As it now reads: 'Upon such application, the Rental Authority may fix, reduce or increase the rental applicable to such housing accommodation at or to a rate which is fair and reasonable as compared with similar housing accommodation in the City or at a fair and reasonable rental for that type of housing accommodation'. It does not say how many similar housing. Should you not add the word 'majority'; that is compared with the majority of similar housing accommodation in the City provided that it is at a fair and reasonable rental."

Alderman Lloyd: "What is your purpose with respect to Section 3?"

Mr. Smith: "In Section 3, at the present time, as I read it, a rate should be fixed on a house that would be unfair in relation to the majority of other similar type of accommodation. All that is necessary here is to say that it is similar to some other accommodation."

Alderman Lloyd: "Should the Rental Authority unfairly fix a rental such as you suggest, I wonder if we can get that question answered by the Solicitor? Is there a right of appeal?"

City Solicitor: "Yes." He then read Section 10 (e) for the information of Council as follows: "'any decision of the Rental Authority shall continue in effect until varied by a decision of the Judge of the County Court for District Number One on appeal from such decision of the Rental Authority'."

Mr. Smith: "It may make the appeal unnecessary if there was more clarity of the intention here."

Alderman Lloyd: "In fairness to Mr. Smith, I think there are circumstances in Halifax which are rather unique. Our rental levels, our cost of construction, are high as compared with other cities. Statistics

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will point that out. On top of that, we have had a recommendation from Mr. Justice Pottier on taxation with respect to apartment units. I think it is pretty well agreed that with the shortage of housing, particularly some types, the tendency would be for such a type of tax to be passed on to the tenant if it was a form of tax Council was disposed to propose. It would be a third tax. You can't proceed to a fair consideration into the proposal until you are reasonably certain as to how it is going to be passed on. Certainly, costs to the individual must be passed. Now we are caught, at this stage, with something which is still more serious and that is the high interest costs today for new construction. It is creating a situation which is proceeding opposite to what Mr. Smith has proposed in a brief which came to my home this evening. I read in the papers where a large housing development group in Dartmouth were deferring of suspending the scope of their operations because of the lack of funding for their purposes at reasonable rates. These are things which none of us can be dogmatic about, but we must come to grips with the problem. The only way we can find them is to have an Authority for awhile, get the information and perhaps settle some of the arguments as to fact. We may very well find, after some experience with this matter, that the points raised by Mr. Smith certainly in the long run will be right; that is the matter of providing more housing. It will help us to determine the degree of such housing as well. It will be a by-product of information for our guidance in such an administration. We do know that rentals are high in the City. We know that they are high in some cases. We have a feeling that they are high in dwellings which are in the lower-type of housing; for the services given and the space provided, the rental is extremely high. Compared with the amount of space provided, rents for a modern apartment, per square foot, are cheaper and that was pointed out by Mr. Smith in his brief to the Commission.

"It may be that we will wind up dealing with, in practical effect, only accommodation that is somewhere from the middle class of housing down to almost substandard housing. We do know we have a problem on rentals and it is not all on one side by any means. The only way you can come to grips

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with it, as I see it, is to have such an Authority. It has been gone over by an independent Commission, independent of this Council, and I feel that the Commission must have felt there was a need for such a control based upon all the evidence which it had or it would not have recommended it. I feel, too, that interest costs, no more land to build on in this City, the question of outside boundary lands, services to the perimeter of Halifax, all involved in the question of extended housing accommodation, or new housing; all of these things, at this time, compel us to go along with this proposal."

Alderman Abbott: "Is there any indication so far that Dartmouth and the County are going to come into one Rental Authority?"

His Worship the Mayor: "The Warden informed me that he had submitted this matter to his Council and he had found a lukewarmness among the members outside the metropolitan area of Halifax. The Mayor of Dartmouth requested copies of our By-Law for study by his Council members prior to bringing it before Council."

Alderman DeWolf: "Is there any time limit on the appointment of the Rental Control Board or whatever it may be? I am not 100% in favor of it but I see the need of it in certain types of housing where the rents are too high. Alderman Lloyd mentioned substandard housing. In most cases, particularly new housing, I don't think the rents charged are too high. As Mr. Smith says, these things are inclined to become perpetuated and I would like to see it for a certain term, because as more housing is made available, then there will be no need for Rent Control. I would like to see a resolution to make it effective for a certain term rather than for an indefinite period."

His Worship the Mayor: "It is at the pleasure of Council."

Alderman DeWolf: "Even if it is for one year, at the pleasure of Council, would please me a lot better. In new housing, I haven't any intimation that the rents are too high."

His Worship the Mayor: "It does not cover new housing from April, 1957."

Alderman DeWolf: "New houses to be built will not be affected?"

His Worship the Mayor: "No."