

EVENING SESSION
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N.S.,
October 14, 1953,
8:00 P. M.

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

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

There were present His Worship the Mayor Chairman, Aldermen DeWolf, Moriarty, Dunlop, Adams, Lloyd, Kitz, O'Malley, Ahern, Allen, Vaughan and MacMillan.

Also present were Messrs. A. A. DeBard, Jr., W.P. Publicover, R. H. Stoddard, A. J. Yeadon, C. P. Bethune, Q.C., G. E. Day and A. C. Harris.

The meeting was called specially to consider the problem of applications for approval of undersized subdivisions.

A report was submitted from the Town Planning Engineer as follows:

REPORT Re: UNDERSIZED SUBDIVISIONS

As requested by the Town Planning Board herewith is a report concerning lands and dwellings being in such a state that, if the owner or agent, wish to subdivide there would not be sufficient lot area or frontage as required in the Halifax Zoning By-Law.

The Zoning By-Law refers to a minimum lot area of thirty-three hundred square feet (3300') and a lot frontage of forty feet (40') except where the lot faces the outside of a curve whereby the frontage may be reduced to twenty-five feet (25').

There is in the vicinity of three hundred cases where there is a double, triple or row housing on one lot only fair size, but of far too small a size to subdivide into two, three, or more individual lots. If such subdivision were to take place in many cases the proposed lots would have an approximate frontage of fifteen feet (15') and also a shallow depth. There is also the case of two, three and more separate houses on one lot that is almost too small for one single family dwelling.

This count was made by actual on site survey, a study of the City Assessment Plans and use of aerial photographs and is bounded, in the main by Robie Street, Almon Street, Morris Street and Barrington Street.

A great many of these lots in question are in the areas now zoned for commercial use but are not of a commercial nature as yet. By

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subdividing these lots into smaller lots for sale to more individual owners we are in a manner encouraging the area to remain as it is rather than following the Zoning Plan by encouraging commercial development in an area that has been deemed most suitable for commercial use.

The Zoning By-Law suggests a minimum lot area of thirty-three hundred square feet (3300') for single family occupancy and recommends four thousand square feet (4000') as desirable; also a lot coverage not greater than 50 percent. This lot area and lot coverage factor are vital in the encouragement of slum clearance and redevelopment and in the prevention of slum areas. One of the prime factors in the creation and propagation of slums is the overcrowding of dwellings on the land and the overcrowding of the people living in these dwellings.

A great many of the proposed subdivisions occur in areas that could be redeveloped by the land assembly method, that is to encourage private interests to consolidate and improve the building or to acquire sufficient land to provide new living accommodation together with open spaces. The permitting of further subdivision of average size lots into smaller lots would seem to be going in the exact opposite direction.

A certain method of subdivision often may appear most desirable to an individual at the present time but as each subdivision of land affects all the surrounding district and, indirectly, the entire City such subdivision must be regarded not so much as an individual matter but as a matter concerning the entire City. By approving of undersize subdivisions we are considering the individual more than we are considering the City as a whole.

I would respectfully suggest that the Town Planning Board set a general policy of non-approval of undersized subdivisions and only in case of special conditions would approval be granted.

W. A. G. Snook,
TOWN PLANNING ENGINEER.

Moved by Alderman Lloyd, seconded by Alderman Vaughan that the report be approved.

His Worship the Mayor stated that he had had a call from the real estate dealers and their wish was that Council would not make a decision until they had been heard.

Alderman Dunlop: "There was a group of them here when this matter came up wishing to be heard. We were not able to hear them. My thought was that we would have a full debate. There are two sides to this situation and I would hope that we would hear from interested people from the other side as well. If this is passed there would be no other subdivisions and that might work a hardship on people. There maybe some people who owned property before the Zoning By-Law was passed. We know there are properties on Spring Garden Rd. where dozens of houses are together. If they came on the market it might make it difficult to sell that group. The owners might have to take a consider-

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able loss. The person who wants to own a house should have the opportunity to own one even if it is one in a group."

8:15 P. M. Alderman Hatfield arrives.

Alderman Dunlop: "If we are not going to hear the other side I would suggest that we don't go any further than we have and we leave it open to deal with specific cases. The real estate people are decidedly against this Zoning By-Law. It affects their business as it is difficult to sell these houses. One foot might mean that a lot can be subdivided. To laydown a hard and fast rule not to subdivide any of these multiple houses would work a great hardship on people who have owned these houses for years."

Moved by Alderman Kitz, seconded by Alderman Hatfield that Council resolve itself into a Committee of the Whole Council. Motion passed.

8:20 P. M. Council adjourned.

9:35 P. M. Council reconvened the following members being present: His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Adams, Lloyd, Kitz, O'Malley, Ahern, Allen, Vaughan, Hatfield and MacMillan.

Alderman Lloyd with the consent of Council withdrew his motion.

The following recommendation was then submitted from the Committee of the Whole Council and same was moved by Alderman Lloyd, seconded by Alderman Ahern Viz: "That no action be taken on this matter until the question of subdivisions and re-subdivisions and powers of the Town Planning Board are reported upon to City Council and the matter clarified in a submission from the City Solicitor and that he also be invited to make any suggested amendments to the Act that he cares to offer in his report and that Council pass a resolution urging the Provincial Legislature to make the amendments to the Act.

The motion was put and passed.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that this meeting do now adjourn. Motion passed.

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Meeting adjourned.

9:45 P. M.

R. A. Donahoe

R. A. Donahoe, Q.C.,
MAYOR AND CHAIRMAN.

W. P. Publicover
W. P. Publicover,
CITY CLERK.

CITY COUNCIL MEETING
THURSDAY
OCTOBER 15, 1953
A G E N D A

- Prayer
Minutes
1. Public Hearing re Rezoning Prescott St.
 2. Motion Ald. Ahern re Speed Limit Motor Cars.
 3. " Ald. MacMillan re Sidewalks Rowe Avenue.
 4. Tenders for Bond Issue.
 5. Accounts over \$500.00.
 6. Accounts Hospitalization 3 Firemen.
 7. Resolutions re Prefab Loan.
 8. Expropriation Properties Alexandra School Area.
 9. Africville School.
 10. Bayers Road Housing Project Change Order Memo #4.
 11. Lease of Abattoir.
 12. Lease of Hangar Dartmouth Airport.
 13. Tax Write-offs \$1,045.55.
 14. City Field Agreement.
 15. Staff House #3.
 16. Formal Resolution and Report Quinpool Road School Property.
 17. Pipeline Privileges C. N. R.
 18. Overhanging Signs.
 19. Mahar Lot Camp Hill Cemetery.
 20. Water Line Point Pleasant Park.
 21. Sewer Extension Ralston Avenue.
 22. Tenders for Heavy Equipment Works Department.
 23. Legislation Date of Observance of Halifax Natal Day.
 24. Acceptance of Certain City Streets.
 25. Petition re Acceptance of Stanford Street.
 26. Application to Rezone #261 D. V. Road. (To Town Planning Board).
 27. " " Hopgood Property D. V. Road (" ").
 28. Dutch Village Road Rezoning.
 29. Rezoning Lot on Yale Street. (Setting Date for Public Hearing).
 30. Amendment Zoning By-Law Non-Conforming Use.
 31. Salaries City Home Employees.
 32. Appointment of Coal Weigher.
 33. Resolution City of London, Ont. re Grade Crossing Problem.
 34. Questions.
 35. Chebucto Barracks.
 36. Civic Election Procedure.
 37. Deferred Items
 - (1) Regional Library Plan.
 - (2) Closing 2nd, 4th and 5th Streets.
 - (3) Wanderer's Grounds Agreement.
 - (4) Civil Defence Authority.
 38. Rezoning Aviccola, Charles, Göttingen & Gerrish Sts. Area from C-2 to R-3. (To Town Planning Board).
 39. Application to City Council for an Insurance Release re: Prefab Houses.

FOR INFORMATION ONLY

Poll Tax Report.
Approvals Borrowings, etc.
Tax Collections
Appropriations.
Active Borrowing Resolutions.
Items Appropriated Under Section 316 "C" City Charter.
Report City Solicitor re Conference.

EVENING SESSION

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Halifax, N. S.,
October 15, 1953,
8:00 P. M.

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

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

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Macdonald, Adams, Lloyd, Ahern, Allen, Vaughan, Hatfield and MacMillan.

Also present were Messrs. A. A. DeBard, Jr., W. P. Publicover, R. H. Stoddard, C. P. Bethune, Q. C., A. C. Harris, M. L. Bellew, A. J. Yeadon, A. Fry, Dr. A. R. Morton, C. E. Day, J. L. Leitch, P. L. M. Romkey and G. West.

The meeting was called to proceed with business standing over and the transaction of other business.

The following named papers were submitted.

MINUTES

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the minutes of the previous meeting be approved. Motion passed.

PUBLIC HEARING Re: REZONING PRESCOTT STREET

A Public Hearing into the matter of rezoning a portion of Prescott St. from R-2 to Industrial was held at this time.

A petition signed by 47 persons living in the area and objecting to any change in the zoning was submitted.

8:05 P. M. Alderman O'Malley arrives.

Mr. E. F. Cragg representing the petitioners appeared before Council and stated he was to vigorously oppose the rezoning on the grounds that the property owners built their homes on the

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understanding that the area would be a residential district. They opposed the rezoning of 100 feet which would extend the commercial area to Prescott Street. He said it was the duty of the Council to protect the investment of the home owners as well as finding locations for industries to operate. He also said there would be trucks coming and going and a warehouse would be erected. He felt the increased traffic would be a hazard to the 80 or more children living in the area. He stated that the area generally would be rendered less desirable.

8:10 P. M. Alderman Kitz arrived.

Mr. Cragg felt there must be some other sites where commercial enterprises could establish. He urged the Council to give serious consideration to the matter as it would be establishing a dangerous precedent. He advised that the property owners' request was that the City keep faith with them.

Mr. Howard Bourgeois also appeared and stated that Coca Cola Ltd. would have 17 vehicles which would create a traffic hazard. He said that after four o'clock in the day the streets looked like the Commons with so many children on them.

His Worship the Mayor asked if anyone were in favor of the rezoning to which Mr. Donald McInnis, Q. C., appeared and addressed Council as follows: "I am representing the Coca Cola Ltd. This Company wants to remain in the City. This Company just can't locate anywhere. It has to find itself in a place where there is good soil and proper drainage. The Hogan property is one of the last places this Company can locate in Halifax. The zoning line was drawn through Hogan's property. This application is not strictly a rezoning as such. It is an extension of the zoning of property owned by one person. It is half-residential and half industrial. This Company wants to purchase 200 feet on Duffus Street and 300 feet on Prescott St. There is the reservoir which lies immediately to the east, the Naval Coal Dump to the south and the Ottawa Valley Milling Company to the west. The property lends itself to the industrial area."

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At this point Mr. McInnis distributed photos of various Coca Cola plants in different cities.

Mr. McInnis continued: "The property will be landscaped and flower beds planted. It would be an asset to Halifax. If this Company can't get this property, its choice will be that it goes to Dartmouth. This Company has upwards of 60 employees in the plant. I would deplore the fact if they were driven out. The soil has been tested and it has been proved satisfactory. All is now owned by one man."

Mr. D. Flinn who lives on Duffus St. Extension wanted to know which part of the property was industrial and which part residential.

His Worship the Mayor gave the boundaries for Mr. Flinn's information.

He then asked how far the railway track is from the property under discussion and was advised by Mr. Harris that it is approximately 500 ft. from Prescott St.

Alderman Vaughan stated that Mr. Cragg had presented the case fully and accurately, but one thing was not mentioned and that was that the City itself was one of the prime movers in creating residential zones in the area because it had encouraged some 16 or 17 veterans' homes and for that reason the City should keep faith with those people.

He also stated the Council could extend commercial zones all over the City until there would be no residential property left. Mr. Snook had cautioned against spot zoning. He wanted to know what would prevent the Public Service Commission selling off a portion of their property to another commercial enterprise who would request rezoning of it.

Alderman Lloyd: "If this property is rezoned to a distance of 330 feet along Prescott St. I presume you will have to have a subdivision or re-subdivision."

His Worship the Mayor: "There is no subdivision required."

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Alderman DeWolf: "With respect to the land immediately back of these veterans' homes, it is zoned industrial so that this Company, if they wanted to put in an application to the Building Inspector tomorrow, they could expect to get permission to go ahead and build immediately in the rear of these homes.

The Coca Cola Co. Ltd. for 10 or 15 years were located on Grafton St. There were certain groups who decided that a downtown parking area was essential and this area was raised, and the company had to get out. The company asked my firm to select a site. I went all over the City with them and showed them everything that would be available for their business. The first selection was property on Kempt Rd. That property was sold. I was asked to look for another selection. The Thompson property was then selected. They took 2 or 3 months' option on that and at the end of 3 months the owner decided he did not want to sell. In July they said 'how about the Town of Dartmouth?' I wanted them to consider Halifax and not Dartmouth. We selected this land with their consent. This land is 200 ft. in depth. The back is industrial and the front is residential. This firm can go to Mr. Day the Building Inspector, and say 'we want to build on the back' and Mr. Day would have to give them a permit and they could leave the front open. It would look better to have the building in the centre. The greater part of the land on the west is zoned as Industrial and the north is zoned as Commercial. This is no threat at all. I hope they don't go to Dartmouth."

Alderman Dunlop: "That proposed street; has that been taken over by the City?"

Mr. Harris: "That is not an accepted City street."

Alderman Dunlop: "If that street is owned by the owner of the land I don't see why the Company can't get the whole area by placing the street somewhere else."

Alderman DeWolf: "A plan has been filed with the City and it has been accepted."

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His Worship the Mayor: "It has been dedicated but not accepted."

Alderman DeWolf: "That is right."

Alderman Lloyd: "Why would the company locate on the proposed street?"

Alderman DeWolf: "Reservoir Street is the proposed street and it is below any sewer level. The ground slopes off sharply. There is about 20 ft. of a drop from the front to the back of the land. It is impossible for a plant to operate without a sewer."

Alderman Dunlop: "Could we have some information if the company proposes to face the proposed street or Prescott St. I was wondering if the City could shut off access to them entirely on Prescott St."

His Worship the Mayor: "I would expect that access to the building would take place from Reservoir Street. From the plant in Belleville the loading zone is in the rear."

Alderman O'Malley: "I think we should have some assurance as to which street the building will face and the exit will be on whatever street they propose because the residents are entitled to some consideration. We should satisfy ourselves that we are doing the proper thing."

Alderman Moriarty: "I agree with Alderman O'Malley that if we had the assurance that the entrance for loading would be on this proposed street, it would have no contact with Prescott St. That is a very important point."

Mr. Flinn: "I live on Duffus St. Extension. What about the trucks going on that street. It has been fixed up."

Alderman DeWolf: "Where will these trucks go? The C. N. R. established a garage on MacLean Street and they put it right on the street. These people are going to establish something that will look good."

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Alderman Dunlop stated that the portion of the land that could not be serviced with a sewer would be of no use to anyone.

Alderman Lloyd: "If we have set down a plan for the development of a residential area and that is the basis of development, I can't see how in all fairness to those who have made an investment in the property, that we can change the zone so soon after we have laid it down."

Alderman Ahern: "A few years ago the late Arthur Horne attempted to build an apartment house. The Southenders were up in arms. The man was turned down. Young Avenue would be desecrated. I feel quite sure there is enough room on Hogan's land to build. The people on Prescott Street are against this. We have land on Young Avenue adjacent to MacLean Street. What would happen if it were proposed for there? I don't think for a moment that Coca Cola will cross the bridge to Dartmouth. I do say that the people who invested in houses on Prescott St. should be given every consideration. It should be kept on Mr. Hogan's land."

Alderman Hatfield: "The plant in Windsor Ontario is opposite \$15,000.00 homes. I think the plant would be a credit to any area they go in provided the entrances are in the proper place and that they load on the proposed street. I think those people in the area will soon find out, if it is properly placed, that it will be a credit to the area."

Alderman Moriarty: "If we could get assurance that the entrance would be on Prescott St. and the loading be done on the proposed street, everyone interested would be satisfied."

Alderman Dunlop: "I understand this proposed street has no use as a street at all. This street can't be developed because it is right on the edge of a cliff."

Mr. Day: "The Town Planning Engineer recommends this change of zoning."

City Manager: "Is it customary to divide the ~~sewers~~ ^{zones}"

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on the street side or in the middle of the block?"

Mr. Day: "You usually take it in the block area. It would be ideal to take it in blocks."

His Worship the Mayor then read the section of the Town Planning Act which should govern the Council's action in this matter and then said that Council may pass the resolution with the safeguards in the By-Law.

The City Solicitor then read the safeguards and conditions mentioned and suggested that they be carefully set out.

Alderman Dunlop suggested that the building be placed back 50 ft. on the lot.

The following resolution was moved by Alderman DeWolf, seconded by Alderman Hatfield;

W H E R E A S an application was made to the City Council of the City of Halifax under Part XV, section 1, clause (c) of the Halifax Zoning By-Law, approved by the City Council on the 11th day of May, A. D. 1950, to permit the extension of the C3 Zone (Industrial) on the west side of Prescott Street in the City of Halifax from Duffus Street to a point 334 feet, more or less, southwardly along the western street line of Prescott Street.

AND WHEREAS the said City Council of the City of Halifax did refer the aforementioned application to the Town Planning Board of the City of Halifax for consideration and report.

AND WHEREAS the Town Planning Board of the City of Halifax did recommend to the said City Council that the said extension of the C3 (Industrial) Zone as hereinafter more particularly described be permitted.

AND WHEREAS the said City Council on Thursday, the 15th day of October, A. D. 1953, after receiving a report from the Town Planning Board and after having given due notice, did hold a hearing to consider the said application and did approve of the same subject to certain restrictions and conditions hereinafter more fully set forth.

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NOW THEREFORE BE IT RESOLVED under the authority of Part XV, Section 1, clause 10 of the Zoning By law of the City of Halifax that the C3 (Industrial) Zone be extended to include the land more particularly described as follows:

Beginning at a point where the western street line of Prescott Street intersects the southern street line of Duffus Street; thence southwardly along the said western street line of Prescott Street for a distance of 334 feet, more or less, or to the southern boundary of lands of G. D. Hogan; thence westwardly along the said southern boundary line of lands of G. D. Hogan for a distance of 100 feet, more or less, or to the eastern boundary line of the industrial zoned area; thence northwardly along the said eastern boundary line of the industrial zoned area, 335 feet more or less, or to the southern street line of Duffus Street; thence eastwardly along the said southern street line of Duffus Street a distance of 100 feet, more or less, or to the place of beginning.

Subject however to the following restrictions and conditions:

- (1) That the building to be erected shall have its loading and unloading operations at the rear;
- (2) The building shall face Prescott Street;
- (3) There shall be a building line of 25 feet on Prescott Street;
- (4) There shall be no entrance for commercial vehicles leading to Prescott Street;
- (5) That the building will be of a type similar to the pictures presented to the Council; and
- (6) That the building will be located at a distance of at least 15 feet from the nearest property line.

And that the Zoning Plan approved by the City Council on the 11th day of May, A. D. 1950, be and the same is hereby amended accordingly.

The motion was then put and passed 8 voting for the same and 4 against it as follows:

FOR THE MOTION
Alderman Dunlop
Macdonald
Adams
Kitz
O'Malley
Hatfield
MacMillan
Moriarty

AGAINST IT
Alderman Lloyd
Ahern
Allen
Vaughan

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Alderman DeWolf was excused from voting.

MOTION ALDERMAN AHERN Re: SPEED LIMIT

Due to the absence of the Chief of Police, this motion was deferred for one month on motion of Alderman Ahern and seconded by Alderman Lloyd.

MOTION ALDERMAN MacMILLAN Re: SIDEWALKS ROWE AVE.

Alderman MacMillan stated that as the cost of sidewalks for Rowe Avenue would be in the vicinity of \$15,000.00 and also that it was late in the season he would withdraw his motion and request that this item receive top priority when the 1954 program is compiled.

Council agreed to the Alderman's withdrawal of his motion and also that Howe Avenue be included with Rowe Avenue on the 1954 program.

TENDERS FOR BOND ISSUE

City Hall,
Halifax, N. S.

October 13, 1953.

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

Your Worship and Aldermen:

Pursuant to the call for tenders returnable at 5 o'clock on the above date from parties disposed to purchase debentures maturing the 1st day of November in each year commencing with the year 1954 and ending with the year 1973 for the total sum of \$2,500,000.00, to be issued under the authority of Chapter 6, Acts of 1945 of the Province of Nova Scotia (The Municipal Affairs Act), and bearing interest at the rate of 4½% per annum for the debentures maturing from November 1, 1954 to November 1, 1963, both inclusive, and 4¼% for debentures maturing from November 1, 1964 to November 1, 1973, both inclusive, the Finance and Executive Committee had for consideration tenders for the same from the following:

1. Gairdner & Company Limited on behalf
of a syndicate named in the tender97.41
2. Dominion Securities Corporation, Limited,
on behalf of a syndicate named in the
tender97.676
3. Mills Spence & Co. Limited on behalf of
a syndicate named in the tender.....98.184
and accrued interest
4. Wood, Gundy & Company Limited on behalf
of a syndicate named in the tender98.323
and accrued interest

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Your Committee recommends that the tender of the syndicate represented by Wood, Gundy & Company Limited, namely:

Wood, Gundy & Company Limited.
The Royal Bank of Canada
Bank of Montreal
A. E. Ames & Company Limited
Eastern Securities Company Limited
Stanbury & Company Limited, and
Cornell, Macgillivray Limited

at the rate of 98.323 plus accrued interest to date of delivery be accepted.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the report be approved. Motion passed unanimously the following Aldermen being present and voting therefor: Aldermen DeWolf, Moriarty, Dunlop, Macdonald, Adams, Lloyd, Kitz, O'Malley, Ahern, Allen, Vaughan, Hatfield and MacMillan.

A formal resolution was then submitted by the City Solicitor.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the resolution as submitted be approved. Motion passed unanimously the following Aldermen being present and voting therefor: Aldermen DeWolf, Moriarty, Dunlop, Macdonald, Adams, Lloyd, Kitz, O'Malley, Ahern, Allen, Vaughan, Hatfield and MacMillan.

ACCOUNTS OVER \$500.00

To: His Worship the Mayor,
and Members of City Council.
From: City Manager, A. A. DeBard, Jr..
Date: October 14, 1953
Subject: Accounts over \$500.00

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

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Fire	Wm. Stairs, Son & Morrow	Renovations to Station	\$ 791.83
Works	R. R. Power Limited	End Frames, Toggle Pins & Cross Braces	1,148.00

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<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Works	T. Hogan & Company	Repairs to pipes on #2 Tank at Incinerator	\$ 505.10
Works	Austen Bros. Limited	Parts for Austin-Western Sweeper	687.75
Works	Standard Clay Products	Sewer Pipe	1,155.96
Library	W. H. Smith & Son (Canada) Ltd.	Books	1,220.97
Finance & Accounting	Province of Nova Scotia	Amortization payment - City's share of Capital Costs re Halifax County Vocational High School	16,876.05
			<hr/>
			\$ 22,385.66

A. A. DeBard, Jr.,
City Manager.

Moved by Alderman Vaughan, seconded by Alderman Hatfield
that the report be approved. Motion passed.

ACCOUNTS HOSPITALIZATION 3 FIREMEN

Halifax, N. S.,
October 13, 1953.

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

The Finance and Executive Committee at a meeting held
on the above date approved and recommended for payment the following
accounts covering medical services rendered to members of the Fire
Department:

A. S. MacIntosh (C. A. Dauphinee)	\$ 5.00
City of Halifax (R. Kiely \$9.00 and A. Blanchard \$4.00)	\$ 13.00

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Hatfield
that the report be approved. Motion passed.

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RESOLUTIONS Re: PREFAB BANK ACCOUNT

Halifax, N. S.,
October 13, 1953.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend for approval resolutions respecting the Prefab Housing Account at the Canadian Bank of Commerce.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the report and resolutions be approved. Motion passed.

EXPROPRIATION PROPERTIES ALEXANDRA SCHOOL AREA

To: His Worship the Mayor and
Members of City Council.
From: Clerk of Works
Date: October 13th, 1953.
Subject: Re: Expropriation Alexandra School Property

The Committee on Works at a meeting held on October 8th, considered a letter from Mr. Wilfred A. Rafuse stating he had received notice that the City has expropriated his property, No. 2 Alexandra Place, at a price of \$6,000.00, and advising that he is willing to accept the sum of \$8,000.00 provided he can remain there until not later than April 15th 1954.

The Committee recommended to City Council that the price be not increased and expropriation proceedings be continued.

The Committee also considered a letter from Ina E. Amyony stating she is prepared to accept \$4,400.00, being the valuation of the City's appraiser, plus 10%, which usually is granted in expropriation proceedings.

The Committee recommended that her terms be accepted and expropriation proceedings be discontinued.

Respectfully submitted,

W. P. Publicover,
City Clerk,

Per J. B. Sabean,
Clerk of Works.

Halifax, N. S.,
October 13, 1953.

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

October 15, 1953.

At a meeting of the Finance and Executive Committee held on the above date a report was submitted from the City Solicitor advising that Mr. Wilfred A. Rafuse is prepared to accept the sum of \$7,000.00 in full settlement of his claim for the property at #2 Alexandra Place this being \$1,000.00 more than the sum paid into court by the City when instituting expropriation proceedings.

Your Committee recommends that the sum of \$6,600.00 be offered to Mr. Rafuse for his property and if this is not accepted the action to expropriate be carried out.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

The City Clerk read a letter from Mr. Wilfred Rafuse accepting the City's offer of \$6600.00 for his property at #2 Alexandra Place.

Moved by Alderman Dunlop, seconded by Alderman Moriarty that the additional sums of \$400.00 for the Amyocny property and \$600.00 for the Rafuse property be paid into court to complete the expropriation of these properties. Motion passed.

Read letter from Mr. S. Goodman advising that Mr. Charles Goodman is willing to accept the sum of \$7,500.00 for his property #10 Alexandra Place.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the additional sum of \$500.00 be paid into court to complete the expropriation of the property. Motion passed.

AFRICVILLE SCHOOL

Halifax, N. S.,
October 13, 1953.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend for approval the attached report from the City Solicitor respecting Africville School.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the report be approved. Motion passed.



His Worship the Mayor and Members of the Finance and
Executive Committee.
Carl P. Bethune, Q.C., City Solicitor

October 8, 1953.

Re: Africville School.

Dear Sirs:

At a meeting of the City Council held on July 16th, 1953, it was decided, on the recommendation of the Finance and Executive Committee, that the Africville School Building be leased to the Jemmott Club of Africville for the sum of \$1.00 under the trusteeship of a Board to be appointed by the City and the Jemmott Club of Africville, which is to be responsible for any repairs that may be required to the building from time to time.

I would like to suggest that perhaps a simpler method of accomplishing this purpose would be for the City Council to turn over this building to a Committee approved by the Council for the purpose of providing facilities for the residents of Africville or any organized group therein for the holding of meetings, providing recreation and other community objectives. If the Committee should decide to deal only with the Jemmott Club of Africville it could do so under an agreement setting out such regulations as the Committee might decide to make governing the use of the building. In this way the arrangements could perhaps be more flexible than with a formal lease and any provisions as to the making of repairs, etc., could be imposed by the Committee and if necessary the conditions set by the Committee could be approved by the City Council.

Yours very truly,


CARL P. BETHUNE
CITY SOLICITOR

CPB:EHJ

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October 15, 1953.

BAYERS ROAD HOUSING PROJECT CHANGE ORDER # 4

To: His Worship, R. A. Donahoe, Q. C.,
and Members of City Council.
From: City Manager, A. A. DeBard, Jr.,
Date: October 13, 1953
Subject: Bayers Road Housing Project - Change Orders - Memo #4

Previously approved	\$ 63,499.25
Change Order #21a - Addition to Contract to provide walks and drives.-	
3,533 lin.ft. 4 ft. concrete walks ● \$2.15 per lin.ft.	\$ 7,572.30
5.25 cu.yds. concrete for steps ● \$26.00 per cu. yd.	\$ 136.50
480 cu.yds. gravel for driveways ● \$4.00 per cu.yd.	\$ 1,920.00
	<hr/>
	\$ 73,128.05

W. P. Publicover,
Acting City Manager.

Moved by Alderman Hatfield, seconded by Alderman Vaughan
that the report be approved. Motion passed.

LEASE OF ABATTOIR

Halifax, N. S.,
October 13, 1953.

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

The attached letter from Marden-Wild of Canada Ltd. respect-
ing their lease of the abattoir was considered by the Finance and
Executive Committee at a meeting held on the above date.

Your Committee recommends that the proposal which was
approved at the last regular meeting of Council viz: "that the
existing lease be surrendered and a new lease executed providing
for a rental of \$1,640.00 per year, which with a business tax
assessment would mean a revenue of approximately \$2,460.00 per year"
be withdrawn pending further study and Marden-Wild of Canada Ltd.
so advised.

Alderman Ahern dissenting.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hatfield, seconded by Alderman Vaughan
that the report be approved. Motion passed with Alderman Ahern

October 15, 1953.

wishing to be recorded against.

LEASE OF HANGAR DARTMOUTH AIRPORT

Halifax, N. S.,
October 13, 1953.

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

The attached report from the City Solicitor respecting the Clark-Ruse Hangar, Dartmouth Airport, was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that the report be approved.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

To: His Worship the Mayor and Members of the Finance and
Executive Committee

From: Carl P. Bethune, Q. C., City Solicitor.

Date: October 13, 1953.

Subject: Re: Lease, Pulsifer Brothers Limited - Clark-Ruse
Hangar, Dartmouth Airport.

Dear Sirs:

As you know, the City holds a lease of this hangar, which it sublets, with the consent of the Department of Transport, to Pulsifer Brothers Limited. The purpose of the City entering into such an arrangement was to enable facilities to be provided at the Airport for the servicing of civilian aircraft. This lease has been in existence for some time at the annual rental of \$990.00. A new lease was entered into between the Department of Transport and the City for the period December 7th, 1952 to December 7th, 1953 and thence from year to year until cancelled, at an annual rental of \$990.00. The City has executed a sublease with Pulsifer Brothers Limited, which has been forwarded to the Department of Transport for approval. This has been outstanding since July 14th, 1953.

I have been advised, under date of October 6th, 1953, that the rental rates have been increased from \$990.00 per year to \$192.20 per month, effective September 1st, 1953.

I have this matter under discussion with the Department from the point of view of whether the increase affects the present lease or whether it is to be effective, as far as the City is concerned, from December 7th, 1953. The letter from the Department states that the rates became effective September 1st, 1953, but I think this perhaps may not be made effective in our case until the end of the year of the lease, namely December 7th, 1953.

In any case, if the Crown insists on this increase in rent and if Pulsifer Brothers Limited is unwilling to enter into a renewal lease for this property at the increased rental, I think

October 15, 1953.

we should advise the Department that we are no longer interested in leasing the hangar. If, however, Pulsifer Brothers Limited is prepared to pay the increased rent than I see no reason why the City should not continue to act as an intermediary in the matter in order to provide this necessary service for this area.

This letter is for your information in the event that you wish to give me any particular instructions.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the report be approved. Motion passed.

TAX WRITE-OFF \$ 1,045.55

Halifax, N. S.,
October 13, 1953.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend that uncollectible tax accounts amounting to \$1,045.55 be written off under the authority of Section 283, sub-section 2 of the City Charter.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the report be approved. Motion passed.

CITY FIELD AGREEMENT

Halifax, N. S.,
October 13, 1953.

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

The Finance and Executive Committee at a meeting held on the above date agreed to forward to Council the attached agreement between the City of Halifax and The Civic Workers Federal Union Local #108.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

The City Manager advised that the rates of pay for the last two classifications in the scale of wages should read \$1.27 per hour rather than \$1.23.

Moved by Alderman Vaughan, seconded by Alderman Hatfield

October 15, 1953.

that the Agreement be approved and the Mayor and City Clerk authorized to execute same on behalf of the City. Motion passed.

It was agreed to consider Item #35 "Chebucto Barracks" at this time.

CHEBUCTO BARRACKS

To: His Worship, R. A. Donahoe, Q. C.,
and Members of City Council,

From: City Manager, A. A. DeBard, Jr.,

Date: October 15, 1953

Subject: Chebucto Court and other Emergency Shelters

1. Chebucto Court - Building 56 is vacant except for one tenant who will not accept accommodation at the Manning Pool. The City Solicitor is proceeding with eviction.

Building 53 - Five families remain of which one is the caretaker. They are all large families and require four-room apartments. Efforts will be made to move them as soon as possible.

2. Vacancies since May 1, 1953 and disposition of apartments.

	<u>No. tenants vacating</u>	<u>No. new tenants</u>	<u>No. Apts. vacant</u>	<u>No. tenants trans- ferred</u>
85-87 Sackville St. (20)	2			2
Staff Houses (1430, 1446, 1460 Barrington St.)	8	2	6	Nil
Wellington Court	12	6		6
1420 Barrington St. (Manning Pool)	16	7	9	-
Pavilion Barracks (22)	1		-	1
Glacis Barracks (10)	1			1
Total	40	15	15	10

The table shows that of the 40 apartments vacated 10 were transfers to other facilities. The fifteen new tenants were cases of emergency I am informed - evictions with no alternate accommodations available.

If Council so directs we will move families out of Sackville Street to Barrington Street as proper size apartments become available.

A. A. DeBard, Jr., City Manager.

October 15, 1953.

Alderman Ahern: I think Mr. Jones is the expert on this. The situation is very bad.

His Worship the Mayor: "Emergency Shelters are old buildings taken over from the Services. They have stood for a number of years. We have most unsatisfactory reports on their condition. We have unfavorable reports from the Fire Chief. They have outlived their usefulness and the quicker we get rid of them the better for all concerned including the people who live in them."

Alderman Ahern: "There should be some effort made to hold the people back for awhile. We should make some effort during the winter months."

Alderman Macdonald: "Would it not be possible to transfer the tenants to the vacancies in the other areas from the 2 buildings on Chebucto Court?"

His Worship the Mayor: "The Manning Pool is not adaptable to handle the people in Chebucto Barracks. The Manning Pool apartments are not large enough to house the Chebucto Court families."

Alderman Macdonald suggested that where 9 vacancies exist in the Manning Pool that transfers be made so that the partition wall between two apartments be torn out and a place large enough be made for the families at Chebucto Court.

Alderman Vaughan said it would not be very difficult to break out a wall to make a larger accommodation.

Alderman Hatfield suggested that if Chebucto Court were cleared up the area would be devoted to commercial businesses which would mean more revenue to the City than at present.

Alderman O'Malley: "The report is not full in detail. There should be another column stating the number of families and the number in the families."

His Worship the Mayor: "The Manager will at the first opportunity bring forward a full report."

Moved by Alderman O'Malley, seconded by Alderman Hatfield that the report be accepted and the Manager instructed to bring in

October 15, 1953.

a full report at the first opportunity. Motion passed.

STAFF HOUSE # 3

Halifax, N. S.,
October 7, 1953.

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

The City Council at its last regular meeting decided to abandon the proposal to purchase the building known as Staff House #3.

Since that time a representative of Central Mortgage and Housing Corporation Ltd. has intimated that the Corporation may be willing to lease the building to the City for a term certain at a nominal sum.

This proposition was considered by the Public Health & Welfare Committee at a meeting held on the above date and it was agreed to forward the information to Council without recommendation.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Alderman Ahern: "I feel it is the duty of the City Council to provide temporary shelters. We should not abandon the plan to provide shelters for the people. There are a great many families in need of housing."

Moved by Alderman Vaughan, seconded by Alderman O'Malley that no action be taken on Staff House # 3 pending a report from the City Manager and that the C. M. & H. C. be requested to hold the property pending the City's decision. Motion passed.

FORMAL RESOLUTION AND REPORT QUINPOOL RD. SCHOOL PROPERTY

A resolution was submitted from the City Solicitor respecting the sale of a portion of the above property to the Shaar Shalom Congregation.

Moved by Alderman Lloyd, seconded by Alderman Hatfield that the resolution as submitted be approved and forwarded to the Minister of Municipal Affairs.

Moved in amendment by Alderman Kitz, seconded by Alderman Macdonald that the following be added to the motion "That the deed contain a restrictive covenant to the effect that for 20 years from the delivery of the deed the land in question be used only for the

October 15, 1953.

purpose of a site for a place of public worship and a hall in connection therewith. Amendment passed with Aldermen O'Malley and Dunlop wishing to be recorded against.

Moved by Alderman Dunlop, seconded by Alderman O'Malley that further action with respect to the rest of the Quinpool Rd. School Property be deferred until such time as the wishes of the Minister of Municipal Affairs are obtained regarding the sale of this land.

Alderman Macdonald moved that the report of the Town Planning Engineer and Committee on Works be approved but there was no seconder to the motion.

Alderman DeWolf: "With respect to the Commercial part of this land; to subdivide this land is wrong. When this commercial land is offered for sale it shall be offered for sale on a per foot front basis. It has gotten abroad that the City has sold \$100,000.00 worth of land for \$15,000.00. The land that was sold was residential only for 5 lots at \$3,000.00 a lot which compares with Marlborough Woods. People think the whole land has been sold. It should be explained."

The motion was put and passed with Alderman Macdonald wishing to be recorded against.

PIPELINE PRIVILEGES C. N. R.

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

From: Clerk of Works

Date: October 13th, 1953

Subject: Re: Pipe Line Privileges at Armdale N.S. Mile 3.85 Bedford
Subdivision (Mumford Road)

At a meeting of the Committee on Works held on October 8th, the attached report from the City Solicitor relative to a license from the Canadian National Railways to the City covering pipe line privileges at Armdale, N. S., was considered.

The Committee approved the report and recommended to City Council that the lease be executed by the Mayor and City Clerk on behalf of the City.

Respectfully submitted,
W. P. Publicover, City Clerk.
Per J. B. Sabeau, Clerk of Works.

October 15, 1953.

To: His Worship the Mayor and Members of the Committee on Works.

From: Carl P. Bethune, Q. J., City Solicitor

Date: October 7, 1953.

Subject: Re: Pipe Line privilege at Armdale, N. S., Mile 3.85 Bedford Subdivision (Mumford Road)

Dear Sirs:

As requested by your committee at its meeting held on September 29th, 1953, I have examined the attached license, dated September 1st, 1953, from the Canadian National Railways to the City, covering pipe line privilege at Armdale, N. S., Mile 3.85 Bedford Subdivision (Mumford Road).

I note that the rental charged for this license is \$30.00, whereas in the report submitted to your committee by the Commissioner of Works under date of June 8th, 1953, it is stated that the cost to the City would be \$10.00 a year. I merely wish to call this to your attention.

I have examined the terms of the license and find them to be the usual terms in licenses granted by the Canadian National Railways:

- (1) The term of the license is from September 1st, 1953, until terminated as provided in the license.
- (2) The annual fee for the license is \$30.00.
- (3) The pipe line and manholes are to be constructed at the sole expense of the City in accordance with the "Standard Regulations Regarding Pipe Lines Under Railways" of the Board of Transport Commissioners.
- (4) The license is not transferable.
- (5) The City is to indemnify the Company for any loss, damage, injury or expense to which the Company may be put due to or arising from the presence of the pipes and manholes.
- (6) The City is not to have any claim against the Company arising solely under the license.
- (7) The license may be terminated at any time by notice in writing from the Railway and on such termination the City is to remove the pipe and manholes.
- (8) A provision is made for temporary removal in case work is being done on the railway and the City is in that case permitted to maintain the pipe in some other location until it can be replaced in its proper place.
- (9) The Railway reserves the right to cancel the license with or without notice in case of a default or breach by the City.

Subject to the license fee being \$30.00 instead of \$10.00, the license appears to be in the usual form of license granted by the Canadian National Railways, of which we have received a goodly number.

If this license is approved by your committee,

October 15, 1953.

would you kindly recommend the same to the Council for its approval. The Council should authorize the Mayor and City Clerk to execute the same on behalf of the City; and the executed license together with three certified copies of the Minutes of the Council authorizing the Mayor and City Clerk to execute the license should be forwarded to the Canadian National Railways for execution by the Company.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Hatfield, seconded by Alderman Lloyd that the report be approved. Motion passed.

OVERHANGING SIGNS

To: His Worship the Mayor and
Members of City Council.
From: Clerk of Works
Date: October 13th 1953
Subject: Overhanging Signs

At a meeting of the Committee on Works held on October 8th 1953, a report from the Building Inspector recommending that the following signs be allowed to be erected was approved:

J. L. Davison - #174 Quinpool Road -	\$ 5.00
Bens Limited - #251 Agricola Street -	5.00
Personal Finance Co. - 214 Gottingen Street -	5.00

Respectfully submitted,

W. P. Publicover,
City Clerk.

Per J. B. Sabeau,
Clerk of Works.

Moved by Alderman Hatfield, seconded by Alderman Lloyd that the report be approved. Motion passed.

Alderman O'Malley: "What are the particular regulations regarding overhanging signs?"

The City Solicitor then read sections of Ordinance #23.

Alderman O'Malley: "I would like to see some report on this. Every month we get something on this but we don't know the type of sign."

He requested a recommendation on this matter.

October 15, 1953.

MAHAR LOT CAMP HILL CEMETERY

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

From: Committee on Works

Date: October 2, 1953

Subject: Re Perpetual Care - Marr Lot - Camp Hill Cemetery

At a meeting of the Committee on Works held on September 29th a letter from the Secretary of Camp Hill Cemetery relative to a request from Mrs. E. H. Page to put the lot in which her father and mother are buried in perpetual care, if an old balance of \$30.00 for annual care is written off, was considered.

The Committee approved same.

Respectfully submitted,

W. P. Publicover,
City Clerk.

Per J. B. Sabeau,
Clerk of Works.

Moved by Alderman Vaughan, seconded by Alderman Ahern
that the report be approved. Motion passed.

WATER LINE POINT PLEASANT PARK

The City Solicitor stated that he was not ready to report on this matter but did say that the title to that water line is in the Crown Assets Disposal Corporation.

Moved by Alderman Lloyd, seconded by Alderman Hatfield
that this matter be deferred for one month. Motion passed.

SEWER EXTENSION RALSTON AVENUE

To: His Worship the Mayor and Members of City Council

From: Committee on Works

Date: October 2nd, 1953.

Subject: Sewer Extension - Ralston Avenue

At a meeting of the Committee on Works held on September 29th, the attached report from the Commissioner of Works relative to extending the City Sewer system 290 feet along Ralston Avenue at an estimated cost of \$3,000.00 to serve four lots, was considered.

The Committee agreed to recommend that the extension be made provided the Public Service Commission are prepared to extend their watermain in the sewer trench.

Respectfully submitted,

W. P. Publicover, City Clerk,
Per J. B. Sabeau, Clerk of Works.

October 15, 1953.

His Worship the Mayor, Chairman
and Members of the Committee on Works.

A. C. Harris, Commissioner of Works.

September 29th, 1953.

Sewer Extension - Ralston Avenue.

Gentlemen:-

A request has been received from Mr. W. C. Sawler and Mrs. Hilda McLean to extend the City sewer system along Ralston Avenue to serve four (4) lots, which they state in their request, they propose to start building on as soon as possible.

Ralston Avenue is a recently approved subdivision and when the Capital Borrowing was made for sewer extensions in 1953 Ralston Avenue, at that time, was not laid out and therefore not included in the 1953 list.

The estimated cost to construct the length of sewer required, namely 290', is \$3,000.00, with an estimated assessment of \$1,083.25. However, in the 1953 Capital Programme there is an amount that could take care of this requested extension and could be ordered provided the Public Service Commission are prepared to extend their watermain in the sewer trench.

Respectfully submitted,

A. C. HARRIS,
Commissioner of Works.

Moved by Alderman Lloyd, seconded by Alderman Ahern
that the report be approved. Motion passed.

TENDERS FOR HEAVY EQUIPMENT WORKS DEPARTMENT

EQUIPMENT RECOMMENDED FOR PURCHASE.

<u>UNIT</u>	<u>VENDOR</u>	<u>MAKE</u>	<u>TENDER</u>
1. 1½ Ton Chassis	Trainer Auto Service Halifax, N. S.	International R-152 - \$1,920.00	
2. Motor Pick-Up Sweeper	Gillis Company, Ltd. Halifax, N. S.	Elgin #81	\$ 11,822.00
3. Motor Grader	R. R. Power Ltd. Halifax, N. S.	Adams #550	17,850.00
4. Shovel Loader (Rubber Tire Mounted)	Industrial Machinery Co. Ltd. Halifax, N. S.	Hough Payloader Model H. M.	14,345.00
			<hr/> <u>\$ 44,017.00</u> <hr/>

COMMENTS.

Capital Borrowing for Equipment authorized by the Department of
Municipal Affairs, September 19th, 1953 \$ 45,000.00

Recommended Capital Expenditure as above 44,017.00

October 15, 1953.

The 1½ Ton Truck Chassis is to be paid for out of Public Capital Equipment Fund and is not included in the total recommended Capital Expenditures for Heavy Equipment.

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: October 2nd, 1953.
Subject: Tenders for Equipment.

At a meeting of the Committee on Works held on September 29, 1953 tabulations of tenders received for Heavy Equipment were considered, and it was agreed to recommend the purchase of the following:-

1. A 1½ ton Truck Chassis, International R-152, from the Trainor Auto Service, Ltd. ● \$ 1,920.00
2. A Motor Pick-up Sweeper, Elgin #81, from Gillis & Co. Ltd. ● \$11,822.00
3. A Shovel Loader (Rubber Tire Mounted) Hough Pay-loader Model H.M. from Industrial Machinery Co. Ltd. ● \$14,345.00
4. A Caterpillar Motor Grader from Wm. Stairs Son & Morrow, Ltd. ● \$18,996.00

Alderman Dunlop was recorded against Item # 4.

Respectfully submitted,

W. P. Publicover,
City Clerk.

Per J. B. Sabean,
Clerk of Works.

Moved by Alderman Hatfield, seconded by Alderman DeWolf that Items 1, 2 and 4 of the original report as per the recommendation of the City Manager and Commissioner of Works be approved.

The motion was put and passed 8 voting for the same and 5 against it as follows:

FOR THE MOTION

Alderman Adams
Kitz
O'Malley
Ahern
Allen
Vaughan
Hatfield
DeWolf

AGAINST IT

Alderman Macdonald
Lloyd
MacMillan
Moriarty
Dunlop

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- 5 -

Alderman Lloyd stated that with respect to the Motor

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Grader he was satisfied to accept the recommendation of the City Manager and staff.

Moved by Alderman Dunlop, seconded by Alderman MacMillan that Item #3 of the original report as recommended by the City Manager and Commissioner of Works be approved.

Alderman Allen: "Does the City Manager consider it good to recommend a heavy piece of equipment for the City of Halifax when you can't buy parts in the City for it?"

City Manager: "I understand one of the suppliers does not have a large supply of parts while the other one does. The difference of \$1,100.00 is something outside of the specifications. The Caterpillar has a starting mechanism which is about \$700.00. I have to rely on Mr. Harris, Mr. West and Mr. Kirk for their recommendation. I suggested that when they made the specifications that they consult with the makers of the equipment. I wanted to be sure that a bidder would not come in and say 'you have drawn the specifications in such a way that I can't bid.' I rely on my engineers."

His Worship the Mayor stated that the City Manager did not answer the Alderman's question.

The City Manager then answered the question in the negative.

Alderman Kitz: "While we may use our own judgment in over-riding our officials in respect to land surely if we oppose them in a matter of this kind we would be hard put to justify it."

The motion was put and passed with Alderman Allen wishing to be recorded against.

10:50 P. M. Council adjourned for a short recess.

11:00 P. M. Council reconvened the following members being present: His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Macdonald, O'Malley, Ahern, Allen, Vaughan, Hatfield and MacMillan.

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LEGISLATION DATE OF OBSERVANCE OF HALIFAX NATAL DAY

To: His Worship the Mayor and Members of the City Council.
From: Carl P. Bethune, Q. C., City Solicitor.
Date: October 13, 1953.
Subject: Re: Date of observance of Halifax Natal Day. (Legislation).

Your Worship and Aldermen:

As determined by the Council at its meeting held September 17th, 1953, I have drafted and now submit legislation to enable the Council from time to time to appoint a day for the observance of the Natal Day of the City instead of having the day fixed by statute.

I submit the following draft as being sufficient to carry out the Council's wishes.

Section 958 is repealed and the following substituted therefor:

958. The Natal Day of the City shall be observed in each year on such day as the Council may from time to time by resolution appoint. The day so appointed shall continue to be the day on which such Natal Day shall be observed until such time as the Council shall pass a resolution appointing another day therefor.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman MacMillan, seconded by Alderman Hatfield that the report be approved. Motion passed.

It was agreed that the report of the Deputy Mayor respecting Natal Day celebrations would be submitted to the next meeting of the Finance and Executive Committee.

ACCEPTANCE OF CERTAIN CITY STREETS

To: His Worship the Mayor and
Members of City Council
From: Clerk of Works
Date: October 13th 1953
Subject: ACCEPTANCE OF CERTAIN CITY STREETS

At a meeting of the Committee on Works held on October 8th 1953, the attached report from the Commissioner of Works recommending twelve streets to be accepted by the City was considered.

The Committee recommended that these streets be accepted; and in the future the City Solicitor look into the question of securing deeds for streets accepted.

Respectfully submitted,
W. P. Publicover, City Clerk.
Per J. B. Sabean, Clerk of Works.

October 15, 1953.

His Worship the Mayor, Chairman,
and Members of the Committee on Works.

Date: October 8th, 1953.

From: A. C. Harris, Commissioner of Works.

Subject: Acceptance of Certain City Streets.

The following is a list of streets that are recommended for acceptance by the City; the streets having been graded and official street lines having been laid down:-

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>WIDTH</u>	<u>LENGTH</u>	<u>DATE OFFICIAL STREET LINES CONFIRMED</u>	<u>OFFICIAL CITY PLAN NO.</u>
Balmoral Rd.	Francklyn St.	Chain Rock Dr.	60'	1100'	Sept. 17/53	23B
Bayers Rd.	Windsor St.	Oxford St.	60'	1010'	June 15/44.	7-B
Beaufort Ave.	Regina Terr.	Oakland Rd.	90'	3000'	May 12/49.	21-B
Benheim Terr.	South St.	270' Northwardly	60'	270'	Nov. 13/52.	17-A
Briar Lane	Annandale St.	Sackville St.	25'	180'	Apr. 13/09.	16
Churchill Dr.	Flinn St.	Roosevelt Dr.	60'	950'	Sept. 26/43.	10-A
Francklyn St.	Inglewood Dr.	Chain Rock Dr.	60'	630'	Sept. 17/53.	23-B
Herlock St.	Mumford Rd.	Abbott Dr.	60'	900'	Nov. 13/52.	10-B
June St.	Cunard St.	West St.	25'	500'	Apr. 13/09.	12
Livingstone St.	Robie St.	Kempt Rd.	60'	425'	Feb. 18/52.	6-C
Mayfield St.	Mumford Rd.	Abbott Dr.	60'	880'	Nov. 13/53.	10-B
Webster Terr.	South St.	270' Northwardly	60'	270'	Nov. 13/52.	17-A

Respectfully submitted,

A. C. HARRIS,
Commissioner of Works.

Moved by Alderman Allen, seconded by Alderman MacMillan that the report be approved.

Alderman O'Malley: "What position are we in in taking over certain streets that are designated as 'dead-end' streets, but are on the plan as 'through' streets?"

Mr. Harris: "There are no dead-ends here."

His Worship the Mayor: "We are only taking over the parts that are completed."

Alderman O'Malley moved that the streets be taken over when they are completed, but there was no seconder to this motion.

The motion was then put and passed.

PETITION Re: ACCEPTANCE OF STANFORD STREET

A petition was submitted from property owners living on Stanford Street requesting that the street be accepted and graded by the City and the cost of same charged to the owners of the properties fronting thereon as provided by Sections 556, 557, 558 and 558A and other relevant sections of the Halifax City Charter. Moved by Alderman Vaughan, seconded by Alderman Hatfield that the

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petition be referred to the Committee on Works for a report. Motion passed.

The City Assessor's Department was requested to investigate the petition to see that 51% of the property owners signed it.

APPLICATION TO REZONE #261 DUTCH VILLAGE ROAD

An application was submitted from Mr. Peter Henderson requesting to have lot at #261 Dutch Village Road rezoned from Residential to Commercial.

Moved by Alderman MacMillan, seconded by Alderman Hatfield that the application be referred to the Town Planning Board for a report. Motion passed.

APPLICATION TO REZONE HOPGOOD PROPERTY DUTCH VILLAGE ROAD

An application was submitted from C. D. Hopgood to have a property in the rear of Acadia Stores on Chebucto Road rezoned from Residential to Commercial.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the application be referred to the Town Planning Board for a report. Motion passed.

DUTCH VILLAGE ROAD REZONING

To: His Worship the Mayor and Members of the City Council.
From: Clerk of Works.
Date: October 13, 1953.
Subject: Application to Rezone the Dutch Village Road Area of the Power Estate Property.

At a meeting of the Town Planning Board held on October 8th, 1953, the attached report from the Town Planning Engineer recommending that the zoning of this area not be changed was considered.

The Committee recommended to City Council that the Town Planning Engineer's report be accepted. Alderman Dunlop was excused from voting.

Respectfully submitted,

W. P. Publicover,
City Clerk.

Per J. B. Sabeau,
Clerk of Works.

October 15, 1953.

From: Town Planning Engineer

Date: September 2, 1953.

To His Worship the Mayor and Members
of the Town Planning Board.

Re: Application to rezone
the Dutch Village Road
area of the Power
Estate property.

Attached is a copy of a motion moved at the September meeting of City Council requesting the Town Planning Board consider the rezoning of the Dutch Village Road area of the Power Estate Property to First Density Residential.

At the present time there is a 200 foot buffer strip of Second Density residential along Dutch Village Road and in back of that there is an Industrial Zoned area extending back to the Canadian National Railways.

I would gather from the motion that it is the intention to rezone lands of the Patrick Power Estate for a distance of about 400 feet from Dutch Village Road or from the south-east corner of Mount Olivet Cemetery to the south-east corner of the Industrial Zoned area. I would not recommend approval of the application for the following reasons:-

1. that the Dutch Village Road area is correctly zoned now,
2. that the section that is now built up is second-density zoning and of a similar nature to the lands of the Power Estate,
3. that the area is more suited for second-density type residents,
4. that the 200 foot "buffer" strip gives ample protection to Dutch Village Road,
5. that a residential development could take place along Dutch Village Road that would be in harmony with and a credit to the area,
6. that the Building Inspector has control of the type of Industries that could locate in the industrial area,
7. that there are many types of industry that would locate in the industrial area that could be developed in complete harmony with the surrounding district,
8. that the view of the area from Dutch Village Road would not be objectionable and, by proper landscaping, could be quite pleasing,
9. that at some time in the future Dutch Village Road will be improved but will not materially reduce the effect of the 200 foot "buffer" strip.

With these thoughts in mind and after careful study I would again recommend that the zoning of this area not be changed.

Respectfully submitted,

W. A. G. Snook,
TOWN PLANNING ENGINEER.

Moved by Alderman Vaughan, seconded by Alderman O'Malley
that the report be approved.

Alderman Lloyd: "Then there will be no public hearing on the matter to rezone to R-1. Are we required to have a public hearing?"

Moved in amendment by Alderman Lloyd, seconded by Alderman

October 15, 1953.

Ahern that a public hearing be held on the matter at the next regular meeting of City Council.

His Worship the Mayor: "I am not aware an application was made. It went to the Town Planning Board on application from this Council."

Alderman Lloyd: "It should be tax paying land. I would like to know why it is not on the tax rolls?"

Alderman O'Malley: "Did not Alderman Lloyd ask the same questions before?"

Mr. Yeadon, Deputy City Assessor: "Any property on the Dutch Village Road in question has been to the best of the knowledge of my Department, exempted and used by the St. Patrick's Home. After the question was raised at a previous meeting I took steps to write the Mount Olivet Cemetery asking them to set the boundaries of the cemetery and Brother Anthony for the boundaries of the Home. I got a reply from Mr. Kline setting forth the boundaries of the cemetery, but Brother Anthony referred me to Father Carroll. Up until now I have had no reply. Since 1922 when the index card system was installed there was never any land set up to any private individual in this particular respect except in conjunction with St. Patrick's Home. The Department was never aware that it was owned by any estate."

His Worship the Mayor: "There may be no record in the Department, to show who owned the land."

Alderman Lloyd: "It is the practice of the Assessor's Department to operate a division which receives information from the Registrar of Deeds. They provide the Department with a description of the properties. Have we got a map of the City of Halifax on which all these lands are described? I believe we have. If we have, why was this particular piece of land left off the card system?"

Mr. Yeadon: "Whether it is taxable or exempt we have a card set up for each piece of land. This particular one was included in St. Patrick's Home land."

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His Worship the Mayor: "No matter who owned it, St. Patrick's Home used it."

Alderman Lloyd said the card should be set up and then indicate the reasons for the exemption the property enjoyed.

His Worship the Mayor: "No matter by whom it was owned, it was made available to St. Patrick's Home in conjunction with its operations."

Alderman Lloyd: "I don't think that should be completely omitted in the Assessor's Department the type of exemption it enjoys. At the last meeting you said there was some legal decision."

His Worship the Mayor: "I said no such thing."

Alderman Lloyd: "I would like to know the basis on which this property was granted exemption?"

His Worship the Mayor: "I know nothing about the reasons why this land was exempted. The situation today with respect to it is exactly the same as when you were Mayor and there were no questions asked by you if there was a record kept of it in the Assessor's Department."

Alderman Lloyd: "Unfortunately that was a question which was not asked when I was Mayor nor do I remember it being asked when you were an Alderman of this Council either. I might also say that it will not be the last question I will ask as an Alderman which has not been asked before. You delve deeper as you get a little wiser. What I want to know is, is there a legal decision exempting the Power Estate lands and I want a report from the City Solicitor and Assessor's Office on that matter. It is of some concern to the City of Halifax how lands are zoned. It is of concern that we get them on the tax rolls as soon as we can."

His Worship the Mayor: "Zoning and Assessment are two separate entities."

He then read the City Charter giving the various reasons for exemption of lands from taxation and stated "for all I know that may be the basis for which the exemption was granted."

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Alderman Lloyd: "I got an answer from the Assessor that all land in the City was assessed on an equitable basis. Probably it might be wise to have a public hearing. You may want to change the zoning to what is requested."

The amendment was put and lost 2 voting for the same and 8 against it as follows:

FOR THE AMENDMENT

Alderman Lloyd
Ahern

AGAINST IT

Alderman O'Malley
Allen
Vaughan
Hatfield
MacMillan
DeWolf
Moriarty
Macdonald

- 2 -

- 8 -

Alderman Dunlop was excused from voting.

The motion was put and passed with Alderman Lloyd and Ahern wishing to be recorded against. Alderman Dunlop was excused from voting.

Moved by Alderman Dunlop, seconded by Alderman Hatfield that the Commissioner of Works take up with the Minister of Highways the matter of widening Dutch Village Road before any building is done on that lot. Motion passed.

REZONING LOT ON YALE STREET

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: October 2nd 1953.
Subject: Application to Rezone Lot

At a meeting of the Town Planning Board held on September 29th the attached report from the Town Planning Engineer recommending refusal of a request from Mr. E. M. Morash to rezone the rear portion of his lot extending through from Quinpool Road to Yale Street, was considered.

The Committee recommended that this be referred to City Council to set a date for a public hearing, with Aldermen Lane and Moriarty voting against.

Respectfully submitted,

W. P. Publicover,
City Clerk.

Per J. B. Sabeau,
Clerk of Works.

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Moved by Alderman Hatfield, seconded by Alderman A. that the report be approved and Council fix Thursday, November 12, 1953 at 8:00 P. M. in the Council Chamber, City Hall, Halifax, N. S., as the time and place for the hearing in this matter. Motion passed.

AMENDMENT ZONING BY-LAW NON CONFORMING USES

To: His Worship the Mayor and Members of the City Council.
From: Carl P. Bethune, Q. C., City Solicitor.
Date: October 13, 1953.
Subject: Re: Amendment, Zoning By-law - "Non-Conforming Use."

Your Worship and Aldermen:

I am advised that at the September meeting of the Council a resolution was passed requesting me to "prepare the necessary changes to the By-law which will permit the replacement of a building of a non-conforming use with another building."

Subsection (6) of Section 18 of the Town Planning Act provides that when any building constituting a non-conforming use has been destroyed beyond 50 percent of its value above its foundations, that the non-conforming use shall not be continued in respect of such building when reconstructed without the approval of the Council. It does not, therefore, seem to me that any amendment to the Zoning By-law is necessary, since the provisions of the Statute are clear and I am not aware of any provisions in the By-law which conflict.

Section 6 of Part II of the By-law contains some references to repair but this can be read along with Section 18(6) of the Act.

If, however, the building is not used for a non-conforming use for 3 years, the right to continue to so use it ceases, unless the Council grants an extension of the time of non-user, which it can for successive periods of three years.

I would like to observe, however, that, as is well known by the Council, the whole purpose of zoning is to eventually eliminate "non-conforming uses" and I suggest that each case should stand on its own feet.

Moreover, I think that in a case where a building is proposed to be virtually reconstructed and continued to be used for a non-conforming use that before the building permit is issued the Council should signify its views as to whether it will permit the non-conforming use to continue in the reconstructed building.

Yours very truly.

Carl P. Bethune.
CITY SOLICITOR.

Moved by Alderman Vaughan, seconded by Alderman Hatfield

October 15, 1953.

that the report be accepted but action be deferred until copies of the same are furnished the members of Council. Motion passed.

SALARIES CITY HOME EMPLOYEES

Alderman Vaughan stated that it was the wish of the Job Evaluation Committee to present the final report at once rather than piecemeal.

His Worship the Mayor asked when the report could be expected to which Alderman Vaughan replied that it would be ready for the November meeting of Council.

APPOINTMENT OF COAL WEIGHER

A request was submitted from Archibald Coal & Oil Limited to have Mr. Dean Barteaux appointed as a Coal Weigher.

Moved by Alderman Lloyd, seconded by Alderman Ahern that the request be granted. Motion passed.

RESOLUTION CITY OF LONDON, ONTARIO Re: GRADE CROSSING PROBLEM

September 15, 1953.

W. P. Publicover, Esq.,
City Clerk,
Halifax, N. S.

Dear Sir:

I beg to certify that the Council of the Corporation of the City of London, at its last session, adopted the following resolution, namely:

WHEREAS the Board of Transport Commissioners for Canada has held hearings in various parts of the country for the purpose of considering the grade-crossing problem;

AND WHEREAS this City, in common with most urban centres in Canada, is faced with heavy expenditures for the construction of subways and overhead bridges required to separate existing grade crossings or to replace antiquated and inadequate structures where the grade was previously separated;

AND WHEREAS this Council notes with interest and satisfaction the statements made on September 1, 1953, in the City of Hamilton, by the Hon. G. H. Doucett, Minister of Highways, to the effect that the Province of Ontario is determined to launch a programme to eliminate level crossings and that a three-way movement, with leadership from the Dominion Government, is required;

THEREFORE BE IT RESOLVED that the Dominion Government be respectfully urged to establish a special commission comprising representatives of the Dominion, the Provinces and Municipalities of Canada and of the major railroads for the purpose of studying the forthcoming report of the Board of Transport Commissioners for

October 15 1953.

Canada regarding grade-crossings and with power to investigate and to report on all the aspects of a programme for the elimination of grade-crossings; in the hope that the very heavy burden of expense which faces many municipalities in the elimination of such crossings within their boundaries may be lessened and the removal of these hazards to the safety and convenience of the public expedited;

AND FURTHER that copies of this resolution be forwarded to the Prime Minister of Canada, the Minister of Transport (Canada), the Prime Ministers and Minister of Highways of the Provinces, the Board of Transport Commissioners for Canada, the Canadian Federation of Mayors and Municipalities, the Ontario Association of Mayors and Reeves and the Ontario Municipal Association and to all cities over 25,000 population, requesting support.

Yours very truly,

R. H. Cooper,
City Clerk.

Moved by Alderman Lloyd, seconded by Alderman Ahern that the resolution as submitted be approved. Motion passed.

HANDBILLS FROM AIRPLANES

Alderman Vaughan wanted to know the regulations with respect to the distribution of handbills from airplanes. He said that one of the local merchants had an airplane drop leaflets or pamphlets on the City at the busiest time of day which could have resulted in an accident.

City Solicitor: "Dropping advertising matter from an airplane is a violation of the law. The man who operated the airplane can be prosecuted."

EXPROPRIATION PROPERTY JACOB & WATER STREETS

Alderman Ahern: "What has happened to the Jacob & Water Streets property we expropriated?"

City Solicitor: "Our offer was accepted."

APPOINTMENT COMMISSIONER OF WORKS & CITY ASSESSOR

Alderman Ahern wanted to know what had been done with respect to the appointment of a Commissioner of Works.

The City Manager stated he had had an advertisement inserted in the press before he went away and that as he returned on the 13th. of the month he had not had time to go over the applications.

He said there was to be a special Council meeting on assessments and he felt that both the appointments for Commissioner of Works

October 15 1953.

and City Assessor would be dealt with at that time.

His Worship the Mayor: "The Manager might have made a recommendation without that further step being taken, but it was at my request that the advertisement was inserted so that every opportunity would be given to local people. I know of at least one application as I was interviewed by the applicant."

EMPLOYEES LEAVING CITY HALL STAFF

Alderman Ahern: "I am concerned about the minor employees leaving the City. I understand one young man is leaving. I think at least 14 minor employees have left during the last year."

City Manager: "I suppose it is his prerogative to better himself. The Job Evaluation Committee has not considered the jobs in the lower categories."

Alderman Ahern: "I am referring to young Mr. Hubley. I understand he is going to Traders Finance."

City Manager: "A lot of people have gone to places where they have not the security they have with the City. That is worth something."

TAX COLLECTORS

Alderman O'Malley said he had had people ask him why the City did not have collectors to collect taxes as in the past. He said he understood the only collectors the City employs are for Poll Tax. He also said that he had a report on taxes collected for 1952 which was \$347,000.00 at a cost of 4.62% while Poll Taxes amounted to a cost of 25.7%. Very little money was collected on Hospital Accounts and he received no information on Emergency Shelters.

Moved by Alderman O'Malley, seconded by Alderman Ahern that at the next regular meeting of the Finance and Executive Committee the whole question of collectors for City taxes be dealt with and the City Collector requested to be present. Motion passed.

October 14, 1953.

TAXES GREENBANK AND AFRICVILLE

Alderman Dewolf: "On the Assessor's property list there are a number of houses on which there are no taxes paid at all. Houses on leased land. Greenbank and Africville pay no taxes, also houses on C. N. R. land. I think it is wrong. They should be put on the list. We should get legislation to see that everybody who enjoys living in a dwelling pays taxes."

REPORT ON POWER ESTATE LANDS

Alderman Lloyd requested that at the next regular meeting of the City Council the Assessor and Solicitor submit a joint report on the question of legal authority for the exemption of lands owned by the Patrick Power Estate.

WATER LOT ASSESSMENTS

Alderman Lloyd said that there is a land use map in the City Assessor's Office and Mr. Dickey has recorded descriptions of water lots. He requested a report from the Assessor why such water lots have not been assessed in the past and what difference exists in the City of Halifax as compared to the Town of Dartmouth where such lots are assessed.

TRANSFER OF T. B. HOSPITAL TO PROVINCE

Alderman Hatfield wanted to know if any developments had taken place with respect to the Province of Nova Scotia taking over the operation of the T. B. Hospital.

His Worship the Mayor: "No. No further efforts. Only the brief submitted more than a year ago."

Alderman Hatfield: "I think it is about time we made some effort."

CIVIC ELECTION PROCEDURE

Halifax, N. S.,
October 14, 1953.

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

As Returning Officer for Civic Elections I should like to comment on the elections held last spring.

October 17, 1953.

City Schools were used as Polling Stations for the election and proved to be much more efficient than the use of most private homes being better lighted and more spacious. Waiting voters can be accommodated inside the buildings rather than being kept outside during rush periods which will certainly be appreciated by our citizens particularly when the weather is unfavourable.

I found the Principals of the various schools used most co-operative and helpful the Janitors too were very obliging.

Our new Voting Screens were used at this election and I have heard many favourable comments regarding them. They are a vast improvement over the old system. The Screens are easily set up and placed and the fact that they are so constructed that they fold up makes them very convenient for storing.

The System inaugurated this year respecting multiple voters, whereby persons entitled to vote in more than one ward may vote at a central location is, I think, a distinct advantage and will be more fully appreciated when there is a Mayoralty contest.

An Advance Poll was conducted at this election but as there was a contest in only three wards the small vote polled may not be any indication as to what might be expected if a City wide election were held. Several citizens appeared at the Advance Poll who would be absent on Election Day for various causes, but were not entitled to vote under our present law. Council may wish to extend this privilege.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan seconded by Alderman Hatfield that the report be accepted and filed. Motion passed.

REGIONAL LIBRARY PLAN

To: His Worship the Mayor and Members of the City Council.
From: Carl P. Bethune Q. C., City Solicitor.
Date: October 6, 1953.
Subject: Re: Regional Library Plan.

Your Worship and Aldermen:

I have been asked by His Worship the Mayor to advise you as to the steps necessary to be taken in order to take advantage of the cooperation of the Province in the Regional Library Plan. The first step is to enter into an agreement with the Minister of Education for the establishment and operation of a Regional Public Library. The Minister of Education, therefore, should be requested to prepare such an agreement for consideration by the Council. The agreement, of course, will be submitted to the City Council for its consideration when the same has been prepared and if it is satisfactory the subsequent steps will thereafter be taken.

One of the results will be the dissolution of the Halifax Memorial Library Board, which will be replaced by a Regional Library Board consisting of one member appointed by the

City of Halifax, two members appointed by the Governor in Council, and such additional members appointed in such manner and number as the City and the Minister of Education shall agree.

The Regional Libraries Act, Chapter 6 of the Acts of 1952, as amended by Chapter 51 of the Acts of 1953, provides the status and powers of the Regional Library Board and the method of financing.

Included in the current budget of the Province is a sum to defray the share of the Province under such an agreement. The Provincial grant is a maximum of 35% per capita of the population of the municipality concerned based on the 1951 census. This would provide a sum of between \$29,000.00 and \$30,000.00 for a complete year.

I would suggest that the Council appoint some representative or official to commence the preliminary negotiations for the preparation of an agreement after a request has been made to the Minister therefor and the Minister has agreed to the preparation of an agreement.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Vaughan, seconded by Alderman Lloyd that His Worship the Mayor make the request to the Minister of Education to enter into an agreement for the establishment and operation of a Regional Public Library. Motion passed.

CLOSING SECOND, FOURTH AND FIFTH STREETS

Moved by Alderman Lloyd, seconded by Alderman Macdonald that this matter be deferred for one month. Motion passed.

WANDERER'S GROUNDS AGREEMENT

Moved by Alderman DeWolf, seconded by Alderman Dunlop that this matter be deferred for one month. Motion passed.

The City Clerk was requested to arrange for a meeting between the City and the Wanderer's Club.

CIVIL DEFENCE AUTHORITY

Moved by Alderman Vaughan, seconded by Alderman Allen that this matter be deferred for one month. Motion passed.

REZONING AGRICOLA, CHARLES, GOTTINGEN & GERRISH STS. AREA
FROM C. 2 TO R. 3

Alderman Vaughan: "There is a block bounded by Creighton, James, Gerrish and Charles Sts. which was under study by the Slum Clearance and Public Housing Committee. In our study we found that

the present tax return on the whole is \$100,000. This amount is necessary to get grants from the Federal Government towards the re-development program. If we don't take action, the blighted areas decay will set in and we will be faced with a loss of assessment and a loss in population. It is hoped that the Town Planning Board will give this favorable consideration."

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the matter be referred to the Town Planning Board for a report. Motion passed.

Alderman Anern: "The people in the area should have a say."

His Worship the Mayor: "This is being started without a petition."

AUTHORIZATION CITY MANAGER TO SIGN INSURANCE RELEASES
ON PREFAB HOUSES

Moved by Alderman Dunlop, seconded by Alderman Hatfield that the City Manager be authorized to sign Insurance Releases on Prefab Houses. Motion passed.

TEARING DOWN BUILDINGS OWNED BY MR. KELLY HEMLOCK ST.

Alderman Dunlop: "Is the order final to tear the buildings down? Is that final? Does it not come to the Council? It is a serious step to order a man to tear them down because it does not conform to the buildings in the locality. If that is the case we should pay the man for the building if it is torn down."

His Worship the Mayor: "I believe a hearing was held on it."

Mr. Day: "The Board deferred the hearing for one month."

Alderman Dunlop: "Morris Street School has the windows broken out. It is in terrible shape. It would be a mistake to take the building down. It should be advertised and sold. I can visualize many uses for it."

His Worship the Mayor: "What about the television studio?"

Alderman Dunlop: "It would be good for a dry storage. The windows should be boarded up."

Alderman MacMillan: "I think Mr. Kelly is being harshly

October 15, 1953.

dealt with. I don't think the buildings should be torn down."

His Worship the Mayor then read the minutes of the Committee on Works for the information of the Council.

Alderman Dunlop: "The Building Inspector said they were structurally sound but that they were unsightly. The owner should be paid for it if the building is to be torn down."

His Worship the Mayor then read a section of the City Charter dealing with the demolition of buildings.

The City Manager stated that several complaints had been received. Mr. Kelly does not use the building and lumber is piled around there and rats are present. He said it is a little broader than to state that it does not look good.

Alderman MacMillan: "This building is not in keeping with the new buildings in the locality and that is what is bothering these people. He has been sick for several months. He has been in the hospital and his wife also."

Alderman Dunlop: "If that is the policy we can tear down the Arena Rink as that is not in keeping with the locality. We can tear down the Chinese laundries also. I feel we should pay for them if they are town down."

POLL TAX REPORT

From: M. L. Bellew,
Commissioner of Finance,

Date: October 13, 1953.

To: His Worship the Mayor and Members of the Finance and Executive
Committee,
City Hall.

Gentlemen:

I enclose herewith report on Poll Tax collections for the quarter ended September 30, 1953.

This report shows an increase in collections over the corresponding period of the previous year, of - \$5,180.00. The overall collections for Poll Tax and penalties for the nine month period ending September 30, 1953 show an increase of \$7,793.02.

Respectfully submitted,

M. L. Bellew,
COMMISSIONER OF FINANCE.

FILED

OFFICE OF THE CITY SOLICITOR

City Hall
Halifax, N. S.

October 10, 1953.

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

Your Worship and Aldermen: Re: Report on 1953 Conference
of the National Institute
of Municipal Law Officers.

I submit herewith my report on the Annual Conference of the National Institute of Municipal Law Officers held in Washington, D.C., September 14th, 15th and 16th this year. This Conference is the twelfth NIMLO Conference I have attended since first receiving an invitation in 1942 and I find that this regular attendance enables me to better follow the year to year developments in matters pertaining to Municipal Law and procedures than would be the case if attendances were irregular.

As an illustration, reports and discussions in each year frequently refer briefly to those in previous years and unless there is some familiarity with the previous years' reports and discussions certain matters are not as clear as they would otherwise be.

As usual there was a minimum of social activity at this Conference. Two luncheons were held and a reception given by the President of the Institute.

At the luncheons two outstanding speakers, Mr. William J. Jameson, President of the American Bar Association, and Mr. Douglas McKay, Secretary of the Interior, delivered interesting addresses. Richard M. Nixon, Vice President of the United States, extended a welcome to the delegates.

I was accorded the honour of presenting the Greetings on behalf of the Canadian lawyers - of whom there were seven in attendance, representing Ottawa, Hamilton, Toronto, Montreal, Quebec, Three Rivers and Halifax.

For your information I attach hereto a copy of the programme which you will see is very comprehensive and deals with matters of practical interest. I will refer more particularly to certain of these matters.

NEW SOURCES OF MUNICIPAL REVENUE.

As in Canada this is a problem with United States cities. It is found that the ample sources of revenue have been taken over by the Federal and States Governments, leaving municipalities the real property tax as their basic source of revenue.

However, this matter is now receiving attention and Congress has established a Commission to make a broad study of the proper role of the federal government in relation to the

States and their political subdivisions, with a view among other things to adjusting intergovernmental fiscal relations so that each level of government will discharge the functions which belong to its jurisdiction. The Institute attended a meeting at the White House to present its views on the proper scope and functions of the Commission and it is expected that it will take a prominent part in the proceedings of the Commission.

There is also a tendency on the part of the federal government to withdraw from certain areas of governmental functions and the state and local governments will naturally tend to fill the resulting vacuums. This will be accompanied by a transfer of certain tax fields to the local governments.

The trend in the United States is similar to that in Canada. In 1932 the state and local governments in the United States claimed 78% of all taxes collected. In 1952 this percentage dropped to 23%. If a similar attitude is shown by the Government of Canada, a substantial change in the benefits received by local governments under the various Dominion-Provincial Agreements should be expected.

The trend of granting to local governments in the United States the right to impose "non-property" taxes as compared to "property" taxes is increasing. This provides to local governments a broader base of taxation and spreads the burden more equitably. The most effective and successful non-property taxes are of course income taxes and sales taxes.

These taxes seem to be favoured because they provide a means of making the person who works in the City yet lives outside - "the daylight citizen" - pay something to provide the services which benefit him.

It is not to be ignored, however, that a measure of relief to municipalities in Canada could be extended under our present method of Dominion-Provincial Agreements by the Government of Canada rebating directly to municipalities a portion of income and sales taxes collected from the particular municipality. Such a rebate, however, would require to be a matter of "right" and not of "grace".

LOCAL INCOME TAX

This has proved to be a tremendous source of revenue to municipalities. A rate of around one per cent has proven to be a most satisfactory revenue producer. Such a tax is usually on the earned income of both residents and non-residents. It has the virtue of providing an effective means of getting the suburbanite to contribute to the support of the central city government. It is deemed to be fair that the so-called "daylight citizen" pay his fair share for the protection, facilities and service which he enjoys in the city in which he works. Exemptions are looked upon with disfavour as they greatly increase the cost of collection. Where no exemptions are permitted the cost of collection amounts to from 2 to 3 per cent of the total gross annual yield.

SALES TAX

Sales tax has been found lucrative and is favoured because it is imposed on "daylight citizens" as well as residents.

It has been found capable of producing a more constant revenue than property taxes and will probably be less influenced by fluctuations in local business conditions. It seems to be specially regarded as a means of securing from the suburbanites a share of the cost of city government.

The trend towards sales taxes is growing. During the past year about 100 cities began to impose this tax. It appears to vary from one-half of one percent to two percent.

SEWER RENTAL CHARGES

This is one of the new methods of raising revenue. The tax in some cities is \$1.00 per month, while in others it is 50% of the water bill.

The foregoing special types of taxes are mentioned to indicate various methods available. It must not be overlooked, however, that these "non-property taxes" are only supplements to the property tax - the traditional bulwark of municipal finance. The opinion of many people in Halifax seems to be adverse to such non-property taxes, such as municipal income and sales taxes.

PUBLIC UTILITY LAW

Much discussion took place on this phase and five papers were presented. Apart from the principle that municipal governments should appear at public utility hearings to protect the interests of the taxpayers, the papers were in the main technical.

HOUSING was considered in two papers but the discussions centered around the provisions of the legislation in effect in the United States and the difficulties created by various interpretations given to certain material sections.

TORT LIABILITY - that is the liability of municipalities for negligent acts, particularly relating to streets and sidewalks, provoked an interesting discussion. Although the principles determining liability in many United States cities are different from those in effect in Nova Scotia, much useful information was submitted as to methods of securing information about accidents and preparing cases.

RADAR - its use to check and prosecute speed violation cases. This was the subject of a paper and since this method is becoming quite frequent in United States cities, I mention it for your information. It has been criticised on the ground that it is a "speed trap" which has not been considered as a "sporting" method of securing evidence. It was stated, however, that wherever this method is used, signs are displayed on the highway stating that "In this City radar is used to check speeding vehicles" and a marked reduction in speed is noted.

The paper contained many items of advice as to how to prepare for prosecutions in cases of this kind.

CIVIL DEFENCE. This matter seems to be treated in the United States much the same as in Canada. There, as here, the municipalities contend the matter is a federal matter - like National Defense - and the Congress has failed for several years to provide anything like an adequate amount for the purpose. The municipalities are doing the best they can but are unhappy

about the whole thing.

An interesting paper was given by Walter J. Mattison, City Attorney of Milwaukee, Wisconsin, on the subject of the inadequacy of the number of urban representatives in state legislatures, resulting in the frustrating of the urban municipalities in obtaining legislation to suit their needs. This is not restricted to the United States.

PIRE PREVENTION ORDINANCES.

Some very valuable information on the above matter was given in this paper and I propose to follow up several leads given and secure a copy of a model ordinance in this field. It may be of some value to Halifax.

Other matters dealt with at the conference were:

- (a) Contracts
- (b) Municipal bonds (a technical paper)
- (c) Zoning and Planning, and
- (d) Urban redevelopment

I have secured copies of these and most of the other papers given and they will be available to you on request.

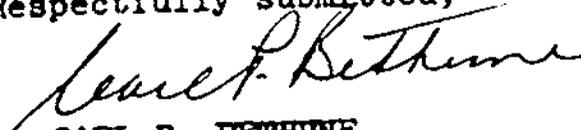
Finally, a paper "Disposal and Preservation of Public Records" raised in my mind the need for a comprehensive study of the records of the various departments of the City with a view of preserving certain of them by microfilming them and weeding out the unnecessary material which will ultimately cause confusion.

It is a matter to be approached with care and caution. In the course of this work much indexing must be carried out in order that, as the years go by, material that is retained can be readily found.

I would like to suggest that this be looked into while some of the older members of the staff are available. We have changed many of our methods in the last fifteen years and perhaps under our present system some of the older records, which still are valuable, may not be readily available or if available cannot be readily found because of faulty or non existence of indexes.

I wish to express my appreciation for once again having been permitted to attend this meeting. I would like to see the City of Halifax become a member so that I can secure the various publications as they are issued as a matter of right instead of grace. The annual fee for Halifax would be \$100.00. I find that my association with this group is of considerable value to me.

Respectfully submitted,


CARL P. BETHUNE
CITY SOLICITOR

October 15, 1953.

APPROVALS BORROWINGS, ETC.

The following approvals by the Department of Municipal Affairs were reported:

1. Resolution providing for the withdrawal of \$25,000.00 from the sale of Land Account for acquiring properties in the Alexandra School area.
2. \$13,000.00 for Garage and Workshop at Point Pleasant Park.
3. \$45,000.00 for Motor Equipment Works Department.

FILED

APPROPRIATIONS

A report on Appropriations was submitted by the Chief Accountant showing the breakdown for each Department and same is attached to the original copy of these minutes.

Copies of the report were furnished the members of the Council for their information.

FILED

REPORT CITY SOLICITOR RE: CONFERENCE

A report was submitted from the City Solicitor covering activities at the National Institute of Municipal Law Officers held in Washington, D. C., and same is attached to the original copy of these minutes.

Copies of the report were furnished the members of the Council previous to the meeting.

FILED

Oct. 7, 1955.

APPROPRIATIONS AS AT SEPTEMBER 30, 1955.

TO THE CITY COUNCIL:

The following is the state of Civic Appropriations on the above date.

CODE NO.	ACCOUNT	APPROPRIATION	TOTAL EXPENDITURES	TOTAL UNPAID ENCUMBRANCES	UNPAID BALANCE
1	<u>MAYOR'S OFFICE AND ALDERMEN</u>				
1-1	Salaries	13,933.00	14,302.93		4,030.07
1-2	Postage	70.00	37.00		33.00
1-3	Office Supplies	350.00	141.57		188.43
		<u>14,353.00</u>	<u>14,481.50</u>		<u>4,251.50</u>
2	<u>CITY MANAGER'S OFFICE</u>				
2-1	Salaries	14,103.00	10,625.94		3,477.06
2-2	Postage	72.00	45.15		26.85
2-3	Office Supplies	237.00	132.56	8.80	115.64
2-4	Membership Dues	33.00	31.97		1.03
		<u>14,445.00</u>	<u>10,835.62</u>	<u>8.80</u>	<u>3,620.58</u>
3	<u>CITY CLERK'S DEPARTMENT</u>				
3-1	Salaries	15,637.83	10,511.33		5,126.50
3-2	Postage	45.00	85.27		40.27 o/d
3-3	Office Supplies	1,500.00	949.93	1,127.50	577.43 o/d
3-4	Membership Dues	15.00	5.00		10.00
3-5	Printing	200.00	564.07	6.50	370.57 o/d
3-6	Office Furniture & Equipment	100.00	22.90		17.10
		<u>15,497.83</u>	<u>12,193.50</u>	<u>1,134.00</u>	<u>2,165.35</u>
4	<u>FINANCE & ACCOUNTING DEPARTMENT</u>				
4-1-1	Salaries, Acct. & Treas. Div.	34,934.18	65,257.47		29,676.71
4-1-2	Salaries, Collectors Office	72,297.26	50,386.59		21,910.67
4-1-3	Salaries, Internal Audit Div.	17,792.67	13,373.03		4,419.64
4-1-4	Salaries, Purchasing Office	13,614.80	10,493.33		3,121.47

		APPROPRIATION	EXPENDITURE	TOTAL MONTHLY	REMARKS
4	<u>FINANCE & ADMINISTRATION DEPARTMENT CONT'D.</u>				
4-2	Postage	5,000.00	2,559.16		2,440.84
4-3	Office Supplies	2,500.00	2,325.61	87.77	18.62
4-4	Printing	6,100.00	1,788.29	106.05	1,207.66
4-5	Office Furniture & Equipment	11,000.00	3,965.02	5,108.57	1,926.41
4-7	Miscellaneous	1,000.00	1,482.72	61.50	541.22 O/D
4-8	Stationery & Supplies	2,000.00	670.83	760.13	569.04
4-9	Stores & Equipment	3,400.00	918.45	155.15	1,346.40
4-1-3	Salaries, Audit Div., 315 C	860.00	860.00		
	Total Including Appropriation Under 315 C	<u>252,403.71</u>	<u>157,078.50</u>	<u>6,289.17</u>	<u>63,106.04</u>
5	<u>SOLICITOR'S DEPARTMENT</u>				
5-1	Salaries	21,436.00	16,973.72		1,462.28
5-2	Postage	75.00	23.05		51.95
5-3	Office Supplies	250.00	309.06	46.25	404.31 O/D
5-4	Printing & Binding	1,275.00	458.63	38.03	771.29
5-5	Office Furniture & Equipment	250.00	482.00		232.00 O/D
5-10	Court Fees	150.00	17.73		132.25
		<u>23,436.00</u>	<u>18,673.26</u>	<u>61.28</u>	<u>1,721.46</u>
6	<u>ASSESSOR'S DEPARTMENT</u>				
6-1	Salaries	37,673.33	29,457.02		8,212.97
6-2	Postage	1,400.00	1,916.61		516.61 O/D
6-3	Office Supplies	3,433.00	1,403.86	503.27	1,577.87
6-4	Office Furniture & Equipment	115.00	330.03	27.40	248.75 O/D
6-1	Salaries, 315 C	1,200.00			1,200.00
	Total Including Appropriation Under 315 C	<u>43,879.99</u>	<u>33,123.57</u>	<u>530.67</u>	<u>10,225.75</u>
7	<u>PROBATIONERS COURT</u>				
7-1	Salaries	15,355.24	12,309.78		1,075.46
7-2	Postage	30.00			30.00
7-3	Office Supplies	400.00	133.07	35.92	231.01
7-4	Printing	170.00	77.49	18.00	74.51
		<u>16,985.24</u>	<u>12,520.34</u>	<u>53.92</u>	<u>1,410.98</u>

CODE NO.	ACCOUNT	APPROPRIATION	TOTAL EXPENDITURES	TOTAL VOUCHER ENCUMBRANCES	TOTAL BALANCE
8	<u>MISCELLANEOUS</u>				
		7,500.00	5,521.91	487.50	487.59
8-16	Advertising	15,000.00	8,581.14		6,418.86
8-53	Insurance	3,000.00	365.00		2,635.00
8-182	Travelling expense	2,000.00	1,825.77		74.23
8-183	Convention Expenses	10,000.00	6,436.46		3,563.54
8-184	Contingent	1,500.00	1,379.86		120.14
8-185	Trade Fair	5,000.00	5,013.35		13.35 O/D
8-186	Tourist Bureau Operational	5,000.00	3,357.69	42.35	1,599.96
8-187	Cost of Civic Elections	1,000.00	367.50		2.50
8-188	Assessment Appeal Court	700.00	27.01		672.36
8-189	Boat Premium	4,600.00			4,600.00
8-190	Printing Annual Reports	1,000.00	749.97		250.03
8-191	Registrar of Property Transfers	600.00			600.00
8-193	Mayor's Federation Fund	2,500.00			2,500.00
8-195	Slum Clearance	2,500.00	1,107.25		1,016.75
8-196	Duplicating Equipment	2,000.00			2,000.00
8-197	Printing Amendments to Charter	450.00	210.00		210.00
8-198	Revisors of Jury List	3,150.00			3,150.00
8-199	School for the Deaf	5,300.00			5,300.00
8-200	School for the Blind	350.00	355.00		11.00
8	Coronation Day Committee, 313 C	3,250.00	3,252.20		69.20 O/D
8	Halifax Natal Day, 313 C				
	Total including Appropriation Under 313 C	<u>78,300.00</u>	<u>40,657.20</u>	<u>529.85</u>	<u>35,712.75</u>
9	<u>POLICE DEPARTMENT</u>				
		328,780.57	322,161.54		41,618.13
9-1	Salaries	1,400.00	863.12	19.55	517.33
9-3	Office Supplies	225.00	215.59	5.91	3.17
9-5	Printing & Developing	250.00	273.70		23.70 O/D
9-6	Office Equipment	2,550.00	1,920.05	113.87	516.08
9-7	Miscellaneous	100.00	23.50		120.50
9-11	Garage Maintenance	2,350.00	2,593.95		256.05
9-12	Telegrams & Telephones	11,600.00	3,600.73	4,737.65	3,261.62
9-13	Clothing	13,825.00	9,255.01	171.57	4,009.39
9-14	Motor Maintenance	1,400.00	1,208.70		191.30
9-15	Prisoner's Meals				