

Council,
August 11, 1960

Alderman Lane: "My understanding from the Chief was that it wasn't a case of our not collecting on it. It was a case of if these men are killed in the line of duty, their dependents are cared for anyway under our own Plan, and that they would not do as well under the insurance plan, as they would under ours."

His Worship the Mayor: "This has been established as a matter of policy. I think we can accept this policy. We've done it enough times. I think this is the wisest course to follow because I think, as you say, the presence of an insurance plan which pays for the survivors' cash benefits, could almost rule out for a time, any assistance. It would be most inadequate."

Alderman Ferguson: "That's it. Certainly, the benefits they would get normally from the City, would exceed the benefit from the policy. I'm not in favour of this type of policy because the rate is so high that we can't have adequate limits. In any event, the only thing the City could do would be collect and re-insure themselves. We pay the normal benefits anyway. I think we should follow out the recommendations do do away with it."

MOVED by Alderman Ferguson, seconded by Alderman Fox, that the report be approved. Motion passed.

TENDERS FOR USED PUMPER - FIRE DEPARTMENT

August 11, 1960

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

At a meeting of the Safety Committee held on August 2, 1960, tenders for the G. M. C. Truck were submitted from the following:

Terance Bay Fire Department.....	\$ 200.00
Tatamagouche Fire Department.....	1,205.00
Bedford Fire Department.....	1,385.00
Purcell's Cove Fire Department.....	2,000.00
New Germany Volunteer Fire Department.....	2,025.00
Mount Uniacke Fire Department.....	2,122.50
Black Point Fire Department.....	4,500.00
Waverley Volunteer Fire Department.....	4,502.29

Your Committee recommends that the tender of the Waverley Volunteer Fire Department, in the amount of \$4,502.29, being the highest tender, be accepted and that the ladders be re-advertised.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

Council,
August 11, 1960

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

TRAFFIC COURSE - EVANSTON, ILLINOIS

August 11, 1960

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

At a meeting of the Safety Committee, held on August 2, 1960, a report was submitted from the Chief of Police advising that the sum of \$1,800.00 has been placed in the Current Estimates for the purpose of training Police Personnel, with the thought that a member of the Department would be permitted to attend the "Long Course" at Northwestern University, Evanston, Illinois, from September 15, 1960 to June 12, 1961, covering many phases of police work.

Five Sergeants have been tested to take this course having been interviewed by Mr. Gerald O'Connell, Director of Training of the Traffic Institute.

On July 30th the Chief received word that a Grant-in-Aid of \$1,650.00 had been awarded to Sergeant Luke Flinn. As an acceptance was asked for by August 1st, he consulted the Mayor and then accepted the Award on behalf of Sergeant Flinn and the Department.

The total cost of the course, including transportation and subsistence, will be in excess of \$3,000.00.

The Chief made the following recommendations:

1. That his action be approved,
2. That Sergeant Luke Flinn be granted leave of absence, with pay, from September 15, 1960 to June 12, 1961, plus travelling time, to attend this course.

Your Committee concurs in these recommendations.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

His Worship the Mayor: "It is for a full-year course in college; a full course in police traffic administration."

Alderman Ferguson: "Who has had the course previously?"

His Worship the Mayor: "No one has had this type of course. There were several short courses given, I think, to Inspector O'Brien, Inspector Wrin and the Chief."

Alderman Ferguson: "A ten-week course?"

Deputy Chief of Police: "No, just a short course. The longest, I believe, was three months."

Alderman Ferguson: "How much traffic engineering, as such?"

Council,
August 11, 1960

Deputy Chief of Police: "It involves the police phases of traffic engineering rather than traffic engineering itself."

His Worship the Mayor: "It is traffic enforcement but not on traffic engineering."

Alderman Trainor: "We pay the Sergeant while he is away?"

His Worship the Mayor: "Yes."

Alderman Trainor: "It is the same contract as we have with the Engineer from the City going to Yale?"

His Worship the Mayor: "We have not written that in. I think it is quite proper to do so."

Alderman Dunlop: "He must remain in the employ of the City for two years?"

His Worship the Mayor: "Yes."

Alderman Lloyd: "The same terms and conditions as we have for the other employees."

His Worship the Mayor: "Yes."

Alderman Greenwood: "There is a grant-in-aid, is there not?"

His Worship the Mayor: "There is also a grant-in-aid, is there not, Deputy Fry?"

Deputy Chief of Police: "I'm only familiar with this generally because we received the letter only about a week ago. I think they grant a certain amount and the City adds to that."

His Worship the Mayor: "That is right."

Deputy Chief of Police: "I think that covers the entire tuition."

His Worship the Mayor: "Yes. What we are considering here is, the consideration of our grant and a leave of absence with pay to Sergeant Flinn for the purpose of taking this course which will enhance his police experience and certainly, make him a more valuable employee; therefore, to make him more valuable to some other Department. He could be hired by them because of his qualifications. We would like to write in here the usual terms of contract that the person accepting this course, and a leave of absence with pay, will agree to work for us for a period of three years or he would refund a portion of his salary and his expenses."

Alderman Lloyd: "The same terms and conditions as we have for the other employees."

Council,
August 11, 1960

Deputy Chief of Police: "I can speak for Sergeant Flinn and say that he will do that."

Alderman Lloyd: "This traffic course for Sergeant Flinn is distinctive from the other traffic engineering courses? One is purely an administration of a Police Department Officer engaged in following out traffic rules and regulations, and so on."

His Worship the Mayor: "The other one is a post-graduate engineering course."

City Manager: "Just one small section of Sergeant Flinn's course has to do with the engineering phase; one section out of 12, or something like that. It is not an engineering course; it is just to make him familiar."

His Worship the Mayor: "It will do this, though: We will have a much more adequate team in traffic in our Traffic Engineer for the engineering of it, and we will have a fully-trained man in Sergeant Flinn for the traffic administration."

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

BELLEVUE CASE -- BOND FOR APPEAL TO SUPREME COURT OF CANADA

City Solicitor: "We have to post a bond of \$500.00."

Alderman Lane: "We haven't agreed to appeal that case, have we?"

His Worship the Mayor: "No."

City Solicitor: "We have to put in a notice of appeal with the \$500.00. We can withdraw it at any time but the time is short."

Alderman Lane: "Can we get our money back?"

Alderman Lloyd: "If you don't appeal?"

His Worship the Mayor: "When should we get a report back?"

City Solicitor: "We will have it back in about two weeks."

MOVED by Alderman Dunlop, seconded by Alderman Lloyd, that the necessary bond for appeal be secured and be forwarded to Mr. Varcoe in Ottawa for filing with the Supreme Court of Canada. Motion passed.

Council,
August 11, 1960

REPORT - REDEVELOPMENT COMMITTEE

August 11, 1960

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

The Redevelopment Committee, at a meeting held on the above date,
makes the following recommendations to City Council:

1. That a coal-fired heating system be installed in the high-rise building in the Westwood Park Housing Project but oil-fired individual furnaces in the balance of the units.
2. That the property, 32 Maitland Street, be acquired at a price of \$6,000.00 which is approved by Central Mortgage and Housing Corporation.
3. As a result of a meeting by the Court House Commissioners, Chaired by Alderman W. C. Dunlop, Q. C., that Council approve in principle, the sale of not less than 80,000 and not more than 120,000 square feet of land for the purpose of the erection of a Court House in the Redevelopment Area at a price to be determined and on a site to be recommended by the Director of Planning, subject to the approval of Central Mortgage and Housing Corporation.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

The report was considered item by item.

MOVED by Alderman Lane, seconded by Alderman Abbott, that Item No. 1
be approved. Motion passed.

MOVED by Alderman Trainor, seconded by Alderman O'Brien, that Item No. 2
be approved. Motion passed.

Item No. 3:

His Worship the Mayor: "We cannot close that. We have no right. We don't want to say to Central Mortgage and Housing Corporation: 'You must sell this land'. I think we can negotiate with them."

MOVED by Alderman Lloyd, seconded by Alderman O'Brien, that Item No. 3
be approved. Motion passed.

AGREEMENT - WESTWOOD PARK HOUSING PROJECT - INTEREST RATE

His Worship the Mayor: "We passed a resolution with respect to Westwood Park with two reservations: One was the rate of interest to be determined by the Province and the second was the taxes to be received from each unit."

Council,
August 11, 1960

RECEPTION OF PETITIONS AND DELEGATIONS

His Worship the Mayor welcomed Mr. A. H. MacMillan, former Alderman and Deputy Mayor, who was present in the gallery.

NORTH COMMON -- REDEVELOPMENT

Alderman Trainor asked that a proposal be submitted for the redevelopment of the Common so that it would be converted into a green spot and a better recreational area.

LETTER -- HALIFAX-DARTMOUTH & DISTRICT TRADES & LABOR COUNCIL RE: STOPPAGE OF HORSE RACING ON COMMONS

July 20, 1960

Mr. R. H. Stoddard,
City Clerk,
Halifax, N. S.

Dear Mr. Stoddard:

The July meeting of the Labour Council instructed me to write the City Council complaining of the planned stoppage of horse racing on the Commons during the next winter season.

We feel that such action deprives many citizens of a popular winter sport and we cannot see any valid reason for the planned stoppage.

The financial statement of the Halifax Harness Horse Club shows expenditures in the City of \$26,000.00 of which \$1,100.00 was paid directly to the City Treasury. This would indicate that the races are producing valued revenue.

Please bring this matter to the attention of City Council in the hope that they will permit the continuation of horse racing sports events on the Commons next winter.

Thanking you for your attention to this matter and with the best wishes of the Labour Council,

Respectfully,

PERRY RONAYNE, Secretary,
70 Hawthorne Street,
Dartmouth, N. S.

Alderman Ferguson: "The area at Cunard and Robie Streets is as bad as I have ever seen it within the last six or seven years. There has been very heavy wear on what grass was there. It has probably never looked as bad."

His Worship the Mayor: "This type of work can easily be carried on in the fall. It is mostly a matter of sodding."

Alderman Trainor: "It needs a lot of grading."

Alderman Lloyd: "It was particularly bad the other evening. I happened to be in Dartmouth at a vantage point and all of a sudden, I noticed this huge

Council,
August 11, 1960

dust cloud. This huge dust cloud was coming from the general area of the Armouries. It looked like smoke at first and I thought it was a fire of some kind. It is a clear indication of how bad it must be in the area for the residents."

His Worship the Mayor: "I think it is a clear indication that we need some rehabilitation of that part of our park system. We have done some work in cutting the grass to try and make it look presentable but we've done no work in advancement of the green areas. We cannot do this as long as these other activities are carried on on the Commons."

WANDERERS' GROUNDS FEE - RED SOX BALL CLUB

Eastern Paper Products Limited

August 8, 1960

A. A. DeBard, Jr.,
City Manager,
Halifax, N. S.

Dear Mr. DeBard:

In reply to your letter dated August 2, 1960, the executive of the Halifax Red Sox Community Baseball Club would like to bring you up to date on our position.

As you are well aware, the season of 1959 was, unfortunately, a bad one locally for baseball with the weather being the worst in years; thus resulting in very poor attendance at games. As it was published, the club ended approximately \$4,000.00 in the red. As last summer progressed we were aware of our position, and for that reason, we felt that we could have raised between \$1,500.00 and \$2,500.00 on a tag day, but as this was turned down, it prevented us from realizing such help from this quarter.

We have attempted to raise funds, and this is why we started a peanut sale. This could have been the answer to our debt, but unfortunately in a city this size, we could obtain the services of less than twenty to help us with a door-to-door campaign. The amount raised by this method meant approximately \$600.00 to our funds.

In some quarters it is felt that the type of ball as played in the H & D League will return to Nova Scotia. If this is so, there are backers in the city that have already signified their intentions of backing such a club and have stated that they will also be responsible for any outstanding debts of the Halifax Red Sox Community Club at that time.

At this time we would like to briefly state some of the objectives that were met during the operation of 1959.

1. Minor League Baseball was helped with equipment to the extent of \$500.00 - \$600.00.
2. For the complete season the players of the Halifax Red Sox coached and worked with Little League and Minor League players throughout the city in seven different playing fields.
3. Local Senior players were encouraged to try out with the Club, and some of these made the team and played the entire season.

Council,
August 11, 1960

4. All sports including baseball do have an important part to play in all communities and it is our feeling that sports generally were helped in Halifax because of the Halifax Red Sox Community Baseball Association.
5. New bases and a new rubber pitching plate were placed in the Wanderers Grounds by our association at a cost of nearly \$100.00. These items were left there for the use of all and are at present the ones being used.
6. At all times the youth of the community was our main thought, and all children under thirteen were admitted to all games at the price of \$.10.
7. We would like to emphasize strongly that the group connected with the association was asked at a public meeting to try to bring back this type of sport to the City. This organization is of a community nature, and strictly non-profit. There was absolutely no opportunity for anybody connected to be reimbursed in any way for their time or effort, and if a surplus had resulted, this money would be used strictly for the promotion and improvement of sports generally for all the youth of this community.

In closing, Mr. DeBard, the Halifax Red Sox Community Baseball Association does appreciate greatly the help and co-operation received by all in their efforts to help promote and improve this important part of life in every community. If it is your feeling that our balance of \$600.00 be paid to all concerned, as part payment, we will be pleased to send you along our cheque for \$150.00, this being in proportion to the amount owing the City of Halifax.

Yours very truly,

Halifax Red Sox Community Baseball
Club

per President.

City Manager: "The Red Sox owe the City some money, really to the Wanderers Grounds, which is under the direction of the Recreation Committee and more particularly, under Mr. Ziai. Some time ago, I was asked to work on it which I have done. I have written several letters and I had at least one conference with some of the interested gentlemen, several of whom are here tonight. I wrote to them because I believe they would want to try to wind this thing up. They have written a two-page letter which I can read if you want. It sets out all the good things which this Club has done for sports, in general, and baseball, in particular. There is no question about that. The fact remains that they still owe the City a considerable sum of money on a contract which they entered into. They have, at present, a balance of \$600.00 which they raised in various ways; and they suggest that they would give the City \$150.00, which is the proportion of what they owe the City to their total debt. I seem to remember \$1,100.00. This is rather a small proportion of what they owe the City. I have suggested to them that I felt that their obligation to the City was of a prior nature and that if they have \$600.00, we're entitled to all of it before any of their other creditors. The thing that I was afraid of, in

August 11, 1960
Night Supervisor
her sick time has

Council,
August 11, 1960

addition to not getting the money, was that they might be coming to the City asking for a new Agreement with this hanging over their heads; therefore, they would not likely get it or there may be some dissention over it. I'm as much concerned for the 1961 season which will be coming along, with this matter still unsettled. I had hoped to have it brought to a successful conclusion. They have repeated over and over again in their letter and verbally, that the City would not lose any money. In this letter, they say that they have backers who are willing to assume the outstanding debt of the Halifax Red Sox Community Club. If this group of backers decide to go ahead with the re-instituting of baseball as it has been in the past, my suggestion is that the natural thing to do is get the backers to at least clear the City's debt. Hereafter, I suppose, what will have to be done, is the same thing which has happened with the Board of Censors, where there's a tax due, they are right there to collect the money. That is probably what the City will have to do."

MOVED by Alderman Dunlop, seconded by Alderman Abbott, that the amount owing the City of Halifax by the Red Sox Community Club be written off. Motion passed.

APPOINTMENT -- COMMISSIONER OF FINANCE AS ADMINISTRATOR OF EMERGENCY SHELTERS AND PREFAB HOUSES

MOVED by Alderman Abbott, seconded by Alderman Lloyd, that Mr. L. M. Romkey, Commissioner of Finance, be appointed Administrator of Emergency Shelters and Prefabricated Houses. Motion passed.

LEAVE OF ABSENCE -- MRS. ETHEL SHINNER, R. N.

August 11, 1960

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

At a meeting of the Public Health and Welfare Committee held on August 4, 1960, it was agreed to recommend that Mrs. Ethel Shinner, Night Supervisor, be granted leave of absence, with pay, until August 31st. as her sick time has been used up.

Respectfully submitted,

R. H. STODDARD, Mr. L. M.
CITY CLERK.

MOVED by Alderman Greenwood, seconded by Alderman Lloyd, that the report be approved. Motion passed.

Council,
August 11, 1960

AIRPORT OPENING AND UNION OF NOVA SCOTIA MUNICIPALITIES CONVENTION

August 22, 1960

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

At a meeting of the Finance and Executive Committee held on the above date, the matter of providing funds towards the costs involved in connection with the opening of the Halifax International Airport and the Union of Nova Scotia Municipalities Convention was considered.

Your Committee recommends that the Account 34-184A be supplemented by the sum of \$5,000.00, under the authority of Section 316 "C" of the City Charter, for the above purposes.

Respectfully submitted,

R. H. STODDARD,
CITY CLERK.

MOVED by Alderman Lloyd, seconded by Alderman Greenwood, that the report be approved. Motion passed.

His Worship the Mayor: "I would like to say, with respect to the Union Convention, that we have been able to gather together a very outstanding collection of events in connection with the Convention, which have not been charged to any of the Municipalities. For three of the ladies' events, Mrs. Vaughan was able to secure sponsors for all three which would save about \$900.00. In all, we were able to get about \$4,000.00 in sponsored events; in other words, there is no charge against us. I think, for the amount of money we are spending, we are going to create a lot of good will among the sister Municipalities. I think it is money well spent."

VOTERS' LISTS

Alderman Lloyd: "Some of us are concerned about the Voters' Lists in the next election. The present Voters' List is being compiled, as I understand it, to include the taxpayers who are on the Assessment Rolls for 1960; the owners of real property. The household taxpayer, as such, will not be listed; is that correct?"

His Worship the Mayor: "Why is this?"

Alderman Lloyd: "Because of our timing. The election is in October and there are no household taxpayers now. There was no assessment made in 1959. We have the third class of voting taxpayers and those are the Poll Taxpayers. In starting the system, there have been some extensions of the deadline for

Council,
August 11, 1960

completing returns. When will we get a complete list of the voters in the City for the 1960 election?"

Mr. Romkey: "The deadline for paying Poll Taxes, without overdue interest, was extended from June 30th to September 30th."

His Worship the Mayor: "Because of the time payment plan."

Mr. Romkey: "The election lists are supposed to be out on October 1st."

His Worship the Mayor: "Isn't the election list as it appears on our books, as of that date?"

Mr. Romkey: "I doubt if there will be too many left off."

Alderman Lloyd: "The Collector has to make up a list from those eligible to vote and he will have to fix a date, as I see it. Make up the list and then indicate if any person pays after that date; they can pay their Poll Taxes up to and including election day, and still have the right to vote. I think it only fair to all concerned that the initial list that you get will not contain the names of persons who have not paid their 1960 Poll Tax, because of this time factor. The deadline, for example, on the interest charge, may, in this particular year, give us a larger number of people who may not be on the list when you get it, but who will have the right to vote if they pay up to and including election day."

His Worship the Mayor: "Mr. DeBard, apparently, had a meeting to discuss this matter and recommended that all persons, after the issue of the official election list, will be presented with a certificate on payment of the Poll Tax."

City Manager: "Instead of making them come back, when they pay the Tax, they can get the certificate right away. One thing we didn't think about was: the Candidates would be interested in those names. I am sure that Mr. Romkey and Mr. Hagell can work something out so that the supplements would be forwarded to them as they become available to us."

Alderman Lloyd: "Supplements could be given to us but I think with respect to the list of Poll Taxes, an earlier date--October 1st, if at all possible, should be in the hands of all Candidates. Then, the supplementary list could come maybe every two weeks or every week until election day."

His Worship the Mayor: "The only difficulty is the check-off for Poll Tax. This is part of our problem now."

Council,
August 11, 1960

Alderman Lloyd: "What is your problem with the check-off?"

Mr. Romkey: "As you know, with the check-off system, they pay so much a month."

Alderman Lloyd: "By extending the date to September, we have extended, in effect, the check-off payments or the installment payments of Poll Taxes. There may be a number of people who would not be able to vote because there was some balance outstanding at election day on their card."

His Worship the Mayor: "I think that this change in the date on which the penalty clause applies to Poll Taxpayers, should not apply to the individual who is making payments by the check-off system. It should not be applied because they have paid tax money in advance of the due date. They should have a benefit conferred upon them. Any person making those payments, and has paid them up to a certain date, should be qualified as a voter, even though he may not have paid in that year, his tax for that year."

Alderman Ferguson: "Why is there great concern over the list for this year? In other years, we have used the last year's list. It has never been the current year's list."

His Worship the Mayor: "This year, because we have extended the period of payment of Poll Taxes, it is much closer to the preparation of the lists. They will not have all these names in and in the hands of the Candidates."

Alderman Ferguson: "Why can we not use last year's list?"

His Worship the Mayor: "We cannot do it by law."

Alderman Lloyd: "Another reason is: the addresses that you get on these lists for the voters on October 19th, will be the addresses the Assessor got when he visited that property in 1959 to value it. You have a year's back listing of addresses in any case. We want to get the latest list as fast as we can."

Mr. Romkey: "Could we get legislation to include these people?"

His Worship the Mayor: "We can't get it this year. It will go in with the legislation next spring."

Alderman Lloyd: "In other words, any person who is on a partial payment for Poll Taxes, after September, which will not be completed before October 19th, will not be eligible to vote."

Council,
August 11, 1960

His Worship the Mayor: "That is right, under the present system."

Alderman Lloyd: "I don't think you can do it without legislation."

Alderman O'Brien: "On the question of assessment, I have been told that under our new system where there is no household tax payable, that some who have purchased their homes under an Agreement of Sale, don't pay the property tax in their own name, although they pay it with their own money, are liable for the Poll Tax."

His Worship the Mayor: "That is correct."

Alderman O'Brien: "It seems to me that this is something which should be corrected in legislation."

His Worship the Mayor: "We have corrected it insofar as the initial purchases, either from the City of Halifax or the Bridge Commission. Those persons, under an Agreement of Sale, are listed as owners. Persons, who, by reason of a legal convenience to themselves, or to the vendor, want to use the device of an Agreement of Sale; this, I think, is a matter of the purchaser of the property and the vendor themselves. The remedy is to make other arrangements. I'm a little concerned about Agreements of Sale because quite often, there are other considerations besides just the convenience factor."

Alderman Lloyd: "Are there many such Agreements of Sale?"

His Worship the Mayor: "Not too many."

Alderman O'Brien: "It's not part of the principle of our tax system that persons are going to pay the Poll Tax and the Property Tax, both, but that is what is happening in some cases."

His Worship the Mayor: "The remedy is in the hands of the person; they can have it changed. I know of one case where there are three or four different Agreements involved in a prefab house; originally purchased by an Agreement of Sale. There were three or four different Agreements. Finally, one person in occupation of the property is paying a first mortgage to one person and a second mortgage to another person. That person must, in turn, also pay a Poll Tax because the property is not registered in her name."

Alderman O'Brien: "I think it is true that all the original owners in the Westmount Subdivision were through Agreements of Sale. Central Mortgage

Council,
August 11, 1960

and Housing is for the Queen. That is the name on the tax assessment, yet most of them would be close to being paid off."

City Solicitor: "I can't speak for the Assessor. I think the way the assessment is made is: Her Majesty the Queen, in care of. We have that information. If you are going to take every Agreement of Sale, you will have to tear the Charter from one end to the other because the owner of the property is entitled to a vote. Until he passes over a deed, the person under an Agreement of Sale, has only an equity. A lot of these Agreements are not recorded; a lot have defaulted and you may have 4, 5 or 6 different Agreements of Sale within the one year with respect to the same property."

Alderman Lloyd: "That is one argument in favor of the Universal Franchise."

Alderman O'Brien: "In any case, it seems to me that it would be a very simple matter for us to make provisions for a person who gets a receipt for having paid a Property Tax, to be declared exempt from the Poll Tax."

City Solicitor: "The receipt is made out, not to the name of the person who comes in and pays the taxes, but in the name of the owner who is the man who has the legal title."

Alderman O'Brien: "If it is the Queen, she doesn't have to pay the Poll Tax."

His Worship the Mayor: "No. If it is the Queen, our legislation provides for that person."

Alderman O'Brien: "Only in that one case."

His Worship the Mayor: "No."

City Solicitor: "It applies to a person purchasing a prefab in the City and the Relief Commission properties."

Alderman DeWolf: "It is a little different today now that we have the Deed Transfer Tax and these Agreements of Sale. If an Agreement of Sale is made and not registered, then the purchaser will not have to pay that Transfer Tax. If he changes from an Agreement of Sale to a deed and a first and second mortgage, he is subject to the Deed Transfer Tax. As soon as he transfers it to his own name, whether it is by first and second mortgage and deed, then he is automatically a voter. In the meantime, he hasn't paid that Deed Transfer Tax, if the Agreement of Sale isn't recorded, then he has no vote."

Council,
August 11, 1960

Alderman Lloyd: "No. He becomes liable for a Poll Tax and then has the right to vote as a Poll Taxpayer; isn't that it?"

His Worship the Mayor: "That is right."

MOVED BY Alderman O'Brien, seconded by Alderman Ferguson, that this meeting do now adjourn. Motion passed.

Meeting adjourned: 9:35 P. M.

LIST OF HEADLINES

Public Hearing Re: Rezoning East Side Brunswick Court Between Falkland Street and Dead End from R-3 Zone to C-2 Zone	882
Public Hearing Re: Zoning West Side of Brunswick Street Between Portland Place and Cornwallis Street to C-2 Zone	882
Public Hearing Re: Rezoning North Side Seaforth Street Between Oxford and Connolly Streets from R-2 Zone to R-3 Zone	883
Public Hearing Re: Closing Rector Street Between Gottingen and Leaman Streets	884
Widow's Allowance - Mrs. Ellice May Young - \$635.70	887
Widow's Allowance - Mrs. Gertrude M. McIsaac - \$678.52	888
Widow's Allowance - Mrs. Margaret Slaunwhite - \$442.43	888
Widow's Allowance - Mrs. Ethel Mae Lownds - \$534.00	889
Accounts over \$500.00	889
Emergency Shelter Operation - 1959 - Compared to 1958	890
Intercommunication System - Mobile Radio Equipment	891
Workmen's Compensation Assessment	891
Mulgrave Park Project - Lighting	891
Bond Issue - October 1, 1960	892
City Hall Union Agreement	892
Fleming Park - Extinguishment of Easement	897
Replotting - George and Upper Water Streets	897
Replotting - Barrington and Richmond Streets	902
Replotting - Lots 6 and 7 - West Side of Connaught Avenue	902
Expropriations - Jacob Street Redevelopment Area	903
Petition - St. Margaret's Parish - Curb and Gutter - E/S Robie St.	906
Property Acquisition - St. Joseph's School	907
Encroachment - Maritime Telegraph and Telephone Co. Ltd. - S/W Corner of Point Pleasant Drive and Tower Road	907
Settlement for Loan of Concrete Testing Machine to City	908
Borrowing Authorizations - Cancellations	909
Westwood Park Agreement - Taxation	909
Expropriation - Nos. 8-10 Poplar Grove	914
Tenders for Linen, etc. - Basinview Home	917
Appointment of Committee to Make Recommendations to the Minister of Health of the Province of N. S. respecting Regulations for the Operation of Nursing Homes	917
Rental Control By-Law - Second Reading	917
Amendments - Ordinance #34 - "Respecting Children under Sixteen Years of Age Being on the Streets of the City at Night" - Second Reading	920
Amendments - Ordinance #28 - "Weighing of Coal and Coke" - Second Reading	922
Tag Day - Halifax Colored Citizens' Improvement League - August 20th	923
Cancellation - Insurance Policy - Motorcycle Operators	923
Tenders for Used Pumper - Fire Department	925

TAX COLLECTIONS - MONTH OF JULY, 1960 Council,
August 11, 1960

YEAR	DESCRIPTION	AMOUNT	PERCENT
	Traffic Course - Evanston, Illinois		926
	Bellevue Case - Bond for Appeal to Supreme Court of Canada		928
1958	Report - Redevelopment Committee	19,300.00	929
1959	Agreement - Westwood Park Housing Project - Interest Rate	1,078.30	929
1960	Reception of Petitions and Delegations	115,921.32	930
	North Common - Redevelopment	172,127.52	930
	Letter - Halifax-Dartmouth & District Trades & Labor Council Re: Stoppage of Horse Racing on Commons	1,222.25	930
	Wanderers' Grounds Fee - Red Sox Ball Club	176,036.77	931
	Appointment - Commissioner of Finance as Administrator of Emergency Shelters and Prefab Houses		933
	Leave of Absence - Mrs. Ethel Shinner, R. N.		933
	Airport Opening and Union of Nova Scotia Municipalities Convention		934
1954	Voters' Lists		934
1958	Tax Collections - Month of July, 1960	20.00	940-A
1959		207.04	
1960		25.75	
		95,503.49	

POLL TAXES OTHER THAN LISTED ABOVE

C. A. VAUGHAN,
MAYOR AND CHAIRMAN.

R. H. STODDARD,
CITY CLERK.

DESCRIPTION	AMOUNT	PERCENT
TOTAL COLLECTIONS IN JULY, 1960		
TOTAL COLLECTIONS IN JULY, 1959		
TAX ARREARS COLLECTED JAN. 1st to JULY 31, 1960	1,311,545.43	44.97
TAX ARREARS COLLECTED JAN. 1st to JULY 31, 1959	1,232,763.37	45.54
TOTAL COLLECTIONS TO JULY 31st, 1960	4,375,715.63	88.15
TOTAL COLLECTIONS TO JULY 31st, 1959	5,004,279.00	89.57
TAX LEVY, 1960	9,057,911.32	93.97
TAX LEVY, 1959	8,692,401.33	89.21

Respectfully submitted,

M. E. McDONALD,
CHIEF ACCOUNTANT.

TAX COLLECTIONS - MONTH OF JULY, 1960

<u>CIVIC</u> <u>YEAR</u>	<u>RESERVES</u>	<u>O/S BALANCE</u> <u>JUNE 30, 1960</u>	<u>NEW ACCOUNTS</u> <u>& ADJUSTMENTS</u>	<u>JULY, 1960</u> <u>COLLECTIONS</u>	<u>O/S BALANCE</u> <u>JULY, 1960</u>
1958	\$ 90,492.34	\$ 181,336.65		\$ 10,800.00	\$ 170,536.65
1959	107,271.42	463,435.96 CR	\$ 10.00	25,878.30	437,547.66
1960	66,984.19	1,778,701.02 DR	1.60	135,999.22	1,642,703.40
		2,423,473.63 CR	\$ 8.40	172,677.52	2,250,787.71

TAX YEARS PRIOR TO 1958 (COVERED BY RESERVES)

3,329.25
176,006.77

POLL TAXES

1954	9,673.05		36.91	9,636.14
1958	4,727.74		206.25	4,521.49
1959	33,386.22 DR	40.00	437.05	32,989.17
1960	95,503.40 DR	25.75	46,454.58	49,074.57

POLL TAXES OTHER THAN LISTED ABOVE

47,134.79
108.25
47,243.04

TOTAL COLLECTIONS IN JULY, 1960

223,249.81

TOTAL COLLECTIONS IN JULY, 1959

273,448.03

TAX LEVY, 1959

CURRENT TAXES COLLECTED JAN.1st to JULY 31, 1960

7,486,984.85

CORRESPONDING PERIOD, 1959

7,232,915.00

TAX ARREARS COLLECTED JAN.1st to JULY 31, 1960

589,751.78

CORRESPONDING PERIOD, 1959

561,364.06

POLL TAX COLLECTIONS JAN. 1st to JULY 31, 1960

250,420.92

CORRESPONDING PERIOD, 1959

155,288.61

8,327,157.55 7,949,567.67

CIVIC

<u>YEAR</u>	<u>AMOUNT COLLECTED</u> <u>JANUARY 1st to JULY 31st</u>	<u>%</u>
-------------	--	----------

TAX LEVY, 1960 9,057,011.22 7,486,984.85 82.67

TAX LEVY, 1959 8,692,401.33 7,232,915.00 83.21

TAX ARREARS, JANUARY 1st, 1960 1,311,545.43 589,751.78 44.97

TAX ARREARS, JANUARY 1st, 1959 1,232,763.37 561,364.06 45.54

TOTAL COLLECTIONS TO JULY 31st, 1960 8,076,736.63 89.18

TOTAL COLLECTIONS TO JULY 31st, 1959 7,794,279.06 89.67

1958 TAX COLLECTIONS 10,420.92 4.21

1959 TAX COLLECTIONS 11,985.00 4.54

CORRESPONDING PERIOD, 1959 155,288.61 1.85

1958 TAX ARREARS 157.55 0.00

1959 TAX ARREARS 157.55 0.00

TOTAL COLLECTIONS IN JULY, 1960 223,249.81 82.67

TOTAL COLLECTIONS IN JULY, 1959 273,448.03 83.21

TAX LEVY, 1959 8,692,401.33 83.21

CURRENT TAXES COLLECTED JAN.1st to JULY 31, 1960 7,486,984.85 89.18

TAX ARREARS 589,751.78 44.97

CORRESPONDING PERIOD, 1959 7,232,915.00 89.67

TAX ARREARS 561,364.06 45.54

TAX ARREARS COLLECTED JAN. 1st to JULY 31, 1960 589,751.78 44.97

Respectfully submitted,

R. R. MCDONALD,
CHIEF ACCOUNTANT.

Doctor Morton

CITY COUNCIL
MINUTES

Council,
August 25, 1960

Council Chamber,
City Hall,
Halifax, N. S.,
August 25, 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 Abbott, Lane, Macdonald, Butler, Ferguson, Trainor, Lloyd, Wyman, Connolly, O'Brien and Greenwood.

Also present were Messrs. L. M. Romkey, Acting City Manager, R.H. Stoddard, W. J. Clancey, H. K. Randall, T. C. Doyle, J. F. Thomson, V. W. Mitchell, J. L. Leitch, G. F. West, K. M. Munnich and Doctor A. R. Morton.

PUBLIC HEARING RE: REZONING CORNER OF SOUTH AND DAVIS STREETS -- R-2 ZONE TO R-3 ZONE

A Public Hearing into the matter of rezoning the corner of South and Davis Streets from R-2 Zone to R-3 Zone, was held at this time.

The City Clerk advised that the matter had been duly advertised and that written objections had been received from the following:

1. Isabel MacKenzie, 5 Fraser Street.
2. Leigh and Helen Miller, 1 Fraser Street.
3. Estate Lois M. Carten, 18 Fraser Street.
4. Minerva B., Carrie G. and Muriel G. Anderson, 27 Fraser Street.
5. David Fiering, 23 Fraser Street.

He further advised that one letter had been received in favour of the proposed rezoning from Messrs. Hector and Justin Bellefontaine of #280 South Street.

His Worship the Mayor asked if any persons wished to be heard against the proposed rezoning.

Mr. Morrison: "I represent twenty property owners in the district. Most of the property owners who have signed this authorization for me to appear here tonight, are residents of Fraser Street. The principle objection that they asked me to raise is that if the proposal is put forward, that should there be an eight-unit apartment building erected on the property, the properties immediately abutting the proposed site would be devalued. Also, that an eight-unit apartment building would bring congestion to the area.

Council,
August 25, 1960

"It is a small street joining South and Fraser Streets, which is primarily a residential area. The rezoning from R-2 zone to R-3 zone brings it closer to Fraser Street which is R-2 and which is made up primarily of people who have single dwellings. It would have to be one apartment building with four flats. These people who live there now contribute approximately \$8,000.00 a year in revenue to the City. They feel that any further encroachment such as the extension of Davis Street to an R-3 Zone, would devalue their properties. It certainly would change the character of the neighborhood by adding this type of dwelling to it. The flow of traffic would be increased along Davis Street. It is used as a route by school children down to Saint Francis and Gorsebrook Schools. Fraser Street, itself, is a very quiet street. By bringing more traffic to the area, it would only make it more dangerous to the children living in the area.

"So far as the rezoning of the district itself is concerned, I understand it is not to be 'spot' rezoning, but an extension of an existing rezoned area which seems to be the same thing no matter how you look at it. The district itself is now R-2. This localized rezoning, I understand, is not in keeping with the overall Master Plan of the City. There are two proposals, I understand. One is that presently under the R-2 zoning system, that it is now available for a four-apartment unit. If it is rezoned to R-3, it will be an eight-apartment unit. There is provision, I understand, for parking in both proposals; but, in the four-apartment unit, there would be an entrance on Fraser Street to a right-of-way from the lot itself."

No other persons appeared against the proposal.

His Worship the Mayor then asked if any persons wished to be heard in favour of the proposed rezoning.

Miss M. Grace Wambolt, Q. C.: "I would like to circularize the members of the Council with plans which show the situation in the area: One showing the property as it now is, and the other as the proposal would make it after the erection of this building. The lot to be rezoned is on the west side of Davis Street and shown clearly on the plan marked 'before'. It is owned by Hedley G. Ivany, Lt. Commander, and has a frontage of 40 feet on Davis Street and a depth of 120 feet. It is the only lot fronting on the west side of

Council,
August 25, 1960

Davis Street. At the corner, is the apartment building, No. 274-276 South Street and is owned by the Ivany Apartment Company Limited. The reason for the application is to permit the erection of an apartment building containing eight bachelor apartments. The building is to be constructed by the Ivany Apartment Company Limited who would also purchase the lot which is directly to the west marked 'old house to be torn down, #278', from Mrs. Christina Ivany, the present owner. The thought is to divide these three properties into two to increase the size of the lot for which the zoning application applies, from 40 feet to 67 feet. By taking 27 feet off the present fourteen-apartment building at the corner of South and Davis Streets, and adding this to increase the width of the 40-foot lot. They propose to tear down the old barn, which is on this present lot, also the house on the property, #278 South Street, and to provide parking area for the apartment building at the corner of Davis and South Streets which was erected in 1946 prior to the requirements of the City--that parking be provided for each apartment.

"The present zoning of the south side of South Street, on which the apartment building and that old house to be torn down stands, is an R-3 Zone. It is not 'spot' rezoning that we are asking for, but an extension of that just 40 feet southwardly to permit it to include this 40-foot lot. This Davis Street lot was purchased by Mr. Ivany in July, 1950, from William McFatriage, who used it commercially in his roofing business. It was then assessed by the City as business realty and was so assessed until 1957. My client informs me that prior to his purchasing the lot, he consulted with the then Town Planning Engineer, Mr. Snook, and enquired as to whether it could be used in the erection of an apartment building. He was told he could, so he went ahead and purchased it on that understanding. On the west side of Davis Street, is only this Ivany Apartment building, the barn and two garages which belong to the properties, #17 and #19 Fraser Street. Fraser Street is directly to the south. Across from this Davis Street lot, to the east, are backyard areas and garages only. There are no residences which front on what would be the east side of Davis Street. On the south side of the lot, is the property, #17 Fraser Street, which does not abut this lot because there is an

Council,
August 25, 1960

area in between it which is owned by No. 19 Fraser Street on which there is a garage. There are two garages, one for #17 and one for #19.

"On the west of the property it is abutted by the property of Mr. J. Bellefontaine who has a grocery shop in that area. On the north, the lot for which we are asking the rezoning, is abutted by the property of Mr. Hector Bellefontaine who has a garage there for car repairs. The property of Mrs. Ivany, which I referred to, is #278, which would be acquired by the Ivany Apartment Company Limited.

"I submit that into this picture, an eight-unit bachelor apartment building would fit very nicely indeed."

His Worship the Mayor: "Where did you say these car repairs were being carried on; what lot?"

Miss Wambolt: "It is to the west of the property. In the rear of his house."

His Worship the Mayor: "On South Street?"

Miss Wambolt: "That is right. It is an R-3 Zone. It has been there for a good many years."

His Worship the Mayor: "It has?"

Miss Wambolt: "Oh, yes; I would say about twenty years or more to my knowledge. My client would like to please everyone in the southwest end. I submit that under the Town Planning Act, which is Chapter 292 of the Revised Statutes of Nova Scotia, Section 16, that only the owners of the property affected by the amendment, are entitled under the Act to present petitions and be heard. That is, the owners of the property which is being rezoned, which means actually, I think, my client, Mr. Ivany; because it is his property only for which we are asking rezoning."

His Worship the Mayor: "It is not the interpretation of our Solicitor."

Miss Wambolt: "I understand that is the interpretation by the Department of Municipal Affairs. The Act does not say 'the owners of any property'; but says that 'the owners of the property affected by the amendment'. It is not just any property. That is my submission. Otherwise, any owner in the City might be considered as involved or affected, more or less, wherever his property was. It makes it very difficult to draw the line."

Council,
August 25, 1960

His Worship the Mayor: "Obviously, this cannot be correct because in the case of the protest under Chapter 292, Section 2, Part I of Section 16, states that 'the protest against the proposed amendment, or repeal should be submitted in writing to the Council not less than two days prior to the hearing, duly signed by the assessed owners of at least 20% of the properties affected by the proposed amendment or repeal'."

Miss Wambolt: "'Of THE property affected'."

His Worship the Mayor: "No, of the 'properties'. The plural is used here."

Miss Wambolt: "My submission is that if we were asking for rezoning of three or four properties, that that is 'the properties'."

His Worship the Mayor: "No, I think that is your interpretation. It is not the interpretation we place on it."

Miss Wambolt: "That is my submission and that is what I think was intended. Otherwise, they would have said 'any properties affected'."

His Worship the Mayor: "If you go back to Section 16 of Part I of the Act, you will find that any person desiring to secure an amendment; this is the person who owns the property. If you go to sub-section 4 of that section, it states 'with respect to 20% of the properties affected'. Obviously, if these were the people petitioning for a change in the By-Law, they would not be 20% of them."

Miss Wambolt: "If we were asking for five different properties in one area; five different lots owned by different people and we were asking for rezoning of a section, I think, then, it would be 'these properties affected'."

Alderman Lloyd: "Has the Solicitor anything to say about that?"

City Solicitor: "My interpretation of that Section is: If 20% of the owners are going to be affected by the rezoning, that is, not the person applying, but 20% of the owners."

Alderman Lloyd: "How do you determine the 100% that are going to be affected?"

City Solicitor: "I think it lies within the discretion of Council to say what is the area which is going to be affected."

Council,
August 25, 1960

Alderman Lloyd: "That could run anywhere in the discretion of Council from the immediate block to the other boundaries of the City."

His Worship the Mayor: "It would depend, I think, on the nature of the proposed rezoning. The case of Ben's Limited would mean a wider area because of the influence or effect on the neighbourhood by the reason of the type of establishment which would be made there, whereas if it is an apartment house, I think the Council determines how big an area is affected by it."

Miss Wambolt: "In that case, if that is the ruling of the Solicitor, perhaps there may be some special consideration given to the abutters. The abutters are the Ivany Apartment Company Limited; Mrs. Christina Ivany; the two Mr. Bellefontaines. On the Davis Street side, there are lots #19, 21, 23, which abut the property. If we go further; I don't know where one could exactly draw the line. Any person would naturally like to live next to a vacant lot, particularly if someone else has bought it, paid the purchase price, is paying the taxes on it, and is keeping it landscaped. It is very easy to find objectors to the erection of any building in the City. The Chairman of the 1980 Citizens' Planning Committee, in his report, which appeared in the local Press just a few days ago, had this to say: 'the non-productive use of land affects every shareholder in the community and it should be the responsibility of Council to see to it that every piece of land is made as productive as possible'. I submit that this is one way in which that particular vacant lot is made productive."

His Worship the Mayor: "That is only one paragraph out of context."

Miss Wambolt: "It is a good idea. We are faced now with a great exodus from the City of Halifax, to the surrounding areas because there aren't enough vacant lots on which people can build. It is not economically a sound paying proposition, so I am told, to build apartment buildings with less than six units. With regard to the traffic hazard, R-2 zoning now, without any change to this particular lot, would permit the erection of a three-storey dwelling containing not more than four apartments. Between a four and eight apartment building, the difference in the amount of traffic would be about four cars if each apartment dweller has a car. What do you gain if this plan of the Ivany Apartment Company Limited is followed through? It will provide

Council,
August 25, 1960

a parking area. You will see on plan No. 2 that we provide parking area for a fourteen-apartment building at the corner of South and Davis Streets which now has no parking facilities. It can provide, allowing 108 square feet per car, these parking areas at the rear. The new apartment building entrance would be from Davis Street. I cannot see where it will increase the amount of traffic on Fraser Street. The school children who live on Fraser Street would not be passing down Davis Street at all in going to either of the two schools in the neighbourhood. They would be going down Fraser Street. Instead of decreasing the values of the property in the area, I would submit that the erection of this apartment building would greatly enhance them. It will provide a far better looking corner and a far better looking Davis Street than is presently to be seen.

"By tearing down the two buildings which are there now, the new erection of the eight-apartment unit will cover less land than is occupied by the two buildings that are presently there. The various free areas and estimated parking areas are shown on the plan marked 'after'. The building area shown there is 28% of the whole of the land available at that corner.

"If the application is approved, it will permit an improvement in traffic by providing extra car parking for cars that otherwise would be parked on South Street; it will demolish an old building at #278 South Street; we will give living quarters to people within the City to prevent a greater flow to the country because of the scarcity of vacant lots and housing; it will improve the whole area and it will contribute additional tax money to the City."

The Planning Director's report was then read as follows:

To: His Worship the Mayor and Members of the Town Planning Board
From: K. M. Munnich, Director of Planning
Date: March 8, 1960
Subject: Rezoning - Davis Street (R-2 - R-3)

Drawing No. P200/111 shows three existing properties at the southwest corner of South and Davis Streets. Two of these properties, lots A and B are zoned R-3 residential. Lot A, measuring 36 feet by 140 feet, contains a single-family dwelling and lot B, measuring 60 feet by 140 feet, contains a fifteen-unit apartment building. Lot C is to the rear of lots A and B and fronts on Davis Street being the only lot on Davis Street between South Street and Fraser Street. It is zoned R-2 residential as are all the lots

Council,
August 25, 1960

on Fraser Street. It measures 40 feet by 120 feet or 4800 square feet.

A request has been received from the owner of lots A, B and C to rezone lot C from R-2 residential to R-3 residential. If this application is approved, it is proposed to replot these three properties into two lots as shown on the above drawing. The building on lot A would be demolished and a new lot formed, measuring 96 feet by 113 feet containing the existing fifteen-apartment building with car parking accommodation for the residents of this building. In addition a second lot would be formed fronting on Davis Street, measuring 67 feet by 110 feet, and it is proposed to construct thereon a building containing either twelve bachelor apartments or eight two-bedroom apartments. Parking accommodation for ten cars can be provided on this lot and if twelve bachelor units are built, the additional two parking spaces can be provided on the adjacent lot in conformity with the parking provision of the Zoning By-Law.

Although it would be most desirable to provide in the existing development on Lot B the required car parking accommodation, I consider that this should not be contingent upon rezoning of lot C. The proposal as submitted has the unfortunate features of many apartment building developments in the City where all the area around the building is given up for parking. There is no provision for any other use and car parking is allowed to come up right against the building which contains basement accommodation. I consider that the development proposed would overcrowd the available land and although it is within the present bylaw regulations for R-3 density zoning, I don't think these conditions should be allowed to extend beyond the existing zone limits.

I suggest that a better solution for this location would be a four-apartment building on lot C which would not require rezoning and which would provide for more room on the lots in question for landscaping and recreation. The only action necessary on the case of the acceptance of this solution would be a replotting giving the lot C 60 feet frontage and joining lots A and B into one lot.

I RECOMMEND, therefore, on the grounds which I have stated that the Board refuse the application to rezone Davis Street from R-2 to R-3.

Respectfully submitted,

K. M. MUNNICH,
DIRECTOR OF PLANNING.

His Worship the Mayor: "Have you agreed to do that Mr. Ivany?"

Mr. Ivany: "That report says twelve units. I have brought it down to eight units. If I were to put four, I would be facing the possibility of using my right-of-way which now comes in from Fraser Street. I am willing to give up that to reduce traffic but I would like to have the eight units and to tear down the building on South Street. I am confident that what we are proposing, is the best for the area."

Alderman Lane: "Would Mr. Munnich comment as to whether or not his opinion is the same on the reduced number of apartments?"

Mr. Munnich: "I still feel that the proposal would overload the site, although the position would be improved except on the reduction from 12 to 8 which would leave more land for other uses other than parking."

Council,
August 25, 1960

His Worship the Mayor: "Well, you wouldn't object to this plan?"

Mr. Munnich: "Not as strongly as before."

Alderman Butler: "What was defined as the affected area in this particular case?"

His Worship the Mayor: "The Council has to do that."

Alderman Butler: "Do we have to do it or has it already been done?"

His Worship the Mayor: "No. Say we get 5 objections to this; if it is broad enough, we have to have a two-thirds vote of Council to carry it."

Alderman Butler: "I wondered if it had been determined. I was curious to know if Mr. Morrison represents 20 property owners on Fraser Street. I wondered if both sides of Fraser Street, for example, were the affected areas. I would think they would be but are they, in fact, considered as such?"

Alderman O'Brien: "I would like to make a point about this area that is affected. It seems to me that this is the first time since I've been on the Council that Council has been told that they had to decide what was the affected area. My recollection is that the previous City Solicitor ruled that the then Town Planning Engineer should say what was the area affected. I believe that is what happened in the Ben's case. If we say that Council must decide, then it doesn't really matter because it would take a simple majority vote to determine whether we needed the two-thirds vote, by our definition of what was the area. It seems to me that that wouldn't be a very sound procedure and we should have some better way of determining it. Whether the law now permits a better way or not, it seems to me we only ought to do it on the recommendation of someone who is qualified to judge what is the affected area."

Alderman Butler: "My understanding at one of the previous meetings was that all of the people in the so-called affected area would be notified by mail directly. I am wondering if that was done."

His Worship the Mayor: "Yes."

The Director of Planning submitted a drawing showing both sides of Fraser Street, both sides of South Street up to Waterloo Street, and the west side of Waterloo Street between South and Fraser Streets.

Council,
August 25, 1960

His Worship the Mayor: "It seems that in notifying these people, you have declared; at least, you made a declaration, that, in your opinion, this was the affected area. This takes in somewhat thirty or more houses."

Mr. Munnich: "Yes."

His Worship the Mayor: "We only have from those thirty or more people, five objectors."

Alderman Macdonald: "If there were thirty people affected in the area, which is defined by the Director of Planning, what is the percentage that we have to hear from to consider? Is it 20%, 30% of the residents affected in the area?"

His Worship the Mayor: "Twenty per cent."

Alderman Macdonald: "How many are there in this area as defined by the Director of Planning?"

His Worship the Mayor: "Sixty-six properties."

Alderman Lloyd: "I think this determines the vote, does it not?"

His Worship the Mayor: "It determines the vote."

Alderman Lloyd: "It determines the vote; not whether we can hear it or not."

Alderman Lane: "What is the status of the twenty home owners that Mr. Morrison represents? Does that not throw any weight into the picture or is it just the written objections we must consider?"

City Solicitor: "Written objections submitted two days before. They have not put in any written objections."

His Worship the Mayor: "They have signed the petition engaging him."

Alderman Abbott: "He has a signed petition from twenty people."

His Worship the Mayor: "It doesn't make any difference insofar as the two-thirds vote is concerned. Only five people have registered written objections with the City Clerk two days prior to this meeting, which is the required notification. This is insufficient to be twenty per cent of the 60-60 law. In the face of those a simple majority is all that is required to decide the issue tonight."

Alderman Macdonald: "Does this appear in the advertisement for rezoning, the fact that they should register written objections if they wish to?"