

Council,  
January 26, 1961.

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

REPORT - REDEVELOPMENT COMMITTEE -  
TENDERS FOR DEMOLITIONS

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

At a meeting of the Redevelopment Committee held on the above date, the following tenders for demolitions in the redevelopment areas were approved and recommended to City Council:

42 Jacob Street .....	George A. Redmond.....	\$ 397.50
44-50 Jacob Street .....	George A. Redmond.....	397.50
50-52 Buckingham Street .....	George A. Redmond.....	2,685.00
52-56 Jacob Street .....	Roy Judge Co. Ltd.....	680.00
151-153 Brunswick Street .....	Roy Judge Co. Ltd.....	550.00
203-205 Brunswick Street .....	Roy Judge Co. Ltd.....	670.00
12-14 Poplar Grove .....	Roy Judge Co. Ltd.....	\$ 950.00

Central Mortgage and Housing Corporation concur in these recommendations.

Respectfully submitted,

R. H. STODDARD,  
CITY CLERK.

MOVED by Alderman Wyman, seconded by Alderman Trainor, that the report be approved. Motion passed.

ELIMINATION OF BUILDINGS BY CONTROLLED FIRE

The suggestion by Aldermen DeWolf and O'Brien, that it might be possible to eliminate some of these buildings by controlled fire was referred to the Acting City Manager and Fire Chief for a report.

MODIFICATION OF SIDEYARD - NO.174 OXFORD STREET

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: January 17, 1961.  
Subject: Modification of Sideyard - No.174 Oxford Street.

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending in favor of a modification of sideyard requirement to allow for the conversion of a single family dwelling to a duplex dwelling at No.174 Oxford Street, in accordance with Part XV, Para 1(f) of the Zoning By-Law.

On motion of Alderman O'Brien, seconded by Alderman Healy, the Board approved the report and recommended it to City Council.

Respectfully submitted,

K. C. MANTIN,  
CLERK OF WORKS.

Council,  
January 26, 1961.

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

REZONING 213 BAYERS ROAD FROM R-2 ZONE TO R-3 ZONE -  
DATE FOR HEARING MARCH 2, 1961

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

From: Town Planning Board.

Date: January 17, 1961.

Subject: Rezoning - No. 213 Bayers Road (R2-R3) - (City Owned Land).

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending in favor of rezoning the piece of City-owned land shown on drawing No. P200/223, from R2 to R3.

On motion of Alderman O'Brien, seconded by Alderman Fox, the Board recommended the rezoning of No. 213 Bayers Road (City-owned land) from R2 to R3, and recommended to City Council that a date be set for a Public Hearing.

Respectfully submitted,

K. C. MANTIN,  
CLERK OF WORKS.

MOVED by Alderman Trainor, seconded by Alderman Macdonald, that Council fix Thursday, March 2, 1961 at 8:00 p.m. in the Council Chamber, as the time and place for a Public Hearing on this matter. Motion passed.

MODIFICATION OF SIDEYARD AND FRONTYARD -  
SAINT JOSEPH'S SCHOOL

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

From: Town Planning Board.

Date: January 17, 1961.

Subject: Modification of Sideyard and Frontyard - St. Joseph's School.

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending in favor of a modification of sideyard and frontyard requirements as required for an addition to St. Joseph's School, in accordance with Part XV, Para 1(f) of the Zoning By-Law.

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

Respectfully submitted,

R. H. STODDARD,  
CITY CLERK.

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

Council,  
January 26, 1961.

MODIFICATION OF SIDEYARD AND REQUEST TO BUILD  
ON UNDERSIZED LOT - #3 GREEN STREET

To: His Worship the Mayor and Members of City Council  
From: Town Planning Board  
Date: January 17, 1961  
Subject: Request to Build on Undersized Lot - #3 Green Street

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending in favour of an application to build on an undersized lot at #3 Green Street, in accordance with plans submitted and under authority of Part XV, Para 1 (f) of the Zoning By-Law.

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

Respectfully submitted,

K. C. MANTIN,  
CLERK OF WORKS.

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

LEGISLATION 1961

A draft of legislation was submitted by the City Solicitor and copies were furnished the members of Council for their information and perusal.

The draft was considered item by item.

1. The Charter is amended by inserting therein immediately following Section 367A, the following Section:

367B. (1) The provisions of Section 367A shall not apply to steamship operators or stevedoring companies or waterfront watching services in respect of their employment of longshoremen, stevedores, freight handlers, checkers, watchmen, cargo repairmen or gearmen.

(2) A steamship operator or stevedoring company or waterfront watching service shall not employ any longshoreman, stevedore, freight handler, checker, watchman, cargo repairman or gearman after the 30th day of September in any year until such longshoreman, stevedore, freight handler, checker, watchman, cargo repairman or gearman has produced and shown to such steamship operator or stevedoring company or waterfront watching service a receipt showing that he has paid all poll tax due by him to the City for the current year or a certificate from the Assessor stating that he is not liable for such poll tax to the City.

(3) This Section shall be read and construed and given effect as if it had been enacted on the first day of January, 1961.

Council,  
January 26, 1961.

EXPLANATION: The present Section 367A providing for deductions from salaries and wages is not feasible when applied to waterfront workers. Both the Steamship Committee and the Longshermen's Union have agreed that the only workable solution to the problem of collecting poll tax from waterfront workers is to adopt the method as outlined in the proposed Section 367B. We attempted to secure this legislation in 1960 and are placing the same legislation before the House in 1961.

MOVED by Alderman Ferguson, seconded by Alderman Fox, that the policy as well as the legislation be approved. Motion passed.

2. The City may write off and cancel the betterment charge assessed against Civic Number 22 Balmeral Road in respect of curb and gutter laid in front of the said property, amounting to three hundred and sixty dollars and forty-eight cents, together with accrued interest thereon.

EXPLANATION: Tax Certificate was issued in respect of this property and the betterment charge was omitted. As the tax certificate is binding on the City, this legislation is necessary to take it off the books.

COUNCIL NOVEMBER 17, 1960.

MOVED by Alderman DeWolf, seconded by Alderman Abbott, that the legislation be approved. Motion passed.

3. The City may write off and cancel the betterment charge assessed against Civic Number 783 Robie Street in respect of sidewalk and sodding laid in front of the said property, amounting to two hundred and twenty-nine dollars and fifty cents, together with accrued interest thereon.

EXPLANATION: Same as above. COUNCIL NOVEMBER 17, 1960

MOVED by Alderman Connolly, seconded by Alderman Wyman, that the legislation be approved. Motion passed.

4. The City may write off and cancel the betterment charge assessed against Civic Number 40 Cork Street in respect of paving laid in front of the said property amounting to one hundred and thirty-two dollars, together with accrued interest thereon.

EXPLANATION: Same as above. COUNCIL JANUARY 12, 1961

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

5. (1) Notwithstanding the provisions of the Bonus Act and any provision of the Charter, for the civic years 1960, 1961, 1962, 1963 and 1964, the tax (excepting charges for Fire Protection) payable by the Halifax Labour Temple Association in respect of the ownership and occupation by the said Association of Civic Numbers 5410-5414 Cogswell Street, shall be the sum of five hundred dollars for each such year, and the City shall write off and cancel any taxes (excepting charges for Fire Protection) assessed in any such year in excess of the said sum of five hundred dollars.

Council,  
January 26, 1961.

(2) The City may refund to the said Halifax Labour Temple Association any amount in excess of five hundred dollars paid by it in connection with the assessment in respect of Civic Numbers 5410-5414 Cogswell Street for the year 1960.

(3) This Section shall be read and construed and become effective as if enacted on the first day of January 1960.

EXPLANATION: Request was made to the City for a fixed tax of \$500.00 per year for a period of ten years. However, Council on June 16, 1960, agreed to the fixed amount of tax for a period of five years only, retroactive to January 1, 1960.

MOVED by Alderman Ferguson, seconded by Alderman Greenwood, that the legislation be approved. Motion passed.

6. Subsection (1) of Section 434B, as that Section is amended by Section 19 of Chapter 72 of the Acts of 1945, is further amended by striking out the words "Tax Certificate" in the eighth line thereof and substituting therefor the words "Tax Deposit Certificate".

EXPLANATION: This Section refers to the certificate issued as payment on taxes not yet due. Later on the same term "Tax Certificate" is used in connection with statement of taxes owing. It is therefore felt that we should differentiate between the two.

COUNCIL DECEMBER 15, 1960.

MOVED by Alderman DeWolf, seconded by Alderman Ferguson, that the legislation be approved. Motion passed.

7. Subsection (3) of Section 640 is amended by striking out the words "fifteen dollars" in the second line thereof and substituting therefor the words "Twenty-five dollars".

EXPLANATION: The fee of \$15.00 to be paid upon application to get monies out of Court, is as it was set prior to 1931. With the many expropriations now in hand, the lawyers in the City are complaining about the small amount allowed. It is felt that it should be raised to \$25.00, which is the normal cost of such a motion.

MOVED by Alderman Greenwood, seconded by Alderman Ferguson, that the policy as well as the legislation be approved. Motion passed.

8. Clause (a) of subsection (1) of Section 174 is amended by striking out the words "one hundred dollars" in the second line thereof and substituting therefor the words "five hundred dollars".

EXPLANATION: This Section deals with the issuing of a Writ of Capias for the arrest of a debtor, and increases the amount of the debt for which such arrest can be made. Presently, we can issue a Capias against a debtor only when the debt is under \$100.00.

MOVED by Alderman Butler, seconded by Alderman Lane, that the policy as well as the legislation be approved. Motion passed.

9. Clause (a) of Section 965 is amended by striking out the numerals "963" as they appear in the third line thereof and substituting therefor the numerals "964".

EXPLANATION: This merely amends a typographical error.

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

10. Subsection (2) of Section 827 is repealed.

EXPLANATION: This subsection deals with regulations pertaining exclusively to the old Empire Theatre which used to be at the corner of North and Gettingen Streets and is no longer existent.

MOVED by Alderman Lane, seconded by Alderman Wyman, that the legislation be approved. Motion passed.

11. (1) The real property known as Civic Number 202 Tower Road owned by the Salvation Army, shall be exempt from taxation during such time as the same is owned by the said Salvation Army and is used by it for its own purposes.

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on the first day of January 1961.

EXPLANATION: The property 202 Tower Road has been purchased by the Salvation Army for the purpose of welfare and the care of unmarried mothers, and Council on November 17, 1960, agreed to grant them a tax exemption thereon.

MOVED by Alderman Greenwood, seconded by Alderman Lane, that the legislation be approved. Motion passed.

12. Section 50 of Chapter 64 of the Acts of 1960 is repealed.

EXPLANATION: This Section ratified and confirmed agreements entered into between Industrial Estates Limited, the City of Halifax and Puritan Cannery (Atlantic) Limited. However, the whole proposition fell through and the agreements are cancelled.

MOVED by Alderman DeWolf, seconded by Alderman O'Brien, that the legislation be approved. Motion passed.

13. (1) The real property known as Civic Numbers 663-673 Barrington Street owned by the Salvation Army, shall be exempt from taxation during such time as the same is owned by the said Salvation Army and used by it for its own purposes.

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on the first day of January, 1961.

EXPLANATION: This property has been purchased by the Salvation Army for the purpose of a men's social centre and replaces the centre which was located on Argyle Street, which property has been taken by the City for redevelopment.

MOVED by Alderman Lane, seconded by Alderman Wyman, that the

legislation be approved. Motion passed.

14. Subsection (1) of Section 734 as that Section is amended by Section 113 of Chapter 56 of the Acts of 1940, is further amended by striking out the word "person" in the first line thereof and substituting therefor the word "owner".

EXPLANATION: Heretofore prosecutions for constructing without a permit have been made against the person so constructing, or the contractor and it is felt that the owner of the property should be the one liable.

Alderman Lane suggested that legislation be secured to the effect of putting the onus of obtaining the permit on the owner but that no work be started until a copy is in the hands of the contractor.

Alderman Connolly referred to a case where a carpenter secured a permit to raise a roof of a house so as to enlarge a bedroom and when the job was completed, it was turned down by the City authorities because of room space and there was not sufficient light. The result was that the room could not be used. He felt there should be some responsibility on the contractor.

Alderman Ferguson felt the owner should be responsible.

Alderman Lane felt that both the owner and the contractor should be responsible for obtaining the permit.

MOVED by Alderman Greenwood, seconded by Alderman Lane, that the City Solicitor consider the matter of placing the responsibility for securing a Building Permit on the contractor as well as the owner and report.  
Motion passed.

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

(1) Except as hereinafter provided, every Ordinance shall be passed at two regular meetings of the Council.

EXPLANATION: As the Charter presently stands, we have two regular meetings of Council each month. However, under Section 939 it is required, for purpose of first and second readings of an Ordinance, that there be not less than 21 days between each such Council meeting. This amendment allows passing of Ordinances at two meetings of Council, even though they be two weeks apart, and enables the City to get Ordinances passed more quickly.

MOVED by Alderman Wyman, seconded by Alderman Connolly, that the legislation be approved. Motion passed.

LEGISLATION TO GIVE THE CITY GREATER POWERS

Alderman DeWolf asked if it were possible to write into the new City Charter some general legislative authority which would give the Council more power thus avoiding the necessity of going to the Legislature on items considered to be of a minor nature.

His Worship the Mayor advised that this is one of the principal objectives of the legal draftsmanship being undertaken by Mr. Cowan and there is complete co-operation with this viewpoint on the part of the Premier and the Government of the Province.

16. Subsection (1) of Section 588A is amended by inserting immediately following the word "streets" in the third line thereof, the words "or from deer to deer".

EXPLANATION: The present section does not control deer to deer canvassing and these words are inserted for this reason.

MOVED by Alderman DeWolf, seconded by Alderman Ferguson, that the legislation be approved. Motion passed.

APPLICATION TO REZONE LOT NO. 17 LYNCH STREET FROM  
R-2 ZONE TO R-3 ZONE

Referred to the Town Planning Board.

BICENTENNIAL DRIVE ENTRANCE

Alderman DeWolf requested information as to the possible moving of the Halifax and Southwestern Railway tracks as it stands in the way of a possible traffic circle as the entrance into the City. Also, that it is because of the railway that the overpass is necessary which is the cause of the high cost involved. He suggested that the matter be discussed with the C. N. R. Officials with a view to raising the tracks high enough so that traffic could pass under them so as to save the City and Province approximately one million dollars.

It was agreed that this matter be explored when the City discusses the matter of preliminary financing with the Minister of Highways.

Alderman O'Brien advised that a number of questions relating to factors of cost were submitted to the City staff. If the studies had been made and the answers obtained, he felt they should be furnished the members



Council,  
January 26, 1961.

of Council so that they could be studied along with the Report from Whitman-Benn and Associates.

His Worship the Mayor stated that he and the Acting City Manager would take into consideration the answers to the questions that were raised as to costs and other matters. If they have been answered by staff, this kind of information should be contained in a report to the Members of Council along with the report on the financial implications of the matter before the hearing is held.

Alderman O'Brien said there were two (2) decisions to be made by Council - (1) the location and (2) cost sharing between the City and Province.

SERVICE STATION PROPOSAL AT WILLOW TREE

Alderman Wyman referred to the deferment of the above proposal until the Traffic Engineer is on City staff. He contended that the City has lost opportunities for improvements in the City at the expense of private developers because of the time it takes staff, Council and its Committees to deal with some matters. He was of the opinion that the proposal, on the surface, was a considerable improvement to the area.

He suggested that the Committee consider the matter again.

Alderman O'Brien advised Council that the action of the Committee was, in his opinion, a rejection of the application which was unanimous. He did not see any point in further consideration, in the near future, of the proposal.

Council was advised by His Worship the Mayor subsequent to the last meeting of the Committee of Works that the applicant had made certain reasonable representations which were somewhat different than as presented to the Committee. If the matter were to be reconsidered, the Council would have to direct the Committee to so do.

It was pointed out that the applicant could re-apply to the Committee.

Alderman Wyman requested that it be placed on the record that he did not raise the matter because of the applicant or anyone on his behalf.

MOTOR VEHICLES BLOCKING INTERSECTIONS

Alderman Macdonald asked the Chief of Police if there is any law prohibiting cars from blocking an intersection where cars cannot move out from a side street.

The Chief replied that it is an offense to obstruct traffic but what the Alderman referred to is the case where a car is trapped in the middle of the intersection following a line of slow moving vehicles where the line is stopped by traffic lights or a police officer thus creating the above situation.

TRAFFIC AUTHORITY - WILLOW TREE PROPOSAL

His Worship the Mayor asked the Chief of Police if he had been contacted as Traffic Authority with respect to the service station proposal at the Willow Tree to which he replied in the negative.

NIGHT PARKING ON PARKER STREET

Alderman Ferguson requested the Chief of Police to investigate the matter of cars parking all night on Parker Street thus interfering with snow plowing operations.

Meeting adjourned.

10:00 p.m.

HEADLINES

Hearing Appeals from Granting of Occupancy Permit - #22 Morris St.	31
Report - Redevelopment Committee - Acquisition of Property - #234 Angyle Street	33
Report - Redevelopment Committee - Legal Assistance - Expropriation of Properties in the Redevelopment Area	33
Report - Redevelopment Committee - Tenders for Demolitions	34
Elimination of Buildings by Controlled Fire	34
Modification of Sideyard - #174 Oxford Street	34
Rezoning 213 Bayers Rd. from R-2 Zone to R-3 Zone - Date for Hearing March 2, 1961	35
Modification of Sideyard and Frontyard - Saint Joseph's School	35
Modification of Sideyard and Request to Build on Undersized Lot - #3 Green Street	36
Legislation 1961	36
Legislation to Give the City Greater Powers	41
Application to Rezone Lot #17 Lynch St. from R-2 Zone to R-3 Zone	41
Bicentennial Drive Entrance	42
Service Station Proposal at Willow Tree	43
Motor Vehicles Blocking intersections	43
Traffic Authority - Willow Tree Proposal	43
Night Parking on Parker Street	43

R. H. STODDARD,  
CITY CLERK.

J. E. LLOYD,  
MAYOR AND CHAIRMAN.

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 2, 1961,  
2:00 P. M.

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

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

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

Also present were Messrs. L. M. Romkey, R. H. Stoddard, W. J. Clancey, H. K. Randall, L. Mitchell, J. L. Leitch, G. F. West, H. Brennan, E. Peek, V. W. Mitchell and Doctor E. M. Fogo.

The meeting was called specially to consider the 1961 Budget.

MOVED by Alderman O'Brien, seconded by Alderman DeWolf, that Council adjourn and meet as a Committee of the Whole. Motion passed.

2:05 P. M. Council adjourned.

COMMITTEE OF THE WHOLE - 2:10 P. M.

FIRE ALARM DEPARTMENT - ACCOUNT 11-44 - GASOLINE

MOVED by Alderman Ferguson, seconded by Alderman Trainor, that the above account be reduced to the sum of \$450.00. Motion passed.

Aldermen Breen, Macdonald and Wyman arrived during the meeting.

STAFF - BUILDING INSPECTION DEPARTMENT

In order to carry out the provisions of Ordinance No. 50, "Minimum Standards", the Commissioner of Works advised it would be necessary to engage three qualified Inspectors and a typist in the Building Inspector's Department.

MOVED by Alderman Ferguson, seconded by Alderman O'Brien, that sufficient funds be provided in the Budget to engage the staff as suggested by the Commissioner of Works and that the same be recommended to the City Council. Motion passed.

The following points were raised by the members of the Committee:

1. Works Department  
Account No. 12-1-6

Alderman DeWolf questioned the increased amount for Unemployment Insurance, and the Acting City Manager was directed to render a report justifying the need for the budgeting of \$11,000.00.

2. Works Department  
Account No. 12-1-1

The Commissioner of Works was directed to submit a report listing the employees covered in the Salary Account, No. 1-1, totalling \$181,785.00.

3. Works Department  
Account No. 12-1-10

Alderman Macdonald referred to an advertisement in a magazine, "Business and Administration", advertising a two-way radio unit at a monthly rental of \$16.00 per unit as compared to the \$20.00 monthly rental per unit which is used in the City.

The Acting City Manager was requested to check into the matter and report back.

4. Police Department  
Salary Account

Alderman Breen questioned the necessity of two (2) stablemen at the Police Stables.

The Chief of Police was requested to report on this matter after discussing same with Alderman Breen.

5. Finance Department  
(Stores Department)

A discussion concerning the operation of the Stores Department, at City Field, was held and several Aldermen questioned the efficiency of the present system.

Consideration of this matter was referred to the new City Manager, and a report is to be submitted to Council when he has had an opportunity to examine the operation.

4:15 P. M. Committee adjourned.

4:30 P. M. Committee reconvened.

6. School Board  
Teachers' Salaries

A discussion took place with respect to the salaries for school teachers. Dr. Marshall explained that the Board has contractual obligations regarding teachers' salaries. His Worship the Mayor pointed out that the Council may not necessarily be concerned with rates of pay for the teachers but had the right to adjust the appropriation for salaries and the Board would have to fit its program to the amount of money budgeted for salaries.

Alderman Butler suggested that the City's position respecting the School Board Budget should be reviewed by the revisors of the City Charter.

A lengthy discussion took place on the question of increasing the number of pupils in each classroom to effect a reduction in the number of teachers required.

Dr. Marshall advised that the average number of pupils per classroom at present is 32, and he said that the School boundaries would have to be adjusted if the average was to be upgraded. He said it might also be possible to economize further by combining two classes at the elementary grades level.

Alderman Greenwood pointed out that if the size of the classes were increased to a new maximum of

Council,  
February 2, 1961

thirty-five (35) pupils, a saving of a quarter of a million dollars could be achieved.

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The Superintendent of Schools was requested to give consideration to the possibility of instituting a program of gradually increasing the size of the classes to a maximum average of thirty-five (35) pupils.

7. School Board  
Maintenance

At the suggestion of Aldermen Trainor and Ferguson, the Superintendent of Schools was requested to suggest to the Board that the services of professional experts be engaged to check the efficiency of the heating and electrical installations in the various school buildings to ascertain if economy could be achieved in the operation of the plants.

5:55 P. M. Committee adjourned.

7:15 P. M. Committee reconvened.

8. School Board

Filing Room - \$3,000.00 It was suggested that the \$3,000.00 provided for a Filing Room might possibly be capitalized.

9. School Board

Salary Research -  
\$10,000.00

Research personnel not filled during 1960. It was suggested that the \$10,000.00 be ~~deleted for 1961~~ as the City may hire a Personnel Officer to keep Council informed on wage and salary policies on a continuous basis. If the City does hire such a person in the field of Personnel Administration, from that might come some guide lines for the School Board. As there is a contract with the teachers for 1961 and 1962, it was felt there would be no need for Research Personnel during 1961. Dr. Marshall requested \$3,000.00 - \$4,000.00 included in place of the \$10,000.00 for stenographic help in the office and throughout the schools. This money would not be for research at all. Council advised it would consider this requested amount.

10. School Board

Revenue Item -  
\$679,461.00

Of the \$5,464,405.00 for education the City receives revenue of \$679,461.00. Alderman Wyman stated that this sum amounted to 12½% of the total Budget. He felt the Council might take note of this fact. His Worship the Mayor stated that the City is supposed to receive 25% of the cost of the Foundation Program which means the cost of education in the judgment of those in the Province as to what education should cost in the City of Halifax. Under the Pottier Formula, because property valuations are presumed to yield sufficient funds to pay for education at the rate of 80 cents per \$100.00 and enough money to pay for the Foundation Program, the City only qualifies for the minimum grant of 25% of the Program. This matter will be the subject of examination, collaboration and study with the Provincial Government in the next few months to present a case which may produce a better sharing arrangement. It was felt that the Province would welcome any constructive suggestions from the City on this matter.

11. School Board  
School Fees

If a City resident moves to the County in the middle of the school term, the pupil may continue in the City school for an additional charge at the prescribed rate. The fee for a County child attending City schools is \$200.00 per year. The Board was requested to review the rates charged.

12. Grants

Alderman Wyman suggested that the Council or a Committee will have to review and evaluate all grants to ascertain whether or not the grants which are being paid are in the right proportion to one another. He suggested this be done during the year 1961.

GRANTS REQUESTED FOR 1961

At this time, representations were made on behalf of organizations making the following requests:

<u>ORGANIZATION</u>	<u>REQUEST</u>
John Howard Society	\$1,500.00
Young Women's Christian Association	\$1,000.00
Canadian Cancer Society	\$1,000.00
Canadian Mental Health Association	Increase from \$1,500.00 to \$2,000.00
Canadian Arthritis and Rheumatism Society	\$ 500.00
" " " " " "	16.00 (Taxes)
Nova Scotia College of Art	Requesting sufficient to balance books. (\$3,000.00 in Budget).
Dalhousie Public Health Clinic	Requesting \$20,000.00 for 1961 and 1962.
Dalhousie Institute of Public Affairs	Requesting \$ 1,000.00. (In Budget).
Cornwallis St. United Baptist Church	Requesting \$ 1,000.00 as 4th installment of a total grant of \$5,000.00. (In Budget).
Children's Aid Society	Requesting continuation of extra grant of \$2,500.00. (In Budget).
Canadian National Institute for the Blind	Requesting continuation of \$1,200.00 grant (In Budget).
Family Service Bureau of Halifax	Requesting that \$3,000.00 be increased to \$5,000.00.
Maritime Museum	Requesting that \$5,000.00 be increased to \$7,000.00 (\$5,000.00 in Budget).
Salvation Army	Requesting \$2,000.00 Red Shield grant (In Budget).
Halifax Symphony Society	Requesting \$2,500.00 (in Budget) be increased.

Council,  
February 2, 1961

ORGANIZATION

REQUEST

Maritime Conservatory of Music

Requesting continuation of \$5,000.00 grant.

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Halifax Musical Festival

Requesting continuation of \$750.00 grant.

Young Men's Christian Association

Requesting \$1,000.00. (In Budget).

Halifax Dispensary

Requesting increase from \$1,200.00 to \$3,700.00 (\$1,200.00 in Budget).

Maritime School - Social Work

Requesting increase from \$500.00 to \$2,500.00. (\$500.00 in Budget).

Salvation Army Hostel - Barrington Street

Requesting not less than \$75,000.00.

10:30 P. M. Council reconvened, the following members being present:

Aldermen DeWolf, Abbott, Lane, Butler, Macdonald, Fox, Ferguson, Trainor, Breen Healy, Wyman, O'Brien and Greenwood.

STAFF - BUILDING INSPECTION DEPARTMENT

February 2, 1961

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

At a meeting of the Committee of the Whole Council held on February 2, 1961, consideration was given to the matter of providing staff in the Building Inspection Department to carry out the provisions of Ordinance No. 50, "Minimum Standards".

Your Committee recommends that sufficient funds be provided in the Budget to engage three qualified Inspectors and a typist for the above purpose.

Respectfully submitted,

R. H. STODDARD,  
CITY CLERK.

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

10:35 P. M. Meeting adjourned.

HEADLINES

1961 Budget - Fire Alarm Department - Account 11-44 - Gasoline	44
Staff - Building Inspection Department	44
Grants Requested for 1961	47

J. E. LLOYD,  
MAYOR AND CHAIRMAN.

R. H. STODDARD,  
CITY CLERK.

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 9, 1961,  
7:30 P. M.

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

After the meeting was called to order by the Chairman, 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, Breen, Lane, Butler, Fox, Trainor, Healy, Connolly, O'Brien and Greenwood.

Also present were Messrs. L. M. Romkey, R. H. Stoddard, W. J. Clancey, H. K. Randall, L. Mitchell, J. L. Leitch, J. F. Thomson, G. F. West, K. Munnich, V. W. Mitchell and Doctor E. M. Fogo.

The meeting was called specially to consider:

1. Proposed Bicentennial Drive Entrance to City via School Avenue and Public Hearing in connection therewith.
2. Rezoning #200-200 $\frac{1}{2}$  Atlantic Street from R-1 Zone to Park and Institutional Zone (To T. P. Board).
3. 1961 Budget.

PROPOSED BICENTENNIAL DRIVE ENTRANCE TO CITY VIA SCHOOL AVENUE AND PUBLIC HEARING IN CONNECTION THEREWITH

The following submitted written briefs against the proposed location of the Bicentennial Highway entrance:

1. Mr. Eric Murray on behalf of the Pinehurst Civic Improvement Association;
2. Mr. D. C. Guildford on behalf of the Calvin Presbyterian Church;
3. Reverend George McGray on behalf of the Bayers Road Baptist Church.

These submissions are attached to the original copy of these minutes.

Aldermen Macdonald and Wyman arrived at 8:00 P. M.

No representations were made in favour of the proposal.

The following letter was received from the Minister of Highways:

February 3, 1961

His Worship  
Mayor John E. Lloyd  
City of Halifax  
Nova Scotia.

Dear Mr. Mayor:      Re: Bicentennial Drive, Entrance to Halifax City



Council,  
February 9, 1961

Our discussion this morning concerning the above project was most useful. It leads me to believe that the first step to take is to see if agreement can be reached:

- (a) on the location;
- (b) to have a design prepared.

Accordingly I now propose for the City's consideration that:

- (a) the location of the project be as shown in Figure 6 in the Whitman-Benn Report, dated 10 November 1960, said Figure 6 being on the page thereof between pages 39 and 40;
- (b) the City and the Province should at once retain a suitable consultant and instruct him to prepare a design for the project;
- (c) the cost of preparing such design be paid for in the proportions of 60% by the Province and 40% by the City.

The project referred to in this letter is defined as follows; beginning on School Avenue at the westerly end of the approaches to ramps "C" and "D" shown on said Figure 6 and continuing easterly across the boundary of the City of Halifax to the junction of Bayers Road and Romans Avenue.

I suggest that a committee of two, consisting of the City's Commissioner of Works and the Deputy Minister of Highways, should be appointed to instruct and advise the consultant. It might be left to the same committee also to recommend a suitable consultant. Any such recommendation would not be effective until accepted by the City and Province.

The acceptance of this proposal with reference to location and the design would not bind either the City or the Province in any other connection. All other matters would remain open for discussion, including the property problem in the vicinity of Elliott Street.

May I respectfully request that the above proposal be considered as soon as possible.

Yours very truly,

(Signed) G. I. SMITH,  
MINISTER OF HIGHWAYS.

His Worship the Mayor pointed out that the Province of Nova Scotia, in the first place, did its highway planning to bring this entrance to this point at the City's boundary and thus committed itself to a kind of an expenditure which is being proposed. While it is a proposal to the City of Halifax to share in a traffic device, to some extent, it is a fait accompli brought about by the planning, rightly or wrongly, of the Province of Nova Scotia and, in fairness, this point should be firmly established. Reports have been submitted on the matter as follows: (1) A. D. Margison and Associates Limited; (2) Whitman, Benn and Associates. The City staff reports have indicated that this particular site seems to be, under all circumstances, the best one for the construction of the traffic entrance.

Council,  
February 9, 1961

His Worship the Mayor expressed the thought that if the City and the Province enter into a partnership, that before final financial arrangements are made, that the partners should sit together and listen to the representations and not one be taking the full and sole responsibility for the decision, while the other does not hear the pleas and submissions made before Council. tio

After short explanations by Aldermen O'Brien and Greenwood, the following motion was submitted:

That Council approve the linking of Bicentennial Drive with Bayers Road by means of a traffic improvement project to be designed on the basis of a report by Whitman, Benn and Associates made to the City on November 10, 1960;

That Council enter into an agreement with the Province of Nova Scotia for the retaining of design engineers for the project, the City being responsible for 40 per cent of the cost of the design work only;

That Council reserve for later consideration any negotiation with respect to the cost of actual construction;

That the City, the Province, and the design engineers work into the final plans for the project the following provisions:

1. A fair method of paying compensation to any property owners whose property values are substantially reduced by reason of the decision to locate the project adjacent to their properties;
2. Safe and efficient routes for children crossing the highway and/or Bayers Road to attend schools and churches in the area;
3. A plan for the early development of recreation facilities on the public lands affected by, but not required for the project;
4. Retention by the design engineers of qualified landscape architects to ensure that the entire project is so landscaped as to make it as aesthetically attractive as possible, and blended into a first-class residential neighbourhood;
5. Provision that traffic be so planned and controlled that no unnecessary through traffic will be permitted to flow on residential streets in the area;
6. The routing of truck traffic into the City and from the City via the Fairview Overpass and the Armdale Rotary and not via Bayers Road;
7. Elimination through careful design of all possible nuisance from snow removal, salt, dust and misdirected illumination.

That further consideration be given to the traffic improvements which may be required at intersections such as Connaught and Bayers as a result of anticipated increase in traffic movement.

The motion was moved by Alderman O'Brien and seconded by Alderman Greenwood.

The Deputy Mayor suggested that action on the motion be deferred until the meeting of Council scheduled for February 16th to afford him the opportunity to read and examine the briefs submitted from the various organizations and residents in the area.

He then asked the following questions:

- (1) Was the City consulted on this matter before the Highway Bicentennial Design Contract was let on the Mayor's level, the Aldermen level or the City Manager level?;
- (2) Why not let this highway stand and spend 1.2 additional million dollars, as suggested by the Whitman, Benn Report, and develop a fourth entrance into the City enveloping Lady Hammond Road and North Barrington Street, and improve the shores of Bedford Basin?;
- (3) What guarantee have we that monstrous trans-Canada highway freight trains will not be disturbing the citizens of all the north end of the City as they sweep across the north end in an east-west direction or vice-versa, both entering and leaving the City?;
- (4) What guarantee have we, if we go along with any proposal that the Province is going to assist us in an overall Provincial-City tax agreement where we have to pay our share of improvements out of property taxes, yet the Province gets its monies out of gasoline and other taxes which both City and other citizens contribute to?;
- (5) I would like to know is the Province entering into a sharing agreement with respect to Bicentennial development in Dartmouth and in the County of Halifax?

MOVED by Alderman Trainor, seconded by Alderman Butler, that consideration of the motion be deferred until the next meeting of City Council.

The motion to defer was put and lost, six voting for the same and seven against it as follows:

FOR THE MOTION

Aldermen Abbott  
Breen  
Macdonald  
Butler  
Trainer  
Connolly -6-

AGAINST IT

Aldermen DeWolf  
Lane  
Fox  
Healy  
Wyman  
O'Brien  
Greenwood -7-

The motion was put and passed unanimously.

APPLICATION TO REZONE #200-200 $\frac{1}{2}$  ATLANTIC STREET  
FROM R-1 ZONE TO PARK AND INSTITUTIONAL ZONE

Referred to Town Planning Board.

8:55 P. M. Council adjourned to meet as a Committee of the Whole to consider the 1961 Budget.

The following points were raised by the members of the Committee:

1. Works Department  
Account No. 1-6

The Acting City Manager was requested to enquire of the Workman's Compensation Board to see if their experience with respect to the City's contributions and claims paid warrants a lowering of the rate charged the City.

2. Works Department  
Account No. 12-1-10

Alderman Macdonald again referred to an advertisement in a magazine, "Business and Administration", advertising a two-way radio unit at a monthly rental of \$16.00 per unit as compared to the \$20.00 monthly rental per unit which is used in the City.

The Commissioner of Works was requested to check into the matter and report back.

3. Works Department  
Account No. 2-1

The City Solicitor was instructed to suggest to the Charter revisors to give effect to Council's wish that a review be made of the section dealing with the issuance of Tax Deeds where properties are sold at tax sales, to insure that any or all costs involved, including surveying, be made a charge against the purchaser.

4. Works Department  
Account No. 3-1-2

Alderman Wyman questioned the need for seal coating Young Street from Oxford Street to Connaught Avenue as he understood the block from Connolly Street to Connaught Avenue had been previously paved.

The Commissioner of Works was requested to submit a report on this matter.

5. Works Department  
Account No. 3-2

The Acting City Manager was requested to enquire from other Municipalities their policy with regard to local improvement renewals; whether or not a charge is made to the abutters for such renewals. tio

6. Works Department  
Account No. 3-3

Alderman Macdonald referred to the condition of the sidewalk on Prince Street between Argyle and Market Streets, also Sackville Street, and asked that the Commissioner of Works make an effort to effect the necessary repairs. r

7. Works Department  
Account No. 3-11

The Commissioner of Works was instructed to report on the feasibility of including the new street sign program in the Capital Budget.

8. Works Department  
Account No. 3-6

Alderman Healy asked if the abutters on both sides of Dutch Village Road pay a share of the cost of paving and sidewalk installations. The Acting City Manager was instructed to make enquiries of the Municipal Clerk, Mr. R. G. Hattie, and submit a report on this matter.

9. Works Department  
Accounts 4-1 & 4-2

Alderman DeWolf questioned the amounts in the Budget for holidays and sick leave totalling \$99,000.00 and felt that the figure should not be presented in this manner but be included in the figure for wages. It was agreed that His Worship the Mayor, Acting City Manager and Commissioner of Works confer and report further on this matter.

10. Works Department  
Accounts 6-1 & 6-2

The Commissioner of Works was directed to report on the following:

1. The amount of by-product fill from the operation of the Incinerator and the amount of revenue, if any, therefrom.
2. The comparative costs of operation of the new Incinerator, the old Incinerator, and the City Dump.
3. The total tonnage of garbage taken to the Incinerator and City Dump by City trucks and what is taken by private trucks.
4. The possibility of the collection of garbage from residential areas only.
5. The capacity of the Incinerator and the feasibility of accepting garbage from firms outside the City at a reasonable fee.
6. The revenue received from the operation of the Incinerator.

11. Works Department  
Account No. 6-3

The eventual elimination of the City Dump was discussed and His Worship the Mayor stated that consideration should be given by the Committee on Works to the possibility of eliminating the City

Dump as soon as possible.

A suggested method was by a sea-dumping barge operatio

12. Works Department  
Account No. 6-4

The City Solicitor was requested to confer with the revisors of the City Charter to insure that the anti-litter law provisions are adequate. It was also suggested that a new Ordinance be drafted after review.

Aldermen Macdonald and Greenwood suggested that an educational publicity campaign, similar to that carried on by the Department of Highways, be instituted to make citizens and especially children more conscious of the need to keep the City clean.

11:00 P. M. Council reconvened; the Committee of the Whole reporting progress.

Meeting adjourned: 11:05 P. M.

HEADLINES

Proposed Bicentennial Drive Entrance to City via School Avenue and Public Hearing in Connection Therewith	49
Application to Rezone #200-200 $\frac{1}{2}$ Atlantic Street from R-1 Zone to Park and Institutional Zone	53
1961 Budget	53

J. E. LLOYD,  
MAYOR AND CHAIRMAN.

R. H. STODDARD,  
CITY CLERK.

To the Members of City Council:

Dear Aldermen:

In accordance with the resolution adopted following the informal meeting with Mr. Byars on Saturday, February 4, 1961, I myself discussed certain details with Mr. Byars as requested.

Mr. Byars has agreed that his salary is to be fixed at \$18,000.00. He is to provide his own transportation.

The City is to contribute \$1,000.00 per year to a pension fund. Mr. Byars is also to contribute \$1,000.00 per year to that fund. Both contributions

CITY COUNCIL  
SPECIAL MEETING  
MINUTES

Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 10, 1961,  
10:00 A. M.

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

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

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

Also present were Messrs. L. M. Romkey, R. H. Stoddard, W. J. Clancey, H. K. Randall, L. Mitchell, J. L. Leitch, W. A. Gray, G. F. West, V. W. Mitchell and Doctor E. M. Fogo.

The meeting was called specially to consider the following items:

1. Appointment of City Manager;
2. 1961 Budget and Payne-Ross Report.

APPOINTMENT OF CITY MANAGER

February 9, 1961

An informal meeting of the Committee of the Whole Council was held at 10:30 A. M. on Saturday, February 4th., 1961, all of the members of Council being present. A resolution was moved by Alderman H. R. Wyman and seconded by Alderman Abbie Lane as follows: "That the Committee of the Whole Council recommends to City Council that Mr. Peter Byars, presently of East Kildonan, Manitoba, be engaged in the capacity of City Manager of the City of Halifax at a salary of \$18,000.00 per annum with the understanding that so long as Mr. Byars remains in the employ of the City of Halifax that he receive an additional sum of \$1,000.00 per annum in the second and third years respectively, at the end of which time the matter of salary is to be reviewed."

(Signed) Alderman Robert J. Butler,  
SECRETARY.

Office of the Mayor

February 10, 1961

To the Members of City Council.

Dear Aldermen:

In accordance with your instructions following the informal meeting with Mr. Byars on Saturday last, the Deputy Mayor and myself discussed certain details with Mr. Byars on which you asked us to report.

Mr. Byars has agreed that his starting salary is to be fixed at \$18,000.00. He is to provide his own automobile transportation.

The City is to contribute 5% of the salary to a pension fund. Mr. Byars is also to contribute 5% of his salary to that fund. Both contributions

Council,  
February 10, 1961

are to be set aside in a special pension fund, apart from the City's Superannuation Plan. The details of the pension are to be completed with Mr. Byars when he takes up his duties with the City.

The City is to pay Mr. Byars' moving expenses to Halifax and the annual fees of the International City Managers' Association.

It was pointed out to Mr. Byars that his appointment would be made under the provisions of Section 118-A of the City Charter. He was advised that under subsection (2) of that Section, the City Manager holds office until two-thirds of the members of the Council vote in favour of his dismissal or of his superannuation, if he is entitled to the same. Mr. Byars was advised that a new City Charter is now in the course of preparation and that the City Council may wish to have thereunder both the appointment and dismissal of the Manager and heads of departments on a simple majority vote of the Council, with of course, appropriate provisions respecting notice of termination. In a telephone conversation with him on February 7, 1961, Mr. Byars declared his agreement to that change should the Council wish to make same in the new City Charter.

Mr. Byars is not to engage in any duties other than those required by the City of Halifax or as directed by City Council.

It is understood, of course, that Mr. Byars is to report for duty not later than May 15, 1961.

Yours very truly,

JOHN E. LLOYD,  
M A Y O R.

February 6, 1961

Mayor John E. Lloyd  
City Hall,  
Halifax, Nova Scotia.

Your Worship:

I regret that due to a business commitment outside the Province, I must be absent from Friday's special meeting considering the appointment of Mr. Byars as City Manager. I would like to record my agreement with this appointment and ask that my view be recorded in the minutes.

Yours truly,

(Signed) Raymond W. Ferguson,  
Alderman.

MOVED by Alderman Wyman, seconded by Alderman Lane, that Mr. Peter F. C. Byars be appointed as City Manager of the City of Halifax at a salary of \$18,000.00 per annum with the understanding that so long as Mr. Byars remains in the employ of the City of Halifax, he will receive an additional sum of \$1,000.00 per annum in the second and third year respectively at which time the matter of salary will be reviewed.

The motion was put and passed unanimously, the following Aldermen being present and voting therefor: DeWolf, Abbott, Breen, Lane, Macdonald, Butler,



Council,  
February 10, 1961

Fox, Trainor, Healy, Wyman, Connolly, O'Brien and Greenwood.

PAYNE-ROSS REPORT

Council was advised by His Worship the Mayor that the City had been supplied with interleaving sheets containing corrections, typographical and some obvious errors which were inconsistencies which the original draft submission contained.

City staff prepared a tabulation showing the present scales and the proposed scales which was only received on February 9th, but it was found there were some questions which needed clarification by Mr. Davidson.

He then stated he would call Mr. Davidson, with the approval of Council, and then have the new tabulation submitted to Council after the necessary corrections had been made in the Payne-Ross Report. When the report and tabulation were ready, he would release it to the members of Council, the Unions and the Press with a release date.

The procedure suggested by His Worship the Mayor was approved by Council.

BICENTENNIAL HIGHWAY ENTRANCE

The following letters were submitted and read for the information of Council only:

Minister of Highways  
Province of Nova Scotia

February 3, 1961

His Worship, Mayor John E. Lloyd,  
City of Halifax,  
Nova Scotia.

Dear Mr. Mayor:

Re: Bicentennial Drive, Entrance to Halifax City

Our discussion this morning concerning the above project was most useful. It leads me to believe that the first step to take is to see if agreement can be reached (a) on the location; (b) to have a design prepared.

Accordingly I now propose for the City's consideration that:

(a) the location of the project be as shown in figure 6 in the Whitman-Benn Report, dated 10 November, 1960, said figure 6 being on the page thereof between pages 39 and 40;

(b) the City and the Province should at once retain a suitable consultant and instruct him to prepare a design for the project;

(c) the Cost of preparing such design be paid for in the proportions of 60% by the Province and 40% by the City.

Council,  
February 10, 1961

The project referred to in this letter is defined as follows:  
beginning on School Avenue at the westerly end of the approaches to ramps  
"C" and "D" shown on said Figure 6 and continuing easterly across the boundary  
of the City of Halifax to the junction of Bayers Road and Romans Avenue.

I suggest that a committee of two, consisting of the City's Commissioner  
of Works and the Deputy Minister of Highways, should be appointed to instruct  
and advise the consultant. It might be left to the same committee also to  
recommend a suitable consultant. Any such recommendation would not be effective  
until accepted by the City and Province.

The acceptance of this proposal with reference to location and the  
design would not bind either the City or the Province in any other connection.  
All other matters would remain open for discussion, including the property  
problem in the vicinity of Elliott Street.

May I respectfully request that the above proposal be considered as  
soon as possible.

Yours very truly,

(Signed) G. I. SMITH.

Halifax, Nova Scotia,  
February 6, 1961

Mayor John E. Lloyd,  
Mayor of Halifax,  
Halifax, N. S.

Honourable G. I. Smith,  
Minister of Highways,  
Halifax, N. S.

Dear Sir:

Re: Proposed City of Halifax Entrance from  
Bicentennial Drive

Pursuant to the meeting on February 3, 1961, between Mayor John E.  
Lloyd, Mayor of Halifax, and Honourable G. I. Smith, Minister of Highways,  
the undersigned were directed to make an examination into who should be given  
the responsibility for the detailed design and engineering of the proposed  
City of Halifax entrance from Bicentennial Drive.

The undersigned have carefully considered the matter and it is their  
joint recommendation that the foregoing design and engineering work be made the  
responsibility of A. D. Margison and Associates Limited, Toronto, Canada, and  
J. Philip Vaughan, Consulting Engineer, Halifax, Nova Scotia.

Yours very truly,

(Signed) George F. West,  
Commissioner of Works,  
City of Halifax.

(Signed) J. L. Wickwire,  
Deputy Minister of Highways,  
Province of Nova Scotia.

No action could be taken at this time, this being a Special Meeting,  
as the item was not on the Agenda.

10:35 A. M. Council convened as a Committee of the Whole to consider

the 1961 Budget.

The following points were raised by the Members of the Committee:

1. Works Department  
Account No. 8-2      The Commissioner of Works was requested to submit a schedule showing gross costs for maintenance during 1960.  
  
10:45 A. M. Alderman Trainor retired.
2. Works Department  
Account No. 9      The City Electrician was requested to report on the following:
  1. The feasibility of placing street lights so as to give better illumination on the sidewalk having due regard to their proximity to trees.
  2. The possibility of using photo-cell type control to determine the turn-on and shut-off time in accordance with the degree of daylight.
  3. The possibility of the Nova Scotia Light and Power Company Limited resuming responsibility for the operation of the street-lighting system.
3. General Budget  
Observation by  
His Worship the  
Mayor      His Worship the Mayor referred to the Acting City Manager's action in reducing certain Budget requests without any apparent reasons and he commented: "I don't want a calculated reduction of debt being hidden collectively through all the accounts without Council approval. If it is the part of the management function to make a calculated avoidance of debt service charges to reduce the overall debt of the City, this should be a policy of which we are aware and it should be more comprehensive than just a stab here and there."
4. Works Department  
Account No. 10-1      The Acting City Manager was directed to submit a report giving a short summary of the essential ingredients contained in the Agreement with the Nova Scotia Light and Power Company Limited supplying current for the traffic lights.
5. Works Department  
Account No. 10-1      Alderman Healy asked if an additional light could be placed at the northwest corner of Windsor Street and Chebucto Road to obviate cars overriding the intersection.  
  
The Chief of Police was directed to investigate the matter and report to Council.
6. Works Department  
Account No. 10-3      The Chief of Police, replying to a question from His Worship the Mayor, stated that there are 8 or 9 intersections where the traffic density surpasses the minimum for which traffic lights are warranted and the approximate cost would be \$25,000.00.  
  
His Worship the Mayor contended that an overall capital program of traffic light installations should be considered.

Council,  
February 10, 1961

11:10 A. M. Council reconvened the following members of Council  
being present: His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Breen,  
Lane, Macdonald, Fox, Butler, Healy, Wyman, Connolly, O'Brien and Greenwood.

The Committee of the Whole Council reported progress on the Budget.

Meeting adjourned: 11:15 A. M.

HEADLINES

Appointment of City Manager	56
Payne-Ross Report	58
Bicentennial Highway Entrance	58
1961 Budget	60

J. E. LLOYD,  
MAYOR AND CHAIRMAN.

R. H. STODDARD,  
CITY CLERK.

MINDS

MOVED by Alderman Abbott, seconded by Alderman DeWolf, that the minutes of City Council held on February 17 and 18, 1961, be approved and action passed.

PRESENTATION OF EXHIBITIONS TO ALDERMEN

At this time His Worship the Mayor presented exhibitions of office to Aldermen Breen and Healy who were elected to Council November 23, 1960.

OPINION OF CITY SOLICITOR RE: OCCUPANCY PERMIT AT  
NO. 22 MORRIS STREET

To: His Worship the Mayor and Members of City Council

From: T. C. Doyle, Q. C., City Solicitor

Date: February 13, 1961

Subject: Occupancy Permit - No. 22 Morris Street.

At the last meeting of Council I was requested to outline the issues which are to be considered in this matter.

Mr. Gus Munroe applied to the Building Inspector for an occupancy permit for a tavern at 22 Morris Street, and the Building Inspector, under the authority of 739A of the Charter, granted such a permit.

CITY COUNCIL  
MINUTES

Council,  
February 16, 1961.  
Council Chamber,  
City Hall,  
Halifax, N. S.,  
February 16, 1961,  
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 City 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, Breen, Lane, Macdonald, Butler, Fox, Ferguson, Trainor, Healy, Connolly and O'Brien.

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

MINUTES

MOVED by Alderman Abbott, seconded by Alderman Butler, that the minutes of City Council held on November 17 and December 1, 1960 be approved. Motion passed.

PRESENTATION OF MEDALLIONS TO ALDERMEN

At this time His Worship the Mayor presented medallions of office to Aldermen Breen and Healy who were elected to Council November 23, 1960.

OPINION OF CITY SOLICITOR RE: OCCUPANCY PERMIT AT  
NO. 22 MORRIS STREET

To: His Worship the Mayor and Members of City Council

From: T. C. Doyle, Q. C., City Solicitor

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Subject: Occupancy Permit - No. 22 Morris Street.

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Mr. Gus Mandros applied to the Building Inspector for an occupancy permit for a tavern at 22 Morris Street, and the Building Inspector, under the authority of 739A of the Charter, granted such a permit.

Council,  
February 16, 1961.

Subsection (3) of Section 937A sets out the grounds upon which the Building Inspector may refuse to grant such an occupancy permit. Subsection (3), as enacted in 1960, limits his power to refuse such an occupancy permit, if the proposed occupancy is unsuitable for the said building, structure or premises, or if the proposed occupancy cannot be carried on in such building without overloading the same, increasing the internal fire hazard or the fire hazard of neighboring buildings or structures or the hazard to life. This legislation repealed the former subsection (3) of Section 739A, under which the Building Inspector had power to refuse an occupancy permit, not only for the reasons stated above, but could also take into consideration the question of locality in regard to both the building and the proposed occupancy of the same.

The question now being argued is, - did this amendment have the effect of also limiting the power of Council on an appeal from the granting of this permit. In other words, is the Council limited to the consideration only of the Building Inspector's powers as presently set out, or has the Council wider powers.

It is my opinion, after checking the law, that the amendment of subsection (3) of Section 739A has no effect on the powers of Council which could have been exercised prior to this amendment. If it had been the intention of the legislation to so limit the powers of Council, I think then that subsection (4A) of Section 739A would also have been amended at the same time. There is law to the effect that the mere amendment of a sub-section does not completely alter the character of the principal law unless expressly stated. The changing of such an important section as this, relating to power of Council, would not have been left to implication. I, therefore, wish to repeat that while the Building Inspector's powers were decreased, the powers of Council remain the same and were not affected by this amendment.

Yours truly,

T. C. DOYLE,  
CITY SOLICITOR.

MOVED by Alderman Abbott, seconded by Alderman Macdonald, that the Occupancy Permit issued by the Commissioner of Works for a tavern at Civic No. 22 Morris Street be cancelled.

The motion was put and passed, ten voting for the motion and two against, as follows:

For the motion: Aldermen Abbott, Breen, Lane, Macdonald, Butler, Fox, Ferguson, Trainer, Connolly and O'Brien;

Against the motion: Aldermen DeWolf and Healy.

PAYNE-ROSS REPORT

A job evaluation report as prepared by Payne-Ross Limited of Toronto, the independent consultants engaged by Council to evaluate all positions in the civic administration was submitted. Also submitted was a projection of the recommended salary scales compared with the existing salary

Council,  
February 16, 1961.

scales, which had been prepared by the City staff. Official copies of both of these documents are in the custody of the City Clerk forming a part of the official record.

His Worship the Mayor said that because of the expressed dissatisfaction by various members of the staff with the findings of the report which had come to the attention of himself and other members of Council he would make the following suggestions:

(A) that the Mayor be authorized to retain the services of Payne-Ross Limited for further consultations on a per diem rate;

(B) that a Salary and Wage Policy Committee composed of the Mayor, two Aldermen and the Acting City Manager be appointed to hear representations from employee groups in an attempt to reconcile any differences and report to Council.

MOVED by Alderman Trainor, seconded by Alderman Abbott, that the suggestions of His Worship the Mayor be approved. Motion passed.

His Worship the Mayor nominated the following to comprise the Committee: His Worship the Mayor; Aldermen Trainor and DeWolf; and the Acting City Manager.

MOVED by Alderman Lane, seconded by Alderman Abbott, that the nominations be approved. Motion passed.

PURCHASE - SCHOOL FOR THE DEAF PROPERTY AND SALE OF  
CITY PRISON PROPERTY TO PROVINCE FOR TRADE SCHOOL

February 16, 1961.

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

At a meeting of the Finance and Executive Committee held on February 7, 1961, a report was submitted from the Acting City Manager advising that on October 13, 1960, Council approved the sale of 7.6 acres of City Prison Property to the Province of Nova Scotia for the sum of \$144,000.00 as a site for the new Trade School.

Subsequently, the Minister of Public Works advised the City that the Provincial Government has been advised by an independent appraiser that the Prison Property is valued at \$134,078.00, which they are prepared to pay.

The Minister further advised that the School for the Deaf Property has also been appraised at \$175,000.00 which the Provincial Government is prepared to sell to the City if and when it becomes a Government property.

Council,  
February 16, 1961

The Acting City Manager recommended that 7.6 acres of City Prison Property be sold to the Provincial Government for the sum of \$134,078.00 and that the City purchase from it the School for the Deaf Property, if and when it becomes a Government property, for the sum of \$175,000.00.

Your Committee concurs in this recommendation.

Respectfully submitted,

R. H. STODDARD,  
CITY CLERK.

MOVED by Alderman Breen, seconded by Alderman Butler, that the report be approved. Motion passed unanimously.

MODIFICATION OF SIDEYARD AND LOT FRONTAGE -  
NO. 81 SEYMOUR STREET

To: His Worship the Mayor and Members of City Council  
From: Town Planning Board  
Date: February 7, 1961  
Subject: Modification of Sideyard and Lot Frontage -  
No.81 Seymour Street

The Town Planning Board at a meeting held on the above date considered a report from the Director of Planning recommending in favour of a modification of sideyard and lot frontage requirements at #81 Seymour Street, as shown on Drawing No. P200/233, in accordance with Part XV, Para 1 (f) of the Zoning By-Law.

On motion of Alderman O'Brien, seconded by Alderman Trainor, the Board ~~approved the report and recommended it to City Council.~~

~~Respectfully submitted,~~

K. C. MANTIN,  
CLERK OF WORKS.

To: His Worship the Mayor, and Members of the Town Planning Board  
From: K. M. Munnich, Director of Planning  
Date: February 7, 1961  
Subject: #81 Seymour Street - Modification of Sideyard and Lot Frontage.

An application has been received from the owners of Civic No. 81 Seymour Street for modification of sideyard requirement and lot frontage to permit the conversion of a single-family dwelling at this address to a duplex dwelling. This property is located on the east side of Seymour Street between University Avenue and Coburg Road and is in an R3 residential zone.

Drawing No. P200/233 is a plot plan showing the location of buildings on this lot. The lot measures 30 feet by 133 feet or 4,020 square feet. Part V of the Zoning By-Law requires that a duplex dwelling in an R3 zone occupy a lot with a minimum frontage of 50 feet and a lot area of 5,000 square feet with 6 foot sideyards on both sides of the building. Exception is made, however, under the same part whereby a building in existence on the date of coming into effect of the Zoning By-Law, occupying a lot of less