

Council,
October 31, 1968

lation be secured enabling the City Council to appoint to the Board of School Commissioners the same number of Commissioners as appointed by the Provincial Government.

ADDED ITEMS

Appeal - Fairmount Subdivision

A report was submitted from Staff relating to an appeal which has been made to the Minister of Municipal Affairs pursuant to Council's decision of October 18, 1968, concerning the approval of lots 69 to 90 of the Fairmount Subdivision in the County of Halifax. The appeal was made under the provisions of Section 28 (5) of the Town Planning Act on the grounds that the further development of this subdivision would be premature as it would compound the problem of inadequate access to the Fairmount Subdivision and the adjacent Springvale Subdivision.

The report reads in part:

"Since that time, Staff has continued its investigations into the matter and now recommends that Council withdraw the appeal on the basis of an undertaking which has been made by the subdivider as set out in a letter dated October 30, 1968. A copy of the letter is attached. The subdivider has undertaken to:

1. Make no further applications for the approval of any additional lots in the Fairmount Subdivision until the problem of providing adequate access to the Fairmount and Springvale Subdivisions area has been satisfactorily resolved.
2. Take no steps to develop lots 89 and 90 and the land marked "Proposed Rosemount Avenue Extension" as shown on a plan of subdivision of a portion of Fairmount Subdivision dated July 15, 1968."

MOVED by Alderman Fitzgerald, seconded by Alderman

H. W. Butler that Council:

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1. withdraw its appeal to the Minister from the approval of lots 69 to 88 of the Fairmount Sub-division by the County of Halifax;
2. accept the subdividers undertaking, and
3. indicate that the City recognizes the urgency of finding a solution to the problem of providing adequate access to the Fairmount and Springvale Area.

Motion passed.

Part Expropriation - Purdy Brothers Property, Upper Water St.

A report was submitted from Staff relating to the expropriation of the front portion of the Purdy Brothers Property located on the east side of the former Upper Water Street and known as Civic No. 1959 Upper Water Street.

The report reads in part:

"The front part of the property which is to be expropriated lies to the west of the present wharf and office buildings. The land required contains approximately 28,350 square feet of which 7,309 square feet represents a former right-of-way to Furness, Withy premises (already acquired). There are two buildings on the land at the present time being a welding shop and electrical shop."

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the land and buildings as outlined in the Staff Report dated October 31, 1968 be expropriated, and that an appropriate expropriation plan and description be filed. Council also approve that in accordance with the provision of Section 422 of the Halifax City Charter, 1963, 75% of the authorized compensation or the sum of \$37,500.00, be immediately released to Purdy Brothers Limited. Motion passed.

A Formal Expropriation Resolution and Plan was submitted giving effect to the foregoing motion of Council.

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MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the Expropriation Resolution and Plan, as submitted, be approved. Motion passed unanimously.

Rents - Uniacke Square

Alderman Ahern said that Council has been hearing a lot about low cost housing and it seemed to him that Council should be informed about some of the rents charged. He referred to a tenant at Uniacke Square who received a letter from the Housing Authority which indicated that his rent would be raised to \$190.00 per month. He did not consider that was a low rent. He advised that the tenant to whom he referred makes approximately \$130.00 per week and he felt that he could not afford such a high rent. He suggested that City Council should write a letter to the Housing Authority and ask for information on this matter.

His Worship the Mayor said that the proper description of the Uniacke Square housing is not low cost housing, but rents geared to income housing.

Alderman A. M. Butler suggested that Council write to the Housing Authority and ask for a copy of the rent schedule and formula used in arriving at the rents charged.

Council agreed to this suggestion.

Some discussion ensued with respect to discussions which have taken place in the Social Planning and Housing Committees relating to a resolution passed by City Council whereby the rent formula should be amended to permit tenants to earn a certain amount of overtime during the course of a year

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which would not be added to their income and reflected in their rents.

After further discussion, the meeting adjourned at 10:55 p.m.

HEADLINES

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HEADLINES (continued)

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

R. H. STODDARD
CITY CLERK

Drafts

HALIFAX-DARTMOUTH AND COUNTY

STAFF REPORT NO. 68/19, OCTOBER 28, 1968

TO: CHAIRMAN AND MEMBERS OF REGIONAL PLANNING COMMISSION

FROM: DIRECTOR OF PLANNING

TRANSIT STUDY

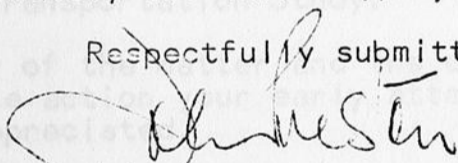
On 9th October, 1968 the Regional Planning Commission authorized the Director of Planning to request a meeting between its representatives and the Premier and representatives of the Government of Nova Scotia with a view to making a concerted application to the Atlantic Development Board with respect to a Transit Study and to determine the financial basis of such an application.

On 25th October, 1968 a meeting was attended by the Honourable G. I. Smith, the Premier of Nova Scotia, the Honourable I. W. Akerley, the Minister of Highways and the Honourable D. M. Smith, Minister of Mines representing the Minister of Finance and Economics, Mayor A. O'Brien, Mayor R. Thornhill, Mr. M. Nickerson and Mr. J. Preston.

The outcome of this meeting is that the Commission is advised that an application for a Transit Study will be recommended to and considered by the Provincial Government on the same financial terms as the Transportation Study, i.e. 50% of the cost to be borne by the Federal Government, 25% by the Provincial Government and 25% by the Municipalities concerned, the total cost not to exceed \$75,000.

In view of the foregoing it is recommended that the Commission adopts and refers the attached draft application to the Councils of the City of Halifax, the City of Dartmouth and the County of Halifax for adoption on the basis that these Municipalities will guarantee 25% of the shared cost in the following proportions: County of Halifax, nil, City of Dartmouth, approximately one third (\$6,250.00) City of Halifax, approximately two thirds (\$12,500.00)

Respectfully submitted,



John Preston,
Director of Planning.

M. R. Nickerson, Chairman,
Halifax-Dartmouth and County
Regional Planning Commission.

Draft

HALIFAX-DARTMOUTH AND COUNTY
REGIONAL PLANNING COMMISSION

Municipal Administration Building
38 Dutch Village Road
Armdale, N. S.

Telephone
477-6771

Mailing Address
P. O. Box 96
Armdale, N. S.

October 28, 1968

The Honourable G. I. Smith,
Premier of Nova Scotia
Province House
Halifax, N. S.

Dear Mr. Premier:

The attached "Summary of Need" (Appendix A) and "Terms of Reference" (Appendix B) are submitted in support of this application for financial assistance to undertake a Transit Study for the Halifax-Dartmouth Urban Area, on the following shared cost basis:-

Government of Canada - 50% or \$37,500.00 whichever is the lesser
Province of Nova Scotia - 25% or \$18,750.00 whichever is the lesser
City of Halifax (- 25% or \$12,500.00
City of Dartmouth (- 25% or \$ 6,250.00 whichever is the lesser

The Cities of Halifax and Dartmouth have agreed to the above apportionment of cost (Appendix 'C' - Minutes of Halifax City Council and Appendix 'D' - Minutes of Dartmouth City Council).

If a Study is approved, then an Agreement will be made between the parties concerned, in which case the Halifax-Dartmouth and County Regional Planning Commission will represent the Cities of Halifax and Dartmouth in the same manner as is now the case with the Regional Highway Transportation Study.

In view of the urgency of the matter and the economies which can be effected by immediate action your early attention to this request would be greatly appreciated.

Yours very truly,

M. R. Nickerson, Chairman,
Halifax-Dartmouth and County
Regional Planning Commission.

October 28, 1968

APPENDIX A

PROPOSED REGIONAL TRANSIT STUDY

Summary of Need

A Regional Highway Transportation Study of the Halifax-Dartmouth Urban Area is now underway. This study is funded by the Atlantic Development Board (up to 50%), the Province of Nova Scotia (up to 25%) and the Halifax-Dartmouth and County Regional Planning Commission (up to 25%). The total cost of the study is not to exceed \$150,000 and it is scheduled for completion on or before September 30, 1969.

Although this Regional Highway Transportation Study will assess generally the effect of public transit vehicles on street capacity and although its recommendations with regard to urban highways and arterials will recognize, and make allowance for, the use of buses, a Transit Study involving an examination of transit demand, a supporting functional system or systems, operational requirements, fare structures, and the like, was not built in as a component of the Transportation Study.

The Halifax-Dartmouth and County Regional Planning Commission is of the opinion that an in depth Transit Study is required for the Halifax, Dartmouth and County Urban Region

- a) to determine the existing and likely future demand for Transit facilities within the foreseeable future
- b) to develop alternative operational and functional systems to satisfy those demands
- c) to determine an optimum transit system and operational organization within the economic resources of the Municipalities concerned.
- d) to determine the relative costs and benefits of a public transit system and the physical improvements required to support continuing and increasing use of the private automobile, and
- e) to evolve a staged implementing program for (approximately) five year increments showing anticipated revenues and expenditures for a unified Metropolitan system and, alternatively, for a Halifax/Dartmouth joint system,

all as more precisely detailed in the "Terms of Reference" attached hereto as "Appendix B".

The collection and evaluation of data to assess the adequacies and inadequacies of the existing systems and to provide a basis for the design of future transit facilities for the Metropolitan Area, to be administered either by a single operations system or by two separate, but coordinated, operations systems is of considerable urgency for the following reasons:-

1. The Nova Scotia Light & Power Company is not prepared to continue operation of the Halifax Transit System after the end of 1968 without a subsidy adequate to cover its operating deficit, and as a result, the City of Halifax has agreed to the formation of a subsidiary company or other form of joint operation, with serving representatives from the Nova Scotia Light & Power Company and the City of Halifax, the City of Halifax paying full operating deficits. This arrangement is not considered permanent and the City is anxious to investigate all forms of transit systems and operations.
2. The City of Halifax will on January 1, 1969 extend its boundaries to encompass an additional 12,029 acres of the County in which development has occurred alongside or at the extremities of arterial highways. These areas are now served by transit services of a rural character and it is reasonable to anticipate demands for more functional and convenient service upon annexation by the City.
3. Though the City of Dartmouth's privately operated transit system is presently operating without subsidy it is reasonable to assume that, with the further development of the City of Dartmouth extension of service will be required with a similar result to that now being experienced by Halifax. A planned, systematic phased program for public transit would greatly assist Dartmouth to avoid the present problems of Halifax. Prudence and common sense dictate that the Study be metropolitan in scope to determine the feasibility of a metropolitan system and enable a comparison to be made with alternative systems.
4. In addition to those factors which relate particularly to the Halifax-Dartmouth area, a further benefit arising from a Transit Study would be that the findings of the Study would be applicable to other communities in the Atlantic Provinces. For example, the answers to several

October 28, 1968

-3-

questions will be sought. What is the relationship of public need or demand to fare structures for both private and public operations? Does economic, or profitable operation break down at a certain level of service? What benefits may be obtained from private (perhaps subsidized) operation and, alternatively public operation? What are the trip-making characteristics of a typical urban centre in the Atlantic Provinces? How are they related to income, work classification, etc.? How do they compare to other Canadian urban centres?

5. The affect of optimum transit use on road capacities and design should be examined, particularly with relation to the high density, commercially and residentially developed older sections of the urban region, with a view to retaining much of the desirable fabric and characteristics of those sections.
6. The organization, data and data processing functions required for the present Transportation Study are, in certain key instances, applicable, and can be made available, to the Transit Study. For example, the Study Area and Computer Universes will be identical, permitting the combination of transit data with data collected for the Highway Transportation Study. Mode of travel interviews coded for the Transportation Study can be expanded by additional interviews in areas of greatest transit use, and the existing and forecast Land Use planning input for the Transportation Study is equally applicable to the Transit Study.
7. A further incentive is that if the Transit Study were not undertaken at this time but at some later date then an additional minimum sum of \$22,000 would likely be incurred. This cost would be incurred through the reestablishment of an organizational system and the necessity of preparing a separate computer programme.

Advantages and economies can be obtained by retaining the consultants presently engaged on the Transportation Study to undertake a Transit Study. These advantages result from local experience and knowledge, existing facilities and staff, and interrelated data permitting economy in data processing. Should approval be granted to a Transit Study it is respectfully suggested that approval also be given to engaging the firm of Canadian British Engineering Consultants Limited as prime consultants in association with Wilbur Smith and Associates.

October 28, 1968

APPENDIX B

PROPOSED REGIONAL TRANSIT STUDY

Terms of Reference

The Terms of Reference for a Transit Feasibility Study are, generally, as follows. They are not to be taken as limiting the functions of the Consultants in carrying out a comprehensive study leading to rational recommendations.

1. The objective of the Transit Study will be to provide data for, and to carry out, a comprehensive evaluation of the present public transit services and systems in the Halifax Dartmouth and County Urban Region and to make recommendations with respect to design and operation of an optimum transit system, recognizing the economic resources of the Municipalities concerned.
2. The inventory and operating information necessary for review is assumed to be provided to the Consultants for analysis by the operating transit companies and is as follows:-
 - a) Map showing existing routes by type of service (regular route, feeder, express, etc.) bus stops, transfer points and the location of operating stations and repair garages and other facilities.
 - b) Time table for all routes.
 - c) Register of present transit vehicles by type (motor bus and trolley) makes, seating capacity and date of manufacture, in order to develop an estimate of capital requirements for a future replacement programme.
 - d) Maintenance and fuel cost for a one year period dated from the date of commencement of the study by fleet, according to age, to evaluate efficiency of maintenance and to estimate possible savings in maintenance which would result from the replacement of older or less efficient vehicles.
 - e) Data for each route consisting of:
 - (1) length of route
 - (2) round trip running time (morning peak, daily base, afternoon peak, evening base)
 - (3) number of vehicles required to meet demands at peak and base period at varying levels of service
 - (4) average speed in miles per hour
 - (5) annual revenues in cents per mile for a one year period prior to date of commencement of study

- (6) annual vehicle miles for same period
- (7) annual revenue passengers for same period
- (8) monthly revenues for same period
- f) Data to reflect historical trends will be collected including:
 - (1) passenger revenues for five calendar years and monthly for the period in current year
 - (2) revenue passengers for same period
 - (3) transfer passengers for same period
 - (4) vehicle miles for same period
 - (5) vehicle hours for same period
- g) Number of employees as of December 31, 1967 by department and job classification.
- h) Number of locations of operating stations stating vehicle capacity, and total vehicles assigned, undercover storage capacity, and maximum vehicle requirements for routes operating out of each station.
- i) Operating and financial data of recent and current transit systems will be collected, including operating revenue and expense; non operating revenue (including subsidies) and expense; analyses of expense by function and classification (conducting transportation, maintenance and servicing, fuel, tires, employee benefits, claims, operating taxes and licenses, depreciation, supervision, general and administrative, and debt service); revenues and expenses by lines or routes to the extent data is available; and trends in revenue productivity and major expense items, including labour and material costs.

Any additional work by the Consultants necessary to derive the above information will be done on a reimbursable basis.

- 3. It will be the responsibility of the consultants to obtain the following information during the conduct of the study:-
 - a. Home interviews of approximately 500 additional dwelling units in sections of the metropolitan area where transit riding is the greatest. These sections will be determined from the study of home interview findings from the existing Regional Highway Transportation Study and, based on preliminary estimates, will probably be in those areas where fewer vehicles per family are registered and where transit service is presently being provided.
 - b. Undertake passenger-riding counts and checks on operating characteristics of public transportation vehicles.
 - c. Code, keypunch and summarize supplemental interviews and transit oriented data, to better facilitate model development and assignments to the transit network.

- d. Supplemental interviews and transit oriented data will be combined with data collected in the Regional Highway Transportation Study and detailed analyses will be performed to determine the trip making characteristics of transit riders. The transit riding characteristics of the Halifax-Dartmouth area will be used to determine overall patronage forecasts.
 - e. Develop a modal split with emphasis on future transit riding. In this connection, the Consultants will employ an evaluation of modal split using a trip interchange model evaluating each trip with each trip purpose under the assumption that the choice of the mode is made, based on availability of mode and relative convenience of travel offered by a competing mode. In this way, the choice of travel mode will be determined not only by conditions prevailing at the production end of the trip, but equally by conditions influencing selection of mode at the attraction end of the trip. This trip interchange approach should yield the best and most realistic projection of transit patronage for the future.
 - f. Study implications for future transit riding using the origin-destination findings from the current Regional Highway Transportation Study. Findings from the above analyses will enable a complete evaluation of transit operations by routes to determine relationship between passengers transported, service furnished and levels of service considered optimum for the given market conditions.
4. a. The Consultants will determine service and fare levels for proposed systems as well as probable operating revenues for the foreseeable future. Taken into account in the projections of revenues will be the possibility of additional incomes from accessory uses such as advertising in stations and on vehicles, miscellaneous rent, gas stations, and likely income which could be incurred from parking facilities in the event that charges are made for off-street parking at selected stations in the system.
 - b. Evaluations will be made for fixed and variable operating costs of the system at various levels of service. These will include fixed costs; such as administrative expenses, cost of fuel, and overall labour requirements. Variable costs, such as possible fluctuations in the labour department, maintenance and depreciation of equipment, debt service on bonds, and perhaps fluctuation in amount paid for power and fuel will be considered.
 - c. Capital cost for implementing the proposed transit systems will be taken into account including those monies involved in planning, financing, and operating initially the

- proposed system. Capital outlay required for the facilities will be estimated based on current cost of financing, design, construction, and purchase of necessary rolling stock and allied operating equipment. Capital expenditures will be estimated for Halifax and Dartmouth separately in order to give each municipality an estimate of its participation in providing metropolitan service.
- d. Optimum combinations of cost versus income will be determined and carefully evaluated in preparing recommendations for the transit system for the Halifax-Dartmouth Metropolitan area.
 - e. Having determined the optimum transit system that will yield most benefit to the metropolitan area, the Consultants will prepare a staged implementation programme for 5 year increments.
5. In addition to the foregoing the Consultants will:-
- a. investigate the level of parking service required to provide the optimum transit system and will set forth a general parking policy for the future.
 - b. evaluate the role of rapid transit, and of new and innovative transit modes as they may apply to the metropolitan area.
 - c. in order to enable local agencies to implement the plan, the Consultants will set forth guidelines and recommendations describing general equipment requirements. To accomplish this, the following considerations will be taken into account:
 1. Basic equipment must be fully reliable so that efficient operation can be maintained at all times:
 2. The equipment must be well proven and must conform to high standards of design and manufacture:
 3. Patron comfort and other basic requirements must be equally applied to the rolling stock as well as to stations and other areas to which passengers are exposed:
 4. Operating characteristics of the equipment selected must include a fast rate of acceleration and deceleration, optimum top speed and provision for rapid loading and unloading:
 5. Criteria must be established for good interior vehicle design, adequate lighting, circulation and temperature control:
 6. A careful balance must be established between seating and standing space in the vehicle to ensure proper balance between comfort and capacity during peak travel time:
- Planning task*

6. The Consultants will document fully all study procedures, techniques, findings and conclusions and necessary copies of mimeographed and illustrated reports will be furnished. The report shall be submitted as a preliminary document and will be so designed as to supplement the report of the Regional Highway Transportation Study.

ORDER OF BUSINESS

CITY COUNCIL
MINUTES

CITY COUNCIL

NOVEMBER 14, 1968

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: October 18, 1968
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items: NONE
6. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings & Hearings: NONE
9. Petitions & Delegations:
 - (a) Petition Re: Truck Traffic, Connaught Avenue
10. Report - Finance & Executive Committee:
 - (a) Tenders for Equipment - School Board
 - (b) Payment of 75% of Expropriation Compensation - #1969 Upper Water St.
 - (c) Surplus Funds - Halifax Civic and Mental Hospitals
 - (d) Payment of Solicitors Fees Re: Collective Bargaining
 - (e) Appropriation - Debt Charges - 316"C" - \$67,500.00
 - (f) Agreement Re: Placement of Waste Receptacles -
Panel Ads Of Nova Scotia Company
 - (g) Proposed Amendment Ordinance #119 Respecting the Levying and
Collection of Poll Tax
11. Report - Committee on Works:
 - (a) Call for Tenders - Refuse Collection - Annexed Areas
12. Report - Safety Committee: NONE
13. Report - Public Health & Welfare Committee: NONE
14. Report - Committee of the Whole Council, Boards & Commissions:
 - (a) Amendments - Ordinance #55 Re: Tag Days, etc., -
SECOND READING - DEFER
15. Report - Town Planning Board:
 - (a) Rezoning - #6149 Lady Hammond Road - From R-2 Residential Zone and
C-2 General Business Zone to R-3 Residential Zone -
DATE FOR HEARING
 - (b) Location of Proposed Statue on University Avenue

6. Motions:

- (a) Motion - Alderman Black Re: Amendment Section 498 (2), City Charter, Re: Appointments to School Board
- (b) Motion - Alderman A. M. Butler Re: Amendment Section 498, City Charter, Re: Appointments to School Board

7. Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Report - Housing Committee
- (c) Lord's Day Permit
- (d) Letters - Mrs. Iris Mitchell Re: Amendments to City Superannuation Plan

8. QUESTIONS.

19. Notice of Motion

20. Added Items

- (1) ...
- (2) ...
- (3) ...
- (4) ...
- (5) ...
- (6) ...
- (7) ...
- (8) ...
- (9) ...

(9) ...

... NONE

... NONE

... NONE

... NONE

... NONE

... NONE

8:00 p.m.

Record

CITY COUNCIL
MINUTES

Council Chamber,
City Hall
Halifax, N.S.
November 14, 1968
8:00 p.m.

A meeting of 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; and Aldermen Black, Abbott, Ivany, Matheson, A.M. Butler, Meagher, LeBlanc, Ahern, Sullivan, Fitzgerald, H.W. Butler, Doyle, and Connolly.

Also present: City Manager, City Clerk, Acting City Solicitor, and other staff members.

MINUTES

MOVED by Alderman Black, seconded by Alderman Meagher, that the minutes of the meeting of City Council held on October 18, 1968 be approved. Motion passed.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

It was agreed that the following items be added to the agenda:

20(a) - Appointments, Committees, Boards & Commissions of the City of Halifax.

In reply to a question from Alderman LeBlanc, His Worship the Mayor said that all that was involved in this item was a resolution to continue the present appointments until the end of the year.

20(b) - Report - Mayor O'Brien Re: Dissemination of Information to Annexed Areas.

Council,
November 14, 1968

- 20(c) - Amendment to Administrative Order No. 2 - Fire Department.
- 20(d) - Letter Re: Container-Unit Train Service for the Port of Halifax.

Alderman LeBlanc said that several incidents of late had prompted concern amongst a number of employees with regard to the City's Superannuation Plan, and he wished to have it opened for discussion as an added item.

It was agreed that this could be discussed in conjunction with Item 17(d) of the agenda.

MOVED by Alderman Ivany, seconded by Alderman Fitzgerald, that letter dated November 1, 1968 from Chairman of the Halifax-Dartmouth Bridge Commission be placed on agenda as Item 20 (e). Motion passed.

PETITIONS AND DELEGATIONS

Petition Re: Truck Traffic, Connaught Avenue

The following petition, signed by approximately 90 persons, was presented:

"WE, The undersigned, strongly protest against Connaught Avenue becoming a permanent route for trucking."

A letter dated September 23, 1968 from the Minister of Highways for the Province of Nova Scotia regarding a similar petition and resolution by Council was tabled. The letter read as follows:

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

Dear Mr. Stoddard:

"Please refer to your letter of August 1, 1968, in which you submitted the following resolution which had been approved by the City Council:

Council,
November 14, 1968

'That no trucks over 3/4 tons be permitted to travel on Connaught Avenue from Quinpool Road to Bayers Road, between the hours of 7:00 p.m. and 7:00 a.m.'

"This resolution has been carefully considered and studied.

"Naturally, one can but feel sympathy for the home owners who are seeking relief from the noise of heavy trucks during the night.

"It is, clearly, the responsibility of the Minister of Highways to ensure that adequate through routes are provided in all cities and towns in the Province.

"I am aware that a similar request was made last year and that it is now being followed up by the Home Owners Association, with the endorsement of the City Council.

"It is apparent that, if the suggestion were implemented, truck drivers coming into the City, from all areas of Nova Scotia, and indeed, from outside areas including the U.S.A., would find no alternate, adequate route, that would not adversely affect residents of some other streets.

"In view of the effect that such a move would have on truck drivers coming into the City, I cannot agree to the restrictions proposed by the City. However, if the City can suggest an acceptable alternate route for trucks, keeping in mind all factors, such as ease of traffic flow, vehicle and pedestrian safety, then I would be prepared to consider any such suggestion.

"A copy of this letter is being directed to the Halifax Home Owners Association, which had also written to me some time ago regarding this proposal for restricting traffic on a section of Connaught Avenue.

"Yours sincerely,
(SGD) I.W. Akerley"

The following memorandum was presented by Deputy Meagher N.P. Meagher, in support of the petition:

"TO: His Worship the Mayor and Members of City Council.
DATE: November 8, 1968

"A petition has been filed with the City Clerk and signed by approximately 90 persons protesting Connaught Avenue becoming a permanent route for trucking.

"This has been resolved in the affirmative on two occasions and has been turned down by the Minister of Highways.

"Under Section 175 of the Motor Vehicle Act, the City is permitted to prohibit truck traffic from 7:00 p.m. to 7:00 a.m.

"Copy of the petition is attached.

(SGD) R.H. STODDARD
FOR: N.P. MEAGHER, DEPUTY MAYOR"

Council,
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Alderman Meagher said he had consulted a barrister regarding the matter, and had been told that it was within the City's rights to prohibit truck traffic on Connaught Avenue from 7:00 p.m. to 7:00 a.m.

Alderman A.M. Butler stated that Council should hear from the City Solicitor as to the City's legal position in this matter.

The Acting City Solicitor said that the City Solicitor had studied the matter carefully, and his interpretation of Section 175, Sub-section (6), of the Motor Vehicle Act was that everything in that section was subject to approval of the Minister of Highways.

The Acting City Solicitor said she would like to make it clear that it was within Council's powers to pass a resolution restricting truck traffic on any street, but without the approval of the Minister of Highways, it would not be effective.

MOVED by Alderman Meagher, seconded by Alderman Abbott, that Mrs. Margaret Stanbury be permitted to speak on behalf of those who had signed the petition. Motion passed.

Mrs. Stanbury said that discussions with the Minister of Highways had led her to believe that the decision to make a resolution such as the present one effective rested clearly with the City. She quoted sub-section (4) of Section 174 of the Motor Vehicle Act as giving the City the power to prohibit trucks from night operation on a residential street. She felt therefore that since City Council had already voted twice in favour of restricting truck traffic on Connaught

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Avenue, there only remained to put the actual signs in their places. In conclusion, she said that the petitioners were not objecting to a fair share of the traffic on Connaught Avenue, but that at the moment traffic was 700 percent higher on that street than any other residential street.

Alderman Meagher submitted the following Resolution:

"WHEREAS the City of Halifax has, on two occasions, passed by-laws relating to the operation of trucks in residential areas; and

"WHEREAS one hundred residents of Connaught Avenue have again protested the operation of trucks through their residential area; and

"WHEREAS it is within the power of the City Council to regulate the operation of trucks, and to designate truck routes;

"THEREFORE BE IT RESOLVED that the Traffic Authority be directed to prepare forthwith signs, which are to be appropriately placed, in order to prohibit truck traffic on Connaught Avenue between Quinpool Road and Windsor Street from 7:00 p.m. to 7:00 a.m. daily."

His Worship the Mayor said that in view of the statement made by the Acting City Solicitor, he felt any resolution passed this evening should only be in the form of a request that the City Solicitor exhaust all possibilities of the City's right to take the requested action, or to present alternative truck routes for the consideration of the Minister of Highways.

Alderman Meagher, however, said he felt certain the City was on sound legal ground in taking such action, but His Worship the Mayor said that advice as to the City's legal position must come from its own legal staff.

Alderman A.M. Butler felt that the present case might serve as a test one as to where final authority rested.

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At the request of Alderman Ivany,

Council agreed to hear from Mr. R. Judge, who had been a member of the Committee formed to consider this particular problem.

Mr. Judge said that earlier discussions on the matter pertained to Connaught Avenue from Bayers Road to Quinpool Road, but that the present petition stipulated between Quinpool Road and Windsor Street. He said it was not his intention this evening to argue for or against the petition, but the fact remained that there was going to be a large amount of truck traffic in the City over the next sixteen months, due in part to a big job in the south end of the City, and if you took the trucks off Connaught Avenue it would only place them on Oxford or some other such street. He said the Department of Highways had designated Connaught Avenue as a main artery, which explained the Minister's stand in regard to previous petitions. Mr. Judge felt that when the new bridge was opened, a lot of the present problem would disappear.

At the request of Alderman Black, the Traffic Authority was asked for an opinion on the matter. The Traffic Authority advised that in the past nothing had been done in matters of this kind without the approval of the Department of Highways.

The resolution was moved by Alderman Meagher, and seconded by Alderman A.M. Butler,

The motion was then put and passed unanimously.

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REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 7, 1968, with respect to the following matters:

Tenders for Equipment - School Board

MOVED by Alderman Ahern, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, permission be given to the School Board to call for tenders on the following equipment and that the cost be included in the 1969 Budget:

1. 5 vehicles \$14,000

These are vehicles for electrical, plumbing and painting maintenance, a general supply truck and one being a replacement of an existing panel truck.

2. New locks for Exterior Doors - \$ 9,000

Annexed Area. This hardware equipment will provide security in all buildings administered by the School Board in the annexed areas. This will also allow the School Board staff to have access to these buildings.

3. Two-way radios in 7 maintenance trucks

Installation charges

(one time) \$ 200

Annual Rental 2,484 \$ 2,684

The installation of these two-way radios is designed to increase efficiency in transportation and the relaying of messages to maintenance staff.

\$25,684

Motion passed.

Payment of 75% of Expropriation Compensation - 1969 Upper Water Street

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, City Council authorize payment to Furness Withy & Company the sum of \$54,000.00, being 75%

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of the compensation authorized in the expropriation resolution (\$72,000.00) for the property at 1969 Upper Water Street. Motion passed.

Surplus Funds - Halifax Civic and Mental Hospitals

MOVED by Alderman Meagher, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, City Council approve the following course of action:

1. Commencing in the fiscal year 1969 the Civic and Mental Hospitals retain their current surplus.
2. The Boards of Management of the Hospitals be required to invest such surplus funds in a bank deposit account or readily negotiable instruments approved as trustee investments.
3. These accumulated funds are to be used only for the purpose of purchasing capital equipment and major repairs which are not considered depreciable by the Nova Scotia Hospital Insurance Commission.
4. Purchase of such capital items will be at the recommendation of the Board of Management of the hospital and subject to approval by City Council.
5. City Council reserves the right to withdraw all, or any part of these accumulated funds, if deemed necessary at any time.

Motion passed.

Payment of Solicitors Fees Re: Collective Bargaining

MOVED by Alderman Matheson, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee:

1. City Council approve for payment the following accounts:

Judge Green	\$ 435.00
A.W. Smith, Q.C.	2,761.15
Stewart, MacKeen and Covert	8,789.00

2. City Council approve the source of funds for the accounts as follows:

\$3,000.00 which is presently in accounts payable;
\$1,700.00 from Consultants Fees Account;
\$7,285.15 Appropriation under Section 316C of the City Charter.

Motion passed.

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Appropriation Debt Charges - 316C - \$67,500.00

MOVED by Alderman Connolly, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, an appropriation under the authority of Section 316C of the City Charter, in the amount of \$67,500.00, be approved for debt charges, to correct an error in the Current Budget. Motion passed.

Agreement Re: Placement of waste Receptacles - Panel Ads of N.S. Company

The recommendation of the Committee was submitted as follows:

"It is recommended that since the placement of waste receptacles by the firm of Panel Ads of N.S. requires an encroachment licence fee to be paid to the City of \$25.00 plus 25¢ per square foot annually for each encroachment, Panel Ads of N.S. be relieved of that part of the agreement whereby the Company was to provide ten panels free to the City."

MOVED in amendment by Alderman Ivany, seconded by Alderman Meagher that, since the placement of waste receptacles by the firm of Panel Ads of N.S. requires an encroachment licence fee to be paid to the City of \$25.00 plus 25¢ per square foot annually for each encroachment, Panel Ads of N.S. be relieved of that part of the agreement whereby the Company was to provide ten panels free to the City, and that Staff negotiate a price for City advertisements Re: Beautification, in an amount not to exceed the encroachment fees. Amendment passed.

The motion as amended was put and passed.

Amendment to Ordinance #119 - Respecting the Levying and Collection of Poll Tax.

MOVED by Alderman Connolly, seconded by Alderman Abbott that, as recommended by the Finance and Executive Committee, an amendment to Ordinance No. 119 Respecting the Levying and Collection of Poll Tax be prepared to provide that persons over the age sixty-five years be exempt from the payment of poll tax, effective January 1, 1969. Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works, from its meeting held on November 5, 1968, with respect to the following matter:

Call for Tenders - Refuse Collection - Annexed Areas

MOVED by Alderman Matheson, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, permission be granted to call tenders for refuse collection in the areas to be annexed for the year 1969. Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendments - Ordinance #55 Re: Tag Days, etc. Second Reading

Deferred.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board, from its meeting held on November 5, 1968, with respect to the following matters:

Rezoning - #6149 Lady Hammond Road - From R-2 Residential Zone and C-2 General Business Zone to R-3 Residential Zone - Date for Hearing

MOVED by Alderman Black, seconded by Alderman Ivany that, as recommended by the Town Planning Board:

1. the application for rezoning from R-2 Residential and C-2 General Business to R-3 Residential of the property at 6149 Lady Hammond Road, as shown on Drawing Nos. P200/2536 - P200/2538, to permit the construction of a four storey, 30 unit apartment building be recommended to City Council for approval;
2. a date be set for a public hearing into the matter;
3. the area outlined on the plan attached to the Staff Report dated October 31, 1968, be designated as the area within which people will be notified of the public hearing.

Motion passed.

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Location of Proposed Statue on University Avenue

MOVED by Alderman Fitzgerald, seconded by Alderman H. W. Butler that, as recommended by the Town Planning Board, a license for a street encroachment be granted to Dalhousie University, under the provisions of Ordinance No. 112, to permit the placement of a statue in the center of the grass strip between the two lanes on University Avenue. Motion passed.

MOTIONS

Motion - Alderman Black Re: Amendment Section 498 (2), City Charter, Re: Appointments to School Board

MOVED by Alderman Black, seconded by Alderman Abbott that legislation be sought to delete the words "member of the Council" as they appear in lines 5 and 6 in Section 498 (2) of the City Charter, and substituting, therefore, the word "Commissioner".

Alderman Black explained the reason for the motion. He said that at the present time seven members of Council are on the School Board and in the event that any member runs for Alderman and gets defeated, the amendment would permit a replacement appointment to be made from outside the Council which is not the case at the present time.

Alderman Matheson said that the motion made good sense but he felt that Council should receive the report from the Special Committee appointed to consider Amendments to Section 17 and 18 of the City Charter dealing with Qualifications and Disqualifications of Mayor and Aldermen and Election of School Board Members before making a decision to seek legislation.