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Board meeting of April 5, 1960, the writer was requested to give members of Council some idea of what projects and priorities were presently under consideration. It must be borne in mind that the priorities assigned are those we think the Council has advocated in past discussions and they may be changed as Council desires. The projects are classified as Redevelopment, Development, Traffic Improvements, Regulations and Master Plan.

REDEVELOPMENT

1. Jacob Street Area.
2. Maitland Street Area.
3. Spring Garden Road - South.
4. School for the Deaf.
5. Falkland Street (Comeau Area).
6. Waterfront - Upper Water Street.

DEVELOPMENT

1. Westwood Housing.
2. Exhibition Grounds - Industrial Area.
3. Industrial Mile.

TRAFFIC IMPROVEMENTS

1. Bridge - North Street Approach.
2. Mumford Road - Eaton's.
3. Windsor, Lady Hammond, Barrington Street intersection.
4. Parking Lots - Grafton Street and Hollis Street
5. Bicentennial Entrance.
6. Bridge - North West Arm.
7. Traffic Improvements - Trolley Coaches.
8. Traffic Improvements - Corgill and Allen Report.
9. Water Street Improvement - related to 8 above.
10. Bright Street.

REGULATIONS

1. Service Station Policy and Standards.
2. Revision of Charter and By-Law.

MASTER PLAN

1. Surveys.
2. Research and analysis.
3. Draft Proposals.

PLANNING STAFF COST

The cost of the proposed staff is estimated as follows. If all the positions were filled immediately the cost would be \$2,652.00 above the minimum.

	<u>PLANNING STAFF</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
Planning Director	\$6,586.00	\$8,500.00
Assistant Planner	5,794.00	6,850.00
Assistant Planner	5,794.00	6,850.00
Planning Assistant	4,678.00	5,882.00
Planning Assistant	4,678.00	5,882.00
Draftsman	3,165.00	3,846.00
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	<u>MINIMUM</u>	<u>MAXIMUM</u>
Stenographer	\$2,483.00	\$3,015.00
Student Asst. (20 weeks)	1,000.00	1,000.00
Student Asst. (20 weeks)	1,000.00	1,000.00
	<u>\$38,343.00</u>	<u>\$46,671.00</u>

A. A. DEBARD, JR.,
CITY MANAGER.

City Manager: "That should be considered in conjunction with Item No. 24. Number 24 is the report which was circulated by Mr. Munnich. It tells what he has in mind by way of work in general and also an organization chart for staff. My report took the actual projects and listed them in five categories. I also included there, using the staff Mr. Munnich recommended, what that would cost at the minimum for those additions and the maximum at the present time for the same positions."

Alderman Lloyd: "I think we should have a report on what happened to our legislation on the subject of planning. I thought there was some amendment made with respect to the Director of Planning. Was there a title eliminated or something? There was a line through the copy I had at the Legislature."

City Solicitor: "I made that first Bill up long before I ever saw Bill #120. That came in nearly a month after I made out the first Bill. It was deleted because it was covered in Bill #120."

Alderman Lloyd: "In other words, our legislation passed as it passed this Council."

City Solicitor: "Substantially. They knocked out a section regarding Non-Conforming Uses. I was amazed when I went down to the House this morning to find they had deleted entirely the provisions regarding deductions from the stevedores. The Steamship Companies were in complete accord, so were the Heads of the Longshoremen's Union."

His Worship the Mayor: "This provided for payment of the Poll Tax in advance, did it not?"

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City Solicitor: "No. They couldn't be hired after September 30th unless they had paid their Poll Tax. We spent hours and hours in meetings devising that arrangement. With respect to Bill #120, a section was put in to cover advertising and public hearings before you print your Ordinances."

Alderman Lloyd: "Before you proceed with consideration of this report of considering the staff, there was some resolution passed at the Conference of the Town Planning Boards, under the auspices of the Community Planning Association. It had to do with the entire Province. I saw in the newspaper that the Manager felt that this may, in some way, conflict with the philosophies of good planning. I think, ultimately, Regional Planning comes into our problem. I wonder if the Manager would just clarify that matter. It might be that he was looking at the Provincial picture at that Conference, and not at the City's position. Maybe that is what the Manager may have had in mind."

The City Manager stated that he thought the matter would be discussed by the Union of Nova Scotia Municipalities at its next meeting.

Alderman Lloyd: "Would you detail the Council, Mr. Manager, just precisely what you thought was the proposal."

City Manager: "Yes. The proposal was that the Province of Nova Scotia be asked to define Regional Planning districts. It was implied that the Municipalities be compelled to fall within those districts and form Planning Boards. Possibly, the Province was going to appoint the Planning Boards for those regions."

Alderman Lloyd: "I think Alderman O'Brien was the Secretary and there was some confusion over what was intended. The wording was used 'and that we urge the authorities to appoint Planning Boards'. We left that open. I think we do agree that in some areas of the Province there is a need, possibly, for Provincial action in defining areas. Here it is possible for us to bring it about. I think it was pretty clear, though, at the meeting, representatives of the County and of the Town of Dartmouth did give an indication that they liked the term 'Regional Planning Commission', as opposed to any reference to the term 'Metropolitan Planning Commission'. It was also apparent that they would go along with this problem on planning on a regional basis. I think

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that is where we have to begin. I think we should keep that in mind in what you are doing here tonight. If any action is proposed tonight, I think you have to keep in mind that, likely, the Town of Dartmouth, the County and the City will retain their Planning Staffs and organizations and will have complete autonomy over the matters that concern themselves solely within their boundaries. Also, that the Regional Commission, which would be a body with powers of study and recommendation, would have to co-ordinate its efforts with each of the three Planning Boards, as I see it, and confined to a power to study and recommend. That seems to be the starting point. Now, if I am wrong and didn't quite catch the proper concept of this thing, certainly, I want to correct myself on it."

City Manager: "The comments which I made at the Greater Halifax Committee fell into two divisions. One, the general comments with regard to the Province, where I said I thought that if the Province had said 'These are to be districts', then let the communities get together. That would have been a better thing."

Alderman Lloyd: "Some wiser heads did prevail not long after you left. They thought what was intended was that we urge 'authorities' or words to that effect, to appoint a Planning Board."

City Manager: "My other comments which had more reference to the Halifax area, were simply this, that if there is to be a Regional Planning Board, they would very clearly have to define if they were going to have two situations; three local Boards for their Regional Board, in which case they would have to be very specific as to what was to be done by each Board, or the other alternative would be to have no local Board and have just one Regional Board. I thought that should be looked at."

Alderman O'Brien: "Your Worship, while some of this discussion here referred to the meeting of the Greater Halifax Committee, I think it ought to be pointed out that the newspaper report, on the meeting of the Greater Halifax Committee, left the impression that we spent most of our time talking about Metropolitan Government and that this was the subject for our next meeting, whereas it was planning in the Metropolitan area and there is a world of difference."

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Alderman Lloyd: "Is it fair to say that the least objectionable concept, at the moment to all concerned, may very well be agreement among the Municipalities to a reasonable Planning Commission with power to study and recommend in collaboration with each of the Municipalities' planning staffs. Isn't that pretty well what it is at this stage? I think that might clarify the air a bit and give us a better understanding of these proposals that are not coming forward as to what they imply."

City Solicitor: "I think I should inform the Council that a Bill was introduced, I think it was a Government Bill, taking away our right of appeal for subdivisions within four miles of the City. That was defeated in the Law Amendments Committee. It was re-introduced in the Committee of the Whole House and once again it was thrown out. We still hold that right."

Alderman Lloyd: "Within a three or four mile radius outside, subdivision plans must come to the City Council for approval. I would like Council to keep in mind this problem we're going to have on a Regional basis before you proceed to consideration of these recommendations."

Alderman O'Brien: "We are considering now the two items, No. 23 and No. 24. Is that right?"

His Worship the Mayor: "Yes, together."

Alderman O'Brien: "I would like to say a little about this memorandum of the Manager's which lists these various areas of work the Planning Officer is now expected to be dealing with. It seems to me that all of these items are outside the range that our previous Town Planning Engineer actually was working on. In other words, there is another field here, a field that he was working on and that our Planning Staff still has to work on, which is the consideration of modifications of the Zoning By-Law. These sideyard modifications, rezonings, replottings and resubdivisions take a fair amount of time and I think it's indicated in the chart that Mr. Munnich has drawn. Really, the kind of planning which the Premier has mentioned recently, saves money in the long run. That kind of planning is in these projects on traffic improvements, redevelopments and Master Plan, which we have neglected in recent years, but now find we must tackle and which requires a competent staff. We have already adopted an establishment for a Town Planning staff within the last year and this is a

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a proposal to add two persons; one really professionally qualified and one sort of semi-professional. It seems to me that we certainly will need these if we are to do the study work that is required. Whether we proceed at a fast rate or a slower rate with the actual construction of some of the projects referred to, there is a great deal of planning work that has to be done within the next two or three years."

His Worship the Mayor: "With reference to the fact that these were neglected within the last few years, I think it's just been the last few years we've been thinking of these things for the first time in the history of Halifax."

Alderman Lloyd: "I don't know how the other members of Council feel, but this is the impression I get. When you attend conferences, such as we've had recently, in the 1980 Committee, the Town Planning Board's Community Planning Organization, you get constantly made aware of the regional character of many, many problems. I'm sure some of the other Aldermen must have been called, as I have been recently, by residents in the suburban area adjacent to Halifax, on the Halifax side of the Harbour, Halifax County. Their interest has become greatly heightened in the matters of amalgamation with the City of Halifax stemming from the residents themselves. What that means to us, or what implication that is going to bring in planning organization, I think it has to be brought into our considerations in setting up this kind of staff. There is also the matter of planning activities which are day to day chore jobs which have to be done. The matter of the issuance of permits and so on, the daily chore jobs and then the long range planning for the 1980 Conference; the long range plans involved in redevelopment; and all of these things as they are related to regional planning. This is a big thing and it deserves the most earnest consideration of all of us. I wonder if it would not be better if we set aside a meeting, say within three or four weeks, to get the legislation which has been passed in our hands, digested, and have one meeting devoted to a discussion of this matter solely, rather than attempt to do something tonight unless what we do tonight doesn't hamper us in any way. I'd be happier if we deferred it to a special meeting devoted to this, and at that meeting, we might

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bring in, perhaps, the Chairman of the 1980 Conference Committee to recount to us some of his difficulties. We might bring somebody from C. P. A. C. to be here to enlighten us and let us all get a picture from the City's point of view."

Alderman Ferguson: "I'm of the same opinion as Alderman Lloyd. I think there's a great deal involved both from the theoretical point of planning for the future and the practical aspect of it. Generally, I am in favour of planning. I think it is necessary that we take certain steps. I'm concerned with the practical aspect. While we are making great progress rapidly in certain, shall I say more theoretical methods, I'm very concerned about the practical aspects of administration. I feel we should have a special meeting for this purpose where a very broad discussion can take place. I know there are many people from different professions and walks of life in the City who are vitally interested. Possibly, their concern and their interest may be from misunderstanding or lack of understanding. I feel it must have the necessary publicity and many people should have an opportunity to be heard. For one, myself, I'm not prepared to discuss or consider it favourably tonight because I haven't had the time to look into it. I did glance at the reports, but I've certainly not had the chance to go into the scope."

Alderman Lloyd: "I don't like to stand in the way of this. I know we have to go forward with planning organization and staff. I'm convinced of that. I do believe that we should consider it at a special meeting because from what I can gather from some of the comments of other Aldermen about this matter in the last few days, they would like time to get down to cases and, as I see it, in a couple of weeks' time or so to have a chance to digest these recommendations, get the legislation in the form that it's passed, so that we can fully understand it and then have a meeting."

MOVED by Alderman Lloyd, seconded by Alderman Ferguson, that His Worship convene a Special Meeting of the Council to consider Planning Staff, Planning Projects, priorities and any matters pertaining to planning and planning organization.

His Worship The Mayor: "We've got the legislation. That's part of it. That's our law and framework. One item only at that Special Meeting of Council."

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Alderman Wyman: "I'm in agreement with the motion. Alderman Lloyd, in speaking of it, made some reference to matters pertaining to Regional Planning, the possibility of a Regional Planning Board and so on. The Greater Halifax Committee's recent meeting undertook some study of the problem of Regional Planning, Regional Planning Board, organization for such, and so on. It might be that the work of that Committee could tie in to some extent with the discussion at this Special Meeting. I'm just suggesting that. Perhaps, if you were to speak to the Chairman of that Committee, something could be done to get that information."

His Worship the Mayor: "Yes, I think so."

Alderman O'Brien: "Would you send a Special Notice or invitation to the meeting to various civic organizations who would be interested?"

Alderman Lloyd: "Yes, that was my intention. Don't bring the whole Committee here, but only the official representatives. Those who are in possession of the knowledge of the position in which they occupy at this stage."

Alderman Ferguson: "The Architect's Association representative; they are vitally concerned."

The motion was put and passed.

RECEPTION OF PETITIONS AND DELEGATIONS

Alderman Wyman: "I would like to call your attention to the fact that the members of the Rotary Club of Halifax Northwest have attended our meeting tonight as a group. As it is a part of their program in connection with an interest in Civic affairs, I think it is worthy to note that a group of men, belonging to a Club which represents a group of common businessmen, leaders in their various fields of endeavor, should be interested and come to our meeting. I think it would be very nice if you would welcome them on behalf of us and urge them to come again."

His Worship the Mayor: "I'd be pleased to Mr. Deputy Mayor. I am looking over the group now and I find they are no strangers to Council. Most of them have been here on various occasions in the past few years either as individuals or members of different groups."

"I do welcome the Rotary Club of Halifax Northwest to the meeting. I'm sorry the meeting is not more lively and that we don't have more serious issues

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to debate to provide you with perhaps an example of how Council acts. Most people mention when they come to Council, the fact that matters are disposed of quickly. They're processed thoroughly by the staff, by the Manager and brought to Committees, from the Committees to Council. For that reason some Council meetings appear to be awfully dull for some persons sitting in on them for the first time. Perhaps, it might be that those who come here time and time again might be attracted to the inner circle and offer some time in the future to the civic office. I welcome you here tonight and I hope you will come back again to see how we conduct your Municipal Government on your behalf."

SPACE FOR 1960 CONVENTIONS

Alderman Ferguson: "I wonder if I could have a minute to introduce an item which came up at the Tourist Committee. It is an item of some urgency."

MOVED by Alderman Lloyd, seconded by Alderman Trainor, that Alderman Ferguson be granted permission to introduce an item of business. Motion passed.

Alderman Ferguson: "We are all aware of the unfortunate situation with the Plasterers' Strike which has been going on for some time with no sign of settlement apparently and the unfortunate result is having on our Convention setup for Halifax this summer. As you are aware, there have been two fair-sized conventions for early June; one on June 6 to 10, the Social Workers' Canadian Group, number 800 and on June 19 to 25, the Nurses' Association, another Canadian group of some 1,200. The problem is very grave since there is no public space available. Mr. Charlton, the Tourist Director, has been working on this problem and through a fair amount of work of his, and some others, they were able to hold these conventions in the City. It was a bit of luck, I think, that we did get that far. Through the kind co-operation of Pine Hill, Shirreff Hall, and St. Mary's, they have made their dormitory facilities available for housing. We do not have enough available public space to seat the convention delegates in groups unless we can use the auditorium of the Queen Elizabeth High School. A preliminary inquiry of it was made to an official of the School Board. It is possible that this space could be made available subject to the Board."

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MOVED by Alderman Ferguson, seconded by Alderman Trainor, that this Council request the School Board to grant the use of this space for these Conventions and at the same cost that these Conventions would pay for public space.

His Worship the Mayor: "Why don't you put it this way: 'That the Conventions be granted the space in the same manner that the space would be granted to this Corporation or to the Council itself.'"

Alderman Lloyd: "Right."

Alderman Ferguson: "There is this difference. I would point out that for part of the space, with the nurses, we would expect the nominal fee. For another part, drug exhibits, a fee would be charged because there is no reason why the Drug Companies can't pay the normal charges. There is another matter respecting finances which was passed at the Tourist meeting but which I prefer to bring through the regular channels from the Finance and Executive Committee to Council as we have ample time to introduce it later."

His Worship the Mayor: "There is no question of time, is there?"

Alderman Ferguson: "Not on the one where it involves some expenditure for a shuttle service. This we must have for planning."

Alderman Trainor: "I think there has been some long and serious thought put into this to overcome certain problems both by the Tourist Bureau and by the Director of Tourists and Conventions for the City."

Alderman Dunlop: "I doubt very much if such a motion is necessary. There are seven Aldermen on the School Board and I'm sure if this matter had been before the Board at its meeting on Monday night, that full consideration would have been given to it without any request from this Council at all. This is the first I've heard of it, even the suggestion that any space is required from the Board. We have ample space in the Queen Elizabeth, Cornwallis, St. Francis, LeMarchant, etc. We have dozens of auditoriums and places which would be available. I know of no better use to be made of these things than such things as the Alderman mentioned. I'm speaking as an immediate past Chairman of the School Board and I would say to the Aldermen who are not on the School Board that the policy of the School Board with regard to the use

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of auditoriums and gymnasiums has been radically changed over the past two years. We welcome organizations who require their use. I think Alderman Wyman is the Chairman of the Vocational School Board. They have, I think, ample space. The policy of the School Board at the present time is to make use of the auditoriums and the gymnasiums. We try to get enough to pay the janitor and the lights, but if they're not able to pay, as some organizations are not, we don't desire them to use them. I assure Alderman Ferguson, as Chairman of the Tourist Committee, that all he has to do is make the request. I suggest he doesn't need any support from this Council."

Alderman Lloyd: "We took the attitude that we should not become involved with the activities of the plasterers and the contractors, but we did have a problem because people were coming here. Circumstances were unusual. It represented a challenge to the entire community, City, School Board, private business houses and transportation people. This whole effort on the part of the Tourist Committee is really a clarion call to everybody to help the Committee and its staff in extending a little more than usual hospitality to these people to offset any disarrangement of their plans. That was the general concept of it. What this resolution really intends is to ask the School Board to realize that this is a general effort out of the ordinary. We realize that normally it would be processed. All we are asking for is even more than their usual interest in helping us out. I think the Resolution, as the Alderman says, may not be necessary, but merely as a formality to establish the proper relationship between the City and the School Board because there might be some factors of expense which the City Council may have to meet in this operation before it is finished."

Alderman Greenwood: "I think the Forum Commission would be very happy to answer the clarion call, so we must not forget our very extensive civic facilities there. As the present Chairman of the Forum Commission, I am sure the Commission would welcome any representations which the Tourist Committee would care to make."

Alderman Lane: "I have sat through many a painful session establishing rates. The point I want to make is this. In Alderman Ferguson's resolution he is suggesting rates and also space for the Pharmaceutical Companies and

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the like. I don't think this is essential in the first place from my knowledge of the rates of the School Board. The facilities will be acquired at much less money than would be paid for public space at a hotel. I've rented both and I know. Furthermore, I think the action of this Council should merely be to request the Board of School Commissioners to give every co-operation. We should not make any suggestion as to rates or arrangements. That is the business of the Board. Therefore, I'd suggest to Alderman Ferguson that is all he should ask."

Alderman Abbott: "I'm sure the School Board would only be too happy to co-operate with the Tourist Committee in this connection. How soon would you have to know this because there will not be another meeting of the Board until the second Monday in May. We could call a special meeting."

Alderman Ferguson: "Yes, I think that would be best."

Alderman Abbott: "I think the Chairman would be happy to call a special meeting of the Board to give permission."

Alderman Ferguson: "The situation applies to the nurses in which they will need both the auditorium and the gymnasium together."

His Worship the Mayor referring to the Nurses' Convention stated: "If we allow the Convention to drift away from Halifax or to have any sort of a bad feeling here, we will not get these conventions back again in the normal rotation period. That is very serious, when we are talking about boosting our tourist convention business."

Alderman Wyman: "I rose to speak because Alderman Dunlop made reference to the Halifax Vocational High School and the fact that I was one of your representatives on the Board. I just thought that it might be wise to say this about it. I am sure that the Halifax County Vocational High School would be very glad to co-operate in any way that they can with the Tourist Committee and the Director in solving this very painful problem. Those who had to do with the building of the Vocational High School in the first place, in their great wisdom, saw fit not to include anything in the nature of a gymnasium or an auditorium in the building. The only reasonably large room that we have there is the cafeteria which room we would be very glad to place at

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services of any body that needs it for the good of the City."

Alderman Lloyd: "I was going to suggest that Alderman Ferguson withdraw his motion and that the Council pass a Resolution requesting the utmost co-operation of all Boards in this emergency and that they be so notified."

Alderman Ferguson agreed to withdraw his original motion and seconded the motion as proposed by Alderman Lloyd, which was put and passed.

PARKING - PRIVATE DRIVEWAYS

Alderman DeWolf: "There is an item I'd like to bring up. Ordinance No. 48 provides a penalty for parking in private areas. Does that have the same effect on driveways that are known as common driveways? In other words, one person owns a driveway, but one or more people can use it; two or more or perhaps a half dozen. A friend of mine who owns a small office building has quite a wide driveway alongside of the building. The driveway is wide enough for two cars to park so it is completely filled. He can't even get in to his own premises in the back. He sent me a memo. For instance, there were seven cars parked in his driveway, four of them from the City of Halifax, one each from Kentville, Enfield and Shelburne. He could not get into his own premises and this happens every day, he tells me. He is wondering if an Ordinance could be passed to cover that situation or that this Ordinance would have the same effect on the driveways as on the privately owned land. Can you tell me?"

City Solicitor: "The Ordinance we have at the present time pertains to people who have no rights whatsoever parking on property belonging to other people. When you get into that one, then you are getting into a problem. Apparently, these people have some right."

Alderman DeWolf: "No. These people who park there have no right."

His Worship the Mayor: "They are trespassers."

City Solicitor: "They would fall under this Ordinance."

Alderman DeWolf: "Suppose the owner is away; could those who had the right to use this driveway call the Police Station? Do they have that right? I'll leave this letter with you. Speaking of driveways and rights-of-way; there are some of them that are all right which are in the deed and assessed

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to the owner of the property. Many people either by right or by payments have acquired the use of that right-of-way, but only one person is taxed. That is the owner. I believe there might be some consideration given, if it is possible, to tax those who use a driveway. They have, in effect, an occupancy. I came across a driveway owned by an owner. We were selling the property, as a matter of fact. The man next door said, 'I have a right-of-way'. He hasn't got a right-of-way, but he's been using it. If he had a tax, he'd soon prove whether he had a right-of-way over it or not. These rights-of-way are very important. I think we should give some thought to it. There are many rights-of-way and alleyways throughout the City that are not taxed at all. I think that some are not assessed and consideration should be given to assessing those so that the City may have some jurisdiction. As it is now, there is no owner and the City has no jurisdiction over these alleyways, rights-of-way, or lanes that are not taxed. I think it would be a good thing for the City Assessor to look into that. They have been lost over 200 years. I came across a lot of them in my business, so I know it is a fact."

His Worship the Mayor stated that just recently on Barrington Street, near Hurd Street, an owner was prevented from developing his property because of a right-of-way being claimed.

The matter was referred to the City Assessor for a report.

POLL TAX DEDUCTIONS - FEDERAL GOVERNMENT PAYROLLS

Alderman Fox: "I'd like to know what success the City is having in getting poll tax deductions from Federal payrolls?"

City Manager: "We have none. It has been to the highest authority, the Treasury Board. I had letters from the Treasury Board in which they advise me that they just cannot make deductions from the Federal payrolls for that purpose."

Alderman Fox: "What amounts, in dollars and cents, would there be if it were collected from Federal Government payrolls?"

City Manager: "I would not know that. We don't lose the tax because we can get it probably in a little more difficult way. Most Federal employees are on a permanent basis and I think their salaries, generally speaking, are

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quite adequate so that they can pay the amount. It just makes it a little harder for us to collect it from individuals rather than from the Government. I suppose we do lose some as against the deductions, but we worked on that quite a bit. We were unable even in Ottawa to get anywhere with it."

Alderman O'Brien: "Have you stopped deducting Income Tax from Civic employees?"

City Manager: "I think that would be inadvisable."

His Worship the Mayor: "We wrote to Mr. Nowlan, the member of the Cabinet for Nova Scotia and a member of the Treasury Board; to Mr. Fleming, to Mr. Diefinbaker and back to Mr. Fleming again. They agreed among themselves it would not be wise to give us that right."

"With respect to the Federal Government employees, they probably are the least difficult to collect from because all the City of Halifax has to do is write a letter to the Officer or Director of the branch concerned, enumerating the employees who have failed to pay the tax, and he will direct them to pay; and, failing to do that, disciplinary action is taken. Quite often it can mean dismissal from the Federal Civil Service for people who refuse to pay their taxes. I think this is probably the least objectionable one of the whole lot."

RATS ON CITY DUMP

Alderman Trainor: "Some weeks ago the new Incinerator was put into action. I'm wondering if the City Manager or the Commissioner of Works could tell me who is looking after the problem of rats. Have they anything to report as to the status of the situation out there and how they are getting along with the professional exterminator?"

Commissioner of Works: "Mr. Mackie was out of town for a few days, but he is back now. I'm only mentioning that to give you just a little bit of a background and the fact that we were accumulating containers. Dr. Morton ordered the poison. There was no supply of the particular poison we wanted in town until just recently, yesterday actually. Dr. Morton has it and we have quite a few containers and we have to supply the bait for Mr. Mackie and mix it and everything. He acts only as a consultant and he makes appraisals as to how the rats take to it and so on."

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THE SIR JAMES DUNN ARTS ASSEMBLY

Alderman Lloyd: "I have a question which has to do with a gift or donation proposed by Lady Dunn. I understand that the Dartmouth Free Press has a story on the matter. If my source of information is correct, the Dartmouth Free Press, in essence, says 'While in England, Premier Stanfield was invited to the Home of Lord Beaverbrook, as a guest of Lady Dunn'."

His Worship the Mayor: "That is correct."

Alderman Lloyd: "Lady Dunn said she allegedly prefers as a site for an Art Gallery and a small theatre, the City Field. I'm quoting this, literally. Premier Stanfield spoke to you about the matter presumably and it goes on allegedly that the matter was to be dealt with. Then, there was some reference also reported, not in a Press story, but some reference to Provincial Government co-operation with some facility of theirs. The fact that this story is in the Dartmouth Free Press is what concerns me. I'm only concerned because I believe in a matter of this kind, likely there has been some understanding on release of stories to the Press.

"I don't know whether some statement should now issue from us or not. I realize this is a matter of very delicate public relations."

His Worship the Mayor: "That's right, exactly."

Alderman Lloyd: "We might very well become the beneficiaries of this very substantial and great gift."

His Worship the Mayor: "This gift, as you know, is being made to the people and Province of Nova Scotia."

Alderman Lloyd: "Are you aware of the Dartmouth Free Press release?"

His Worship the Mayor: "No."

Alderman Lloyd: "I don't want to raise the story if this isn't a fact."

His Worship the Mayor: "It's unfortunate that the story is presently in the Dartmouth Free Press because the Premier called me today with respect to a communication to the Council. I asked him to break it down into parts, in other words, that there be something announced which, I think, should come from the Province. The Premier himself said this is a gift being made to the people in the Province of Nova Scotia and not to the City of Halifax. It comes

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here to Halifax only because we are the largest centre of population and naturally the Capital. I had many discussions with the Premier, along with Mr. DeBard and Mr. Munnich; and he, in turn, has communicated material overseas. There was a meeting last week in London. As I understand it, an announcement will be forthcoming early next week. Our co-operation certainly will be required to make this gift a reality. I think that any announcement that I may make would be premature and would be entirely wrong."

Alderman Lloyd: "I'm a bit confused and I'm sure you are, too, that this story apparently has broken in the Dartmouth Free Press."

INFORMATION REQUESTED BY ALDERMAN LANE RE: TAX CONCESSIONS

Alderman Lane: "I would like to ask the City Manager or the appropriate official for a list of businesses and properties in the City which enjoy tax concessions. I want a list and the total. I would like to have the assessments individually and the total. I would like to have the amount of taxes collected under the tax arrangement and I would like to have the amount of taxes payable if the full tax rate were applied to these properties. I would like to have it within a reasonable time."

City Manager: "That should be quite easy because Mr. March is collecting that information right now for the Industrial Commission. I know, because he asked me about several of them. We can get it in terms of what you ask."

APPLICATION TO REZONE - 103 MUMFORD ROAD

An application from the Texaco Canada Limited to rezone the above property from R-1 Zone to C-2 Zone was submitted.

MOVED by Alderman DeWolf, seconded by Alderman Macdonald, that the application be referred to the Town Planning Board. Motion passed.

DEFERRED ITEMS

The following items were further deferred:

1. Establishment of Parking Authority.
2. Spring Garden South Redevelopment.

ADMINISTRATIVE REPORT FOR MARCH

A report was submitted from the City Manager for the month of March and same is attached to the original copy of these minutes.

Filed.

ANNUAL REPORT - PUBLIC SERVICE COMMISSION - YEAR ENDING
DECEMBER 31, 1959

The Annual Report from the Public Service Commission covering operations for the year 1959 was submitted.

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

MOVED by Alderman Lloyd, seconded by Alderman Lane, that the Report be accepted. Motion passed.

Meeting adjourned.

9:15 P. M.

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C. A. Vaughan,
MAYOR AND CHARIMAN.

R. H. Stoddard,
CITY CLERK.

CITY COUNCIL MINUTES
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N. S.
April 28, 1960
8:10 P. M.

A special 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, Macdonald, Butler, Fox, Ferguson, Trainor, Lloyd, Connolly, O'Brien and Greenwood.

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

PUBLIC HEARING RE: REZONING DRUMMOND COURT - LEAMAN STREET AREA FROM R-2 ZONE
TO R-1 ZONE

A Public Hearing into the matter of the rezoning of the Drummond Court - Leaman Street Area from R-2 Zone to R-1 Zone was held at this time.

Mr. J. Gibb: "I am speaking on behalf of the residents of the Drummond Court Area. We petitioned that this be rezoned from R-2 zone to R-1 zone in order that we may maintain this as a first-class residential area."

His Worship the Mayor: "Were all people canvassed in the area?"

Mr. Gibb: "All people were petitioned with the exception of one, and at that time the house was for sale."

His Worship the Mayor: "All those in the area for rezoning are in favour of it?"

Mr. Gibb: "Everybody is in favour of it."

By-Laws, as prepared by the City Solicitor, were submitted.

No persons appeared against the proposed rezoning.

MOVED by Alderman Connolly, seconded by Alderman Abbott, that the By-Laws be approved. Motion passed.

PUBLIC HEARING RE: REZONING PORTION OF A BLOCK OF LAND BOUNDED BY CHEBUCTO
ROAD, WILLOW AND DUBLIN STREETS FROM C-2 ZONE TO R-2 ZONE

A Public Hearing into the matter of the rezoning of a portion of a

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block of land bounded by Chebucto Road, Willow and Dublin Streets from C-2 Zone to R-2 Zone was held at this time.

Mrs. John E. MacLean, #101 Chebucto Road, addressed the Council as follows:

"Your Worship, and members of the City Council, I don't wish my property, at #101 and #103 Chebucto Road, to be rezoned. It adjoins the property which has been changed into a store and office building. I feel that the value of this property, as residential, has been lowered. We have a common driveway between the two properties and being in such close proximity with this store and office building, I would like our property to be left Commercial, as it is now.

"I feel that any other person would have the same feeling about it when the building was changed. I think that the line might be on the other side of my property where there is no driveway. The property next door is not in line with the other properties. I see no reason why this rezoning couldn't be on the southeast line, running north to Willow Street, of my property. I feel that my property, now, is not of the same value in changing this over to a residential locality."

His Worship the Mayor: "Does anyone wish to be heard in favour of the proposed rezoning?"

Mr. John Britten, #110 Chebucto Road, addressed the Council as follows:

"Your Worship and Members of Council: We feel that further commercial building in this area, would constitute a definite traffic hazard to the school children. We feel the value of property would be lowered because of entry of commercial buildings. We, ourselves, have bettered our properties at considerable cost, and others have done likewise. The ones who intend to stay would like it kept residential for the good of the majority concerned, and the appearance of our district. I also took up a petition and I asked Alderman Trainor to present it here tonight in favour of the rezoning."

His Worship the Mayor: "Mr. Britten, where do you live in relationship to the area to be rezoned?"

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Mr. Britten: "Not exactly opposite—just a little bit west of opposite."

His Worship the Mayor thanked Mr. Britten for his presentation to the Council.

His Worship the Mayor asked if any other person wished to be heard. No one responded but Mrs. MacLean asked to be permitted to further address the Council.

The Council agreed to hear Mrs. MacLean's further remarks.

Mrs. MacLean: "I wanted to say that in the matter that was spoken of, of a commercial business going there, that would be more or less disreputable. That would be up to the City to see about that. The City certainly wouldn't allow a business to go there that would be a poor business, or something that was objectionable, would it?"

His Worship the Mayor: "Our powers extend to the point that the Building Inspector may refuse a permit if in his opinion the business to be operated there were not suitable for the area. Secondly, we also have the power to ban the creation of obnoxious industries or establishments. It could be, as others have stated here, a business of a type that would attract a great deal of motor vehicle traffic, which, in the opinion of the neighbours might be objectionable, but not in the opinion of the Building Inspector."

Mrs. MacLean: "I think that if it were rezoned that we wouldn't get the same selling as if it were at a residential rate, as we would have got before that building was built. Before it was built, we didn't know anything at all about what was going there, and I couldn't find out. I called several of the City Inspectors, the Works Department, but I couldn't find out what was going there."

Referring to the additional traffic which might result from commercial development, Mrs. MacLean contended that the traffic would be no worse than it is daily at 5:00 p.m. when traffic lines the street from one end to the other.

His Worship the Mayor: "Mrs. MacLean, I take it then you are not happy that this new commercial building was built next to you; is that correct?"

Mrs. MacLean: "No, I wasn't happy about it, not that I am finding

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fault with the man who built it, but I do feel it has hurt a number of the residential properties. One man who signed the petition told me that by having it rezoned to residential, his assessment would be lowered by as much as \$2,000.00 to \$2,500.00."

The City Clerk then read the list of names and addresses of the persons who signed the petition for the information of Council.

Mrs. MacLean contended that most of the petitioners are tenants living in rented houses.

Mr. Britten: "A good number of those people own their own home. Some have lived there a long time and I was told by the Alderman it didn't matter whether they owned their own homes or not, as long as they were residents in the area. If necessary, I can get some more names. I was also told that it wasn't necessary to get everybody, just get a good majority."

His Worship the Mayor directed the City Clerk to read the report of the Town Planning Board, as follows:

TO: His Worship the Mayor and Members of City Council

FROM: Town Planning Board

DATE: March 8, 1960

SUBJECT: Rezoning - Block of Land Bounded by Chebucto Road, Willow Street and Dublin Street from C-2 Zone to R-2 Zone

The Director of Planning informed the Board that this had been recommended to City Council for a public hearing and at the hearing it was discovered the advertisement was incorrect. City Council then referred the matter back to the Town Planning Board for further processing.

On motion of Alderman Trainor, seconded by Alderman Butler, the Board recommended to City Council that a date be set for a public hearing for the rezoning of those lots east of Civic #105 Chebucto Road on the north side between Dublin Street and Willow Street as shown on Drawing P200/88 from C-2 commercial to R-2 residential.

Respectfully submitted,

K. C. MANTIN,
CLERK OF WORKS.

A formal By-Law as prepared by the City Solicitor was submitted.

MOVED by Alderman Trainor, seconded by Alderman Connolly, that the By-Law be approved. Motion passed.

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PUBLIC HEARING RE: CONSIDERATION OF DELETION OF CITY CHARTER PROVISIONS
RESPECTING ROSEBANK PARK, NORWOOD AND MILLER SUBDIVISIONS

A Public Hearing into the matter of deleting from the City Charter certain provisions respecting the Rosebank Park, Norwood and Miller Subdivisions, was held at this time.

His Worship the Mayor: "Now, this matter was advertised but because of the gravity of this matter--here we have a section of the City that was covered by City Charter provisions for a number of years, and, which despite the fact that we now have a Town Planning By-Law, the provisions of this Charter are still obtained in this area. It is doubtful whether or not the majority of the people in the area had an opportunity to acquaint themselves with the facts, and I would suggest to Council that we hear those persons who are here tonight regarding this matter and to adjourn the Public Hearing until next week sometime, at which time others may come in and continue the Public Hearing. It is the best way to give all those concerned an opportunity to be heard on this matter."

Alderman Macdonald: "Your Worship, if the Public Hearing is adjourned tonight to a later time, would it be possible to send letters out to residents in the area telling them what we propose to do?"

His Worship the Mayor: "That is being done, now. We will hear persons now who wish to be heard, and we will continue the Hearing on next Thursday night."

Alderman Dunlop: "Doesn't the Legislation require three-quarters of the people there before we can change this?"

The City Solicitor pointed out that the property owners in the Rosebank area had their own Private Act, passed in 1915 which provides that buildings in the Rosebank Park area can only be altered by an amendment to the Act and with the consent of at least 75% of the property owners in the area; and he said that the City Charter provision is nothing more than a duplication of the Act; and, if Council decides to delete the pertinent section of the City Charter, the residents are still protected by the Act of 1915.

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His Worship the Mayor: "That only applies to the present Charter. We can change it without 75 per cent of the persons being agreeable."

City Solicitor: "No, the new legislation follows the Act."

Alderman Dunlop: "Mr. Mayor, I can't see any object in having a Public Hearing about it because until 75% of the people come in and say 'We want this changed', we can't do anything."

His Worship the Mayor: "Council can initiate it, can they not, and poll the people?"

Alderman Ferguson: "What useful purpose will this deletion have? I am not clear on it. What is the purpose of it?"

City Solicitor: "I would say it would have no effect, whatsoever, until they change their original Act of 1915 and that requires 75% of the owners."

Alderman Abbott: "Your Worship, we have called a Public Hearing before this meeting and I will move that people here wishing to be heard, be heard at this time."

Alderman Macdonald: "Did I understand the Solicitor to say that 75% must signify their approval in writing?"

City Solicitor: "Yes, that is in the original Act of 1915 for the Rosebank Area."

Alderman Macdonald: "That carries up to the present time?"

City Solicitor: "Yes, until the time the amendment is proposed."

Alderman Dunlop: "I think the three items are all different."

City Solicitor: "I am sorry you may have been misled in the 'Miller'. 'Miller' was repealed in 1958 and the only one left is 'Norwood', outside of 'Rosebank'."

Alderman Dunlop: "What is the position of 'Norwood'?"

City Solicitor: "'Norwood' is very similar to 'Rosebank' but you can only put residential dwellings; it can't be two or three flat-type, or other apartment house. They put in a Building Line on 'Rosebank'; you must be 30 feet from Connaught Avenue, Quinpool Road or Jubilee Road, and 20 feet from any other street. By amendments, up to the present time, buildings must cost at least \$18,000.00; no board fences are allowed; only one building on a

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lot, and no subdivision of the lots. Now, that is, practically, the same for 'Norwood' but in 'Norwood', every building must have, at least, a 50-foot frontage."

Alderman Dunlop: "Are there any provisions for changing in 'Norwood'?"

City Solicitor: "No, not in that respect."

His Worship the Mayor asked Mr. J. A. Walker, Q. C., if he wished to be heard at this time.

Mr. Walker: "Your Worship and members of the Council: As I understand it, back in 1920 the 'Rosebank Park Subdivision' had this legislation passed; and, as far as I can find out, there has been no change, except a small change that was done with the consent of 75% of the people who lived there. Is that right?"

City Solicitor: "That is right."

Mr. Walker: "What is this Proclamation that you are mentioning?"

City Solicitor: "Well, the reason for that is, we had a similar case about a year or two ago where private persons took the wrong Bill to the Legislature and were able to get a subdivision of a lot."

Mr. Walker: "That has happened on several occasions."

City Solicitor: "No, only in one case to my knowledge."

Mr. Walker: "I know of several. One was done with the consent of 75% of the residents, and it was never intended to change the one-family residence character of the place. It was merely to subdivide where men had three lots be allowed that to be divided, perhaps, into four, or, when one lot was facing on Norwood Street, we allowed them to face it on Bloomingdale Terrace."

City Solicitor: "Yes, and it was also if you had a big lot, you could divide it into two."

Mr. Walker: "Yes, you could divide it into two, but we have never done anything to change the character of the place from a one-family residence subdivision. Now, I was going to say that, if there is going to be another Hearing on this, and if there is going to be a representative from the district, we would rather be here. I would be interested to see who is in favour of this from the district because I have talked with a great many and I have, yet,

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to find one who was in favour of it. We are protected there by a Statute, and the deletion from the Charter is not going to do any good unless they repeal the Act. I presume the next step will be to repeal the Act. I can tell Council right now, that so far as the residents of Rosebank Park are concerned, when that time comes, (I am not throwing this out as a threat; I am saying it as a matter of intention and a matter of fact) we will go to the Legislature and oppose the repeal of that Act with all the vigour we possess. Because, I haven't found one man in that whole district, that is in favour of deleting this or repealing the Act. We have the protection of that Statute and we don't intend to let it go. We would rather be here when anyone is in favour of it to see what their arguments are. If you are going to have another Hearing, we would rather postpone what we have to say until they are all here."

Alderman Lloyd: "Your Worship, briefly, how does it come to us? How is this initiated, and by whom?"

His Worship the Mayor: "It came up before the Town Planning Board by way of an application to resubdivide a parcel of land in the existing Rosebank Park Subdivision."

Alderman Lloyd: "By an owner, a recent acquisition, or for some years?"

His Worship the Mayor: "By an owner of some years residence there. The report of Mr. Munnich agreed in principle to the legislation to permit that subdivision. This was to stop the necessity of an appeal to the Legislature every year to subdivide when such persons wanted it, and where they were recommended by the Town Planning Officer and approved by the Town Planning Board."

Alderman Butler: "Your Worship, with respect to an application any individual might want to make in that subdivision, at any time, I don't see, as I understand it, the necessity of the Town Planning Board intervening at all. It seems to me, that if an individual wants to make an application, at any time to subdivide a lot, that the 1915 legislation would be the thing they would follow, and, they would, before applying to the Legislature, get

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75% of the people in the subdivision and proceed through the Legislature. I don't know why the Town Planning Board would have to deal with the matter at all. I don't see, even now, why we would want to undertake the subdivision in view of the fact that: (1) it is a completed subdivision, and (2) if there are some lots in there that are yet unsubdivided, they could follow the procedure I just outlined and go to the Legislature by way of a Private Bill."

His Worship the Mayor: "Shouldn't a matter of this kind, though, be handled by the Town Planning Board, and the Council first? At least, I think that that provision should be here, that the Board should take some action on it by way of a recommendation for or against before it goes to the Legislature. I think we should be going to the Legislature, not individuals."

Alderman Butler: "The only thing, Your Worship, is this: Over the years, as I understand it, since 1915 or thereabouts, this subdivision has grown up in a certain manner and, certainly, if the rest of the City had progressed in such a manner, we might be in a better condition today, from a planning point of view, than we are now. I feel if we throw it open, I think the residents there feel if it is merged with general town planning, that some Council or some Town Planning Board might be applying their own judgment to it, and convert the area into something that it is not now and something the people there don't desire. That is the reason for their apprehension about it. As long as all of the principles being applied to the subdivision are in keeping with good town planning, it seems most unnecessary to disturb something that functions very well, as is."

Alderman Lloyd: "On what authority are we dealing with this, then? Have we got a conflict of law or something?"

City Solicitor: "Recent legislation only enables an owner to subdivide his lot, but he still has to comply with the original provisions in the 1915 Act."

Alderman Lloyd: "The 1915 Private Act sets up this procedure which requires consent of 75% of the owners."

City Solicitor: "Yes, consent of 75% of the owners in writing, and his subdivision can't become effective until approved."

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Alderman Lloyd: "We have no authority to overrule that Private Act. I am trying to find our position tonight. Our position tonight is simply this, that we must have, under the existing law, as was pointed out by Alderman Dunlop and Mr. Walker, 75% of the residents indicating their willingness to agree to the subdivision. What the Mayor is trying to do, I think, is to be courteous to those who are here tonight, and that in fairness, just in case there were others; but, as it stands right now, I don't see how the City has any authority to proceed, under the law, until there are 75% indicating their willingness. There is some question as to whether this is 'ultra vires'. I don't think we can have a hearing tonight. It is a matter we can't deal with until 75% of the residents of the subdivision have indicated to us their willingness to agree to the subdivision."

Alderman Ferguson: "Your Worship, it would seem that this came about by the application of one individual to resubdivide, is that right? Could that individual not have gone directly, if 75% of the people were in favour, to the Legislature, himself? Precisely, he or she had that right?"

City Solicitor: "He had that right and that was done the last time."

Alderman Ferguson: "Then, why should we be concerned?"

City Solicitor: "I raised that objection when this thing came up, but I was overruled."

Alderman Ferguson: "I think we should let it die a natural death."

Alderman Lloyd: "On a question of procedure, the only way a person could ask for a hearing here, is if they came specifically asking that the general terms of the law be amended."

Alderman Macdonald: "From what I can understand about the situation right now, it doesn't appear to me that we are going to make any progress tonight in doing this. I think the matter should be disposed of tonight and let the request come from 75% of the people of Rosebank Park."

MOVED by Alderman Macdonald, seconded by Alderman Lloyd, that the proposal be rejected and that no change be made in the City Charter.

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His Worship the Mayor: "Before you vote on this, I want to point out to you that this is not a strange item to Council; it came to Council on March 8th; it was moved and seconded and recommended to City Council that a date be set for a Public Hearing to remove the section of the Charter covering Rosebank Park to be put under R-1 zoning regulations. So, it is not something strange; it has been here before."

Alderman Lloyd: "This 'Hearing' to remove that from the City Charter also runs afoul of the Private Act and I think you brought our attention to this at the last meeting."

His Worship the Mayor: "No, it does not."

City Solicitor: "May I say that all it does is repeat. The Charter just repeats what is in the Act."

Alderman Lloyd: "I think Mr. Daley wants to say something about it. I would suggest that all those who want to speak, be heard, and then we can hear the motion."

Mr. Daley: "I was just going to say that I think it would be a great mistake to take these provisions out of the Charter. It is a warning to certainly everybody connected with the City that this different situation does exist. It is a very easy thing to lose track of Private Acts and it would be a very easy thing, also, for someone to come in and apply for a permit to do something, and not being familiar with that Act, the permit is granted; the work is half done; and, then, where do you fit? With those provisions in the Charter, everybody has fair warning of what the situation is. My contention is that as long as the Act is in force, those provisions should remain in the Charter."

Alderman Lloyd: "What is the precise recommendation?"

His Worship the Mayor: "The hearing tonight is for the purpose of considering the deletion from the City Charter of certain provisions respecting the above subdivisions in the Rosebank Park area."

Alderman Lloyd: "Presumably, though, to make way or to give the Council the power to agree to a subdivision. That was the purpose of it, wasn't it?"