

Council,  
February 26, 1969

extending the City transit system to these regions.

The City Manager said the transit report made reference to extending the transit system on a regional basis because of the traffic pouring into the City from Bedford and Sackville, but there was a question, he said, of whether a municipal system can go outside the City limits, but he agreed this question could be discussed with Acadian Bus Lines as part of the general transit negotiations.

Alderman McGuire asked if the Consultants would have to be advised before adding to the negotiations discussions on the Herring Cove and Bedford Highway runs, and the City Manager said he thought not, because Kates, Peat, Marwick & Company had already stated that these were straight runs and did not involve much in the way of a survey.

It was therefore agreed that Acadian Bus Lines be included in transit negotiations with regard to service to Herring Cove and the Bedford Highway.

Alderman Connolly then asked if any arrangements had been made to take care of the present personnel. The Chairman replied that the Transit Committee and the Consultants had met with officers of the Union, and it was mutually agreed that the present employees should not, in any way, be worse off because of the change in the system. However, he said, until the structure of the new transit system was known, it would be difficult to answer specific questions with regard to personnel. He also made mention of current labour negotiations between the Unions and the Light and Power Company which

Council,  
February 26, 1969

made it unsuitable for the City to make any specific statements at this time. He said he felt sure, however, that the Union representatives would agree that there had been a good understanding worked out between themselves, the Transit Committee, the City Manager, and Mr. Hipwell.

It was agreed that the Committee should seek some ways of protecting the present rights and benefits of employees of the transit system.

Property Acquisition - 2352 Barrington Street:

MOVED by Alderman Sullivan, seconded by Alderman LeBlanc, that as recommended by the Finance and Executive Committee, the sum of \$10,500.00 be paid to Mr. James R. Bird, 5650 Livingstone Street, represented by C.W. Moore, Q.C. 2194 Gottingen Street, as settlement in full for all claims arising from the acquisition by the City of his property at 2352 Barrington Street. Motion passed.

Daylight Saving Time:

MOVED by Alderman Connolly, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Daylight Saving Time for the City of Halifax become effective at 12:01 a.m. Sunday, April 27th, 1969 until 12:01 a.m. Sunday, October 26th, 1969 in accordance with the dates set forth in the letter from The Railway Association of Canada. Motion passed.

Port Study Costs:

MOVED by Alderman Sullivan, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, City Council approve payment of the following expenses relating to the implementation of the unit



Council,  
February 26, 1969

trains and containerization concept of the port, and that these amounts be held in the City's accounts as possibly recoverable from "Halco":

Kates, Peat, Marwick - the chief function of this firm is to provide financial advice to the Port Commission in its various discussions and negotiations. Some initial assistance in the management of Halco may also be provided 6 months @ \$3,000.00 - \$18,000

John Kneiling- will provide technical assistance in evaluating pier systems, operation of trains, and other capital equipment. 6 months @ \$1,500.00 - \$ 9,000

N.V. Stevedore Company Quick Despatch - this Company specializing in stevedoring, has co-operated informally with officials of the Port Commission, however the present concept of the Port has developed to the point where more assistance and information is required from this firm, and this properly should be on a businesslike fee basis. An approximate cost is 6 months @ \$300.00. - \$ 1,800

Travel- in order to negotiate and conclude arrangements and agreements concerning this port concept a substantial amount of travel is required over and above that for the regular Port Commission travel - \$ 2,400

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\$31,200

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Motion passed.

Progress Payment Re: Canada Games Facilities:

MOVED by Alderman Ivany, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, the City of Halifax pay the sum of \$27,000.00 to the 1969 Canada Games Society as its portion of the capital expenditures requirements for the period to March 31, 1969. Motion passed.

Joint Office Accommodation for Welfare Services:

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

Council,  
February 26, 1969

1. the City re-affirm its agreement to the amalgamation of the Halifax Regional Provincial Welfare Services, the Halifax Children's Aid Society and the Halifax City Welfare Department in one building, in principle;

2. the City indicate its willingness to enter into a long-term lease for space in any new building constructed for this purpose, provided the terms and conditions of such lease are satisfactory to the City;

3. the City seek legislation to give it power to guarantee a loan, not in excess of \$50,000.00, for the Children's Aid Society to provide the necessary stimulus to get the project underway.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Subdivision Alteration - Lots 563A, 563B, Glenforest Drive, Clayton Park

MOVED by Alderman Allen, seconded by Alderman [Name], that, as recommended by the Committee of the Whole Council, the subdivision alteration to Lots 563A and 563B, Glenforest Drive, Clayton Park requested in order to provide for deed corrections, be approved. Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on February 19, 1969 with respect to the following matters:



Council,  
February 26, 1969

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on February 19, 1969 with respect to the following matter:

Encroachment License - City-owned Property - Paul M. Publicover, James Street

MOVED by Alderman Ivany, seconded by Alderman Allen that, as recommended by the Committee on Works, the City enter into an Encroachment License with Mr. Paul M. Publicover, James Street over a portion of City-owned land to the rear of Mr. Publicover's property, and facing Maynard Street, being a strip of land 10 feet in width and running 55½ feet from Mr. Publicover's property to Maynard Street, as shown on City Plan No. TT-9-17442, and that the usual Encroachment Fee be charged. Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Subdivision Alteration - Lots 563A, 563B, Glenforest Drive, Clayton Park

MOVED by Alderman Allen, seconded by Alderman Ahern that, as recommended by the Committee of the Whole Council, the subdivision alteration to Lots 563A and 563B, Glenforest Drive, Clayton Park requested in order to provide for deed corrections, be approved. Motion passed.

REPORT - TOWN PLANNING BOARD

Council considered the report of the Town Planning Board from its meeting held on February 19, 1969 with respect to the following matters:

Council,  
February 26, 1969

Extension to the Halifax Infirmary

Deferred to the next regular meeting of City Council.

Modification of Front and Side Yard Requirements - 6131  
Coburg Road.

MOVED by Alderman Abbott, seconded by Alderman Meagher that, as recommended by the Town Planning Board, the application for modification of front and side yard requirements at 6131 Coburg Road, as shown on Drawing No. P200/2605, to permit the conversion of a single family dwelling and doctor's office to a three-unit apartment building by internal alterations, be approved. Motion passed.

Amendment to Sections 20(a) and 25(a) "Annexed Area Zoning  
By-law"

MOVED by Alderman Abbott, seconded by Alderman Allen that, as recommended by the Town Planning Board, a date be set for a public hearing into the matter of the following proposed amendments to the Annexed Area Zoning By-law:

Section 20(a) (existing)

Lot Frontage, minimum - 60 feet

Section 20(a) (Proposed amendment)

Lot Frontage, minimum - 60 feet except when a lot faces on the outer side of a curve in the street, in which case the minimum frontage may be reduced to 40 feet, provided that the width at the approved building line is 60 feet.

Section 25(a) (existing)

Lot Frontage, minimum - 60 feet

Section 25(a) (Proposed amendment)

Lot Frontage, minimum - 60 feet except when a lot faces on the outer side of a curve in the street, in which case the minimum frontage may be reduced to 40 feet, provided that the width at the approved building line is 60 feet.

Motion passed.



Outline Land Use/Transportation Plan

MOVED by Alderman McGuire, seconded by Alderman Ahern that; as recommended by the Town Planning Board:

1. City Council endorse the preparation of an Outline Land Use/Transportation Plan for the Halifax-Dartmouth Urban area, to be undertaken through the Halifax-Dartmouth and County Regional Planning Commission, and
2. instructions be given to City Staff to co-operate in the preparation of the same.

Motion passed.

MOTION

Motion - Alderman McGuire Re: Introduction of Ordinance No. 133 Respecting the Emergency Measures Civil Defence Organization

MOVED by Alderman McGuire, seconded by Alderman Sullivan that Ordinance No. 133, Respecting the Emergency Measures Civil Defence Organization be read and passed a First Time. Motion passed.

MISCELLANEOUS BUSINESS

Accounts Over \$5,000.00

MOVED by Alderman Ivany, seconded by Alderman Sullivan that the City Manager be authorized to pay the following accounts over \$5,000.00:

<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Halifax Forum Commission	Payment of 1967 Deficit	\$39,583.00
Standard Construction Co.	Rebuilding of Grand Parade Wall	17,556.05
		<u>\$57,139.05</u>

Motion passed.

Council,  
February 26, 1969

Staff Report - Sewerage System - Wards 7, 8, 9 and 10

Council had for consideration a Confidential Staff Report dated February 13, 1969 relating to the Sewerage System in Wards 7, 8, 9 and 10, and which recommended the following policies and courses of action:

- "1. Very early discussions be initiated between Staff and James F. MacLaren & Associates to determine if a course of action for at least parts of Wards 7, 8, 9 and 10 can be brought forward prior to completion of their full report. Even if these discussions are successful, the greater portion of 1969 is going to be lost.
2. Pending a solution, no rezonings will be considered within Wards 7, 8, 9 and 10.
3. Pending a solution, no new subdivisions will be considered within the drainage areas served by the trunk sewers presently installed within Wards 7, 8, 9 and 10."

After a short discussion, it was MOVED by Alderman Ivany, seconded by Alderman Allen that, as recommended in the Staff Report, very early discussions be initiated between staff and James F. MacLaren & Associates to determine if a course of action for at least parts of Wards 7, 8, 9 and 10 can be brought forward prior to completion of their full report. Motion passed.

Alderman LeBlanc questioned the second recommendation and he thought that staff should consider any rezonings or at least be aware of any proposals that are contemplated.

His Worship the Mayor suggested that any applications for rezoning should be considered in the light of the effect on the sewerage system to which they would be connected.

After further discussion, it was MOVED by Alderman



Council,  
February 26, 1969

Mc Guire, seconded by Alderman Ivany that, pending a solution, any applications for rezonings within Wards 7, 8, 9 and 10 will be considered in the light of the effect on the sewerage services to which the buildings would be connected. Motion passed.

In referring to recommendation number 3, Alderman Allen pointed out that the sewerage system in some parts of the area might be able to stand a few more connections, say possibly some single family dwellings. He considered that the recommendation was rather harsh. He suggested that the recommendation should be amended in a similar manner as has been done with recommendation number 2.

After discussion, it was MOVED by Alderman Allen, seconded by Alderman McGuire that pending a solution, where staff feels it would not be an undue burden, subdivisions will be considered in the light of the effect on the sewerage services to which the buildings would be connected. Motion passed.

#### 1969 Legislation

Several pieces of Legislation were submitted from the City Solicitor for the approval of City Council. A copy of the Legislation submitted is attached to the Official Minutes of the meeting.

The City Solicitor explained each piece of Legislation to members of Council.

MOVED by Alderman Meagher, seconded by Alderman McGuire that the Act to Amend Chapter 89 of the Acts of 1952, The Halifax Recreation and Playgrounds Commission Act be approved, as submitted. Motion passed.

Council,  
February 26, 1969

MOVED by Alderman Ahern, seconded by Alderman LeBlanc that the legislation submitted to provide for the election of a School Board and covering the terms of office and preparation of a budget, be approved. Motion passed with Aldermen McGuire and Abbott voting against.

MOVED by Alderman Abbott, seconded by Alderman Sullivan that, if the Legislature did not see fit to approve the legislation providing for elected School Boards, the amendments to Sections 495, 496 and 498(1) of the City Charter which would reduce the number of commissioners now serving on the Board of School Commissioners, as submitted, be approved. Motion passed.

The City Solicitor explained at this time, that the next piece of legislation has been requested by Union representatives since a similar section respecting allowances for widows of police and firemen was repealed from the Charter in 1966 at the time the new Superannuation Act was enacted.

His Worship the Mayor said that it was his understanding that the inclusion of civic employees not covered by Workmen's Compensation was recommended by the Retirement Committee, not all civic employees as set out in the submitted legislation.

The City Clerk confirmed the recommendation of the Retirement Committee, as understood by His Worship the Mayor.

After a short discussion, it was MOVED by Alderman Ahern, seconded by Alderman Meagher that the words "not covered



Council,  
February 26, 1969

by Workmen's Compensation" be inserted in 472(1) of the submitted legislation after the words "civic employee" in the fifth line thereof. Motion passed.

MOVED by Alderman Ahern, seconded by Alderman Meagher that the legislation relating to allowances for widows of police and firemen, as amended, be approved. Motion passed.

The City Solicitor advised that the Scotia Square Development Project and the Cogswell Street - Harbour Drive Interchange Project, have necessitated that the Nova Scotia Light and Power Company remove and relocate their poles and wires in the area. An agreement has been reached with the Company that the City and Central Mortgage and Housing Corporation would bear one half the cost involved, and while it could be said that it is a part of the cost of redevelopment, the City does not have specific authority to expend money for that purpose. The next legislation submitted will give the City the necessary authority.

MOVED by Alderman Meagher, seconded by Alderman McGuire that the legislation, as submitted, be approved. Motion passed.

The City Solicitor advised that the legislation numbered 14 related to a case where double occupancy taxes were paid on premises because the former occupant was unaware of the obligation to notify the City Assessor, as required under the City Charter.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that the legislation, as submitted, be approved. Motion passed.

Council,  
February 26, 1969

No. 15 legislation, the City Solicitor reported, is permissive, and will allow the City Manager to settle small claims for damages made against the City, if, in his opinion, the settlement and payment is justified and in the best interests of the City.

MOVED by Alderman Meagher, seconded by Alderman Ahern that the legislation, as submitted, be approved. Motion passed.

The next legislation submitted relates to Section 408 of the City Charter and applies to the expropriation of owner-occupied homes.

Some discussion ensued on the legislation and it was suggested that clause (d) relating to moving costs, have the words "within the Province of Nova Scotia" added.

MOVED by Alderman Ahern, seconded by Alderman Ivany that the legislation submitted be amended by adding the words "within the Province of Nova Scotia" after the words "moving costs" in clause (d). Motion passed.

MOVED by Alderman Ahern, seconded by Alderman Ivany that the legislation, as amended, be approved. Motion passed.

The City Solicitor explained that the legislation numbered 17 would introduce a procedure step in having compensation determined by the Courts. Under the existing legislation it is possible to delay providing the City with details of the claim of the owner resulting out of an expropriation and thereby put the City at a disadvantage in the preparation of its case for the hearing.

MOVED by Alderman LeBlanc, seconded by Alderman



Council,  
February 26, 1969

Abbott that the legislation, as submitted, be approved.

Motion passed.

The next legislation numbered 18 provides that the Council may, by ordinance, exempt persons whose annual income is below a specified amount, from taxation on real property in which they reside, to an extent to be specified in the ordinance. It was pointed out that the proposed amendment will permit the Council to designate in the ordinance, the particular class or classes of persons who may be entitled to such an exemption.

MOVED by Alderman Ahern, seconded by Alderman Connolly that the legislation, as submitted, be approved.

Motion passed.

Legislation numbered 19 is intended to provide a form of assistance to those persons who might not qualify for exemption under the ordinance passed pursuant to Section 228, and who because of temporary adversities may find it difficult to meet the payment of taxes. It would allow the City to attach a lien to the property for taxes and not proceed to sell the land for taxes, but to let the lien stand until such time as it can be otherwise discharged.

MOVED by Alderman McGuire, seconded by Alderman Sullivan that the legislation, as submitted, be approved.

Motion passed.

#### QUESTIONS

Question Alderman Connolly Re: Meetings of Police Commission Committee and Rent Control Committee

Alderman Connolly asked the City Clerk if he would

Council,  
February 26, 1969

attempt to contact the members of the Police Commission Basin Committee and the Rent Control Committee to ascertain a date for a meeting most suitable to all of them and after checking with him, would he send out notices calling such meetings.

Question Alderman Connolly Re: Speeding Traffic - Windsor Street

Alderman Connolly referred to complaints that have been received with respect to traffic speeding on Windsor Street in the vicinity of Hood Street and he asked if anything is being done about the problem.

The City Manager advised that the Police Department are checking into the matter.

Question Alderman Ahern Re: Africville

Alderman Ahern asked what the City is planning to do with the land that has been cleared at Africville.

His Worship the Mayor said that the Industrial Development Commission will be interested in any indications of interest in the use of the land for industrial purposes. He said that the Master Plan for the City, when prepared, will make suggestions for the use of the land.

Question Alderman LeBlanc Re: School Crossing Guard - Corner Mumford and Chebucto Roads

Alderman LeBlanc referred to several calls he had received as to why the School Crossing Guard has been removed from the corner of Mumford Road and Chebucto Road within the past few weeks.

The City Manager said he would check into the matter.



Council,  
February 26, 1969

Question Alderman Sullivan Re: Derelict Boats - Bedford Basin

Alderman Sullivan asked for the latest information on the removal of the old boats on the shore of Bedford Basin in the North End of the City.

Alderman Ivany advised that an estimate of the cost of removing the boats had been obtained and was close to \$19,000.00.

The City Manager said that staff is waiting for some information from the Department of Transport. He understood that there is a Bill before the house which would give the Federal Government the powers to assist in this matter.

Alderman Sullivan referred to a similar problem which had arisen in the City of Sydney and he asked what had been done there.

The City Solicitor said that he had written to Sydney asking how they got rid of the problem and he received a reply informing him that they had not had any such problem.

Question Alderman Ivany Re: Tripping on Sidewalks

Alderman Ivany referred to three complaints he had received during the past week relating to persons falling on the sidewalks on Oxford Street, Dresden Row and Carleton Street and he asked if there have been an increasing number of these cases.

The City Solicitor said that three such cases within one week is somewhat unusual, but there has not been any significant increase this year.

ADDED ITEMS

George Dixon Recreation Centre

MOVED by Alderman Connolly, seconded by Alderman Ahern that, as recommended by the Committee of the Whole Council, the preliminary plans for the "George Dixon" Recreation Centre, as submitted by the architect, be approved. Motion passed.

Halifax Forum Commission - Financial Statements

MOVED by Alderman LeBlanc, seconded by Alderman Ahern that the Report and Financial Statements for the Halifax Forum Commission to December 31, 1968, be tabled. Motion passed.

Proposed Rezoning in Annexation Area

A report was submitted from Staff relating to the following four rezoning applications in the annexed area:

1. Main Avenue, Randall Park, Fairview - Extension to Trailer Court

The proposal is to rezone this property which consists of approximately six acres from R-2 Residential to Mobile Home Park Zone (T) to permit the extension of the existing Trailer Court.

2. Main Avenue at Dunbrack Street, Randall Park, Fairview

The proposal is to rezone this property, which consists of approximately 12 acres, from R-1 Residential to R-4 Residential to permit the construction of 26 apartment buildings (with from 4 to 10 units each).

3. Lots 1 to 9, Pioneer Avenue, Rockingham

The proposal is to rezone this property, which consists of approximately two acres from R-2 Residential to R-4 Residential to permit the construction of an apartment building.



Council,  
February 26, 1969

4. Pinehaven Estates, Purcells Cove Road

The proposal is to rezone this property, which consists of approximately twelve acres, from R-1 to R-4 Residential to permit a development consisting of town houses and apartment buildings.

The report pointed out that City Council, on December 12, 1968, agreed to request the County Council to table the pending zoning cases. The County Council, however, on December 17, 1968, approved all four rezonings. The City subsequently requested the Minister of Municipal Affairs to withhold approval until the City Staff had the opportunity to complete its studies.

The Staff Report, a copy of which is attached to the Official Minutes of the meeting, set out the reasons why staff make the following recommendations:

"Staff recommends that City Council request the Minister of Municipal Affairs to reject the rezoning application at:

1. Main Avenue, Randall Park, Fairview
2. Main Avenue, at Dunbrack Street, Randall Park, Fairview
3. Lots 1-9, Pioneer Avenue, Rockingham

and that the City Council not oppose the rezoning of Pinehaven Estates on the Purcells Cove Road."

Alderman LeBlanc expressed the view that trailer parks should not be developed in the City itself.

Alderman Hogan said that he had no objection to trailer parks such as the one in Randall Park and he thought that the present development is very attractively landscaped.

Alderman Allen briefly outlined the events that had taken place when the County Council approved the rezoning

Council,  
February 26, 1969

applications on December 17, 1968. He was of the opinion that City Council should hold a public hearing into the rezoning applications so that all the facts can be presented before any decision is made. He suggested that the Minister of Municipal Affairs be requested to grant the City an extension of the time for appeal to permit a public hearing to be held. He said that he would bring the Minutes of the County Council meeting of December 17, 1968 to acquaint members of City Council with the discussions that were held.

After further discussion, it was MOVED by Alderman Abbott, seconded by Alderman Allen that Council adjourn until 4:00 p.m. Thursday, February 27, 1969 when this item and the remaining items on the Council Order of Business will be considered, followed by the items outstanding from the Special Council meeting held on Tuesday, February 25, 1969, relating to the tax rate. Motion passed.

11:50 p.m. Council adjourned to 4:00 p.m. Thursday, February 27, 1969.

#### HEADLINES

Minutes	131
Approval of Order of Business, Additions & Deletions	131
Rezoning of Land at the Northern Corner of Vestry Street and Lynch Street to be rezoned from R-2 Zone to R-3 Zone	132
Rezoning of Land at the Northwest Corner of Preston and York Streets to be rezoned from R-2 Zone to R-3 Zone	138
Tenders - New City Field	143
Transit System and Negotiations	148
Property Acquisition - 2352 Barrington Street	151
Daylight Saving Time	151
Port Study Costs	151
Progress Payment Re: Canada Games Facilities	152
Joint Office Accommodation for Welfare Services	152



HEADLINES (Cont'd.)

Encroachment License - City-owned Property - Paul M. Publicover, James Street	154
Subdivision Alteration - Lots 563A, 563B, Glenforest Drive, Clayton Park	154
Extension to the Halifax Infirmary	155
Modification of Front and Side Yard Requirements - 6131 Coburg Road	155
Amendment to Sections 20(a) and 25(a) "Annexed Area Zoning By-law	155
Outline Land Use/Transportation Plan	156
Motion - Alderman McGuire Re: Introduction of Ordinance No. 133 Respecting the Emergency Measures Civil Defence Organization	156
Accounts Over \$5,000.00	156
Staff Report - Sewerage System - Wards, 7, 8, 9 and 10 1969 Legislation	157 158
Question - Alderman Connolly Re: Meetings of Police Commission Committee and Rent Control Committee	162
Question - Alderman Connolly Re: Speeding Traffic - Windsor Street	163
Question - Alderman Ahern Re: Africville	163
Question - Alderman LeBlanc Re: School Crossing Guard - Corner Mumford and Chebucto Roads	163
Question - Alderman Sullivan Re: Derelict Boats - Bedford Basin	164
Question - Alderman Ivany Re: Tripping on Sidewalks	164
George Dixon Recreation Centre	165
Halifax Forum Commission - Financial Statements	165
Proposed Rezonings in Annexation Area	165

ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

R. H. STODDARD  
CITY CLERK

Council  
Feb 26/69

An Act to Amend Chapter 89 of the Acts of 1952  
The Halifax Recreation and Playgrounds Commission Act

EXPLANATORY NOTE

The effect of the proposed amendments to this Act is to increase the number of members to be appointed to the Recreation and Playgrounds Commission from eleven to fourteen, and to broaden the field from which such representation is selected. Its objects will be widened to include the cooperation between the Commission and other boards and commissions of the City in respect to development of parks and other recreational facilities.

This Explanatory Note does not form any part of this Bill, but is offered in partial explanation of its contents.

(3) Clause (c) of subsection (2) of said Section 4 is amended by striking out the word "four" in the third line thereof and substituting therefor the word "two".

(4) Subsection (2) of said Section 4 is amended by adding thereto the following clauses:

(e) one person appointed by the City Council from the executive of a sports governing body in the City, who shall hold office for the term for which he is appointed, and who shall cease to hold office as a member of the Commission upon ceasing to be a member of the executive of a sports governing body in the City;

(f) one person appointed by the City Council from the executive of a culture group in the City, who shall hold office for the term for which he is appointed and who shall cease to hold office as a member of the Commission upon ceasing to be a member of the executive of a culture group in the City;

(g) one person appointed by the City Council from the executive of a student council of a high school in the City, who shall hold office for the term for which he is appointed and who shall cease to hold office as a member of the Commission upon ceasing to be a member of the executive of a student council of a high school in the City;

(h) one member of the Advisory Recreation Council of the City, to be appointed by the Advisory Recreation Council, who shall hold office for the term for which he is appointed and who shall cease to be a member of the Commission upon ceasing to be a member of the Advisory Recreation Council.



An Act to Amend Chapter 89 of the Acts of 1952,  
The Halifax Recreation and Playgrounds Commission Act

BE IT ENACTED by the Governor and Assembly as follows:

1 Section 2 of Chapter 89 of the Acts of 1952, The Halifax Recreation and Playgrounds Commission Act, is amended by striking out the word "eleven" in the third line thereof and substituting therefor the word "thirteen".

2 (1) Subsection (2) of Section 4 of said Chapter 89 is amended by striking out the word "ten" in the first line thereof and substituting therefor the word "twelve".

(2) Clause (b) of subsection (2) of said Section 4 is amended by striking out the words "Trades and Labour Council of Halifax" as they appear in the first and second lines and in the sixth and seventh lines thereof, and substituting therefor the words "Halifax-Dartmouth and District Trades and Labour Council".

(3) Clause (c) of subsection (2) of said Section 4 is amended by striking out the word "four" in the first line thereof and substituting therefor the word "two".

(4) Subsection (2) of said Section 4 is further amended by adding thereto the following clauses:

(e) one person appointed by the City Council from the executive of a sports governing body in the City, who shall hold office for the term for which he is appointed, and who shall cease to hold office as a member of the Commission upon ceasing to be a member of the executive of a sports governing body in the City;

(f) one person appointed by the City Council from the executive of a culture group in the City, who shall hold office for the term for which he is appointed and who shall cease to hold office as a member of the Commission upon ceasing to be a member of the executive of a culture group in the City;

(g) one person appointed by the City Council from the executive of a student council of a high school in the City, who shall hold office for the term for which he is appointed and who shall cease to hold office as a member of the Commission upon ceasing to be a member of the executive of a student council of a high school in the City;

(h) one member of the Advisory Recreation Council of the City, to be appointed by the Advisory Recreation Council, who shall hold office for the term for which he is appointed and who shall cease to be a member of the Commission upon ceasing to be a member of the Advisory Recreation Council.

3 (1) Subsection (2) of Section 5 of said Chapter 89 is amended by striking out the words "Trades and Labour Council of Halifax" in the fourth and fifth lines thereof and substituting therefor the words "Halifax-Dartmouth and District Trades and Labour Council".

(2) Subsection (3) of said Section 5 is repealed and the following substituted therefor:

(3) The term of office for the two appointees who are aldermen of the City of Halifax shall be three years, provided however that of the original appointees who are aldermen, one shall be appointed for a term of two years.

4 Section 6 of said Chapter 89 is amended by striking out the word "Six" in the first line thereof and substituting therefor the word "Seven".

5 Section 10 of said Chapter 89 is amended by adding thereto the following clause:

(d) to seek cooperation between this Commission, the Board of School Commissioners, other boards and commissions of the City of Halifax, and any other groups who might have, within their context, areas or space intended for recreational and leisure use. This would include offering the services of the Commission in the planning of open space, parks, and indoor facilities for physical, cultural, social or specialized activity in the general field of leisure.



*Council*  
*Feb. 26/69*

DRAFT LEGISLATION - 1969

1 Sections 495, 496, 497, 498 and 499 of said Chapter 52 are repealed and the following substituted therefor:

495 The City shall be one school section, and there shall be ten commissioners of schools for the City, who shall be elected by a general vote of the voters who are qualified under the provisions of Section 30 of this Act.

496 (1) One commissioner shall be elected in each ward of the City, and the provisions of this Act respecting the elections of Mayor and aldermen, including the appointing of voting officers, procedure and forms, shall mutatis mutandis apply to the election of commissioners.

(2) The vote for the election of commissioners may be taken by the officers appointed to take the vote at any election for Mayor or alderman and at the same time.

497 The ten commissioners so elected shall constitute a board of school commissioners for the City, and such Board shall be a body corporate, under the name of the Board of School Commissioners for the City of Halifax, in this Part referred to as the Board, and, subject to the provisions of this Part, shall have all the powers and perform all the duties conferred and imposed upon trustees and commissioners respectively of schools by the Education Act.

498 (1) The term of office for a commissioner of schools shall be three years.

(2) Notwithstanding the provisions of subsection (1) of this Section, the terms of office of commissioners elected in 1969 shall terminate on the thirty-first day of October, 1971, or upon their successors being elected and sworn into office.

(3) The terms of office of the commissioners of the Board of School Commissioners for the City of Halifax, as that Board is comprised on the first day of October, 1969, shall terminate on the thirty-first day of October, 1969.

499 The commissioners shall be paid such stipend as the Board shall determine, provided, however, that for the year ending the thirty-first day of October, 1970, the stipend shall be the sum of fifteen hundred dollars for each commissioner and two thousand dollars for the chairman of the Board.

2 (1) Subsection (1) of Section 500 of said Chapter 52 is amended by striking out the word "appointed" in the second line thereof and substituting therefor the word "elected".

(2) Clause (a) of subsection (1) of said Section 500 is repealed and the following substituted therefor:

(a) is not a resident of the ward in which he is a candidate or a commissioner and assessed for rates and taxes other than for a poll tax.

3 Section 501 of said Chapter 52 is repealed and the following substituted therefor:

501 When the office of a commissioner becomes vacant by reason of the death, resignation, removal from the ward, refusal or inability to act, or other cause, a special election to fill the vacancy for the unexpired term shall be held, and the special election shall be held as nearly as possible in the manner provided in this Act for general elections.

4 Sections 502 and 503 of said Chapter 52 are repealed.

5 Section 504 of said Chapter 52 is repealed and the following substituted therefor:

504 At the first meeting in November in each year, the Board shall elect a chairman and vice-chairman.

6 Section 505 of said Chapter 52 is amended by striking out the word "January" in the second line thereof and substituting therefor the word "November".

7 Sections 517, 518, 519 and 520 of said Chapter 52 are repealed and the following substituted therefor:

517 (1) The Board shall annually prepare a budget of the amount required in addition to the moneys provided from the Provincial Treasurer for the support and maintenance of the schools under its charge.

(2) Such budget shall give details and items of the amounts required for the various services of the Board and shall include an amount required to retire the portion of the capital debt of the City relating to schools and scheduled to be retired in that year.

518 Not later than the thirty-first day of December in each year, the Board shall submit to the Council its annual budget for the ensuing year, showing the amount required by the Board, and the City shall pay to the Board the amount shown in the budget as being necessary to meet its expenses.

519 In any case in which the amount set out in the budget in respect of any service of the Board is not required in such year for that service or the total amount so set out for such service is in excess of the amount required for such service, the Board may apply such amount or such excess amount to any other service for which the Board is authorized to provide in its budget.



520 The Board shall not expend in the year a greater sum than the whole amount so budgeted. Any moneys received by the Board in excess of such total amount and all moneys not expended by the Board at the end of the fiscal year shall be deemed unexpended balances and shall form part of the surplus of the Board and shall be shown as such in the budget for the following year.

8 Section 521 of said Chapter 52 is amended by striking out the words "so determined by the Council or by the Governor in Council" in the third and fourth lines thereof and substituting therefor the words "of the annual requirement of the Board as set out in the budget".

EXPLANATORY NOTE: City Council on November 28, 1968, approved a motion to seek legislation to provide for an elected school board of ten commissioners, one to be elected in each ward. The first such Board to be elected in October 1969, to serve for a term of two years, and thereafter the election of a Board of School Commissioners would take place at the same time as the regular general election of Mayor and aldermen. The above amendments would provide for such election and terms of office, the preparation of a budget which would be submitted to the City and the City would thereupon be required to provide the money required by the Board, the remuneration of the commissioners, etc.

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Also at the meeting of the Council of November 28, 1968, a motion was passed that if the Legislature did not agree to the enactment of the foregoing, then Sections of the Charter should be amended to reduce the number of commissioners now serving on the Board of School Commissioners as representing the Council, from seven to six, thus reducing the Board to twelve Commissioners.

9 Section 495 of said Chapter 52, as amended by Section 3 of Chapter 105 of the Acts of 1967, is further amended by striking out the word "thirteen" in the second line thereof and substituting therefor the word "twelve", and by striking out the word "seven" in the fourth line thereof and substituting therefor the word "six".

10 Section 496 of said Chapter 52, as amended by Section 4 of Chapter 105 of the Acts of 1967, is further amended by striking out the word "thirteen" in the first line thereof and substituting therefor the word "twelve".

11 Subsection (1) of Section 498 of said Chapter 52, as enacted by Section 5 of Chapter 105 of the Acts of 1967, is amended by inserting the word "two" immediately after the word "the" in the fourth line thereof.

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12 (1) Said Chapter 52 is further amended by adding thereto immediately following Section 471, the following Section:

472 (1) The Council may, by administrative order, prescribe the terms and conditions upon which a widow of any civic employee or of any member of the police force or fire department, who is killed while performing his duty as a civic employee or as a member of the police force or fire department or who dies as a direct result of injuries sustained while so performing his duty, may receive an annual allowance from the City including an allowance for any child of such employee or member who is under the age of sixteen years.

(2) Such administrative order shall determine the amount of such annual allowance.

(2) This Section shall be read and construed and shall be given effect as if it had been enacted on the first day of January, 1966.

EXPLANATORY NOTE: A similar section with respect to allowances for widows of police and firemen, was repealed from the Charter in 1966 at the time the new Superannuation Act was enacted. At that time it was considered that the matter of widows' allowances was adequately covered in the Act, but it now seems desirable to have this additional coverage in the Charter. It has been requested by Union representatives that the widows of civic employees should be included.

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13 The City may pay to the Nova Scotia Light and Power Company, Limited, a sum sufficient to defray one-half the cost of the removal and relocation of poles, ducts, wires and other equipment for the transmission of electric energy in the area of the development projects in the City known as "Scotia Square" and "Cogswell Street - Harbour Drive Interchange", and the sum required by the City for the foregoing purpose shall be deemed to be a sum required by the City for a City purpose within the meaning of the Municipal Affairs Act and may be borrowed by the City under the provisions of and in the manner provided by the said Act.

EXPLANATORY NOTE: The Scotia Square Development Project and the Cogswell Street - Harbour Drive Interchange Project, have necessitates that the Nova Scotia Light and Power Company remove and relocate their poles and wires in the area. An agreement has been reached with the Company that the City and C.M.H.C. would bear one half the cost involved, and while it could be said that it is a part of the cost of redevelopment, the City does not have specific authority to expend money for that purpose. This legislation will give the City the necessary authority.

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14 The business occupancy tax levied for the civic year 1967 against The Atlantic Personnel Placement Limited in respect of the occupancy of Civic Number 5510 Spring Garden Road, shall be the sum of ninety-five dollars and eighteen cents, and the City shall write off and cancel any business tax levied against The Atlantic Personnel Placement Limited for such occupancy in such year in excess of the sum of ninety-five dollars and eighteen cents, together with accrued interest on such taxes to be written off and cancelled, and may refund any amount in excess of ninety-five dollars and eighteen cents paid pursuant to such levy.

EXPLANATORY NOTE: This was a case where double occupancy tax was paid on premises because the former occupant was unaware of the obligation to notify the City Assessor as required under the City Charter.

This item has not previously been before the City Council for consideration, but we are advised that there was in fact double occupancy tax paid on the premises.

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15 Subsection (1) of Section 196 of said Chapter 52 is amended by adding thereto immediately following the word "decide" in the last line thereof, the words ", provided, however, that the City Manager may effect a settlement of any claim of an amount not exceeding two hundred and fifty dollars".

EXPLANATORY NOTE: City Council on July 11, 1968, authorized this amendment to the City Charter. The legislation is permissive, and will allow the City Manager to settle small claims for damages made against the City, if, in his opinion, the settlement and payment is justified and in the best interests of the City.

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16 Section 408 of said Chapter 52 is amended by adding thereto the following subsection:

(3) Compensation, in the case of an expropriated property which is the residence of the owner, shall include

(a) the market value of the property;

(b) the cost of appraisal services related to the expropriated property;

(c) the cost of legal services related to the expropriated property and the acquisition of a substitute property;

(d) moving costs; and

(e) a reasonable allowance for the replacement of household effects not suitably adaptable to the substituted property.

EXPLANATORY NOTE: This is a recommendation of the Committee to amend the Section as it applies to the expropriation of owner-occupied homes. The study with respect to compensation for owner-occupied homes is continuing but it is felt that sufficient study has not yet been given to recommend "home for a home" legislation at this time. There are difficult problems associated with the imposition of such legislation and it may be noteworthy that the Province of Ontario did not see fit to adopt such a policy in the recent amendments to their Expropriation Act. The proposed legislation is intended to improve the situation with respect to owner-occupied homes until a final solution is arrived at.

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17 (1) Subsection (2) of Section 414 of said Chapter 52 as that subsection is enacted by Section 31 of Chapter 72 of the Acts of 1964, is amended by striking out the number "(2)" in the first line thereof and substituting therefor the number "(3)".

(2) Section 414 of said Chapter 52 is further amended by inserting after subsection (1) the following subsection:

(2) At least sixty days prior to the hearing to determine the amount of compensation as provided for in subsection (1) of this Section, the owner shall provide the City with a detailed account of the claim for compensation which will be presented to the Judge of the County Court for District Number One or to a judge of the Supreme Court.

EXPLANATORY NOTE: This would introduce a procedure step in having compensation determined by the Courts. Under the existing legislation it is possible to delay providing the City with details of the claim of the owner resulting out of an expropriation and thereby put the City at a disadvantage in the preparation of its case for the hearing.

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18 Section 228 of said Chapter 52 is amended by inserting the words "or class or classes of persons" immediately following the word "persons" in the second line thereof.

EXPLANATORY NOTE: This Section provides that the Council may, by ordinance, exempt persons whose annual income is below a specified amount, from taxation on real property in which they reside, to an extent to be specified in the ordinance. The proposed amendment will permit the Council to designate in the ordinance, the particular class or classes of persons who may be entitled to such an exemption, such as a widow, unmarried woman or a deserted wife.

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19 Said Chapter 52 is further amended by inserting following Section 228 thereof, the following Section:

228A (1) The Council may, by ordinance, provide for the postponed payment of all or any portion of rates and taxes by a person or class or classes of persons, in respect of any real property occupied by that person as his residence.

(2) Notwithstanding any other provisions of this Act, such ordinance may

(a) apply to any person or class or classes of persons whose income, either alone or together with the income of a spouse or other person living in the house, is below an amount specified in the ordinance;

(b) provide for a refund of all or any portion of rates and taxes for the current year paid by any person;

(c) provide that the postponed payment of rates and taxes may be for a stated period, or until the death of the assessed owner or other specified contingency;

(d) provide for the postponement of the taking of proceedings to enforce the collection of rates and taxes for the current year.

(3) When a part payment has been provided for under the authority of the ordinance, the lien period in respect of the postponed payment of rates and taxes shall be for a period of two years following the time specified in the ordinance for the postponed payment; provided, however, that should the period for postponed payment be for a portion of the rates and taxes only and the remainder should remain unpaid for a period of three years from the time when the rates and taxes became due and payable, then the provisions of the ordinance shall not apply and the collector shall be empowered to exercise the lien of the City in the normal manner as provided for in this Act.

EXPLANATORY NOTE: This Section is intended to provide a form of assistance to those persons who might not qualify for exemption under the ordinance passed pursuant to Section 228, and who because of temporary adversities may find it difficult to meet the payment of taxes. It would allow the City to attach a lien to the property for taxes and not proceed to sell the land for taxes, but to let the lien stand until such time as it can be otherwise discharged.

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