

Council,  
July 31, 1969

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Council,  
July 31, 1969

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ALLAN O'BRIEN  
MAYOR AND CHAIRMAN

June 18, 1969  
R. H. STODDARD,  
CITY CLERK

BRIEF

RESPECTING VARIOUS CIVIC MATTERS

BRIEF

RESPECTING VARIOUS CIVIC MATTERS

The Halifax Board of Trade is vitally concerned about the future of this city, and through its various standing committees conducts studies and makes recommendations designed to promote the well-being of all the citizens of Halifax.

The Halifax Board of Trade serves as a listening post and a citizen in helping him to improve his urban life.

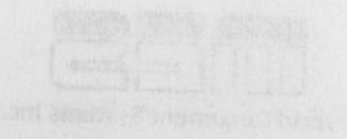
Presented to: HIS WORSHIP MAYOR ALLAN O'BRIEN  
and  
MEMBERS OF HALIFAX CITY COUNCIL

The City is a viable economic and social unit.

Its pulse quickens or slows through the action and interplay of the elected representatives at governmental levels, and through the initiative and imagination of the city staff. The Board has been interested in our local government and suggests areas for improvement.

Prepared by:  
Civic Affairs Committee  
as approved by  
The Halifax Board of Trade

June 18, 1969



B R I E F

RESPECTING VARIOUS CIVIC MATTERS

The 2850 member Halifax Board of Trade is vitally concerned about the future of this community, and through its various standing committees conducts studies and makes recommendations designed to promote the best interests of all the citizens of Halifax.

The Halifax Board of Trade serves as a clearing house, a listening post, and an information bureau to the citizen in helping him to understand the complexities of urban life.

The City is a viable economic and social unit. Its pulse quickens or slows through the action and interplay of the elected representatives at all three governmental levels, and through the individual ability, competence and imagination of the city staff. The Board maintains a keen interest in our local government, and suggests areas of alteration or improvement.

EVALUATION

The Board is interested in obtaining maximum value for tax dollars, beneficial to the whole community.

Given the above, the Halifax Board of Trade submits for consideration this Brief, to the Mayor and Aldermen of the City of Halifax; suggesting specific areas where improvements may be made in the general relationship of government to governed. We are not unduly critical of current municipal policy, individuals or their performances and trust the suggestions and recommendations outlined below will be accepted in the spirit in which they are proffered.

Lake Major to Cole Harbour and Eastern Passage. AND

- (c) the establishment of a metropolitan form of urban government, including control over the developing urbanisation of the immediate hinterland of the new and expanded City

The reasons for our recommendations are outlined in the attached Appendix I.

A.

CITY AMALGAMATION

Recommendations:

That the City of Halifax ask the Provincial Government to establish an independent body to study and report on:

- (a) the amalgamation of the present cities of Halifax and Dartmouth, AND
- (b) the expansion of the existing boundaries of the two cities to include Herring Cove, Timberlea, Hammonds Plains, Bedford, the two Sackvilles, circling to the North of Lake Major to Cole Harbour and Eastern Passage, AND
- (c) the establishment of a metropolitan form of urban government, including control over the developing urbanization of the immediate hinterland of the new and expanded City

The reasons for our recommendations are outlined in the attached Appendix I.

B.

CITY ADMINISTRATION

Recommendations:

- (a) that the City Manager be given authority to engage and dismiss department heads
- (b) that there be a re-affirmation of the full Council-Manager system so that the City Manager has sufficient authority and the support of City Council in heading an effective administration  
(Presently, members of Council are circumventing the system, bypassing the Manager, and dealing directly with department heads and other individuals within the City administration.)
- (c) that there be the appointment of an assistant City Manager

B.

CITY ADMINISTRATION

This will allow the City Manager more time to review the broad spectrum of civic administration without day-to-day details.

- (d) that all matters of a confidential nature, coming before Council, be dealt with in private session

This would ensure that the City's competitive advantages be maintained and personnel be protected from unwarranted publicity.

- (e) We deplore recent publicity critical of City staff. Aldermen should do everything possible to maintain the morale of staff before publicly criticizing personnel.

- (f) the appointment of a Systems and Procedures oriented individual, reporting directly to the City Manger and responsible to him for



B.

CITY ADMINISTRATION

the constant review of a systems and procedures program to ensure efficient operation at all levels of the civic administration

(This will enable a study in depth of all departments as to staff and workloads with recommendations for development or removal where necessary without political interference or pressure. Presently, some departments are apparently over-staffed while others suffer from insufficient qualified personnel. We particularly recommend that the Planning Department employ additional qualified personnel to meet the ever-increasing demands for its expanding services.)

- (g) that Aldermen be provided with adequate facilities including consultation rooms, secretarial services, and a central library

B. CITY ADMINISTRATION

Housing Needs:

for municipal reports

City staff should work with agencies such as the Urban Development Corporation. The pending expansion of civic accommodation presents the opportunity to implement this suggestion.

Recent developments have made the present City structure inadequate to meet requirements of this expanding community. We trust that in any reorganization of civic structure the above recommendations would receive your careful consideration.

We recommend the establishment of a Rental Housing Review Board rather than the implementation of rental controls.

(1) We believe rental controls do not help those who require protection. Only an element of choice can really provide long-term solutions. Rental controls could discourage developers and lenders, thus worsening the overall situation.

C.

HOUSING

Housing Needs:

City staff should work with bodies such as the Urban Development Institute to assess the housing needs of this community and to explore the most expedient ways of arriving at adequate solutions.

The above recommendation is based on the factors outlined in the attached Appendix II.

Rental Housing Review Board:

We recommend the establishment of a Rental Housing Review Board rather than the implementation of rental controls.

(1) We believe rental controls do not help those who require protection. Only an element of choice can really provide long-term solutions. Rental controls could discourage developers and lenders, thus worsening the overall situation.

C.

MISCELLANEOUS HOUSING RECOMMENDATIONS

(2) The Board should be appointed by Council and have as its representation; the City Rental Authority, a solicitor, an apartment or house lessee, a representative of the Urban Development Institute, and a City home owner having no connection with rental housing. All positions on the Board to be non-remunerative.

(3) The Rental Housing Review Board could not legally bind any party but its effectiveness would be evident in the publicity resulting from its hearings.

(4) We foresee this Board reviewing all forms of dispute and not just rental rates.

(5) All rental housing would be included in the terms of reference, including those owned by the City of Halifax. There is no reason the City of Halifax should be exempt from consideration which covers private owners.

D.

MISCELLANEOUS RECOMMENDATIONS

Eligibility for Public Office:

The Halifax Board of Trade is studying the present question of tenant eligibility with respect to holding public office and will express its views at a later date.

Store Hours:

In order that an informed position be taken on the Early Closing By-law, a full review should be made of the effect on smaller merchants in cities which have removed a similar By-law; such as Saint John, New Brunswick; Windsor, Ontario; and Calgary, Alberta.

Public Meetings:

We recommend continuation of the efforts of Council to strengthen communications with citizens through public meetings. We wish to commend Council for their efforts in this regard in recent months. We

D.

MISCELLANEOUS RECOMMENDATIONS

hope additional initiatives involving public dialogue will be effected.

Pollution:

We recommend immediate implementation of a study to determine methods for alleviating air and water pollution in our area. In our view, such a study should be undertaken by the Provincial Government at the urging of Council. If, however, the Provincial Government fails to act, the City should initiate the appropriate study.

Water Supply:

We support Council's continuing efforts in pressing for the complete development of water from the Pockwock area for the long-term supply needs of the City of Halifax.

The Halifax Board of Trade believes the continued momentum of social and economic progress is dependent upon our ability to grasp the opportunities before us. It behooves us to make sure that our house is in order. Let us not fumble the ball!

We would appreciate the co-operation we have always enjoyed with both elected and administrative officials. We trust that the ideas brought forward in this Brief will merit appropriate action.

Respectfully submitted,



George B. Robertson,  
PRESIDENT  
HALIFAX BOARD OF TRADE.

- transportation
- overall zoning and density control
- social assistance activities
- fire and police protection
- garbage and street maintenance service
- air and water pollution
- public housing accommodation
- industrial development

APPENDIX I

A. AMALGAMATION - Recommendations:

(1) Halifax-Dartmouth is one economic and social region and every effort must be made to prevent unnecessary duplication of municipal services and eliminate wasteful competition between our two Cities.

Efficiencies result when economically viable municipal units are created.

Affected in varying degrees are:

- transportation and public transit
- overall zoning and density control
- social assistance activities
- fire and police protection
- garbage and street maintenance service
- air and water pollution
- public housing accommodation
- industrial development



A. AMALGAMATION - Recommendations:

Through consolidation of these services, the region can afford better qualified staff, equipment and facilities.

(2) The combined forces of the two Cities can more effectively promote the economic advantages of the region, presenting a united front to the rest of the Maritimes and Canada and providing these other areas with strong competition.

(3) Statistics show Nova Scotia is being urbanized at a faster rate than any other area in Canada. This drastic move from a rural to an urban society makes it absolutely essential that the entire Halifax Metropolitan Area be planned and co-ordinated as a homogeneous whole.

(4) The Halifax-Dartmouth Metropolitan Area has been proclaimed a designated area by the Federal Government, and tax incentives may now be used as a tool for encouraging industrial expansion. The area must meet

A. AMALGAMATION - Recommendations:

the expected industrial growth with joint action and consolidated programmes.

(5) The Metropolitan Area is, in our opinion, "over-governed". Each authority individually has insufficient resources (tax payers) to pay essential costs. The result is all too evident - poor services, short-run decisions and over-burdened tax payers. Generally speaking, "You don't get the best possible local services for your tax dollar by having two or more councils operating in an area where one council would be sufficient."<sup>(i)</sup>

(6) The Halifax-Dartmouth area must revise its governmental structures so as to adequately meet the challenges of the '70's. "Horse and buggy" thinking is passe. Local government must be able to shape and encourage growth in containerization and the port, research facilities, educational institutions, medical complexes, and to plan and promote orderly urbanization.

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(i) Lawrence Sandford - "Report on Property Tax Exemption"

A. AMALGAMATION - Recommendations:

(7) Extra territorial powers should be vested in the new City to ensure that rural and hinterland areas remain for the use and benefit of the City, offering diversity and variety to the routines and experiences of urban life. This control will prevent misdirected and unsightly development, sprawl, pollution and unserved communities.

(8) Each year that goes by means additional cost when the inevitable amalgamation decision is reached. The Board of Commissioners of Public Utilities, in a statement dealing with the recent Halifax annexation, said, "In all probability, this consolidation should have taken place years ago and it is clearly evident that the longer it is postponed the greater will be the cost involved", (and, perhaps the greater the reluctance on the part of the province to accept the bill.)

APPENDIX II

C. HOUSING - Recommendations:

(1) The pace of urbanization is accelerating. The fourth annual report of the Economic Council of Canada projected the following between 1966 and 1980:

Atlantic Province population increase - 14%

Atlantic Urban population growth - 85%

Atlantic large city urban growth - 106%

As the Halifax-Dartmouth Metropolitan Area is now the largest within the Atlantic Provinces, we naturally expect the major part of the growth will be in our area.

Present demands for housing are not being met. We, therefore, must somehow accelerate this pace of development to eventually cope with the situation. A failure to increase the housing stock will divert economic and population growth to other centres.

C. HOUSING - Recommendations:

(2) The City admittedly cannot solve the housing problem alone; but we feel it can contribute relief by making housing a priority for action.

(3) Staff must meet in a continuing dialogue with developers, etc., to ensure that zoning and densities are sufficient to meet the practicalities of developing adequate housing accommodation in today's market.

APPENDIX III

D. RENTAL HOUSING REVIEW BOARD - Recommendations:

(1) If a landlord and tenant have a dispute with respect to the tenancy and mutually agree to take it out of a legal aspect, and further agree to be bound by an arbitration, they could approach the Board to arbitrate with the decision of the majority to prevail. If either party fails to abide, a summary of the situation and reasons for the decision would be made by the Board and released publicly.

(2) A tenant could go to the Board in confidence (in this respect the City Rental Authority would receive all requests to ensure there was no direct conflict of interest with any Board member). The Board would hear the applicant and provide some advice. If it appeared to be a flagrant case, the Board would make a private investigation and attempt to further advise the applicant.

D. RENTAL HOUSING REVIEW BOARD - Recommendations:

(3) If the applicant agreed to disclose his name to the landlord, the Board would ask the landlord for his version of the situation. If the two parties could not agree to a solution as proposed by the Board, after it had weighed the situation, the Board would then publicly release its summary of the situation. Except in the most unusual of cases, the Board would not release information publicly until both sides had been heard.

(4) The Board could not change the terms of leases or rents, except by persuasion. Only the courts can make legal decisions. A Board, to operate on somewhat similar lines, is being considered in Ontario.

We feel the majority of landlords in this City are fair. A Rental Housing Review Board, as proposed, can help those who most need protection. Persuasion and publicity can be more effective than mandatory rental controls which have never proven effective.

ORDER OF BUSINESS

CITY COUNCIL

AUGUST 13, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: July 31, 1969
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items: NONE
6. Motions of Reconsideration: NONE
7. Motion of Rescission: NONE
8. Public Hearings & Hearings:
  - (a) Public Hearing Re: Street Closures - 1. Barrington Street from Buckingham Street to Proctor Street 2. Upper Water Street from Hollis Street to Proctor Street 3. Buckingham Street from Granville Street to Upper Water Street 4. Bell Street from Barrington Street to Upper Water Street 5. Jacob Street from Barrington Street to Upper Water Street 6. Hurd Street from Barrington Street to Upper Water Street 7. Proctor Street from Barrington Street to Upper Water Street 8. Portion of Proctor Street at the western side of Barrington Street
9. Petitions & Delegations:
10. Report - Finance & Executive Committee:
  - (a) Heating Tunnels Encroachment - Dalhousie University
  - (b) Additional Funds - Commissionaires - \$1,450.00 - 316C
  - (c) Possible Acquisition - 2313 Barrington Street
  - (d) Possible Expropriation - 2336-2338 Barrington Street
  - (e) Possible Acquisition - 2307 Barrington Street
  - (f) Possible Acquisition - 2309 Barrington Street
  - (g) Resolution - Town of Windsor
  - (h) 236-240 Upper Water Street - 5218 Proctor Street - Expropriation
  - (i) Halifax Transit Corporation - Buses
  - (j) Terms of Reference - Housing Corporation
11. Report - Committee on Works:
  - (a) Armdale Rotary Evening Traffic Changes
  - (b) Tenders - Equipment - Works Department
  - (c) Canada Games Facilities - Added Costs
12. Report - Safety Committee:
  - (a) Committee to Study Results of Taxi Questionnaire
  - (b) Window Breakages - City Schools



13. Report - Public Health & Welfare Committee: NONE
14. Report - Committee of the Whole Council, Boards & Commissions:  
 (a) Amendments to Ordinance #131 Respecting "Buildings and the Adoption of the National Building Code" SECOND READING  
 (b) Amendments to Ordinance #132 Respecting "Licensing of Plumbers and Regulating the Installation of Plumbing Systems" SECOND READING
15. Report - Town Planning Board:  
 (a) Modification of Side Yard Requirements, Front Yard Requirements and Extension to a Non-conforming Building - 824 Robi Street  
 (b) Modification of Lot Frontage and Lot Area Requirements - 3304 Micmac Street  
 (c) Extension to a Non-conforming Building and Modification of Side Yard Requirements - 6261 Yale Street  
 (d) Extension to a Non-conforming Building and Modification of Front Yard, Lot Frontage, Side Yard and Lot Area Requirements - 35 Auburn Avenue  
 (e) Extension to a Non-conforming Building and Modification of Front and Side Yard Requirements - 1820 Vernon Street  
 (f) Modification of Front Yard, Lot Frontage and Lot Area Requirements - 13 Rufus Avenue  
 (g) Modification of Lot Frontage - Lot No. 112 Kingsmere Court, Fairview  
 (h) Rezoning R-1 Residential to R-4 Residential - Lots 13, 14, 15 Springvale Avenue  
 (i) Modification of Lot Frontage Requirements - 42 Armada Drive
16. Motions:  
 (a) Alderman Abbott Re: Amendment to City Charter for the Establishment of Assistant City Manager and permissive delegation of power by the City Manager to the Assistant City Manager  
 (b) Alderman Allen Re: Introduction of Ordinance Number 139, Respecting Children Being in Public Places of the City at Night (FIRST READING)  
 (c) Alderman Connelly Re: Introduction of Ordinance Number 138, Respecting the Fee to be Paid for a Tax Certificate (FIRST READING)  
 (d) Alderman Ivany Re: Additional Powers of Authority to be given to the City Manager
17. Miscellaneous Business:  
 (a) Accounts Over \$5000  
 (b) Lord's Day Permits  
 (c) Property Acquisition - 2283 Barrington Street  
 (d) Award of Tenders for Sewers - West St., Maynard St. and Normand Drive  
 (e) Exchange of Land (easements) between the City of Halifax and Fenwick Realities Ltd.
18. QUESTIONS
19. Notice of Motion
20. Added Items

CITY COUNCIL  
MINUTES

Council,  
August 13, 1969  
Council Chamber,  
City Hall,  
Halifax, N.S.  
August 13, 1969  
8:00 p.m.

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

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

Present: His Worship the Mayor, Chairman; and Aldermen Abbott, MacKeen, Hogan, Ivany, LeBlanc, McGuire, Meagher, Sullivan, and Allen.

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

MINUTES

Minutes of the meeting held on July 31, 1969 were approved on motion of Alderman Allen, seconded by Alderman Meagher.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

The City Clerk advised there was an added item arising out of a Committee of the Whole meeting held in the afternoon, entitled:

"Study - Form of Local Government"

and it was agreed to add this as 20 (a) to the agenda.

It was also agreed to delete Item 16 (c) from the agenda.

Alderman McGuire asked if the Council could adjourn to hear the television address by the Prime Minister, but there was not an unanimous consent to this suggestion, several

Members of the City Council were held on  
at 8:00 P.M.  
at the City Hall  
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After the meeting was called to order, the  
members of City Council attending, led by the City Clerk, joined  
in reciting the Lord's Prayer.  
Present: His Worship the Mayor, Chairman,  
and Aldermen Abbott, Macken, Hogan, Larkin, Murphy,

Member, Sullivan, and Allen.  
Also present: City Engineer, City Collector,  
City Clerk, and other staff members.

MINUTES

Minutes of the meeting held on July 21, 1959  
were approved on motion of Alderman Allen, seconded by Alderman  
Murphy.

APPROVAL OF ORDINANCE OF REVENUE ADJUSTMENT & DEBTORS

The City Clerk advised there was an added  
item relating to a Committee of the whole meeting held in the  
afternoon entitled  
"Study - Form of Local Government"

and it was agreed to add this as 30 (a) to the agenda.  
It was also agreed to delete Item 15 (a)  
from the agenda.  
Alderman McGuire asked if the Council

could return to hear the television address by the Prime Minister,  
but there was not an unanimous consent to this suggestion, several

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members of Council feeling that the main facts would be given in the late news telecast.

The agenda, as amended, was approved.

PUBLIC HEARINGS AND HEARINGS

Public Hearing Re: "Street Closures - 1. Barrington Street from Buckingham Street to Proctor Street; 2. Upper Water Street from Hollis Street to Proctor Street; 3. Buckingham Street from Granville Street to Upper Water Street; 4. Bell Street from Barrington Street to Upper Water Street; 5. Jacob Street from Barrington Street to Upper Water Street; 6. Hurd Street from Barrington Street to Upper Water Street; 7. Proctor Street from Barrington Street to Upper Water Street; 8. Portion of Proctor Street at the western side of Barrington Street.

A Public Hearing was held at this time into the above noted street closures.

The City Clerk advised that he had not received any written objections to the closures.

His Worship the Mayor asked if there was anyone present who wished to speak either against or for the closures, and there was no response to his question. He then advised that the matter was before the Council.

MOVED by Alderman Abbott, seconded by Alderman Meagher, that approval be given to the following street closures in the City of Halifax:

1. Barrington Street - Buckingham Street to Proctor Street
2. Upper Water Street - J.E. Morse & Co. Ltd. building to Proctor Street
3. Buckingham Street - Upper Water Street to Granville Street
4. Bell Street - Upper Water Street to Barrington Street
5. Jacob Street - Upper Water Street to Barrington Street
6. Hurd Street - Upper Water Street to Barrington Street
7. Proctor Street - Upper Water Street to Barrington Street
8. Proctor Street - Barrington Street to 1' westwardly.

Motion passed.

A formal resolution was submitted giving effect to the foregoing motion of Council.

MOVED by Alderman LeBlanc, seconded by Alderman Hogan, that the formal resolution, as submitted, be

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approved. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on August 13, 1969, with respect to the following matters:

Heating Tunnels Encroachment - Dalhousie University:

The recommendation of the Finance and Executive Committee read as follows:

"It is recommended that approval be given to the encroachments of heating tunnels from a heating plant to be erected on Seymour Street and University Avenue, for a licence fee of \$25.00 and annual rental fees based on \$0.25 per square foot, in accordance with Ordinance No. 112."

MOVED by Alderman Meagher, seconded by Alderman McGuire, that Mr. Donald McInnes, Chairman of the University Board, be permitted to address the Council on this matter. Motion passed.

In his address to Council, Mr. McInnes elaborated on the following points which had been raised in a letter sent to His Worship the Mayor and the members of City Council by Mr. Henry D. Hicks, President and Vice-Chancellor of Dalhousie University, which letter read as follows:

"Dalhousie University, Halifax N.S.

"August 11, 1969

"His Worship the Mayor and the Aldermen of the City of Halifax  
Halifax, N.S.

"Dear Sirs:

"Naturally, we at Dalhousie University were disappointed that, in granting permission for us to put our heating tunnels under University Avenue and Seymour Streets, the Committee of the Whole Council did not see fit to recommend to City Council a remission of the encroachment fees amounting to over \$4,000 per year.

"I realize that practically the same persons will be dealing with this recommendation at Council on Wednesday, August 13, but

Council,  
August 13, 1969

"I would still like to ask that you carefully reconsider the City's position in this matter.

"I shall not deal at length with the importance of the University in the City but remind you that Dalhousie University is one of the largest employers in Halifax, employing a total of more than one thousand persons, with a payroll exceeding \$1 million per month.

"Of the more than five thousand students who will enroll with us this September, approximately one-third come from the greater Halifax area. The operation of the hospitals in the City would not be possible without much greater expense were it not for the shared services of personnel from the Dalhousie Medical School.

"I could refer at length to our other professional faculties and to the Institute of Public Affairs, which has made so many direct, and indirect, contributions to municipal government and to labour-management relations, to mention only two areas of its activities.

"Many cities, with universities no more distinguished than Dalhousie, have made great contributions in land and services to attract and support these institutions in their communities. We like to think of ourselves as a service institution within the community, an extension of the public school system. I think this is a valid observation, yet the City makes no financial contribution to the University save only the annual payment of \$500 in exchange for the Grand Parade which the University conveyed to the City during the nineteenth century.

"We now ask that we be enabled to place tunnels under University Avenue and Seymour Street to carry steam for heating purposes; chilled water for cooling and air-conditioning; and electrical cables, so that we may more efficiently service the present and future buildings on our campus. Incidentally, this will enable us to build a modern heating plant, which should lessen substantially the degree of air pollution caused by the several heating plants presently operating in different Dalhousie buildings.

"We submit that these tunnels will not constitute the kind of encroachment which was envisaged by those who drafted Ordinance No. 112, where it was envisaged that the encroachment would actually deny the use of that land to others in the City. In this case, our tunnels will go under the street, entirely at our own expense, and the street will be left in the same condition in which it was found. The City will not be called upon to make any expenditure or render us service of any kind in relation to these tunnels.

"We at Dalhousie want to think that we are good members of the Halifax community and we believe that this proposal will actually improve the appearance of University Avenue, and, to some extent, the living conditions in the areas adjacent to our campus.

"In view of the fact that this will be accomplished without any cost whatsoever to the City, we respectfully ask that you give

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August 13, 1969

"earnest and careful consideration to remitting this encroachment fee to us. Furthermore, the Chairman of the Dalhousie Board of Governors, Mr. Donald McInnes, Q.C., and perhaps some other members of our Board, would like the privilege of appearing before City Council and being heard at your next meeting, which I believe is scheduled to be held on Wednesday evening, August 13."

Alderman McGuire asked that the City Solicitor comment on the point raised that Ordinance No. 112 was not intended to cover the kind of encroachment presently under discussion.

The City Solicitor replied he felt there was no question of the legality of applying Ordinance No. 112 in this instance, since Section 3 of that Ordinance stated that "No Person shall constructed or maintain any structure upon, under or over any street in the City, etc. etc."

Alderman Hogan said that with the City dependent on property and encroachment taxes for revenue, it had to draw the line somewhere in this matter of granting remissions. He referred to the fact that the University's President's residence, which was located on City property, had been removed from the tax roll, and he could think of no other who enjoyed that privilege.

The Director of Works advised that in all existing cases of use being made of City streets for underground tunnels, etc., an encroachment fee was in effect.

Alderman McGuire took exception to the statement contained in the letter that the City made no financial contribution to the University save the \$500 in exchange for the Grand Parade, since this did not take into account the loss of tax revenue on land occupied by the University, which resulted to a substantial amount. Also, he pointed out that institutions such as Dalhousie serviced a far larger area than the City of Halifax, so it was not right for the citizens of that City to

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bear the whole burden. The citizens of Halifax, he said, already paid their share as part of the Province and the Country. For these reasons, he stated, he did not favour waiving payment of the encroachment fee.

Alderman LeBlanc said that although he might agree with Alderman McGuire's remarks, he felt in view of the important role the University played in the City, and the fact that the encroachment was an underground one which would not involve the City in any expense, the fee should be waived.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that the rental fees for encroachment of heating tunnels to be installed by Dalhousie University from a heating plant on Seymour Street and University Avenue, which would be paid in accordance with Ordinance No. 112, be waived.

His Worship the Mayor said that if the motion were approved, the City Solicitor would determine the means of putting it into effect, either by amendment of the Ordinance or special legislation.

After a further discussion on the matter, the motion was put and lost, four voting for the same, and five against it, as follows:

For	- Aldermen Ivany, LeBlanc, Meagher, and Sullivan .....	4
Against	- Aldermen Abbott, MacKeen, Allen, Hogan, McGuire .....	5

MOVED by Alderman Hogan, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee, approval be given to the encroachments



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of heating tunnels from a heating plant to be erected on Seymour Street and University Avenue, for a licence fee of \$25.00 and annual rental fees based on \$0.25 per square foot, in accordance with Ordinance No. 112. Motion passed.

Additional Funds - Commissionaires - \$1,450.00 - 316C

MOVED by Alderman Abbott, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, a supplementary appropriation, in the amount of \$1,450.00, be approved under the authority of Section 316C of the City Charter to cover the wage adjustments for Canadian Corps of Commissionaires personnel. Motion passed.

Possible Acquisition - 2313 Barrington Street

MOVED by Alderman Ivany, seconded by Alderman LeBlanc that, as recommended by the Finance and Executive Committee, an amount of \$12,400.00 be paid to Mr. Joseph Bastarache, represented by his son, Mr. Gerald Bastarache, P.O. Box 2084 Halifax, N.S., as settlement in full for all claims arising from the acquisition of his property No. 2313 Barrington Street by the City of Halifax, required for the future alignment of Harbour Drive. Motion passed.

A formal resolution was submitted permitting the withdrawal of an amount of \$12,500.00 from the Sale of Land Account, to give effect to the above motion.

MOVED by Alderman Ivany, seconded by Alderman LeBlanc, that the formal resolution, as submitted, be approved. Motion passed.

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Possible Expropriation - 2336-2338 Barrington Street

The recommendation of the Finance and Executive Committee, read as follows:

- "1. The property of the Estate of Miss Bertie Goldberg, known as Civic Number 2336-2338 Barrington Street be expropriated, required for the Barrington Street Housing project;
- "2. The authorized payment be set at \$2,000 for all claims and City Council authorize the immediate release of up to 75 per cent of the authorized payment if requested by the owner."

The City Clerk advised that the representative of the Estate, Mr. Harry Goldberg was present, and had requested permission to address Council.      MOVED by Alderman Meagher, seconded by Alderman LeBlanc, that Mr. Goldberg's request be granted.      Motion passed.

Mr. Goldberg stated that he was not at all satisfied with the recommended purchase price of \$2,000, as he felt it was ridiculously low. He said that he was not prepared to accept any such settlement.

Alderman Abbott pointed out that the recommendation was for expropriation, so that in effect it was not a case of the City offering Mr. Goldberg anything.

His Worship the Mayor then explained to Mr. Goldberg that with expropriation, the question of the proper price for the land would be left to the Courts to decide. The City Solicitor stated that the report was in error in saying the land was required for the Barrington Street Housing Project, since it was intended for use in connection with the future alignment of Harbour Drive, so that, in fact, there was no immediate urgency for the City to acquire the land.

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Alderman Meagher questioned Mr. Goldberg as to how much negotiating he had done with City Staff in an attempt to reach mutual agreement on the purchase price, and from Mr. Goldberg's reply it appeared he had only had one or two contacts with the City on this subject. Alderman Meagher therefore felt it would be better to defer any decision in the matter until Mr. Goldberg had made further attempts to reach a satisfactory settlement with the City.

Alderman Abbott stated that there was no point in deferring the matter, since the passing of the recommendation did not involve a formal resolution, so that in view of the fact there was no urgency in acquiring the land there would still remain plenty of time for an agreement to be reached between Mr. Goldberg and the City.

MOVED by Alderman Abbott, seconded by Alderman McGuire that, as recommended by the Finance and Executive Committee:

1. the property of the Estate of Miss Bertie Goldberg, known as Civic Number 2336-2338 Barrington Street, required for the future alignment of Harbour Drive, be expropriated;
2. the authorized payment be set at \$2,000 for all claims and City Council authorize the immediate release of up to 75 per cent of the authorized payment if requested by the owner.

MOVED by Alderman Meagher, seconded by Alderman Ivany, that the matter be deferred for a period of one month in order to permit Mr. Goldberg an opportunity to negotiate with staff in an attempt to reach an agreement on purchase price, before Council makes any decision regarding expropriation.

Alderman Meagher said he felt it was very important that a citizen have every opportunity to properly negotiate with the City on the acquisition of his land, and if a first attempt at doing so was not successful, opportunity should be afforded for a second one.

The motion to defer was then put and passed, five voting for the same, and four against it as follows:

- |         |   |   |   |
|---------|---|---|---|
| For     | - | Aldermen MacKeen, Allen, Ivany,<br>LeBlanc, and Meagher ..... | 5 |
| Against | - | Aldermen Abbott, Hogan, McGuire,<br>Sullivan .....            | 4 |

Possible Acquisition - 2307 Barrington Street

MOVED by Alderman Abbott, seconded by Alderman Ivany that, as recommended by the Finance and Executive Committee, an amount of \$9,500.00 be paid to Mr. Abraham Greenspan, represented by Mr. John Young of Kitz, Matheson and Brown, as settlement in full for all claims arising from the acquisition of his property at 2307 Barrington Street by the City, required for the future alignment of Harbour Drive. Motion passed.

A formal Resolution was submitted, to permit the withdrawal of an amount of \$9,600.00 from the Sale of Land Account, to give effect to the foregoing motion of Council.

MOVED by Alderman Abbott, seconded by Alderman Ivany, that the formal Resolution, as submitted, be approved. Motion passed.

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Possible Acquisition - 2309 Barrington Street

MOVED by Alderman LeBlanc, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, an amount of \$12,500.00 be paid to Mr. Abraham Greenspan, represented by Mr. John Young of Kitz, Matheson and Brown, as settlement in full for all claims arising from the acquisition of his property at 2309 Barrington Street by the City, required for the future alignment of Harbour Drive. Motion passed.

A formal Resolution was submitted to permit the withdrawal of an amount of \$12,600.00 from the Sale of Land Account, in order to give effect to the foregoing motion of Council.

MOVED by Alderman LeBlanc, seconded by Alderman Meagher, that the formal Resolution, as submitted, be approved. Motion passed.

Resolution - Town of Windsor

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, City Council endorse the following Resolution submitted by the Town of Windsor, Nova Scotia:

WHEREAS Hospital Construction costs have greatly increased in recent years;

AND WHEREAS present Federal and Provincial Grants with respect to such construction are inadequate;

AND WHEREAS Federal grants are not now specifically designated for hospital purposes;

BE IT THEREFORE RESOLVED, that the Provincial Government be requested to increase its hospital