

Council,  
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PUBLIC HEARING RE: RELOCATING PORTION OF EASTERN & WESTERN OFFICIAL STREET  
LINES OF LOWER WATER STREET BETWEEN TERMINAL ROAD & SALTER STREET AS SHOWN ON  
SECTION 18-D OF THE OFFICIAL CITY PLAN

A public hearing was held in connection with the proposal to re-locate portions of the Eastern and Western Official Street Lines of Lower Water Street as shown on Section 18-D of the Official City Plan.

The Traffic Engineer displayed a plan of the street and explained the proposal, which is to control development and to obviate costly acquisition of properties in the future.

The following persons spoke in opposition to the proposal:

MR. B. M. HATFIELD, representing the Burns Fisheries Limited, stated the proposal would involve heavy expenditures for his client with the possible result that the business may have to be relocated, and he asked that his client be given an opportunity to discuss with the Staff and members of Council the portant of the proposed new street lines.

MR. H. B. RHUDE, representing National Sea Products Limited, stated that if the proposed lines were adopted, his clients would be forced to relocate their business; and he asked that consideration be given by a Committee of Council to his suggestion that the widening be accomplished on the west side of the street.

MR. W. H. JOST, Q.C., representing Construction Equipment Limited, presented a brief on behalf of his clients opposing the proposal and suggesting that the desired 50-foot roadway could be provided without disturbing any properties by lessening the width of the sidewalks.

MR. FLETCHER SMITH, representing A. M. Smith and Company, Limited, asked that the proposed relocation of the street lines be deferred until a specific plan of development of the entire street is presented.

No other person wished to be heard.

Alderman Trainor contended that action on the proposal should be deferred until a comprehensive report showing the various phases of the development of the proposed main artery from the Fairview Overpass to the Terminal is submitted so that Council will have an overall picture after considering the following suggestions:

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- (a) That Water Street be made "one-way" north from the Terminal to the proposed Barrington Street Junction;
- (b) That traffic be routed "one-way" south along Hollis Street;
- (c) That the Provincial Government be requested to share in the cost of the improvements and redevelopment of Water Street in view of the large contribution to Provincial Gasoline Tax and Motor Vehicle Tax revenues made by commercial and other vehicle operators in Halifax.

MOVED by Alderman Trainor, seconded by Alderman Butler, that the matter be referred to the Committee on Works for further consideration and that the proposal be considered in the light of the overall plan of development of the proposed artery. Motion passed.

PUBLIC HEARING RE: REMOVAL PORTION OF BUILDING LINE NORTH SIDE OF MUMFORD ROAD FROM ROMANS AVENUE TO THE EASTERN BOUNDARY LINE OF THE HALIFAX SHOPPING CENTRE

A public hearing was held in connection with the application of the Halifax Shopping Centre Limited to remove a portion of the building line on the north side of Mumford Road from Romans Avenue to the eastern boundary line of their property.

A report was submitted from the Committee on Works recommending that approval be given to the request, subject to a public hearing.

No person wished to be heard in opposition to the proposal.

Mr. H. B. Rhude, appearing on behalf of the applicant stated that the present building line was established when the property was zoned for residential use, but contended that since it has been rezoned for commercial use it is now appropriate to remove the line so that commercial buildings can be placed close to the street line; and he further stated that whereas the frontage of the property is extensive there would be no irregular development of such frontage as might happen with residential development with small frontages.

Alderman Connolly stated that he was opposed to any change in the building line in that area as Council has no knowledge of the future plans of the developers.

Mr. Rhude stated that his clients have made application for a building permit for the construction of a building containing an automotive centre, less gasoline pumps, at the corner of Mumford Road and Romans Avenue.

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Aldermen O'Brien and Butler voiced opposition to changing the building line on the grounds that further widening of the street might be necessary in the future.

MR. DONALD MCINNES, Q.C., representing the T. Eaton Company, Limited, stated that his clients had discussed the matter with the residents of the area, none of whom had appeared in opposition at this hearing, which he construed to indicate that they are satisfied with the proposal at the present time.

A formal Resolution to give effect to the recommendation of the Committee on Works to approve the request was submitted.

MOVED by Alderman Trainor, seconded by Alderman Wyman, that the Resolution be approved.

The motion was put and passed, as follows:

FOR: Aldermen DeWolf, Abbott, Breen, Lane, LeBlanc,  
Trainor, Healy and Wyman - 8

AGAINST: Aldermen Butler, Meagher, Connolly and O'Brien - 4

9:15 p.m. Council adjourned for a short recess.

9:25 p.m. Council reconvened, the same members being present.

PUBLIC HEARING RE: UNIACKE SQUARE REDEVELOPMENT PROJECT

A public hearing was held in connection with the proposed Uniacke Square Redevelopment Project.

The Development Officer and Director of Planning briefly outlined the proposal, copies of which had been circulated to the members of Council previously.

Alderman Connolly asked if the Federal Government can be relied upon to share in the cost of the undertaking in view of the austerity program now in effect; and His Worship the Mayor stated that this would not be known until the proposal is submitted to Ottawa. He stated that the Canadian Federation of Mayors and Municipalities is strongly urging the Government to maintain its policy with respect to urban renewal as it is a useful kind of public investment which will tend in the long run to assist the economy of the whole country in that the employment provided and the supplying of the necessary material are pervasive to the entire economy.

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Alderman Lane referred to the fact that when proposed Redevelopment schemes are presented to the public in the Press, a certain amount of uncertainty and apprehension prevails among the public because of the large amount of money involved and the public usually has the impression that the City is going to expend these large amounts immediately which will place a greater tax burden on them; and she asked that it be made clear that the total program is not to be undertaken immediately but that it will be phased over a long period of time.

The Development Officer stated that there are two aspects to the particular program that has been outlined in the proposal. One of the essential factors considered was the uncertainty of a great number of people about future redevelopment schemes, and the present proposal is that if the Uniacke Square Project is approved acquisition and clearance of a specific area would be undertaken immediately for housing purposes if it is decided to place a housing project on that particular area.

On the balance of the project area it is suggested that the property owners be given the option of remaining in occupancy until such time as the City acquires the property for a particular housing project, as a part of the overall project. Alternatively, owners may wish to dispose of their properties to move elsewhere or for private reasons. They may find difficulty in selling and in these cases it is suggested that the City be prepared to negotiate with the owners to purchase the property. Failing negotiations, the City would expropriate. Those properties outside the area immediately required would be inspected to ensure that they comply with Ordinance No.50 and, if so, it is suggested that they be maintained by the City until such time as the project reaches that particular area.

He stated that the speed at which the program is to be developed is a judgment decision for Council to make, and will be determined to some extent by the number of housing units Council decides to place on the market.

He concluded by saying that the redevelopment could be phased over a period of from five to ten years depending on the judgment of Council.

Alderman Lane again stressed the fact that the public has to be

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reassured that large sums of money are not going to be expended immediately and that the program is to be phased over a long period, up to twenty-five years; and she contended that reassurance to the citizens is one of the primary considerations before Council agrees to the proposal.

His Worship the Mayor stated that Council has to consider whether or not it is going "overboard", and he asked the City Manager what his views are of the financial implications of the proposed redevelopment.

The City Manager contended that the proposal is good for the City because properties deteriorate over the years and must be rebuilt, and a plan of this nature envisages the re-utilization with Federal Government assistance, of the area which will inure to the benefit of all the citizens.

Alderman Breen asked for an indication of the number of years required to complete the whole project to obviate the problems which were encountered in the Jacob Street Project, and he referred specifically to the fact that from 1945 property owners in that area were not able to obtain building permits to make improvements of a permanent nature with the result that the properties deteriorated more quickly and some owners suffered a direct loss when the City acquired these properties.

His Worship the Mayor stated that the many lessons learned from the Jacob Street Redevelopment proceedings have served to give Council a valuable store of experience from which to draw on future projects.

He stated further that the reason for preparation of a broad plan of redevelopment was that a presentation has to be made to the Federal authorities who require a comprehensive plan before any consideration will be given to cost-sharing on any particular project; and the proposal is to make public announcements on the development of specific areas with an indication of the timing of the various phases.

The City Manager stated that with regard to phasing of the projects, this is a matter to be determined by the three levels of Government who are the members of the partnership, and the Council must be guided by the senior partner which assumes the major portion of the cost.

Alderman Butler stated that the average citizen will judge the

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success or failure of any of these projects on the resulting tax burden, and it was his impression that the ultimate conclusion is that we will have a revitalized City which will, in the final analysis, return more tax revenue from the land than is being obtained at present, but he stated that many property owners in the area are apprehensive that the tax burden will become onerous during the interim between the commencement and completion of the project.

The City Manager stated that there is no indication that this will happen, and the impact on the taxpayers generally will be slight with a levelling off after new structures are erected on the redeveloped areas.

His Worship the Mayor: "If I suspected for one moment that this whole area would create a financial burden on the City at this time, I would urge you not to participate in it. On the contrary, I will categorically say that this will not be a burden to the existing taxpayers if you take into account the overall services the City has to provide. This includes all civic departments. You don't have to go that far. When seventy-five percent of the cost of re-building the project we undertake is provided by the Federal Government and twelve and one-half percent by the Province, and we only have to supply twelve and one-half percent, and the project is subject to taxation, and when you take into account the fact that the Federal Government, when they accept it, they pay one-half of our cost of acquisition of the properties at fair market values, plus business disturbance compensation."

Alderman Butler stated that he was not questioning the net result, but rather the interim period because the Development Officer had spoken about the forty-five acres, and that five acres would be redeveloped and the remaining forty acres would be subject to negotiation. He asked if in the event that the City purchased any or all of the properties in the balance of the forty acres, if the City would have to finance them.

His Worship the Mayor: "We would purchase the properties which any person wished to liquidate in anticipation of a scheme. If the property complies with the building regulations and by-laws of the City, we would rent the property to the former owner or to other tenants and make it a revenue producing

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project until the property was required for clearance purposes. Actually, until the person knows which particular block is to be taken, or the area, you cannot get down to the specifics you mention.

"There will be a period of time while construction proceeds, until it is redeveloped."

He concluded by saying that the transitional periods will be relatively short and will not present any serious problem as the City will receive normal taxation from the properties while they are being rented out by the partnership.

The following persons appeared and were permitted to address Council:

Mr. Charles Sullivan, 109 Maitland Street, stated that if his property were expropriated he would be unable to acquire similar accommodation in the City or County for the amount of money he would receive as compensation; and he asked that homes be provided for those forced out by expropriation.

Mr. George A. Caines, speaking on behalf of the Halifax Transfer Company, asked if provision could be made to relocate existing business establishments in other sections of the area after it is redeveloped, and His Worship the Mayor explained that there is no obligation on the part of the City to redevelop the area commercially, but that existing businesses could join with the developers of the area and acquire suitable sites in that manner, but he said that the Development Department is prepared to give all possible assistance to any business establishment wishing to relocate in the area.

Mr. Caines stated while he realized there is no legal obligation on the part of the City to provide alternate business locations, he felt that the City should assume a moral obligation to make certain sites within the redeveloped area available for firms which have been displaced.

Alderman DeWolf suggested that the Development Department give consideration to the provision of commercial areas as mentioned by Mr. Caines, in view of the many businesses involved in the Old Northern Suburb.

Mr. A. C. Hawkins asked for information as to the total assessment of the Uniacke Square Redevelopment Project area, the number of people living within the area and the number of years over which the program would be phased.

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The Development Officer stated that statistics on the assessment and population of the area were not available; but, with regard to phasing, the report suggests that there are six particular phases in the project, set out in segments which seem to lend themselves to development one by one. This phasing could be carried out in six annual steps, or any two or three could be combined; but the phasing is for determination by Council in consultation with its partners.

He stated that the total scheme could be completed in two or three phases, housing units of 200 to 225 each being manageable phases; and, assuming the first phase could be commenced next year, it would be a five to six-year program.

Mr. Warrington asked if the City would buy his property at the present time as he has been awaiting approval of a building permit for some time.

His Worship the Mayor stated that if the Scheme is approved by the members of the partnership, provision will be made for such transactions; and as to the timing of such events, he stated that the best indication that could be given is that subject to approval by the partners, in the next five years any property in the area might be acquired by the City.

Mr. Forhan asked how many owner-occupied properties are affected in the Uniacke Square Redevelopment Area, and, also, in the Old Northern Suburb.

The Development Officer stated that his estimate is 37% owner-occupied properties in the Uniacke Square Area, but that statistics on the Old Northern Suburb are not available.

Alderman Connolly stated that the property owners in the area are greatly concerned over the fact that they will not be able to afford another home for the amount of money they receive on expropriation.

His Worship the Mayor stated that while Council is cognizant of this problem, it is bound by the law which provides that compensation be made only for the fair market value of the property.

Alderman Wyman contended that Council should give the most serious consideration to the implementation of schemes which will convert homeowners into "home renters".

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which by Alderman O'Brien suggested that directions be given to the Staff to hold discussions with the officials of Central Mortgage and Housing Corporation on the problems that have been raised which will become more serious as the City moves from one redevelopment project to another, and he stated that the only solution which occurred to him was the assembling of land in the County by the partnership for resale at reasonable prices to persons who are displaced by the redevelopment program.

Alderman Healy contended that the people involved want to remain in Halifax, and he suggested that the discussions with Central Mortgage and Housing Corporation should explore the possibility of providing row-housing units, rather than apartment blocks, which the person could buy with the equity received from their own homes.

MOVED by Alderman Lane, seconded by Alderman Trainor, that further consideration of the proposed Uniacke Square Redevelopment Project be deferred until answers to the questions which have been raised are supplied to the Council.

His Worship the Mayor: "I think we may have to modify the Scheme, and Staff will have to come back to us and, through various means of presentation, identify homes that are owner-occupied, those that are owner-occupied with some rented portion, and those which are just rented. We have a record of the conditions of the homes. We have to start giving this more thought than we have given to any other project. I think that the residents agree that some consideration for development is necessary in the area, but I don't think we should possibly take it in the way it was presented. I think we should phase it in small pieces, possibly starting with the area bounded by north Brunswick Street and Gottingen Street, and set down definite areas and times so that we can then proceed in an orderly fashion, rather than going at it in a large bite."

Alderman Wyman, rising to a point of order, asked if those wishing to be heard in favor of the proposal would be given an opportunity to speak.

Mr. Ernest Robichaud, owner of a property on Gottingen Street, referred to editorials which had appeared in the Press on three different occasions during the last eight years concerning the redevelopment of the area

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which he contended had confused the property owners to the extent that they did not know what to do with their properties, and that the delayed action had caused the area to deteriorate, and landlords find it difficult to retain tenants who fear they will be displaced.

He asked Council to make a decision at this time to either proceed with the project or abandon it to remove the uncertainty so that property owners could make plans respecting their properties.

The motion was put and passed with Alderman O'Brien voting against.

LETTER - MR. T. M. WARD - REQUESTING RECONSIDERATION OF  
MODIFICATION OF SIDEYARD REQUIREMENTS - NO. 885 TOWER ROAD

A letter was submitted from Mr. T. M. Ward requesting reconsideration of his application for a modification of the sideyard requirements applying to his property at No. 885 Tower Road.

MOVED by Alderman Trainor, seconded by Alderman Wyman, that the matter be referred to the Town Planning Board for consideration and report. Motion passed with Alderman Breen voting against.

MODIFICATION OF SIDEYARD AND FRONTYARD - NO. 1467 SOUTH PARK  
STREET - SETTING DATE FOR A PUBLIC HEARING

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: July 26, 1962.  
Subject: Modification of Sideyard and Frontyard - No. 1467 South Park Street.

The Town Planning Board, at a meeting held on July 17, 1962, considered a report from the City Manager recommending in favour of a modification of sideyard and frontyard at No. 1467 South Park Street, as shown on drawing no. P200/687, in accordance with provisions of Part XI, paragraph 1(f), of the Zoning By-Law and that a public hearing be held.

On motion of Alderman O'Brien, seconded by Alderman Macdonald, the Board recommended to City Council that approval be given on modification of sideyard and frontyard at No. 1467 South Park Street.

On motion of Alderman O'Brien, seconded by Alderman Macdonald, the Board recommended to City Council that a date be set for a public hearing on the above matter.

Alderman Trainor was recorded as being "against".

Respectfully submitted,

K. C. Mantin,  
CLERK OF WORKS.

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Mr. Ian MacKeigan was permitted to address Council on behalf of the applicant, and requested that Council take action without calling a public hearing. He submitted letters from four property owners in the block involved which indicated that they were not opposed to the establishment of a tourist home at this location.

MOVED by Alderman Trainor, seconded by Alderman Abbott, that the application be approved and that no public hearing be held. Motion passed.

MODIFICATION OF SIDEYARD - 76-76A PERCY STREET

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: July 26, 1962.  
Subject: Modification of Sideyard - No. 76-76A Percy Street.

The Town Planning Board, at a meeting held on July 17, 1962, considered a report from the City Manager recommending in favour of a modification of sideyard at No. 76-76A Percy Street, as shown on drawing no. P200/686, in accordance with provisions of Part XV, paragraph 1(f), of the Zoning By-Law, and that no public hearing be held.

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.

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

EXTENSION TO NON-CONFORMING BUILDING - NO. 194 AGRICOLA STREET

To: His Worship the Mayor and Members of City Council.  
From: Town Planning Board.  
Date: July 26, 1962.  
Subject: Extension to a Non-Conforming Building - No. 194 Agricola Street.

The Town Planning Board, at a meeting held on July 17, 1962, considered a report from the City Manager recommending in favour of an extension to a non-conforming use and that the lot coverage be not more than 35%, as shown on drawing no. P200/696, according to the provisions of Part XV, paragraph 1(d), of the Zoning By-Law.

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

Respectfully submitted,

K. C. Mantin,  
CLERK OF WORKS.

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

TENDER FOR RETAINING WALLS - SIR JOHN THOMPSON SCHOOL

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

From: Committee on Works.

Date: July 26, 1962.

Subject: Tenders - Retaining Walls, Sir John Thompson School.

The Committee on Works at a meeting held on the above date, considered tenders for the construction of two retaining walls at Sir John Thompson School, Mumford Road, and the recommendation of the City Manager and the Commissioner of Works was for acceptance of the lowest tender from Standard Construction Company Limited.

On motion of Alderman Lane, seconded by Alderman Abbott, the Committee recommended to City Council that the tender of Standard Construction Company Limited in the amount of \$3,200.00, be approved.

R. H. Stoddard,  
CITY CLERK.

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

TENDERS FOR POLICE CAR  
ALLOWANCE IN LIEU OF OVERTIME WORKED - MORALITY SQUAD PERSONNEL  
SALARY REVISION - DETECTIVE SGT. K. SULLIVAN  
MOTORCYCLES AND SIDE CAR - POLICE DEPARTMENT

Halifax, N. S.,  
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To His Worship the Mayor and  
Members of the City Council.

The Safety Committee, at meetings held on July 17, 1962 and today's date considered various matters of business and now makes the following recommendations to Council:

Tenders for Police Car

That the tender of Scotia-Chevrolet-Oldsmobile Limited at \$2,770.00 be accepted and that an additional appropriation of \$470.00 be provided for this purpose under the authority of Section 316 "C" of the City Charter.

Allowance in Lieu of Overtime Worked - Morality Squad Personnel

That because of the nature and condition of work of the Morality Squad Personnel, an allowance of \$240.00 per annum, in lieu of overtime, be paid to the Sergeant and Constables in this Division; same to be effective as of January 1, 1962.

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Salary Revision - Detective Sgt. K. Sullivan

1. That Detective Sgt. K. Sullivan's salary be raised one step, effective as of January 1, 1962, i.e., \$5,166.00 to \$5,214.00 per annum;
2. That Detective Sgt. K. Sullivan's salary, effective as of July 1, 1962, be raised one step, i.e., \$5,214.00 per annum to \$5,370.00 per annum.

This adjustment is recommended because Detective Sgt. Sullivan is paid \$7.00 per pay less than the detectives whom he supervises.

Motorcycles and Side Car - Police Department

That a revised tender in the amount of \$4,625.00 for two Harley Davidson Motorcycles and one Side Car from Mr. George Colquhoun be accepted and that the additional sum of \$750.00 be provided under the authority of Section 316 "C" of the City Charter.

Respectfully submitted,

R. H. Stoddard,  
CITY CLERK.

The report was considered item by item.

Tenders for Police Car

MOVED by Alderman O'Brien, seconded by Alderman LeBlanc, that the recommendation be approved. Motion passed.

Allowance in Lieu of Overtime Worked - Morality Squad Personnel

MOVED by Alderman Trainor, seconded by Alderman LeBlanc, that the recommendation be approved. Motion passed.

Salary Revision - Detective Sgt. K. Sullivan

MOVED by Alderman Trainor, seconded by Alderman O'Brien, that the recommendation be approved. Motion passed.

Motorcycles and Side Car - Police Department

MOVED by Alderman LeBlanc, seconded by Alderman Trainor, that the recommendation be approved. Motion passed.

REQUEST TO LAY WREATH AT CENOTAPH - HALIFAX COMMITTEE FOR  
NUCLEAR DISARMAMENT

A letter was submitted from Mr. J. M. C. Duckworth, Chairman, Halifax Committee for Nuclear Disarmament, requesting permission to lay a wreath at the Cenotaph in the Grand Parade on August 6, 1962, the anniversary of the bombing of Hiroshima.

After discussion it was agreed to instruct the City Clerk to write to Mr. Duckworth, advising him that the permission of Council is not necessary in this instance.

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REQUEST - MARITIME AIR COMMAND FOR AIRCRAFT TO FLY OVER  
THE CITY OF HALIFAX BELOW THE ESTABLISHED ALTITUDE MINIMUM

A letter was submitted from the Acting Air Officer Commanding, Maritime Air Command, RCAF, requesting permission for aircraft to fly below the established altitude minimum over the City of Halifax, during a flying display by the RCAF's Golden Hawks on Wednesday, August 15, 1962.

After discussion, it was agreed to instruct the City Clerk to advise the Acting Air Officer Commanding that the City has no regulations respecting this matter, which comes under the jurisdiction of the Department of Transport, and to request his Department to take all the necessary precautions to safeguard the public.

ITEM NO. 4 - REPORT - FINANCE AND EXECUTIVE COMMITTEE

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

The Finance and Executive Committee at a meeting held on July 19, 1962, considered various matters of business and makes the following recommendations to Council:

(A) - Monthly Fees - Halifax Harness Horse Club - Racing, North Common

That the lease between the Halifax Harness Horse Club and the City of Halifax contain the following provisions: (a) that the fee to be charged the Club be \$80.00 for each day of racing; (b) that the Club estimate the number of racing days it intends to hold in each month; (c) that the Club be requested to deposit the sum of \$800.00 upon the first day of each month; (d) that any necessary monthly financial adjustment be made and (e) that the Mayor and City Clerk be authorized to execute the lease on behalf of the City of Halifax.

(B) - Amendment - Ordinance No. 52 - Deed Transfer Tax - First Reading

That the following amendment to Ordinance No. 52 be read and passed a first time:

1. Ordinance Number 52, Halifax Deed Transfer Tax, is amended by inserting therein immediately following Section 3 thereof, the following Section:

3A. The tax shall not be payable on the value of real property which is conveyed or transferred by deed where such property is conveyed by a wholly owned subsidiary company to the parent company to a wholly owned subsidiary company.

(C) - Purchase - Precast Catch Basins

That fifty Precast Catch Basins, required for street widening purposes, be purchased from L. E. Shaw Limited at a total cost of \$2,701.50.

(D) - Supplementary Agreement - City of Halifax and Local Union No. 143

That a Supplementary Agreement between the City of Halifax and Local Union No. 143 be approved to provide for a six-day week for the night janitor at City Hall and that the Mayor and City Clerk be authorized to execute the same on behalf of the City of Halifax.

(E) - Proposed Legislation to Compensate Property Owners - Bicentennial Drive Area

That the report of the City Solicitor be forwarded to Council for information.

(F) - Revoking Balances of Capital Borrowing Resolutions

That the following Balances of Capital Borrowing Resolutions be revoked:

52-15	Chlorination N. W. A. Sewer, Chain Rock Drive	\$ 904.28
55-17	Fire Department Pumper	6,539.02
58-25	Paving Canteen Area, Point Pleasant Park	263.50

(G) - Borrowing Resolution - \$75,000.00 - Capital Grant - Salvation Army Hostel

That a Borrowing Resolution in the amount of \$75,000.00 be approved as a capital grant to the Salvation Army to assist it in the construction of its Hostel on Barrington Street.

(H) - Request for Amalgamation - Halifax County School District No. 115, Ratepayers Association

That City Council support the efforts of District No. 115 Ratepayers to have the Province organize the proposed study, including inquiry within the framework recommended by the City Manager.

(I) - Contract Extras - Mulgrave Park Housing Project

That approval be given to the request of Central Mortgage and Housing Corporation to issue change orders, amending contracts for the Mulgrave Park Housing Project as follows:

- (a) Landscaping Contract - increased by \$1,800.00 covering paving of additional areas;
- (b) General Contract - increased by a net amount of \$3,184.94 covering twenty changes in the original contract.

(J) - Capital Budget - Housing Authority of Halifax

That approval be given to the request of the Halifax Housing Authority to increase the Capital Budget by \$5,354.00.

(K) - Witness Fees - Property Acquisition - Market Motors

That witness fees in the amount of \$75.00 be paid to Mr. Louis Dauphinee, a non-expert witness subpoenaed on behalf of the City to give evidence in the case of the expropriation of the property of Market Motors located in the Jacob Street Redevelopment Area.

(L) - Appointment of Specialists to Prepare Development Plan of Whole Commons Area

That specialists be appointed, at an estimated cost of \$2,500.00, to prepare an overall development plan of the whole Commons area; following receipt of such plan, that the City apply to the National Centennial

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Administration, through the Provincial Government, for a grant towards the development of the Commons, the construction of a covered pool to be delayed until such time as a development plan has been prepared and approved and an application has been processed through the Province for a Centennial grant.

- (M) - Appointment, Delegates - Union of Nova Scotia Municipalities Convention Sydney, August 26 to 30, inclusive

That His Worship the Mayor name five voting delegates from Council to attend the above convention.

- (N) - Work Program - Urwick, Currie Limited - Transit Study

That the following work program be approved:

- July 3 - 6 Review pertinent data from Canadian Transit Association, Ottawa Transportation Commission and other properties having basic similarities to the Halifax transportation system.
- July 9 - 13 Establish personal contact with all interested parties. Commence fact finding.
- July 16 - 20 Review physical assets. Study operation and maintenance methods. Review spaital budget.
- July 23 - 27 Study financial and statistical data. Examines operating budget and cost control.
- July 31 - Aug. 3 Analyze route patterns, schedules, service and loading.
- Aug. 6 - 10 Submit first progress report. Review report with interested parties.
- Aug. 13 - 17 Prepare detailed analysis of all operating costs and revenues. Prepare verification of Nova Scotia Light and Power earnings forecast. Complete projections based on analysis.
- Aug. 20 - 24 Form recommendations. Begin final report.
- Aug. 27 - 31 Continue writing of report. Gather any required additional data. Carry out any necessary further studies.
- Sept. 3 - 7 Submit second progress report and plan to conclusion.

Respectfully submitted,

R. H. Stoddard,  
CITY CLERK.

- (A) - Monthly Fees - Halifax Harness Horse Club - Racing, North Common

MOVED by Alderman Butler, seconded by Alderman Lane, that the recommendation be approved. Motion passed with Alderman O'Brien wishing to be recorded against.

- (C) - Purchase - Precast Catch Basins

MOVED by Alderman Connolly, seconded by Alderman Trainor, that the recommendation be approved. Motion passed.

- (M) - Appointment, Delegates - Union of Nova Scotia Municipalities Convention, Sydney, August 26 to 30, inclusive

It was agreed that His Worship the Mayor, Aldermen DeWolf, Abbott and Wyman be authorized to attend the Union of N. S. Municipalities Convention at Sydney, August 26 to 30, inclusive, as the City's voting delegates.

- (G) - Borrowing Resolution - \$75,000.00 - Capital Grant - Salvation Army Hostel

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

- (D) - Supplementary Agreement - City of Halifax and Local Union No. 143

MOVED by O'Brien, seconded by Alderman Lane, that the recommendation be approved. Motion passed.

- (B), (E), (F), (H), (I), (J), (K), (L), (N) - Not considered.

ATTENDANCE - WELFARE OFFICER - PANEL DISCUSSION AT SYDNEY, N. S.  
UNION OF NOVA SCOTIA MUNICIPALITIES

A report was submitted from the Public Health and Welfare Committee recommending that Mr. H. Bond Jones, Welfare Officer, be authorized to attend the Union of Nova Scotia Municipalities Convention in Sydney, Nova Scotia, where he is invited to participate in a Panel Discussion and if Mr. Jones is not available, that the Commissioner of Health be so authorized to attend -- the necessary funds to be provided for this purpose.

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

MOVED by Alderman Trainor, seconded by Alderman Abbott, that the meeting adjourn. Motion passed with Aldermen Healy, Connolly, O'Brien and LeBlanc voting against.

Meeting adjourned. 11:50 P. M.

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J. E. Lloyd,  
MAYOR AND CHAIRMAN.

R. H. Stoddard,  
CITY CLERK.

Halifax, N. S.,  
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CITY COUNCIL  
MINUTES

*A. F. West*  
Council,  
August 15, 1962.  
Council Chamber,  
City Hall,  
Halifax, N. S.,  
August 15, 1962,  
8:00 P. M.

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

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

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

Also present were Messrs. L. M. Romkey, L. Mitchell, R. H. Stoddard, W. J. Clancey, G. F. West, R. B. Grant, J. F. Thomson, J. L. Lietch, V. W. Mitchell, K. Munnich, A. R. Howard and Dr. A. R. Morton.

The following items of business not dealt with at the meeting held on July 26, 1962, were considered first.

ITEM NO. 4 - REPORT - FINANCE AND EXECUTIVE COMMITTEE

Halifax, N. S.,  
July 26, 1962.

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

The Finance and Executive Committee at a meeting held on July 19, 1962, considered various matters of business and makes the following recommendations to Council:

(B) - Amendment - Ordinance No. 52 - Deed Transfer Tax - First Reading

That the following amendment to Ordinance No. 52 be read and passed a first time:

1. Ordinance Number 52, Halifax Deed Transfer Tax, is amended by inserting therein immediately following Section 3 thereof, the following Section:

3A. The tax shall not be payable on the value of real property which is conveyed or transferred by deed where such property is conveyed by a wholly owned subsidiary company to the parent company or by the parent company to a wholly owned subsidiary company.

(E) - Compensation - Property Owners - Bicentennial Drive Area

That the report of the City Solicitor be forwarded to Council for information.

(F) - Revoking Balances of Capital Borrowing Resolutions

That the following Balances of Capital Borrowing Resolutions be revoked:

52-15	Chlorination N. W. A. Sewer, Chain Rock Drive	\$ 904.28
55-17	Fire Department Pumper	6,539.02
58-25	Paving Canteen Area, Point Pleasant Park	263.50

(H) - Request for Amalgamation - Halifax County School District No. 115, Ratepayers Association

That City Council support the efforts of District No. 115 Ratepayers to have the Province organize the proposed study, including inquiry within the framework recommended by the City Manager.

(I) - Contract Extras - Mulgrave Park Housing Project

That approval be given to the request of Central Mortgage and Housing Corporation to issue change orders, amending contracts for the Mulgrave Park Housing Project as follows:

- (a) Landscaping Contract - increased by \$1,800.00 covering paving of additional areas;
- (b) General Contract - increased by a net amount of \$3,184.94 covering twenty changes in the original contract.

(J) - Capital Budget - Housing Authority of Halifax

That approval be given to the request of the Halifax Housing Authority to increase the Capital Budget by \$5,354.00.

(K) - Witness Fees - Property Acquisition - Market Motors

That witness fees in the amount of \$75.00 be paid to Mr. Louis Dauphinee, a non-expert witness subpoenaed on behalf of the City to give evidence in the case of the expropriation of the property of Market Motors located in the Jacob Street Redevelopment Area.

(L) - Appointment of Specialists to Prepare Development Plan of Whole Commons Area

That specialists be appointed, at an estimated cost of \$2,500.00, to prepare an overall development plan of the whole Commons area; following receipt of such plan, that the City apply to the National Centennial Administration, through the Provincial Government, for a grant towards the development of the Commons, the construction of a covered pool to be delayed until such time as a development plan has been prepared and approved and an application has been processed through the Province for a Centennial grant.

(N) - Work Program - Urwick, Currie Limited - Transit Study

That the following work program be approved:

July 3 - 6      Review pertinent data from Canadian Transit Association, Ottawa Transportation Commission and other properties having basic similarities to the Halifax transportation system.

Council,  
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- July 9 - 13 Establish personal contact with all interested parties. Commence fact finding.
- July 16 - 20 Review physical assets. Study operation and maintenance methods. Review capital budget.
- July 23 - 27 Study financial and statistical data. Examine operating budget and cost control.
- July 31 - Aug. 3 Analyze route patterns, schedules, service and loading.
- Aug. 6 - 10 Submit first progress report. Review report with interested parties.
- Aug. 13 - 17 Prepare detailed analysis of all operating costs and revenues. Prepare verification of Nova Scotia Light and Power earnings forecast. Complete projections based on analysis.
- Aug. 20 - 24 Form recommendations. Begin final report.
- Aug. 27 - 31 Continue writing of report. Gather any required additional data. Carry out any necessary further studies.
- Sept. 3 - 7 Submit second progress report and plan to conclusion.

Respectfully submitted,

R. H. STODDARD,  
CITY CLERK.

The various items of the report were considered separately.

(B) - Amendment - Ordinance No. 52 - Deed Transfer Tax - First Reading

MOVED by Alderman Trainor, seconded by Alderman Lane, that the recommendation be approved. Motion passed with Alderman Healy voting against.

(E) - Compensation - Property Owners - Bicentennial Drive Area

To: His Worship Mayor J. E. Lloyd and Members  
of the Finance and Executive Committee.

From: L. Mitchell, City Solicitor.

Date: July 18th, 1962.

Subject: Legislation for compensation of property owners in the general area of Bicentennial Drive Entrance.

During the course of many discussions respecting compensation of property owners in the general area of Bicentennial Drive entrance, it has been pointed out that the City has no legal responsibility for any reduction in market value of the houses in the area due to the mere presence of the entrance.

The Finance and Executive Committee has directed that legislation be submitted to enable City Council to pay such compensation as it may determine.

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However, since the compensation would be an expenditure for which the City is not legally liable, the legislation cannot be in general terms but must be specific in nature. In other words, the people to be compensated must be listed as well as the exact amount of compensation they are to receive. Once this information is forthcoming, it will be a simple matter to prepare compensatory legislation for submission to the legislature.

Yours truly,

Leonard Mitchell  
City Solicitor.

The City Solicitor advised that a comparable case involving a compensation claim in Montreal was recently taken before the Supreme Court of Canada. However, a decision was not rendered on the merits of the case but the majority of members of the Court decided they had no jurisdiction to entertain the action and that the matter should be heard by the Exchequer Court of Canada. In all possibility this case will be coming before the Exchequer Court and the decision rendered will be of material assistance to Council in formulating future policy with respect to claims for compensation by property owners in the area of the Bicentennial Drive Entrance.

MOVED by Alderman Greenwood, seconded by Alderman O'Brien, that the matter be referred to the Finance and Executive Committee to consider the establishment of a procedure whereby potential claimants would be invited to submit claims which would be studied, so that the Staff would be in a position to prepare draft legislation for presentation to the Legislature in 1963, should Council decide to make compensation. Motion passed.

(F) - Revoking Capital Borrowing Resolutions

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

(H) - Report Re: Amalgamation

MOVED by Alderman O'Brien, seconded by Alderman Wyman, that Council support the request of the Ratepayers Association of School District No. 115 to the Province of Nova Scotia for a study of the effects of amalgamation of the suburban areas with the City of Halifax, in accordance with the terms of reference recommended by the City Manager in his report dated July 4, 1962; and that the Minister of Municipal Affairs be advised

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accordingly, and further, that the City of Halifax is not prepared to assume any portion of the cost of the study.

Motion passed with Alderman Healy voting against.

(I) - Contract Extras - Mulgrave Park Housing Project

MOVED by Alderman Greenwood, seconded by Alderman Trainor, that the recommendation be approved. Motion passed.

(J) - Capital Budget - Housing Authority

MOVED by Alderman Connolly, seconded by Alderman Meagher, that the recommendation be approved. Motion passed.

(K) - Property Acquisition - Market Motors Limited - Witness Fees

MOVED by Alderman Greenwood, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

(L) - Appointment - Specialists for Overall Plan - Commons Area

MOVED by Alderman Wyman, seconded by Alderman O'Brien, that the recommendation be approved and that the Staff be directed to submit to the Town Planning Board a suggested terms of reference under which the study would be made, and a report made to Council. Motion passed.

(N) - Work Program - Halifax Transit Study

MOVED by Alderman Connolly, seconded by Alderman Abbott, that the recommendation be approved. Motion passed.

REZONING - NO. 924 MCLEAN STREET (R2-R3)

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

From: Town Planning Board.

Date: July 26, 1962.

Subject: Rezoning - No. 924 McLean Street (R2-R3)

The Town Planning Board, at a meeting held on July 17, 1962, considered a report from the City Manager recommending in favour of the rezoning of No. 924 McLean Street from R2 to R3, as shown on drawing No. P200/695, in accordance with the provisions of the Town Planning Act, and that the date for a public hearing be set. This rezoning is recommended on the understanding that the applicant will develop the area in question for a fourteen-unit apartment building, as indicated on drawing no. P200/697.

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On motion of Alderman O'Brien, seconded by Alderman Wyman, the Board approved the application to rezone No. 924 McLean Street 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 O'Brien, seconded by Alderman DeWolf, that the report be approved and that Council fix Thursday, September 27, 1962, at 8:00 p.m. in the Council Chamber, City Hall, Halifax, Nova Scotia, as the time and place for a public hearing on this matter. Motion passed.

RELOCATION OF STREET LINE - WATER STREET AT JACOB STREET

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

From: Town Planning Board.

Date: July 26, 1962.

Subject: Street Line - Water Street at Jacob Street

The Town Planning Board, at a meeting held on July 17, 1962, considered a preliminary plan #SS-8-15463, outlining the proposed street line as recommended by staff for Water Street.

On motion of Alderman Trainor, seconded by Alderman Wyman, the Board approved the recommendation of staff in regard to the street line on Water Street 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 Abbott, seconded by Alderman Wyman, that the report be approved and that Council fix Thursday, October 25, 1962, at 8:00 p.m. in the Council Chamber, City Hall, Halifax, Nova Scotia, as the time and place for a public hearing on this matter. Motion passed.

HALIFAX SHOPPING CENTRE - TRANSIT SERVICE

To: His Worship Mayor J. E. Lloyd  
and Members of City Council.

From: P. F. C. Byars, City Manager.

Date: July 20, 1962.

Subject: Halifax Shopping Center - Transit Service

At the July 19th, 1962 meeting of the Committee on Works, the City Manager and the Traffic Engineer presented to the Committee a verbal report on the proposed transit service extension by the Nova Scotia Light and Power Company Limited into the Halifax Shopping Center.

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The Traffic Engineer presented a proposed plan and told the Committee that the Nova Scotia Light and Power Company Limited had obtained permission from the Board of Public Utilities to extend their Number 4 service down Bayers Road and into the Halifax Shopping Center by means of a left turn off Bayers Road.

The Committee members expressed surprise over the Nova Scotia Light and Power Company Limited action in this matter, in view of the fact that the City was engaged in a survey into the whole transit system within the City of Halifax. The members also expressed concern over the Board of Public Utilities granting this permission without consulting the City and its Traffic Division.

On motion, the Committee agreed to send the matter to City Council and requested the City Manager to present a full report at the next Council meeting.

On July 20th, 1962, the City Manager, the City Solicitor and the Traffic Engineer met with members of the Board of Public Utilities in order to ascertain the facts of the situation. The Chairman of the Board of Public Utilities, Mr. W. D. Outhit, Q. C., confirmed the fact that an application had been made to the Board requesting the abandonment of the turnaround at the intersection of Bayers Road and Connaught Avenue, and an extension of the trolley service from such intersection into the Halifax Shopping Center. Mr. Outhit further informed the staff members present that the application had stated that the proposed extension had the concurrence of the Traffic Authority for the City of Halifax and that such extension would cost in the vicinity of \$10,000.00, of which the City would be asked to contribute a portion amounting to some \$3,000.00. Based on the facts as presented, the Board gave approval in principle for such extension, but had ordered that final approval would depend on a submission of all the financial aspects, including the concurrence of the City to such expenditure.

Mr. A. R. Howard, Traffic Authority for the City of Halifax, informed the Board that his agreement to the proposal was not as stated in the application, but that it was contingent upon the extension into the Halifax Shopping Center being the only possible solution to the problem.

The Board was further informed that City Council had not been approached for a contribution for such extension.

It was obvious from the meeting that before final approval for such extension is given by the Board of Public Utilities, the City of Halifax must agree to pay a portion of the cost of such extension, to an amount slightly in excess of \$3,000.00.

The City Solicitor has drawn attention to the fact that under the provisions of Ordinance No. 7 of the City of Halifax, it will be necessary for the Nova Scotia Light and Power Company Limited to obtain a permit from the Commissioner of Works and Buildings for the erection of poles and wires on Bayers Road.

The Commissioner of Works and Buildings advises that as of the date of this report, such permit has not been granted.

Respectfully submitted,

P. F. C. BYARS,  
City Manager.

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The Traffic Authority explained the proposal to extend the No. 4 Trolley Service into the Shopping Centre which would obviate the necessity of providing a turning loop at the Connaught-Bayers Intersection; and he advised the meeting that in the discussions with the Nova Scotia Light & Power Company Limited officials three alternatives had been considered but that for economic reasons the Company would only consider the present proposal.

The alternative routes suggested were:

- (1) Extend the No. 10 route by eliminating the turn-around at the Bayers Road-Howe Avenue intersection and having the coaches proceed south on Howe Avenue to Dutch Village Road to Mumford Road turning left at Chebucto Road;
- (2) Extend No. 4 service out Bayers Road making turn-around at the interchange opposite Bayers Road Shopping, proceeding east on Bayers Road and turning right into the Halifax Shopping Centre.
- (3) Re-route the No. 4 service by turning right at Chebucto Road into Mumford Road to serve both Halifax Shopping Centre and Simpsons, and return via Mumford Road to Chebucto Road.

Alderman O'Brien suggested a further alternative that the No. 4 service be routed to turn right into Mumford Road from Chebucto Road proceeding to Dutch Village Road, thence to Howe Avenue turning right into Bayers Road. (The Traffic Authority conceded that Alderman O'Brien's suggested routing was a better solution).

Mr. H. B. Rhude was permitted to address Council on behalf of the Nova Scotia Light & Power Company Limited and stated that the City officials had requested the Company to re-arrange the turning loop at the Connaught-Bayers intersection for traffic improvement purposes. Subsequently the Company was approved by the owners of the new shopping centre requesting trolley coach service directly into the Shopping Center; and the proposed extension was discussed by Company and City officials, and an application made to the Board of Public Utilities, the Company assuming that the Traffic Authority approved such an extension.

Tentative approval was given to the application by the Board of Public Utilities and Mr. Rhude stated that the Nova Scotia Light & Power Company Limited intended to request Council for approval of the proposal

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as well as a contribution of \$3,000.00 towards the cost.

Alderman Lane stated that she was concerned, not so much with the contribution of \$3,000.00 but that she was concerned with providing a more efficient transit service to all the citizens and would be prepared to vote a larger contribution to implement the improved service as suggested by Alderman O'Brien, provided the Company is prepared to bear its share of the improved system. She contended that Council should not consider the matter further until Alderman O'Brien's suggested routing has been studied by the Traffic Authority and the Company officials and a report rendered indicating the cost of such an extension.

Alderman Wyman contended that any report should include the cost of implementing all of the alternative re-routings mentioned, and all details of the traffic implications.

Alderman O'Brien suggested, because of the urgency of providing service to the new shopping center, and because of the Transit study now in progress, that as a temporary measure, the No. 4 service be extended to follow the route of the No. 10 service making the loop at Howe Avenue which would not involve any extra capital cost.

MOVED by Alderman Wyman, seconded by Alderman O'Brien, that the report be tabled and that no action be taken until the suggested study has been made by staff and Company officials and a report submitted.

Further that the Commissioner of Works and Building Inspector be requested to withhold any permit for the erection of poles and wires for additional transit service until further directed by Council. Motion passed.

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SITE FOR PROPOSED COURT HOUSE

August 15, 1962.

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

The Committee of the Whole Council, at a meeting held on July 26, 1962, had for consideration a report from the City Manager relating to the siting of a new Court House Building.

Plans were submitted showing the location of the proposed Court House and City Hall buildings.

After hearing from architect, Mr. C. A. Fowler, the Committee recommended to City Council that the plan for the siting of the future Court House Building be approved in principle and that staff be requested to undertake a detailed study of such matters as:

- (1) Costs of property acquisition;
- (2) Projection of costs of construction;
- (3) The phasing of the proposal;
- (4) Make inquiries with respect to other sites in the general area; and report by October 31, 1962.

Respectfully submitted,

R. H. Stoddard,  
CITY CLERK.

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

QUESTIONS

QUESTION - ALDERMAN O'BRIEN RE DUTCH VILLAGE ROAD PAVING

Alderman O'Brien asked what progress is being made with respect to the paving of Dutch Village Road.

The Commissioner of Works stated that the details have all been ironed out and tenders called for by the Department of Highways who expect to make the awarding early next week when work can commence.

QUESTION - ALDERMAN WYMAN RE CONTROL OF CONSTRUCTION PROJECTS

Alderman Wyman referred to the fact that he had observed that in many instances certain construction projects in progress in the City both by private constructors and City staff interfering with the normal traffic flow and he asked if there is any control of the number of places in which construction projects are permitted.

It was agreed to request the City Manager to discuss this matter with the Commissioner of Works, Chief of Police, and Traffic Authority to effect

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some co-ordination in an effort to minimize the traffic interference caused by these operations.

ACCOUNTS OVER \$500.00

To: His Worship Mayor J. E. Lloyd and Members of City Council.  
From: P. F. C. Byars, City Manager.  
Date: July 24, 1962.  
Subject: Accounts over \$500.00.

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

<u>Department</u>	<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Finance	Dartmouth Iron Foundry	Frames, Gratings, etc.	\$1,437.00
	R.K. Kelley & Co. Ltd.	Fire Dept. Fleet Insur.	534.00
	Provincial Treasurer	City's share of cost of Metropolitan Housing Survey to June 30, 1962	2,285.10
	Thompson, Adams & Co.	Insurance - Public Gardens Equipment	900.00
Fire	King Seagrave Ltd.	Engine Assembly (rebuilt)	4,941.52
Works	Public Service Comm.	City Sewer Chlorinator operation - June, 1962	889.33
Tourist	Stevenson & Scott	Advertising	<u>761.91</u>
			<u>\$11,748.86</u>

Respectfully submitted,

P. F. C. Byars,  
CITY MANAGER.

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

APPOINTMENTS - FORUM COMMISSION

Deferred

APPOINTMENTS - SMOKE ABATEMENT ADVISORY BOARD

To: The Members of City Council.  
From: Mayor J. E. Lloyd.  
Date: July 24, 1962.

Dear Aldermen:

I am pleased to nominate the following as members of the Smoke Abatement Advisory Board:

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Mr. F. C. O'Neill, McCurdy Bldg., 54 Grafton Street

Mr. K. C. Bishop, c/o Jack & Co., 162 Hollis St., P.O. Box 367

Mr. D. K. Harding, Manager of Zellers (N.S.) Ltd.

Mr. Frank V. Fryer, 6386 South Street.

Some time ago Mr. F. A. Warner resigned from the Advisory Board, creating a vacancy which it has been suggested should be filled by a member of the City Council. With this in mind I am nominating Alderman F. J. Healy to be a member of the Board.

I recently suggested that consideration should be given to a revised By-law which would broaden the terms of the Ordinance to provide control of a wider variety of air pollution, and further that the Ordinance should be described as the Air Pollution Control Ordinance. In this concept it may be that an Advisory Board may not be necessary if the administration of the Ordinance is effectively carried out by staff and responsible to the City Manager. In this regard I recommend that we have a report from the Chairman of the existing Board.

Yours very truly,

John E. Lloyd,  
MAYOR.

MOVED by Alderman Lane, seconded by Alderman Macdonald, that the report be approved. Motion passed.

LETTER - HALIFAX-DARTMOUTH & DISTRICT LABOUR COUNCIL RE:  
STANDARD SCHOOL BUILDING PLANS

A letter was submitted from the General Secretary of the Halifax-Dartmouth and District Labour Council forwarding a suggestion from the July meeting of the Labour Council to the effect that if school structures were built in accordance with a standard school building plan, the burden on the taxpayers would be lessened.

MOVED by Alderman Wyman, seconded by Alderman O'Brien, that the letter be referred to the Board of School Commissioners for consideration and report back to Council. Motion passed.

APPOINTMENTS - SPECIAL COMMITTEE RE AGRICULTURAL EXHIBITION

To: The Members of City Council.

From: Mayor J. E. Lloyd.

Date: July 25, 1962.

Dear Aldermen:

At a special meeting of the Halifax Forum Commission, held in June of this year with persons interested in the establishment of a Winter Fair in Halifax, the Commission was asked to look into the matter of the holding of an Agricultural Exhibition in Halifax in the fall of 1963. For this purpose a

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committee of sixteen, consisting of two members each from the following organizations -

Nova Scotia Agriculture Department  
Nova Scotia Federation of Agriculture  
Nova Scotia Live Stock Council  
Halifax Board of Trade  
Halifax City Council  
Dartmouth City Council  
Municipality of the County of Halifax  
The Halifax Forum Commission

was formed, to study the feasibility of such a project.

As the appointees from the Halifax City Council to this special committee, I would like to nominate Alderman J. L. Connolly and Alderman Nicholas Meagher.

Yours very truly,

John E. Lloyd,  
M A Y O R.

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

LEGAL OPINION - CLAIM AGAINST COSSOR (CANADA) LIMITED

To: His Worship the Mayor and Members of City Council.  
From: P. F. C. Byars, City Manager.  
Date: July 18, 1962.  
Re: Legal Opinion - Claim against Cossor (Canada) Limited.

On December 6, 1961, Mr. I. M. MacKeigan, Q. C., who had been retained by the City to give an opinion re a possible claim by the City against Cossor (Canada) Ltd. for the return of lands located at the corner of Windsor and Young Streets, gave an interim opinion as follows:

"I have checked carefully the Mayor's old files respecting dealings with the above company. Most of it deals with correspondence, agreements and arbitration rulings between 1956 and 1958 when Cossor was arguing with the City as to what it should pay for heat in the rented quarters in the forum. The only material dealing with the question of the building in any respect is the following:

1. Handwritten letter dated July 27, 1948 from J. H. Rowlett, then General Manager of Cossor, to Mayor Ahern. In it he said "I have stayed over for today to see an architect re planning the office and laboratory bldg. I would also like to discuss with you the possibilities of utilizing space, say 40 x 100 in the Industrial Building as temporary accommodation while the new building is being built".

2. Memorandum dated July 26, 1948 in which it is stated that Cossor "proposed to erect brick or other solid construction office and laboratory on corner to architect's design. Cost: Approximately \$50,000.00. Proposed to buy said lot for eventual permanent development intending at some future date to build factory on same site..... Proposed to rent cement floor portion of annex.....for five years.....".

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3. Letter from Mr. E. T. Parker, Q. C., Cossor's solicitor, dated September 11, 1948, which contains nothing of value but refers to Davison attending the conference with Mr. Bethune to explain sketches and drawings.
4. Letter from Rowlatt to Ahern dated September 14, 1948, which refers to Rowlatt discussing with his architect plans concerning the new office and laboratory building.
5. Correspondence of November 1948 with Davison shows that Davison was also the City's architect for work carried out by Fundy Construction to rehabilitate part of the forum annex at a total cost of over \$15,000.00 which was presumably paid by the City.
6. Mr. DeBard on May 25, 1953 wrote a memorandum to Council reviewing discussions which he had in February 1953 with officials of the company. His only comment relating to the building is -- "The matter of erection of a building on the land bought by Cossor was discussed and Miss Lowe said they could not afford a building now".
7. A draft agreement of February, 1954, refers on page 2 to a site plan dated September 3, 1948 prepared by Davison which we should look at.
8. On February 7, 1957, Mr. A. C. Carter, General Manager of Cossor, wrote Mayor Kitz as to proposed re-negotiation of lease on the forum land. In his letter he refers to the possibility that the company may now put up a small building on the lot to house their engineering, service and installation divisions leaving the main factory still in the forum building. There is no suggestion in this letter or other letters to and from Cossor dealing with the heating dispute, to any possible obligation or indeed intention of building a building.

Mr. MacKeigan did indicate that further evidence was necessary to support any claim against Cossor.

A thorough search of the records of the Commissioner of Works the City Clerk, the City Solicitor and the Manager of the Forum Commission, failed to produce any further evidence, and Mr. MacKeigan was informed accordingly.

Mr. MacKeigan now has informed the City Solicitor "after reviewing all the available material and being now advised that there is no additional material, I think I must regretfully conclude that the available evidence would not support any legal action against Cossor and the most that can be said about the available evidence is that at the time of the original deal everyone assumed that Cossor was going to build a building on the land in question and that it was on the basis of this assumption that the City entered into the deal". Mr. MacKeigan concludes "Unfortunately, however, this evidence falls short of the City being able to prove that there was any specific promise and undertaking by Cossor to build the building so as to make the construction of a building a definite condition of the transaction. If there ever was such a promise and undertaking there is no written evidence of it. Under these circumstances, I must conclude that the City has no legal basis for action against Cossor."

Yours truly,

P.F.C. Byars,  
CITY MANAGER.

MOVED by Alderman Wyman, seconded by Alderman Healy, that the report be tabled and that the City Solicitor be requested to submit to the Finance and Executive Committee his report on the matter. Motion passed.

Council,  
August 15, 1962.

LETTER - LADIES ORANGE BENEVOLENT ASSOCIATION RE: APPRECIATION TO COUNCIL

A letter of appreciation for the courtesies extended by the City on the occasion of the annual meeting of the Grand Lodge of the Ladies Orange Benevolent Association held in Halifax was submitted from the Grand Secretary.

MOVED by Alderman Connolly, seconded by Alderman Trainor, that the letter be filed. Motion passed.

Council then considered various items of new business which follow.

MINUTES

MOVED by Alderman Connolly, seconded by Alderman DeWolf, that the minutes of meetings held on July 3 and 26, 1962, be approved. Motion passed.

PETITION - RATEPAYERS OF DISTRICT NO. 115 OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX - REQUESTING ANNEXATION OF SCHOOL SECTION 115 BY THE CITY OF HALIFAX

A letter was submitted from the Chairman of the Citizens Committee of the Ratepayers Association of District No. 115 of the Municipality of the County of Halifax enclosing the following:

- (a) A petition signed by 61 ratepayers requesting annexation of School Section No. 115 by the City of Halifax;
- (b) Brief statistics concerning School Section No. 115.

MOVED by Alderman Wyman, seconded by Alderman O'Brien, that the Ratepayers Association of School District No. 115 be advised of the Council's action in supporting their request to the Minister of Municipal Affairs for a study of the effects of amalgamation. Motion passed.

ITEM NO. 4 - REPORT - FINANCE AND EXECUTIVE COMMITTEE

August 15, 1962.

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

The Finance and Executive Committee at a meeting held on August 9, 1962, considered various matters of business, and makes the following recommendations to Council:

NO. 4A - RETIREMENT - CAPT. E. J. GILFOY - FIRE DEPARTMENT

That Captain E. J. Gilfoy of the Halifax Fire Department, be retired as of September 1, 1962, at an annual allowance of \$2,878.00.

NO. 4B - SUBMISSION TO OUTHIT COMMISSION

That the submission as prepared by the City Manager for presentation to the Outhit Commission be approved.

Council,  
August 15, 1962.

NO. 4C - Contract Extras - Mulgrave Park Housing Project and  
Westwood Park Housing Project

That the following contract extras for the Mulgrave Park and Westwood Park Housing Projects be approved:

Mulgrave Park - \$ 874.72  
Westwood Park - \$4,128.55

NO. 4E - Property Settlement - Market Motors Limited

That the compensation, awarded by the Court in the case of the expropriation of the property of Market Motors Limited, in the amount of \$23,000.00 plus interest at 5% from August 19, 1960, the date of expropriation, be paid.

Respectfully submitted,

R. H. Stoddard,  
CITY CLERK.

NO. 4A - Retirement - Capt. E. J. Gilfoy - Fire Department

MOVED by Alderman Lane, seconded by Alderman Healy, that the recommendation be approved. Motion passed.

NO. 4B - Submission to Outhit Commission

MOVED by Alderman Connolly, seconded by Alderman Greenwood, that the submission be approved and the appropriate City Official authorized to submit the same on behalf of the City. Motion passed.

NO. 4C - Contract Extras - Mulgrave Park Housing Project and  
Westwood Park Housing Project

MOVED by Alderman Connolly, seconded by Alderman Meagher, that the recommendation be approved. Motion passed.

NO. 4E - Property Settlement - Market Motors Limited

MOVED by Alderman Lane, seconded by Alderman Trainor, that the recommendation be approved. Motion passed.

RAILWAY SIDING - EXHIBITION GROUNDS (OLAND & SON LIMITED)

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

From: Committee on Works.

Date: August 15, 1962.

Subject: Report - Railway Siding - Exhibition Grounds.

The Committee on Works, at a meeting held on the above date, considered a report from the Commissioner of Works informing them that the original proposal to install railway siding on the Exhibition Grounds by Oland and Son Limited, as shown on Plan No. SS-9-15475, could not be carried out because a misunderstanding apparently arose between the Oland and Piercy Supplies interests which shelved the scheme.