

CITY COUNCIL MEETING
THURSDAY, Sept. 13, 1956

A G E N D A

Prayer.
Minutes.

1. Public Hearing Re: Rezoning Ben's Ltd Property Pepperell and Shirley Streets.
2. Ordinance #50 Respecting Minimum Standards for Housing Accommodation (2nd Reading).
3. Carson Property - North Street.
4. Traffic Control - Windsor Street and Quinpool Road.
5. Accounts over \$500.00
6. Widow's Allowance - Mrs. Frances Ryan - \$750.00.
7. Grafton Street Parking Lot Additional Levels. (Deferred)
8. Cost of Development City Prison Lots. (Deferred)
9. Questions by Aldermen.
10. Undersized Lot - 73 Stairs Street (Recommended).
11. Date for Hearing Rezoning Lots Windsor Street.
12. Naming of Street (Clinton Lane)
13. Tenders for Equipment Works Department.
14. Easement Lane to Clinton Avenue.
15. Legislation layout Street (Clinton Avenue).
16. Widening Young Street, Robie Street to Kempt Road,
17. Sewer Rehabilitation Connolly Street.
18. Rounding off S/W Corner Basinview Drive and Robie Street.
19. Purchase of Anti-freeze.
20. Renewal of Boiler Infectious Diseases Hospital.
21. City Solicitor's Resignation.
22. Legislation Three Year Term for Mayor.
23. Fire Station North West End.
24. Appropriation Spring Garden Road - Parking Lot - \$5,000.00.
25. Council Meetings.
26. Hearing Public Utilities Board Re: Extension of Water Mains and Services Edward Arab and Lloyd Fox Avenues.
27. Extension of Lease Bank of Toronto Building for City Collector's Office.
28. Railway Crossings City Limits.
29. Draft, Lease of Land adjacent to Sir John S.D. Thompson School.
30. Request Board of School Commissioners for Permission to engage an Architect to draw plans for a new school to replace Oxford School and also an addition to Q.E.H.
31. Request Board of School Commissioners Re: Janitors Salaries.
32. North End Parking Lot.
33. Thrashing Machine - City Prison.

DEFERRED ITEMS

Motion Alderman Ahern Re: Board of Assessors.
Branch Library
Amendment to Ordinance #2
Motion Alderman Vaughan Re: Board of Review Job Evaluation.

ITEMS FOR INFORMATION ONLY

Housing Conditions.
Tax Collections for Month of August.
Interest Rates.

EVENING SESSION

Police Court Chamber,
Brunswick Street,
September 13, 1956,
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, Abbott, Dunlop, Lane, Macdonald, Fox, Ferguson, O'Malley, Ahern, Wyman, Vaughan O'Brien and Greenwood.

Also present were Messrs. W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., H.L. Stewart, J.F. Thomson, L.M. Romkey, G.F. West, W.A.G. Snook, J.L. Leitch, V.W. Mitchell and Dr. A.R. Morton.

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

PUBLIC HEARING RE: REZONING BEN'S LIMITED PROPERTY -PEPPERELL & SHIRLEY ST

A Public Hearing into the matter of rezoning the above property from R-2 Zone to C-2 Zone was held at this time.

A report was submitted from the City Clerk as follows:

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

Following is a breakdown of correspondence received in connection with the application from Ben's Ltd. to rezone its property from R-2 Residential to C-2 Commercial.

AGAINST THE APPLICATION

1. Petitions dated June 9 and July 24/56 with 138 signatures -
- | | |
|------------------------|------------------------------------|
| 98 assessed | - 45 tax payers directly affected. |
| | 24 tax payers indirectly affected. |
| <u>40 not assessed</u> | <u>29 tax payers not affected.</u> |
| 138 | 98 |

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2. 51 letters of which 22 are directly affected.

FOR THE APPLICATION

1. Petition dated June 27/56 with 247 signatures -
133 assessed - 52 tax payers directly affected
- 51 tax payers indirectly affected.
114 not assessed 30 tax payers not affected
247 133
2. Petitions dated June 27 and July 10/56 with 1,864 signatures in various sections of the City - 36 affected.
3. 33 letters from various sections of the City of which 3 are directly affected.

From the Assessment Roll 99 tax payers
are directly affected in this area.

Shirley St. between Preston and Vernon Sts.
Chestnut St. first two houses,
Walnut St. "
Garden St. "
Vernon St. " on either
side of Shirley St.
Preston St. between Norwood and Pepperell
Sts.

From the Assessment Roll 82 tax
payers are indirectly affected
in this area.

Pepperell St. and Shirley St.
between Robie and Vernon Sts.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Mrs. M.B. Fineberg of 108 Shirley Street submitted and read a brief against the rezoning application.

Mrs. Catherine Edgar of 102 Shirley Street addressed the Council as follows: "I have been a resident for 44 years. My opinion is that a factory no matter how beautifully it is arranged and how well appointed the surroundings are is still a factory. I think a factory on Shirley Street is bound to depreciate the value of the properties."

Mr. R.A. Kanigsberg, Q.C. addressed the Council as follows: "I represent several persons in the immediate area. These people feel this is an encroachment on their rights. Their rights should be respected. These people see no reason why a commercial zoning should apply to a residential section which is in the very heart of the residential area. It is to suit one person or one firm at the expense of a great many persons who live in that district. The rights of so many people should not be disrespected in order to bow to the wishes of one individual. He has received one extension already. These persons feel if Ben's find it too difficult to maintain their plant, he should move and

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not the persons. The place opposite their plant is a disgrace to persons living in the neighbourhood on Pepperell Street. There is a great feeling that the Council is a rubber stamp to large interests. That non-conforming use enables Ben's to carry on their plant and if they argue that the non-conforming use should be changed to Commercial, then there is a reason which should be given to the public at large. It is on record by the Town Planning Engineer that he is against this change and feels this is an unwarranted encroachment on the Town Planning and Zoning Regulations. I find that the property owned by Ben's Ltd. on Pepperell Street is vaster than that on Shirley Street. There are 12,000 sq.ft. on Shirley Street as compared to 28,000 sq. ft. on Pepperell Street. There is plenty opportunity afforded to them to expand on Pepperell Street."

At this point Mr. Kanigsberg stated that he had been directed by the persons he represented to raise an objection to a certain Alderman voting on this question as he had been buying property in the area under discussion and would be personally interested.

Alderman DeWolf: "I would like to have a ruling and I would like to know specifically what Mr. Kanigsberg means?"

His Worship the Mayor: "Whom were you alluding to?"

Mr. Kanigsberg: "I was alluding to Alderman DeWolf and his firm."

Alderman Lane: "I have not been buying any land in that area."

Alderman DeWolf: "On the zoning of Ben's Ltd. on Shirley Street, was there any property or apartments built in the R-2 Zone in that immediate zone that you know of where the people put 6 apartments on a lot that is entitled to have only 2 or 4? Do you happen to know? These people do not want the zoning changed. I believe there is one such apartment house there that is on a lot that is undersize. I suggest that this is my concern whether I should vote. I want to know what effect the property in question has as far as myself or my business. There has been an allegation that I should not vote because I was associated with property. I want to know what property. If there is no answer it seems this must be a kind of a smear campaign."

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Mr. Kanigsberg: "I understand and I have spoken to you on this matter that you have been associated with buying properties for Ben's Ltd. on parts that are under discussion tonight."

Alderman DeWolf: "No."

Mr. Kangisberg: "There are 2 properties that are being changed to C-3."

Alderman DeWolf: "I sold 2 properties to Ben's Ltd. on which I received a fee from the vendor which is my natural type of business. As far as any other property on Shirley Street is concerned I have nothing to do with it. One of our representatives approached an owner and he asked Mr. Moir if he would consider buying that property. He said he did not know. My representative indicated to me that the price at which the property might be purchased was \$45,000.00 for a house worth about \$15,000.00. That is one Client who you represent. Any agency I might have had naturally ceased. This particular property is not one that is presently being asked to be rezoned. I have no personal interest. I am not an agent for Ben's Limited. I have been in the past. Perhaps I might have sold a property 10 years ago. Is that going to debar me from voting? Will the City Solicitor give a ruling?"

His Worship the Mayor: "He will give it before the vote is taken."

Mr. Roy Sullivan of 107 Vernon Street addressed the Council as follows: "I would like to add a voice of protest against the rezoning. I have been there for the past 24 years. I can't help but feel if this rezoning is going to be changed to C-2 it will not be too long before we will be in the slum area. I would like to object on those grounds. I feel if they want to expand why not let them continue on Pepperell Street."

Mr. Carl Taylor of 123 Shirley Street addressed the Council as follows: "I do not want to sell my home. I want to live in it peacefully. I said to Mr. MacMillan an agent representing the firm of DeWolf and Kelly the only reason I would sell is if I was forced to sell but for no other reason and I also said to him I would pay Mr. Ben Moir \$2,000.00 if he would buy down and die."

Alderman Lane said that some of the remarks were unchristian and an insult to the Council's intelligence.

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Mr. Carl Taylor: "I explained to Mr. MacMillan that my price was ridiculous and knowing Mr. Moir, he would not accept it."

Mr. R.F. Eaton of 126 Shirley Street addressed the Council as follows: "We bought that property 3 years ago after living in an apartment for 17 years, Mr. Hemming assured me I was getting as much value according to the price and we were satisfied with his advice. One of the points I brought up with Mr. Hemming at the time was the outlook. We had Mr. Moir's property across the street. We were told that properties across the street would never be changed in view of circumstances. We purchased the property. In 3½ years we spent half as much again on improvements. Where does one fit? Now I find that the whole thing can be kicked out of gear by making it a commercial property. If this goes through I can expect a garage or a laundry next door to me or in the next block. There is one thing I hear a lot about and that is slum clearance. I read about it. There has not been an awful lot done. I find that a lot of your big business has been moving out to Kempt Road and Lady Hammond Road. I understand the Canadian General Electric and the Northern Electric Companies are seriously considering moving out there. Don't you think you are going to create something in rezoning the area in which we happen to live at the present time? What about the tax payers money which is invested in 3 schools in the immediate area. There are no playgrounds. Down the street you have the Arena. It was condemned when I played hockey years ago. Now the termites have taken over and that might be a garage. I hope you will give us some consideration."

Mr. J.P. Sherdian of 34 Shirley Street suggested that the report of Professor Stephenson be received before finalizing the matter of the rezoning under discussion.

Mr. L.H. Potter of 187 Oxford Street submitted and read a brief in support of the rezoning application.

Mr. David Condon of 123½ Vernon Street addressed the Council as follows: "I would like to speak on the valuation of the property. I find that Ben's has increased the value of the property in the immediate vicinity. For an example, just two weeks ago a property which I have an interest in was sold for 4 times the cost of building it. I feel that Ben's is a credit to the neighbourhood

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because it is kept spotlessly clean. I think it is more of beauty than an eyesore. If I had a home next door to Ben's and I was approached to sell it I feel I could get a price to build a nicer house than would be next to Ben's in a nicer neighbourhood and just as convenient in all ways. I would like to own some property next to Ben's as I feel I would be paid a price to purchase in a nicer neighbourhood. I think that is a point that should be taken into consideration. I can assure you that the price that Ben would pay me, I could buy a place in a nice spot in Halifax. Maybe 10 times nicer. I think that is a pretty good point. I don't think the properties on Shirley Street are the choicest in the Halifax residential district. I think a lot of people on Shirley Street across from the Arena bought land and built because of the price. I would say they could get about 3 times what they paid for the property. I recall my father being offered the whole block of land for \$3,500.00 from Vernon to Robie Streets. I think that most of the people bought and built there because of the price. I think eventually it will all be commercial in the near future. We just sold the property on the corner 2 weeks ago."

His Worship the Mayor: "Has that property been sold that you formerly had an interest in?"

Mr. Condon: "Yes."

His Worship the Mayor: "Then you have no interest in it."

Mr. Condon: "I will be getting my share of the money out of it."

His Worship the Mayor: "If you have no voice in it you have no point."

Mr. Condon: "I have an interest in the Arena. I think the City should step forward with progress."

Mr. L.A. Trerice of 138 Shirley Street addressed the Council as follows: "I live across the street from where this work will go on. I can't help but think a principle is involved. I feel I would give that Company or person a fair amount of leeway. I don't know the man personally at all. I was not asked to speak by anyone. I would not like to see nearly a million dollar business closing up and going elsewhere. I feel there might be a serious miscarriage of justice if persons prevent this worthwhile thing going through into another step to its completion. I expect that property of mine to go up a few pennies."

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Mr. D.A. Ferguson of 155 Shirley Street addressed the Council as follows: "I have resided on Shirley Street longer than any other person living on that street at the present time. Any other persons who have come, have come knowing full well that a bakery was there. It has been there since 1896. It has increased and I trust it will expand further. It will be an asset to Shirley Street. Increased traffic I cannot see. Mr. Moir has arranged for off-street loading which will be a great asset. People have mentioned the Junior High School on Preston Street being built in a place away from all traffic. I beg to state that Cornwallis Junior High School is built on one of the busiest arteries leading from Quinpool Road. I heartily endorse the rezoning of Shirley Street and the extension of the plant."

Mr. W.H. Jost of the firm Burchell, Smith, Jost, Willis and Burchell appeared on behalf of Ben's Ltd. and addressed the Council as follows: "Here is an artist's drawing of the proposed plant. There are no doors on Shirley Street. Traffic will enter on Pepperell Street. Traffic will be reduced on Shirley Street. All of those properties in the plan have been in the family for a long time. Mrs. Fineberg stated she represented 90% of the residents on Shirley Street. Mr. Kanigsberg said he represented a great many. One petition is signed by a number of people who opposed the application. According to my count between Preston and Vernon Streets you will find that 46 people in that area opposed the application. You will find that another petition has been filed in favour of the application and that has been signed by 76 person living on Shirley Street."

Alderman Macdonald: "The figures I received shows 52 for the application that are directly affected. These are the figures coming from the City Clerk's Department."

Mr. Jost: "We were led to believe that a great mass of people were bitterly opposed but we will learn that that is not so. There are some people who feel they are against it and some for it. It is true that Ben's Ltd. owns property on Pepperell Street. It is used for parking by their employees. They have around 110 employees in that plant. Most of those employees have to come in at 4:00 or 5:00 A.M. . Within the last couple of years the expansion of this

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Company has been so great that they could not load the vehicles taking products from the plant and starting about 1:00 P.M. in the afternoon the employees have to take their cars out of that lot and put in trucks for loading as that is the only available place for it. The first objection to building on Pepperell Street is that you have a public street and you would have to build a tunnel or bridge. If you divide the operation by City Streets, the economics of the operation work against. If it is the sense of this Council that the application of Ben's Ltd. has merit, I would think that this Council could recognize that merit by granting that application and that each application that will come after will be dealt with on its merits as it has been in the past. The residents don't like a bakery in their vicinity but they have had it there since 1896. The majority of people there now came with the bakery in existence and knew of it. They are asking that the bakery get out altogether. Any Zoning By-Law cannot be like the law of the Medes and Persians, without change. This business has meant a lot to the economic life of the City. There are 135 employees; their payroll is half a million dollars a year; 35% of its products are used in the City and 65% are sold outside. The only way expansion can take place is in the area that is asked for in the second part of the application. They need a new piece on their existing building and the only place that can take place is on Shirley Street. I submit the question before Council is whether this enterprise either has to be allowed to go ahead or it will be so stifled that it will have to seek space elsewhere. Do you allow it to expand on the site it has occupied or do you drive it out? You will find some 1,800 persons or firms have signed a petition that you give consideration to Ben's Ltd. The question of whether that business should be defeated because of the residents in the immediate area, opinion is divided there. Apparently this is so near the margin that opinion of those who live there is not solid one way or the other. I submit that you can only come to one conclusion that nothing substantial enough has been shown to stand in the way of the economic development of one of the City's oldest industries."

His Worship the Mayor: "The Town Planning Act lays down an iron clad procedure you must follow. The Act says where there is more than 20% of persons who are directly affected and show their opposition, it requires a two-thirds

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majority of the Council to carry the vote. Two-thirds means of the entire Council. That is 9 votes. You need only concern yourself with those that are against."

The City Solicitor then read Section 32 of the Rules of Order of Council which dealt with the matter concerning Alderman DeWolf's eligibility to vote on the question under discussion and stated: "There is a principle of law involved in the interpretation of Statutes that where a word capable of having a general meaning follows a series of words which have a specific meaning that the word having the general meaning is to be limited in its interpretation so that it will relate to the same general class as do the words of specific meaning. In this section we have the words 'solicitor, counsel or agent'. The two specific words are 'solicitor and Counsel'. These words in my opinion deal with a particular type of relationship and the meaning that must be attached to the word 'agent' is one that would give the word 'agent' a meaning similar to that which is attached to the words 'solicitor' and 'counsel'. In other words, the meaning that must be attached to the word 'agent' is the same that would be attached to a person having the relationship of 'counsel' or 'solicitor'. Under these circumstances, therefore, I cannot say that Alderman DeWolf is disqualified from voting."

Alderman DeWolf: "I am not agent in any way, shape or form for Ben's Ltd. It is true that I sold them 2 properties on Shirley Street but I am not agent for Ben's Ltd. My agency ceased the minute those properties were purchased."

Alderman Macdonald made three different motions which were negative in their sense and none received a seconder

His Worship the Mayor said he would accept an affirmative motion.

Alderman Ferguson felt that the rezoning of Shirley Street should be dealt with first and the non-conforming use considered next.

Moved by Alderman Dunlop, seconded by Alderman Lane that all that lot of land on the South Side of Pepperell Street in the City of Halifax and now completely occupied by Ben's Ltd. main plant building, and existing as a non-conforming use, be rezoned as C-2 (General Business Zone).

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Alderman Dunlop: "I voted against this the last time because the Council had refused to rezone the Dominion Stores lot on Quinpool Road and I voted against that lot. They bought it as residential property with the intention to use it for commercial purposes. Since that time, against my vote, Council has granted that permission and I therefore feel free to look upon Ben's application in a different light than before. I don't know Mr. Ben Moir but I understand that he is a local man. He wants to expand and I don't know why when a man wants to put money out to expand why we should have so much opposition. What do the people of Halifax want industry to do. With a budget of \$10,000,000.00 they would not have their homes 3 years. For 14 years the residential rate was frozen and the businessmen were the ones that contributed. I deplore the exaggerations made here this evening. One solicitor said we were rubber stamps for big business. In making this motion I am conscious this is not going to stop here. I believe within one or two years we will have an application to extend the area. I foresee the time when all that area will be commercial. Two years ago this Company made an application to the Town Planning Board to commercialize the area shown on the map in red. There was not one person who appeared in opposition. It was fully advertised according to the law and nobody came. That was the time the residents should have made their opposition. This issue affects all the citizens of Halifax. We have to look as Aldermen at this whole issue in a different light than the people who live right there. When this becomes a commercial area there is no guarantee that Ben's will continue to run a bakery and there might be some other type of business. The Building Inspector has the power to refuse the occupancy permit if he thinks the business will deteriorate the locality and that power has been exercised in the last few years."

Alderman Ahern referred to Mrs. Fineberg's statement concerning Brunswick Street being in a slum area and said that at one time many Doctors and Lawyers lived on that street and some were still there. He then spoke in connection with Ben's Ltd. application for rezoning as follows: "I don't think there is any need for alarm. I would be the first to kick. I think that Ben Moir has kept that place in A-1 condition. I think the people are unduly alarmed. Let

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us point to Coca Cola Ltd. on Lady Hammond Road. I think that has improved the section. I am supporting the petition of Ben's Ltd."

Alderman Macdonald: "I would like to speak against the motion. There is a confliction with respect to the number of years the plant has been there. One person said Ben's was there for 40 years. Ben's representative said they were established in 1896 which is 60 years. There seems to be an impression that the opposition to the rezoning is motivated by some selfish interest of the people on Shirley St. I can say that nothing can be further from the truth. All residents on Shirley Street have had a great respect for the chief of Ben's Ltd. This affects the residential home owner and it concerns them. The area is now R-2 which is the second best. The permitting of this zoning would adversely affect the whole character and harmony of Shirley St. to Jubilee Road. The average assessment of property on Shirley Street is approximately \$13,000.00. I would like to refer to an editorial in the paper. There seems to be a reversal of the stand they have been taking for so many years. Some people have said that property values would go up if this commercial enterprise went on Shirley Street. I would like to ask the City Assessor if that is so."

City Assessor: "Normally residential property adjacent to a commercial enterprise will have an obsolescence on it. The degree depends on the type of business that is being done in the commercial property. For example where the Arena is the obsolescent factor, in our opinion, extends to 5 properties to the east of the Arena and property fronting on Shirley Street because of the type of operation being conducted at the Arena. A lot depends on the opinion of the Assessor in making his assessments."

Alderman Macdonald: "It is agreed that residential properties do decrease according to the statements from the City Assessor." He then made the following points: "This is a matter which directly affects a great number of home owners in the area and naturally they are greatly concerned about this proposed rezoning. Every citizen and tax payer have rights in this democratic land of ours; the right to oppose and protest something which is going to adversely affect those rights. The creating of a commercial zone

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in the midst of this good residential area where there are no other commercial establishments, is to my mind a direct encroachment on the rights of these people. That is why a large number of the residents from the area are appearing here tonight as good citizens and tax payers to protest this rezoning, not for selfish reasons but to try and protect their rights and preserve the character and harmony of the area and the homes in which they live and own. Referring to an editorial in the local newspaper a day or two ago suggesting that the time might have arrived when we should start penetrating into good residential areas for expansion of industry, I could not agree with them less at this particular time. In the first place we have ample space in our already dilapidated and so-called slum areas and industrial zones to accommodate all the industry we might expect to get for many years to come without creating more slums which is costing the tax payers hundreds of thousands of dollars to eliminate. On the other hand we have absolutely no room for residential expansion. Not even room to get a good breath. So why endanger further our good residential sections right in the very heart of our City. While we all realize we have to have industry and commercial enterprise to maintain our economy, we also must realize that no City can survive and prosper without people, good homes, good planning and pleasant surroundings. Without people business cannot survive so we could have a derelict City. I am of the firm belief that good planning is more essential today for the proper development of our City than ever before in the history of Halifax. The City employs a Professor and a qualified Town Planning Engineer to guide us in our thinking on Town Planning and Zoning matters. He has strongly recommended against this rezoning. If we cannot accept his professional opinion and recommendations then I suggest that we take our guidance from the local newspaper and save the tax payers a lot of money. I feel we should consider very carefully the position of the residents in the area who are opposing this rezoning. They are small investors compared to Ben's Ltd. but their investments mean a great deal to them as home owners. The preservation of our good residential areas I think is of vital importance to our City."

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Alderman O'Brien: "I would say that the Zoning By-Law is something that needs protection in the City and that spot zoning if there is enough of it will invalidate the whole law. If we agree to spot zoning it must be in rare circumstances and not repeated several times in a year. In this case we have a request for an increase of industrial expansion versus protection of the Zoning By-Law. In the Town Planning Board I suggested the possibility of developing the north side of Pepperell Street. There was no support. The argument that it would be uneconomical seems to me to be important. I feel we must permit the industrial expansion in a way which will keep the business efficient. I no longer think it advisable. The other possible compromise which makes sense is to vote for the Shirley Street rezoning but to oppose the application on Pepperell Street in order to keep that portion of the plant non-conforming so that at any time the plant is sold the City has some kind of control of a fair part of that building. I intend to vote against the first motion and to vote for the Shirley Street application."

Alderman DeWolf: "I am going to assume that 10 properties would be affected by an obsolescence. I think that is generous. Assuming that the properties are assessed at \$15,000.00 that makes \$150,000.00. If the allowance is 10% that is \$15,000.00 at \$1.40. That takes out of the coffers of the City \$210.00. What is the assessed value for the buildings?"

City Assessor: "The main plant is \$312,900.00."

Alderman DeWolf: "We will say that this plant will be only one third so I assume that it will be assessed at \$100,000.00 so with the \$4.75 rate and 50% for occupancy he will be paying \$7,000.00 per year. It is too bad we lose that \$210.00 but we get \$7,000.00. It will be a tremendous gain."

Alderman O'Malley: "I have given serious consideration to this application during the past two days. On the first application I supported it. I have been on most friendly terms with Mr. Moir ever since we were young men. The last thing I would care to do would be to vote against the application but at the same time I must be fair to the residents of that area and to myself. You will recall that when this application was turned down we had a request from the residents to secure legislation to change the Town Planning Act which now

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permits an application considered in the negative to be brought forward after 2 months and the legislation they wanted was for 12 months. When that was dealt with the Solicitor was instructed to draft such legislation. Later he advised us it was not necessary to have legislation but rather an amendment to the Rules of Order of Council would be sufficient. The first reading of the amendment had been passed by the Council. When the second reading came forward the motion was made to defer this matter for 3 months. The objection I take now sir is that no directive was given by the Chair or the Solicitor to this Council that in effect they were washing out the change of the Ordinance. Where it has already been mentioned that we have engaged Professor Stephenson to make a survey I feel this matter should be deferred until we have a report from him then the whole matter could be settled.*

Moved in amendment by Alderman O'Malley that this matter be deferred pending receipt of a report from Professor Stephenson on the results of the survey of this City.

There was no seconder to this amendment.

Alderman Vaughan: *Having listened to the arguments advanced by both sides I am now of the opinion that I should support and I am going to support the suggestion of Alderman O'Brien. Ben's are here to stay. Objections were raised regarding difficulties arising out of increased traffic conditions on the street. As I see it the construction of the building is going to produce additional tax revenue to the City. Two days ago we were discussing in the Industrial Commission the results of a trip made by Mr. Post and the efforts of Your Worship in Ontario to attract industry here. We have been visited by two representatives of companies who hope to be here. We can't find land to offer to the industries wanting to come into Halifax. There are lands in the County area but they are not to the advantage of the City of Halifax. I am sure that this action of Council will be noted by representatives of companies who are coming here upon our invitation. It will be noted that this City does not want business. Mr. Jost said that some people want to move Ben's out and there were cries from the back of this room 'no no'. I think we should support the application with respect to the rezoning on Shirley Street and to retain the right or measure of control we have over this enterprise on the present

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location but maintain the present non-conforming use as it exists now."

Alderman Macdonald: "I gathered from what Mr. Jost said that they own 28,000 sq. ft. on Pepperell Street across the street from the present establishment with 22,000 sq. ft. open space. I took it that Bank's would rather jeopardize a whole neighbourhood to the south rather than inconvenience himself on the north side of Pepperell Street where there is enough land to take care of it. I think obsolescence will increase as time goes on. I think that has been the case in many instances."

Alderman Wyman: "I would suggest that the residents on Pepperell Street would be affected."

Mr. Snook: "The proposed change is going to have a far greater effect on Shirley Street therefore I listed Pepperell Street only to a minor degree."

Alderman Wyman: "I do think as far as the second part of the application is concerned, surely that does not affect the people on Shirley Street and affects the people on Pepperell Street very little but changing the plant on the Pepperell Street side would affect the people there. In reviewing these petitions in order to set up the figures was the matter of whether the same persons' names appeared on both, taken into consideration and was more than one person out of one tax paying property taken into consideration?"

Mr. Snook: "On the 1,800 names I did not attempt to check it but on the two smaller ones I did not notice any. I did not take each name and go through it. I don't think it has happened."

Alderman Wyman: "It seems to me that if when we finish this as Alderman O'Brien suggests, we are going to finish with a piece of commercially zoned property on Shirley Street; on the corner of Preston and Pepperell Streets; a lot on Shirley Street half residential and half commercial and a large piece on Pepperell Street which is non-conforming in a residential area. It does not seem to me to be desirable to have a mixture of that kind and it does not seem to me to be more of a protection to keep control over all of it. Is it not just as possible that the portions of Shirley Street or Preston Street might be purchased and made into the undesirable parts. I do feel that whichever way we deal with it, it would be much better to make it consistent throughout."

September 13, 1956

Alderman Dunlop: "I am sorry that this matter has to come here in the form of 2 motions. The area is all one. If the Council wants to turn it down, turn it all down. Who knows whether Ben's will be able to build on the piece of land marked non-conforming. Ben's Ltd. have an interest in this matter. This new proposal should be put before them. I appeal to my fellow Aldermen to do one of two things either pass them or throw them both out."

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

FOR THE MOTION

Alderman Fox
O'Malley
Ahern
Wyman
Greenwood
DeWolf
Dunlop
Lane

- 8 -

AGAINST IT

Alderman Ferguson
Vaughan
O'Brien
Abbott
Macdonald

- 5 -

A two-thirds vote being required.

Alderman Dunlop gives Notice of Reconsideration.

Moved by Alderman O'Brien, seconded by Alderman Ferguson that all that lot of land on the north side of Shirley Street in the City of Halifax known as Civic Number 127-135 Shirley Street be rezoned from R-2 Zone (General Residential Zone) to C-2 Zone (General Business Zone).

The motion was put and passed 11 voting for the same and 2 against it as follows:

FOR THE MOTION

Alderman Ferguson
O'Malley
Ahern
Vaughan
O'Brien
Greenwood
DeWolf
Abbott
Dunlop
Lane
Fox

- 11 -

AGAINST IT

Alderman Wyman
Macdonald

- 2 -

Council adjourned for a short recess at 10:30 P.M.

September 13, 1956.

Council reconvened at 10:40 P.M. the following members being present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Fox, Ferguson, O'Malley, Ahern, Wyman, Vaughan, O'Brien and Greenwood.

ORDINANCE #50 RESPECTING MINIMUM STANDARDS FOR HOUSING ACCOMMODATION 2nd ✓
READING

Ordinance #50 which was read and passed a first time at the last regul meeting of the City Council, and attached to Page 566 of the Council Minutes dated August 16, 1956 was again considered.

The City Solicitor submitted a revised definition of the word 'owner' and 'person' as follows:

(f) "Owner" means the person for the time being entitled in his own right or as trustee, mortgagee in possession, guardian, committee, agent or otherwise, to include any person purchasing lands under any agreement or contract and any person holding the same for a term of years of not less than ten years.

(g) "Person" includes any person, male or female, and any body corporate or politic, and the heirs, executors, administrators or other legal representatives of such person to whom the context can apply according to law.

Moved by Alderman Ferguson, seconded by Alderman Vaughan that the Ordinance be amended accordingly, read and passed a second time and forward to the Minister of Municipal Affairs for approval. Motion passed.

GARSON PROPERTY NORTH STREET ✓

September 6, 1956.

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

The attached letter from R.A. Kanigsberg, Esq., Q.C. respecting the Garson lot, North Street was submitted to the Finance and Executive Commit at a meeting held on the above date.

It was agreed to forward same to Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

August 25, 1956

Mr. W.P. Publicover,
Clerk of the City of Halifax,
City Hall.

Re: Garson Lot - North Street

Dear Sir:

September 13, 1956.

I understand that the matter of expropriation of the Garson lot on North Street has been deferred by City Council. I believe I am correct in saying that City Council on a previous occasion had approved the idea of expropriating this land in order to arrive at a land valuation not merely for this parcel of land, but for the other portions on this street.

If this land is not required for approach to the bridge, as some doubt has been expressed on this point, then it is only fair that the owner of this land be permitted to use this land for the erection of a modern apartment building. It will be recalled that long before there was any discussion of the City laying down a blue line on North Street at this point, my clients had applied for a building permit which was withheld pending a decision by the City. I, therefore, feel that it is unfair and unjust to prevent the owner from using this land; to pass building restrictions and deprive him of the use of the land without compensation therefor.

I would, therefore, ask you to bring this matter once again to the attention of the Council and that this letter be read and that the Council either permit my clients to use this land or else expropriate it.

I remain,

Yours very truly,

R.A. Kanigsberg,

His Worship the Mayor advised that by an amendment to the Motor Vehicle Act in 1956 the Provincial Government will pay the costs for highways which go through municipalities. He made reference to the fact that a proposed road would run from the Bridge to the Halifax Airport and in view of that he felt that the Provincial Government might be contacted with respect to the land at the Halifax Plaza and they could consider it. He also suggested that the City might apply to the Bridge Commission to see if this was not an approach within the meaning of the Act.

Alderman Ahern: "I am going to support the proposition tonight. I think we must look to the future. We must improve that section of North Street. Traffic is increasing at 5:00 P.M. It is tremendous. I would like to see the City continue expropriation proceedings to acquire that property."

Alderman Vaughan referred to a trip across the Bridge with His Worship the Mayor one day at 5:00 P.M. and the only objection they could see was the Brunswick Street traffic. He felt it would not be improved one bit by the acquisition of the property on North Street and Council should follow the suggestion of His Worship the Mayor.

Alderman Ahern: "Take it now while you have the chance."

September 13, 1956,

His Worship the Mayor: "I will take it upon myself to write the Department of Highways."

Alderman Abbott: "And the Bridge Commission."

His Worship the Mayor: "Yes."

TRAFFIC CONTROL WINDSOR STREET AND QUINPOOL ROAD ✓

September 4, 1956.

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

At a meeting of the Safety Committee held on the above date a report was submitted from the Chief of Police respecting the matter of Pedestrian traffic control at the corner of Windsor Street and Quinpool Road and advised that a Policeman would be detailed for traffic duty at this intersection at peak hours as it is felt that this is the only means of effectively assuring safe pedestrian crossings.

This Committee agreed to this suggestion and directed that the matter be forwarded to Council for its information.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

FILED

ACCOUNTS OVER \$500.00

To: His Worship, L.A. Kitz, and
Members of City Council.

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

Date: September 12, 1956.

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>
Finance	R.K. Kelley & Co., Ltd.	Insurance Premiums	\$2,043.57
	Province of Nova Scotia--Dept. of Provincial Treasurer	Amortization payment for City's share of cost for Vocational High School	16,876.05
	Rolph, Clark, Stone, Maritimes Ltd.	Financial Report 1955	580.80
Tourist	Wallace Advertising Ltd.	Balance of Guide Books and Tourist folders	1,707.38

September 13, 1956.

Natal Day	T.W. Hand Fireworks Co., Ltd.	Fireworks Display	2,000.00
Police	N.S. Society for Prevention of Cruelty	Payment authorized toward Pound Keepers' Salary	1,000.00
	Schooner Outfitting Co. Ltd.	Northproof Police Coats	816.00
Works	Canadian General Electric	Flamenol, Straps, Switches, Fuses, Stop Lock Panel, Breakers and Cables	618.36
	Craft Originators & Manufacturers	City crests, cement and roller	795.17
	Dominion Building Materials Limited	Concrete	3,691.00
	Halifax Forum Commission	Heat supplied Cossar's	4,000.00
	Public Service Commission	Operation of Arm Chlorinator for Junes, 1956	1,420.74
	Wm. Stairs, Son & Morrow Ltd.	Trane Heaters	1,013.07
T.B. Hospital	St. Regis Paper Co. (Can.) Ltd.	Multi Walls Bags	1,114.23
City Home	Foster Wheeler Limited	Retorts & Reflecting Plates	504.41
P.P. Park	Public Service Commission	Hydrants (Installing)	1,074.91
Emergency Shelters	Wm. Stairs, Son & Morrow Ltd.	Hot Water Tank	506.60
			<u>\$39,762.29</u>

W.P. Publicover,
Acting City Manager.

Moved by Alderman Fox, seconded by Alderman Ferguson that the report be approved. Motion passed.

WIDOW'S ALLOWANCE - MRS FRANCES RYAN - \$750.00

September 6, 1956.

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 Mrs. Frances Ryan, widow of the late Sgt. Peter Ryan of the Halifax Police Department be granted an allowance of \$750.00 per annum under the authority of Section 310H of the City Charter

Respectfully submitted,

W.P. Publicover,
CITY CLERK

September 13, 1956.

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

GRAFTON STREET PARKING LOT ADDITIONAL LEVELS ✓

This matter was deferred.

His Worship the Mayor: "It is my opinion that the Committee on Works might consider some person to look at parking buildings that are in existence in the New England States or Montreal. \$1,000.00 would be well spent."

COST OF DEVELOPMENT - CITY PRISON LOTS ✓

This matter was deferred.

VIOLATION PARTS ZONING BY-LAW

Alderman O'Brien: "With reference to the enforcement of Part #5 of the Zoning By-Law it has been alleged that there has been a violation of this. I have seen a letter written to the Pinhurst Association by the City Manager in which he states that one building is illegal. I understand the City Solicitor has written to the Commissioner of Works on it. I don't know how many violations there might have been. I have asked for figures but I have not received them. We should have all the facts presented to this Council with an explanation and a full report."

Mr. West: "I think the matter deserves a full explanation. The City Manager got that list of apartments. Through a certain ruling possibly there is room for an extra apartment but I will give a full report on it."

BICENTENNIAL FIRST ASSEMBLY OF THE BRITISH COMMONWEALTH ✓

Alderman Vaughan: "Your Worship a few days ago I discussed with you the possibility of some way of observing the Bicentennial of the First Assembly of the British Commonwealth. I would ask you to confer with the Provincial Government to see what they might want to do in conjunction with the City of Halifax."

His Worship the Mayor: "I think it is a splendid idea. I have written to Mr. Dickey requesting that he invite the British Commonwealth Meeting of 1958 to be held in this City and that he take up the matter of a postage stamp being struck. I will be glad to consider the Provincial Government as well."

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WIVES PAYING HOUSEHOLD TAX - LOSS OF VOTING RIGHTS

Alderman Ahern: "I received information that the women paying Household Tax would be deprived of that privilege very soon and they would not be entitled to vote in Civic Elections and that all taxes would be absorbed by the husband or owner of the house. Is that correct?"

City Solicitor: "That is purely a matter for the Assessor to determine who is the occupant. If he finds that she is the occupant, she should be assessed. If the husband owns the house and he maintains the house and his wife is there, the person occupying the house is the husband and he should be assessed for the occupancy tax."

Alderman Ahern: "Is that true that the wife is going to be eliminated?"

City Solicitor: "It is not by any change in legislation I can assure you of that."

Alderman DeWolf: "Suppose the wife is the owner of the furniture, does that not put her in a position to vote?"

City Solicitor: "I don't think it does actually."

Alderman DeWolf: "The only other way is to give the wife a deed as half owner."

RENTAL CONTROL COMMITTEE ✓

Alderman Ahern: "What has been done to set up the Rental Control Committee?"

His Worship the Mayor: "I could not say. I am not on it."

Alderman Ahern: "Will you have a meeting called?"

His Worship the Mayor: "I think the first named is charged with that responsibility."

The City Clerk was requested to call the first named and have him convene a meeting.

HALIFAX NATAL DAY 1957 ✓

Alderman Ahern: "Dartmouth is preparing for a 1957 Natal Day celebration. I feel down through the winter months we should prepare. The Committee should be appointed."

His Worship the Mayor: "I will put it on the agenda."

September 13, 1956,

CHILDREN WALKING ON RAILWAY BRIDGE RAILING ✓

Alderman Lane stated she had a call from a citizen about a 4 year old child walking along the railing bridge in the west end of the City. She asked who was the responsible party to see about this matter.

His Worship the Mayor: "I would say the parents."

PLAYGROUND CONROSE PARK ✓

Alderman Lane: "There is a playground in Ward 2 called Horsefield. The land belongs to the City and it is rarely used. I feel a survey of the use of it would be of interest to the Aldermen and citizens in general. I feel some action should be taken in this respect."

REPORT ON HOUSING CONDITIONS ✓

Alderman Lane: "With reference to Dr. Morton's report on Housing Conditions which was sent to us, there are certain definite properties named. What action is being taken by the Health Department? Will the houses be declared as unfit for habitation and are the tenants being removed?"

Dr. Morton advised that the health regulations had been adhered to and the rest was structural.

His Worship the Mayor: "It will be taken care of by our Minimum Standards?"

Dr. Morton: "Yes."

Alderman Lane: "The press have used it quite freely to smear the City. I think some action should be taken on those particular properties."

ARMDALE ROTARY INCREASED COSTS ✓

Alderman O'Malley: "What can you tell us pertaining to any increased costs of construction with respect to the Rotary?"

His Worship the Mayor: "I have no particular information."

Alderman O'Malley: "Is it a fact that the man-holes were improperly constructed and had to be re-built?"

Mr. West: "We are re-building an overflow whether the Rotary is there or not."

Alderman O'Malley: "Is it a part of our responsibility?"

Mr. West: "That is in our Capital Budget."

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His Worship the Mayor: "You say it is not a part of the Rotary costs at all?"

Mr. West: "No."

Alderman O'Malley: "Was the wall on Quinspool Road started, stopped, torn down and rebuilt?"

Mr. West: "I don't know of any starting and stopping other than for the scheduling of work."

Alderman O'Malley: "I hope we will not be faced with a submission from the Provincial Government to make a further contribution towards this work. There is an editorial in the paper asking that direction signs be put up."

Alderman Dunlop: "They were up at 5 P.M. today."

POLES ON ROTARY ✓

Alderman Fox: "I feel this Council should reconsider the decision to replace the poles made of wood. These wooden poles will not look so hot. I think it was an awful mistake."

Alderman Macdonald: "I feel very much in accord with Alderman Fox with respect to the wooden poles. I think it will be more hideous when wires get around there. The steel wires are underground."

His Worship the Mayor: "The N.S.L. & P. Co., Ltd. say they have to have overhead wires for their coaches."

Alderman Macdonald: "I see places in Ontario and U.S.A. with no wires overhead. We have spent \$200,000.00 there and this will spoil the whole thing."

Alderman Dunlop: "They are as straight as steel poles and when they are painted you will not be able to tell them from the steel."

SALE OF LAND LLOYD FOX AVENUE ✓

Alderman Dunlop referred to the fact that land was sold to the Edgewood United Church on Lloyd Fox Avenue and he had given Notice of Reconsideration but as he was not present at the last meeting the City Solicitor gave as his opinion that same had to be dealt with at that meeting or else it had no effect. He asked how the matter stood at the moment. Were the full facts given to the Minister of Municipal Affairs and had he given his approval.

September 13, 1956.

The City Solicitor advised that in this particular case where it was part of the old Airport Property the approval of the Minister was not required. The majority of City Land sold required the approval of the Minister with the exception of the remaining portion of the old Airport Property.

Alderman Dunlop asked if the deal had gone through and had a deed been given to which the City Solicitor said he could find out.

Alderman Dunlop then gave notice that at the next regular meeting of the City Council he would move that the resolution passed by the City Council with respect to the sale of the land on Lloyd Fox Avenue to the Edgewood United Church be rescinded.

HOUSE ON CAMP HILL PROPERTY ✓

Alderman Dunlop: "I believe there was no permit given to build that house on Camp Hill property. If that building were built without a permit it should be taken down. There should be no residences on Camp Hill Property. We should not assess it. We should not recognize it. It should be taken down. It was built by a private person on the basis that he could not get a place to live in Halifax and on the basis that it was a temporary house. I would ask the City Solicitor to look into it."

LEGISLATION COVERING CULVERTS OWNED BY OTHER PERSONS THE CAUSE OF FLOODS ✓

Alderman O'Brien: "Could we have legislation drafted similar to that which was passed at our August meeting affecting the right of the Works Department to go on private property to fix sewers and so on. I am thinking of culverts owned by someone else which cause flooding conditions and dangers to health. I would like to see the City with authority to go on the property, fix the culvert and bill the owner."

His Worship the Mayor: "You could give that in a notice of motion."

Alderman O'Brien: "It is the culvert between Elliott and Spruce Sts."

He then gave Notice of Motion for the next regular meeting of the City Council.

QUALIFICATIONS FOR TAX PAYERS TO RUN FOR OFFICE OF ALDERMAN ✓

Alderman O'Brien: "There is a piece of legislation I would like to see and that is to permit actual tax payers to run for the office of Alderman

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even though they are not assessed. At one time I could not offer for Alderman because my taxes were in the name of the Queen. I paid them but I was not personally assessed. There are quite a number of persons buying under Agreement of Sale."

City Solicitor: "H.M. the Queen in my opinion is not a proper assessment and it should be in the name of John Brown. The method of assessment has been changed. I think that difficulty will be overcome."

STONE AND OIL PROGRAM 1956 ✓

Alderman O'Brien: "Will the stoning and oiling program be completed as it was laid out or will there be any cancellations or substitutions?"

Mr. West: "If we cannot complete the program we will come back asking permission to include another street."

INCINERATOR SITE ✓

Alderman Wyman: "At the last meeting of the Council I discussed a picture of a City Office Building and Incinerator. I noticed it caused considerable comment in various places. It had a considerable number of points in it. I would like to have some assurance that the administrative Department of the City will look into the question from the various points of view that I included and make a report at their convenience."

AMENDMENT TO ZONING BY-LAW R-3 ZONE TO INCLUDE FUNERAL HOME ✓

A request was submitted from R. A. Donahoe, Q.C., M.L.A. on behalf of Mr. Robert Lindsay of the Lindsay Funeral Home to amend the Zoning By-Law R-3 Zone to include a funeral home as one of the uses of the land in such zone.

The matter was referred to the Town Planning Board for a report..

BRANCH LIBRARY ✓

His Worship, the Mayor stated he had received a letter from Miss Cameron of the Halifax Regional Library requesting a site for a branch library. He said he would confer with the City Clerk to have this item placed on the agenda for the next Council meeting in September.

REGENERATION FOR MRS. MALLIAN RASNEY AND INSPECTOR E. H. H. ✓

As the above named had been superannuated on 2 September 1956 and a request for from the Chief of Police for a supplementary grant. Both had

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been deferred until the November meeting of the Finance and Executive Committee, a letter was submitted by His Worship the Mayor from the Police Association requesting consideration for them as far as financial assistance was concerned until the time their supplementary grant is finalized.

Moved by Alderman Ahern, seconded by Alderman Vaughan that these employees be carried on the payroll for another month and that the Chief of Police be free to secure replacements. Motion passed.

UNDERSIZED LOT - 73 STAIRS STREET ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Engineer.
Date: Sept. 4th., 1956.
Subject: Undersized Lot - 73 Stairs Street.

At a meeting of the Town Planning Board held on the above date, the Town Planning Engineer recommended approval of a request to erect a single family dwelling on a lot 33' x 100' at #73 Stairs Street.

The Board concurred in the recommendation.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..J.B.Sabean,
Clerk of Works.

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

REZONING LOTS WINDSOR STREET - DATE FOR PUBLIC HEARING ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: Sept. 4th., 1956.
Subject: Request to Rezone Six Lots - North End of Windsor Street - R2 to R3

At a meeting of the Town Planning Board held on the above date, the attached report from the Town Planning Engineer was considered.

The Board recommended that this be referred to City Council to set a date for a Public Hearing.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per J.B. Sabean,
Clerk of Works.

September 13, 1956.

To: His Worship the Mayor and Members of the Town Planning Board,
From: W.A.G. Snook, Town Planning Engineer.
Date: August 27th, 1956.
Subject: Request to rezone.

Your Worship and Members:

Attached is a request to rezone six lots of the north end of Windsor Street on the east side from R2 Zone (general residential zone) to R3 Zone (multiple dwelling zone)

I have examined the site and feel that this would be a harmonious move and would recommend the Board refer a report of approval to City Council and that a date be set for a public hearing.

A portion of Windsor Street is now R3 zone and also all of Strawberry Hill; this request would combine nicely with the first and will hasten the development of this portion of Windsor Street.

Respectfully submitted,

W.A.G. Snook,
Town Planning Engineer.

Moved by Alderman Vaughan, seconded by Alderman Greenwood that the report be approved and Council fix Thursday, October 25, 1956 at 8:00 o'clock P.M. in the City Court Chamber, Police Building, Brunswick Street, Halifax, N.S. as the time and place for the hearing in this matter. Motion passed.

NAMING OF STREET - CLINTON LANE ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: Sept. 4th, 1956.
Subject: Street Name - Clinton Lane.

At a meeting of the Town Planning Board held on the above date the Town Planning Engineer recommended that the new roadway running between Chebucto Road and Clinton Avenue be named Clinton Lane.

The Board approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per. J.B. Sebean,
Clerk of Works.

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

TENDERS FOR EQUIPMENT ✓

September 13, 1956.

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: Sept. 4th., 1956.
Subject: Tenders for Equipment.

The Committee on Works at a meeting held on the above date, confirmed its previous recommendation that the following Tenders be accepted.

A.E. FOWLES LTD.

5 Motor Trucks - Chassis and Cabs - \$18,723.25

Alderman Lane opposed.

INDUSTRIAL MACHINERY CO.

2 Front End Tractor Shovels. - \$36,296.00

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per...J.B. Sabean,
Clerk of Works.

Moved by Alderman Dunlop, seconded by Alderman Lane that the report be approved.

Alderman O'Malley: "This is the matter we requested to go to the Committee on Works and they come back with the same recommendation. In the instance of the trucks one of the higher tenderers also is in the position of having presented to us a tabulation as to cost which showed they were the lower cost operation. We must take into consideration the cost of operation. On the one hand you accept the lowest tender with respect to the machinery."

Moved in amendment by Alderman O'Malley, seconded by Alderman Ahern that the City purchase 2 International and 2 Mercury Trucks; 1 Hough and 1 Speedall Front End Tractor Shovels.

Alderman O'Brien: "I was willing to let it go in the Committee on Works. We had no new figures from the City Manager."

Mr. West: "I don't think it is fair the way this has been reported in the press. One would get the impression that bids were received on only two items and only four bidders were involved. We received tenders on 6 different items from a number of tenderers. All that appeared in any discussion is

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whether we should buy certain trucks and comparative costs of operation of two different makes. Why not consider all the tenderers instead of only two? We don't need dealers to tell us how much our equipment is costing us. Some figures appeared in the paper showing that operating costs in 2 years would make up the difference in the two tenders under discussion. I don't think we can overlook the fact that there is a difference of over \$4,000.00 in the truck tenders. As far as the loaders are concerned, I would strongly recommend against changing our original recommendation or splitting the tenders. We don't care who sells the equipment. All we are interested in mainly is performance and economy."

Alderman O'Malley: "With respect to these costs. If we go back in considering tenders before us, the matter was discussed as to the cost of operation. It was pointed out that the City Manager said 'we will produce costs as a guide to purchase'. As to the loader I understand what little difference there is in the specifications, it is rather an insignificant matter."

Alderman Greenwood: "At the last meeting I produced a memo which was signed by Mr. West and Mr. DeBard which stated that Ford products cost 60% more to operate than the International. It is only good business to buy a product that is much cheaper to operate. I suggest the Works Department make a test of the Ford, International and G.M.C. products and it will guide us in the future."

His Worship the Mayor: "It should be made clear that the Commissioner of Works is against splitting of tenders."

The amendment was put and lost 3 voting for the amendment and 10 against it as follows:

FOR THE AMENDMENT

Alderman O'Malley
Ahern
Greenwood

AGAINST IT

Alderman DeWolf
Abbott
Dunlop
Lanc
Macdonald
Fox
Ferguson
Vaughan
Wyman
O'Brien

September 13, 1956.

The motion was put and passed 10 voting for the same and 3 against it as follows:

FOR THE MOTION

Alderman DeWolf
Abbott
Dunlop
Lane
Macdonald
Fox
Ferguson
Vaughan
Wyman
O'Brien

AGAINST IT

Alderman O'Malley
Ahern
Greenwood

- 10 -

- 3 -

EASEMENT LANE TO CLINTON AVENUE ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: Sept. 4th., 1956.
Subject: Re: Easement - Lane to Clinton Avenue.

At a meeting of the Committee on Works held on the above date, the attached report from the City Solicitor relative to accepting deeds of land for a roadway from Clinton Avenue to Chebucto Road subject to an Easement held by the Nova Scotia Power Commission was considered.

The Committee recommended that Deeds be accepted subject to this Easement.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..J.B. Sabeau,
Clerk of Works.

To: His Worship the Mayor and Members of the Committee on Works,
From: Carl P. Bethune, Q.C., City Solicitor.
Date: September 4, 1956.
Subject: Re: Extension of Clinton Avenue.

Your Worship and Aldermen:

Some time ago the City Council agreed to purchase land from Mrs. Irva Dexter and Imperial Oil Co. Ltd., for a roadway from Clinton Avenue to Chebucto Road. On searching the title I find that the Nova Scotia Power Commission has an easement over both of these properties for their wires and the easement includes the right to erect towers, poles and supports. I have asked the Power Commission for a release of this easement but they are unwilling to give any such document but state in a letter dated August 26, 1956, that no additional towers will be erected in any manner detrimental to or to obstruct the proposed road from Clinton Avenue to Chebucto Road.

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It will be necessary for me to have Council's permission to accept deeds of these lands subject to this easement. Would your Committee, therefore, forward the same on to Council with your recommendation.

Yours very truly,

CARL P. BETHUNE,
CITY SOLICITOR.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved. Motion passed.

LEGISLATION TO LAY OUT STREET FROM CHEBUCTO ROAD TO CLINTON AVENUE ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works
Date: Sept. 4th., 1956.
Subject: Legislation - Layout Street - Clinton Avenue.

The Committee on Works at a meeting held on the above date, recommended that the necessary Legislation be obtained to construct a 20 foot roadway from Chebucto Road to Clinton Avenue as part of the Rotary.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per. J.B. Sabean,
Clerk of Works.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved. Motion passed.

WIDENING YOUNG STREET - ROBIE STREET TO KEMPT ROAD ✓

To: His Worship the Mayor and Members of City Council
From: Committee on Works
Date: Sept. 4th., 1956
Subject: Re: Widening Young Street - Robie Street to Kempt Road.

At a meeting of the Committee on Works held on the above date, the attached report from the City Engineer recommending that 1765 square feet of land be acquired from Imperial Oil Limited at a cost of \$882.50 to be charged to the Street Widening Account, was considered.

The Committee approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK

Per. J.B. Sabean,
Clerk of Works.

September 13, 1956.

To: His Worship the Mayor and Members of the Committee on Works.
From: Mr. A.C. Harris, City Engineer.
Date: September 4, 1956.
Subject: Re: Widening Young Street - Robie Street to Kempt Road.

In connection with the Pavement Renewal etc., to that portion of Robie Street from Macara Street to Livingstone Street, it has been found that a distinct improvement could be made by rounding off the southwest corner of Robie Street and Young Street.

In rounding off the corner it has been found that a better roadway width could be made for that short portion of Young Street, between Robie Street and Kempt Road, by widening the roadway to 40 feet. At this section of Young Street is located the North End Fire Station and it is recommended that the roadway be widened and land be acquired.

We contacted the Imperial Oil Limited and found that they are willing to co-operate, have agreed to the proposed widening, and are prepared to accept the sum of 50¢ per square foot for the land desired by the City. The area needed is 1765 square feet which makes the amount of consideration \$882.50. This is considered a reasonable price since the assessment is \$1.00 per square foot and it is recommended that the City acquire the necessary land, the funds for this purpose to be charged to the Street Widening Account. The understanding being that the City do the necessary legal work, prepare the necessary documents, and that the land be acquired from the Imperial Oil Limited or whoever the owner a subsequent search may reveal.

A.C. Harris,
City Engineer.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved. Motion passed.

SEWER REHABILITATION CONNOLLY STREET ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: Sept. 4th., 1956.
Subject: Sewer Rehabilitation - Connolly Street.

At a meeting of the Committee on Works held on the above date, the Commissioner of Works recommended that about 350 feet of sewer on Connolly Street be relaid with a concrete mat under it. Estimated cost \$5,000.00 chargeable to Sewer Rehabilitation.

The Committee approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per. ...J.B. Sabean,
Clerk of Works.

September 13, 1956.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved. Motion passed

ROUNDING OFF S.W. CORNER BASINVIEW DRIVE AND ROBIE STREET ✓

To: His Worship the Mayor and Members of City Council
From: Committee on Works.
Date: Sept. 4th., 1956.
Subject: Rounding off S.W. Corner of Basinview Drive and Robie Street.

At a meeting of the Committee on Works held on the above date, the attached report from the City Engineer recommending that a small portion of land from lot 29 of the Hartlen Subdivision be acquired from the Halifax Relief Commission, or whoever the Owner a subsequent search may reveal, for the nominal sum of \$1.00, was approved and recommended to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per J. B. Sabean,
Clerk of Works.

To: His Worship the Mayor and Members of the Committee.
From: Mr. A.C. Harris, City Engineer.
Date: September 4, 1956
Subject: Rounding off S.W. Corner Basinview Drive and Robie Street - Acquisition of Land Halifax Relief Commission

In connection with our curb and gutter installations at Basinview Drive and Robie Street, it has been found that a far better intersection could be obtained by rounding off the corner on the southwestern intersection of Basinview Drive and Robie Street. In order to do this, it has become necessary to acquire a small triangular portion of land from Lot 29 of the Hartlen Subdivision, which is owned by the Halifax Relief Commission. We have contacted the Commission and find that they are prepared to convey the area desired for a nominal sum of \$1.00.

It is therefore recommended that the necessary land be acquired from the Halifax Relief Commission or whoever the owner a subsequent search may reveal and that the City prepare the necessary legal documents.

Plan RR-5-13502 shows the property and the rounding off of the corner.

A.C. Harris,
City Engineer.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved and the funds provided from the Street Widening Account

Motion passed

September 13, 1956.

PURCHASE OF ANTI-FREEZE ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: Sept. 4th., 1956.
Subject: Purchase of Anti-Freeze.

The Committee on Works at a meeting held on the above date, recommended acceptance of the Canadian Petrofine Limited offer to supply 310 gallons of Permanent Type Ethylene Glycol Anti-Freeze at \$2.15 per gallon.

Respectfully submitted,

W.P. Publicover,
CITY CLERK

Per: J.B. Sabean,
Clerk of Works.

Moved by Alderman O'Brien, seconded by Alderman Abbott that the report be approved. Motion passed.

RENEWAL OF BOILER INFECTIOUS DISEASES HOSPITAL ✓

September 6, 1956.

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

The Commissioner of Health reported to the Public Health and Welfare Committee at a meeting held on the above date, that the boiler at the Infectious Diseases Hospital is in such a condition that it must be replaced immediately.

It was agreed to recommend that the boiler be replaced.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Wyman, seconded by Alderman Fox that the report be approved and a tender of Crane Limited at \$472.69 accepted. Motion passed.

CITY SOLICITOR'S RESIGNATION ✓

Deferred until special meeting to be held September 27/56.

LEGISLATION THREE YEAR TERM FOR MAYOR ✓

Deferred until special meeting to be held September 27/56.

FIRE STATION NORTHWEST END ✓

September 4, 1956.

To His Worship the Mayor and
Members of the City Council

September 13, 1956.

A report from the City Manager respecting the proposed new Fire Station for the Northwest end was considered by the Safety 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, L.A. Kitz,
and Members of City Council.

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

Date: August 30, 1956.

Subject: Fire Station - Northwest End.

Chief MacGillivray and Mr. Dumaresq have been working on plans for this station. A diagram appears on the reverse. The station is modelled after the Oxford Street Station with variation to suit the lot which is not as confining as Oxford Street.

The apparatus room is designed to hold two pieces of apparatus exiting on Bayers Road and it is even possible to change the dormitory space to permit two more trucks to exit in the opposite direction. The building is designed all on one floor and should meet the need for twenty-five or more years.

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

Moved by Alderman Ahern, seconded by Alderman O'Brien that the report be approved. Motion passed.

APPROPRIATION SPRING GARDEN ROAD PARKING LOT \$5,000.00 ✓

September 6, 1956.

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 the sum of \$5,000.00 be provided under authority of Section 316 "C" of the City Charter for the purpose of developing a section of the Bellevue Property for a parking lot.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

The Commissioner of Works requested that the sum of \$6,000.00 be provided for this purpose rather than \$5,000.00 as recommended by the Finance and Executive Committee.

Moved by Alderman Vaughan, seconded by Alderman Lane that the request of the Commissioner of Works be approved. Motion passed.

September 13, 1956.

COUNCIL MEETINGS ✓

Deferred until special meeting to be held September 27/56.

HEARING PUBLIC UTILITIES BOARD RE: EXTENSION OF WATER MAINS AND SERVICES
EDWARD ARAB AND LLOYD FOX AVENUES ✓

Notice was given by the Board of Public Utilities that it would hear an application from the Public Service Commission for the extension of water mains and services on Edward Arab and Lloyd Fox Avenues on September 20, 1956.

The City Solicitor was authorized to attend the hearing.

EXTENSION OF LEASE BANK OF TORONTO BUILDING FOR CITY COLLECTOR'S OFFICE ✓

September 11, 1956.

To His Worship the Mayor and
Members of the City Council

The City Council at the last regular meeting authorized the leasing of a portion of the Bank of Toronto Building for a period of one month for the sum of \$750.00 to provide accommodation for the City Collector's staff while renovations are being made to the City Hall.

It now appears that it will be some weeks before that portion of the City Hall will be suitable to permit the return of the City Collector's staff. It is therefore, requested that permission be granted to extend the lease for a further period of one month (at the same rental) or until such time as the City Collector's staff can be returned to City Hall.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Abbott, seconded by Alderman Dunlop that the report be approved. Motion passed.

Alderman DeWolf stated that he wished to advise Council once again that he would not be receiving any fee in this case.

RAILWAY CROSSINGS CITY LIMITS ✓

Deferred until special meeting to be held September 27/56.

DRAFT LEASE OF LAND ADJACENT TO SIR JOHN S. D. THOMPSON SCHOOL ✓

A draft lease was submitted by the City Solicitor with respect to the above land.

It was agreed that within 60 days after the execution of the lease the Lessee would erect a fence around the land.

Moved by Alderman Greenwood, seconded by Alderman O'Brien that the Mayor and City Clerk be authorized to execute the Lease on behalf of the City.

Motion passed.

TAX COLLECTIONS MONTH OF AUGUST 1956

CIVIC YEAR	RESERVES	O/S BALANCE JULY 31, 1956	NEW ACCOUNTS & ADJUSTMENTS	AUGUST 1956 COLLECTIONS	O/S BALANCE AUGUST 1956
1954	74,386.95	206,773.64		10,249.97	196,523.67
1955	68,604.14	418,722.32		25,047.08	393,675.24
1956	83,040.92	1,628,243.87	Dr. 30,332.91	165,101.14	1,493,475.64
Tax Years Prior to 1954 (covered by reserves)				200,398.19	2,083,674.55
				<u>4,594.75</u>	
				<u>204,992.94</u>	
POLL TAXES					
1954		17,110.40		429.73	16,680.67
1955		11,232.77	Dr. 2.00	626.13	10,608.64
1956		68,968.52	Cr. 2.00	7,742.97	61,223.55
Poll Taxes Other than listed above				8,798.83	
				<u>463.93</u>	
				<u>9,262.76</u>	
Total Collections in August 1956				214,255.70	
Total Collections in August 1955				<u>356,446.84</u>	
Current Taxes Collected Jan. 1st. to August 31, 1956				6,001,563.94	
Corresponding Period 1955					6,015,623.57
Tax Arrears Collected Jan. 1st to August 31st. 1956				625,061.38	
Corresponding Period 1955					486,708.44
Poll Tax Collections Jan. 1st. to August 31st. 1956				54,308.69	
Corresponding Period 1955					54,336.93
				<u>6,680,934.01</u>	<u>6,556,668.94</u>
				<u>AMOUNT COLLECTED</u>	<u>JAN. 1st. to AUGUST 31st.</u>
					<u>%</u>
Tax Levy 1956			7,215,880.21	6,001,563.94	83.17
Tax Levy 1955			7,437,406.78	6,015,623.57	80.88
Tax Arrears January 1st. 1956			1,293,653.31	625,061.38	48.32
Tax Arrears January 1st. 1955			1,119,041.92	486,708.44	43.49
Total Collections to August 31st, 1956				6,626,625.32	91.83
Total Collections to August 31st, 1955				6,502,332.01	87.43

Respectfully submitted,

H.R. McDonald,
CHIEF ACCOUNTANT

September 13, 1956.

REQUEST BOARD OF SCHOOL COMMISSIONERS FOR PERMISSION TO ENGAGE AN ARCHITECT TO
DRAW PLANS FOR A NEW SCHOOL TO REPLACE OXFORD SCHOOL AND ALSO AN ADDITION TO
QUEEN ELIZABETH HIGH SCHOOL

A letter was submitted from the Board of School Commissioners requesting permission to engage an Architect to draw plans for a new school to replace Oxford School and also an addition to Queen Elizabeth High School.

City Solicitor: "I would suggest that you have a minimum amount of money ascertained so it can go in the Borrowing Resolution."

The matter was deferred until the special meeting to be held September 27/56.

REQUEST BOARD OF SCHOOL COMMISSIONERS RE: ADDITIONAL EXPENDITURE JANITORS
SALARIES

A letter was submitted from the Board of School Commissioners requesting City Council to authorize an additional expenditure of approximately \$9,400.00 to provide salary increases for janitors as outlined in their report dated September 6/56 and also to make application for a supplementary grant at the end of their financial year should same be necessary.

Moved by Alderman Lane, seconded by Alderman Ahern that the requests of the Board of School Commissioners be approved Motion passed.

NORTH END PARKING LOT

Deferred until the special meeting to be held September 27/56.

THRASHING MACHINE - CITY PRISON

September 10, 1956.

His Worship, L.A. Kitz, and
Members of the City Council

Re: Thrashing Machine, City Prison

We have a thrashing machine which was purchased some years ago, second hand, and now that we have sold our horses and are not raising any grain, this machine is surplus; and I ask permission to sell it, after advertising, to the highest tender.

As this advertising will have to be placed immediately, I request that Governor Grant, Mr. DePard, and myself have authority to open and accept the tender rather than wait for confirmation by City Council, which will possibly be too late for selling during the present harvest season.

Respectfully submitted,

Allan R. Morton, M.P., C.M., M.P.H.,
Commissioner of Health and Welfare.

September 13, 1956.

Moved by Alderman Dunlop, seconded by Alderman O'Malley that the report be approved. Motion passed.

MOTION ALDERMAN VAUGHAN RE: BOARD OF REVIEW JOB EVALUATION ✓

Alderman Vaughan advised that he wished to withdraw his motion on the above matter after reading the report of the City Manager.

MOTION ALDERMAN AHERN RE: BOARD OF ASSESSORS ✓

Deferred until the special meeting to be held September 27/56.

BRANCH LIBRARY ✓

Deferred until the special meeting to be held September 27/56.

AMENDMENT TO ORDINANCE #2 ✓

Deferred until the special meeting to be held September 27/56.

HOUSING CONDITIONS ✓

A report was submitted from the Commissioner of Health listing various houses falling into the category of bad housing as mentioned by Professor Stephenson.

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

FILED.

INTEREST RATES ✓

A report was submitted from the Commissioner of Finance advising that the interest rate on City borrowings would be increased to $4\frac{1}{2}\%$ effective August 20, 1956 and that effective September 15, 1956 the rate of interest on deposits will be increased to $1\frac{1}{2}\%$ on the minimum quarterly balance.

FILED.

Moved by Alderman Vaughan, seconded by Alderman O'Brien that this meeting do now adjourn. Motion passed.

Meeting adjourned. 11:50 P.M.

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H. P. Sullivan
W. F. PUBLISHED
CITY CLERK

L. A. KATE,
MAYOR AND CHAIRMAN.

EVENING SESSION
SPECIAL MEETING

City Court Chamber,
Brunswick Street,
Halifax, N.S.,
September 27, 1956,
8:00 P.M.

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

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Macdonald, Ferguson, O'Malley, Ahern, Wyman, Vaughan, O'Brien and Greenwood.

There were also present Messrs. A.A. DeBard, Jr., W.P. Publicover, C.P. Bethune, Q.C., L.M. Romkey, G.F. West, J.F. Thomson, V.W. Mitchell, W.A.G. Snook, W.J. Clancey and Dr. A.R. Morton.

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.

The meeting was called specially to consider the following items:

1. Alteration of Official Street Lines S/W Corner Robie Street and Basinview Drive, Public Hearing October 25.
2. Alteration Street Lines S/S of Young Street, Robie Street to Kempt Road, Public Hearing October 25.
3. Course of Study Traffic Engineer.
4. Grafton Street Parking Lot Additional Levels.
5. North End Parking Lot,
6. Motion Alderman Ahern Re: Board of Assessors.
7. Branch Library Site North End.
8. Amendment to Ordinance #2
9. Railway Crossings "City Limits".
10. Legislation:
 - (a) Three Year Term for Mayor.
 - (b) Concurrent Terms for Members of Council.
11. Council Meetings.
12. City Solicitor's Resignation.
13. Questions by Aldermen.
14. Entrance to City at Fairview.
15. Violations Part V Zoning By-Law.
16. Service Installations in Subdivisions.

SNOW REMOVAL - SIDEWALKS ✓

His Worship the Mayor: "I received a letter from Mrs. A. Mack. James, President of the Local Council of Women of Halifax. It has to deal with the question of snow removal from sidewalks. Perhaps you would hear her."

Mrs. James: "Our organization represents about sixty-five women's organizations -- in addition, a great number of citizens have approached me as

September 27, 1956.

President of the Local Council and I feel that this is something very much desired by most householders of Halifax, and I hope you will give your most earnest consideration to at least a trial during the winter of sidewalk snow clearance for part of the City. You know all the reasons--the difficulty householders have to get someone to do the shovelling, the way women worry about their husbands' absences and so on."

His Worship the Mayor: "I think the proper course would be to refer it to the Board of Works for their study. I may say at this time that I would like to see a half mile or a few city blocks in the central part and other sections of the City, the north, south and west sections, done for a year on a trial basis. Then we would know if the objections that have been brought forward are well founded. If it works well, it may be something we should want to adopt."

Alderman Ahern: "I think we should decide now to make the trial and not pass it to the Board of Works, and I would move that the matter receive a trial."

Alderman Dunlop contended that the sidewalk snow removal as carried out by the City forces was not satisfactory and referred to the poor condition of the sidewalk around the Public Gardens and other institutions following heavy snowstorms.

Alderman Abbott: "You know where I stand on this question. I don't see why it can't be done and it should go to the Board of Works, and I would be pleased to make a formal motion to that effect."

His Worship the Mayor: "I cannot accept a formal motion as the matter is not on the agenda. However, I will take it upon myself to put it on the Works' Agenda."

APPROACH TO HALIFAX-DARTMOUTH BRIDGE ✓

His Worship the Mayor stated that acting on a motion that came from the last meeting of Council, he had written to the Minister of Highways suggesting that North Street be considered a part of the highway from the Bridge to the Airport, and the Minister had replied as follows:

September 27, 1956.

Halifax, Nova Scotia,
September 26th, 1956.

His Worship
Mayor L.A. Kitz
City Hall
Halifax, Nova Scotia.

Dear Mr. Kitz:

I have for acknowledgment your letter of September 19th. Regarding the last paragraph of your letter:

(a) The Public Highways Act of the Province does not give the Minister of Highways or the government, power to take over any street or roadway within the limits of an incorporated town or city. However, the Act does give authority for the Minister, with the approval of the Governor in Council, to enter into an agreement with any city or town to co-operate in such a manner as may be agreed on in the construction, reconstruction or maintenance of any highway or any part thereof in a city or town, if in the opinion of the Minister the highway forms a connecting link in a main trunk highway of the Province or is a main highway leading into or through the city or town; provided always that such agreement does not require the Minister to undertake more than 50 per cent of the cost of construction, reconstruction or maintenance of any portion of such highway.

It is not the policy of the Department to include in the expenditures under the agreement, the cost of right of way, moving buildings, sidewalks, curbs and gutters, storm sewers, catch basins, etc. In general, the Province does contribute 50 per cent of the cost of constructing a roadway the same width as exists outside the limits of the town or city.

(b) We are not in a position at the present time to express an opinion in connection with the streets in question adequately handling the traffic. This would appear to be primarily a city problem and in any case, one which would have to receive considerable study before an opinion could be expressed.

Yours very truly,

(sgd.) A.W. MacKenzie
Minister of Highways
Nova Scotia.

Alderman Dunlop: "What is the answer?"

His Worship the Mayor: "You can do your own interpreting. In brief, the answer is that they are not going to take over North Street."

Alderman Dunlop: "The answer is that North Street is not a 'through highway'."

His Worship the Mayor: "I would not agree with that. He has not declared it to be one."

Alderman Dunlop: "Isn't that what you asked him in your letter?"

His Worship the Mayor: "I did not go into the question of costs involved. He does not answer that question. I have written the letter as requested. Personally I do not think it requires any immediate action. I think it will be more pertinent in a couple of years' time."

September 27, 1956.

TRAFFIC CONTROL - QUINPOOL ROAD & OXFORD STREET

His Worship the Mayor commended the Chief of Police for his action in erecting 'no left turn' signs at the Quinpool Road-Oxford Street intersection which affords more adequate control of this busy intersection during the peak hours.

TRAFFIC CONTROL - ARMDALE ROTARY ✓

His Worship the Mayor: "This afternoon from 4:55 to 5:20 the Chief of Police, Sergeant Malley, Inspector O'Brien, the Commissioner of Works, Mr. DeBari and myself were at the Armdale Rotary seeing the flow of traffic. The first thing is that without all of the Rotary being paved, we observed a degree of timidity on the part of drivers to drive two-abreast but traffic was moving very well. There was very little incoming traffic from St. Margaret's Bay. Sergeant Malley was able to compare the situation at this peak hour with the situation before and said it could be improved. The Chief and his officials agreed that the majority of pedestrians are those emanating from outside the City, and I would re-assert my views that expenses for tunnels and bridges may come later and I would not want this Council to be saddled with them."

ALTERATION OF OFFICIAL STREET LINES S/W CORNER ROBIE STREET AND BASIN VIEW DRIVE - PUBLIC HEARING OCTOBER 25th ✓

Moved by Alderman Abbott, seconded by Alderman Macdonald that Council fix Thursday, October 26, 1956 at 2 o'clock P.M. in the City Court Chamber, Brunswick Street, Halifax, N.S. as the time and place for a hearing in connection with the alteration of the official street lines - S/W corner of Robie Street and Basin View Drive. Motion passed.

ALTERATION OF OFFICIAL STREET LINES S/S YOUNG STREET, ROBIE STREET TO KEMPT ROAD - PUBLIC HEARING OCTOBER 25th ✓

Moved by Alderman Abbott, seconded by Alderman Macdonald that Council fix Thursday, October 26, 1956 at 2 o'clock p.m. in the City Court Chamber, Brunswick Street, Halifax, N.S. as the time and place for a hearing in connection with the alteration of the Official Street Lines on the south side of Young Street from Robie Street to Kempt Road. Motion passed.

September 27, 1956.

COURSE OF STUDY - TRAFFIC ENGINEER

To: His Worship the Mayor and Members of the Finance and Executive Committee.
From: Committee on Works.
Date: September 20, 1956.
Subject: Traffic Engineer's Course - W.A.G. Snook.

The Committee on Works, at a meeting held September 18, 1956 considered the matter of a Traffic Engineer for the City.

On motion by Alderman O'Brien, seconded by Alderman Ahern, the Committee recommended to City Council that Mr. W.A.G. Snook attend a suitable Traffic Engineer's course and that following completion of the course he assume the duties of Traffic Engineer in addition to those of Town Planning Engineer.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per Allan R. Barry,
for Clerk of Works.

City Manager: "It couldn't be this year as colleges have started, and we would have to make provision for some one to take over Mr. Snook's work; so, it will have to wait until September 1957."

Alderman Ahern: "Why should it take so long? He won't be in action for two years at this rate."

City Manager: "He has done some reading on traffic work in connection with town planning."

Alderman Ahern: "Has he discussed this with anybody in the Works Department? I would like to know the opinion of the Commissioner of Works."

Mr. West stated that the matter had been referred to a committee composed of the City Manager, Chief of Police and himself and one meeting had been held, but that it was impossible for Mr. Snook to get into any of the colleges this year as application for entrance has to be made in April.

His Worship the Mayor: "I would be happy to entertain a motion that Mr. Snook take a course in Traffic Engineering at a responsible university at a time when it could be arranged."

Alderman Dunlop: "I heard Mr. West say that the matter had been referred to a committee, and the committee has not reported. It seems rather premature

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to pass a resolution without hearing a report from the committee. I would like to know the report of that committee before I vote."

City Managers: "I could give a verbal report. What we did was to make an investigation of the colleges where such courses are given, Purdue, Yale and Northwestern. We also talked with the people who might go, other engineers to see if they would be willing to go. We are not settled on the individual who might go. Personally I feel Mr. Snook should go because I think traffic engineering is more suited to the planning work that he is doing. I was not here when the matter first came up."

His Worship the Mayor: "Do they represent your opinions, Mr. West and Chief Mitchell?"

Mr. West and the Chief of Police: "That is right."

His Worship the Mayor: "That should cover that ground."

Alderman Macdonald: "Could anything further be developed along that line? I don't see any good reason for putting it off."

His Worship the Mayor: "I doubt very much if you could do it sooner, unless you want to make a motion."

Alderman Macdonald: "I would be prepared to make a motion. I will move that Mr. Snook go on a course to a responsible university which gives a good course."

There was no second to this motion.

Alderman Vaughan: "We are going to send a member of the staff to university for a post graduate course. What guarantee do we have that the gentleman will come back to the City? Will we have a guarantee of employment?" He then referred to cases of other employees having left the City service after having taken courses at the City's expense.

His Worship the Mayor stated that he had spoken to Mr. Snook who had agreed to remain in the City service after the completion of the course and suggested that it could be tried first for a period of at least three years.

Alderman Vaughan: "What are you going to do, Mr. Snook? Are we going to pay his salary while on course? Are we going to pay the cost of the course? What is the arrangement? Surely, the committee has not recommended it."

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Alderman Ahern: "I think Mr. Snook should be treated as others who have gone on course."

His Worship the Mayor: "I think the point is, what pay does Mr. Snook get while he is under instruction?"

Moved by Alderman O'Malley, seconded by Alderman Dunlop, that the matter be referred to the Committee on Works for a complete report. Motion passed.

GRAFTON STREET PARKING LOT - ADDITIONAL LEVELS ✓

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

From: Committee on Works.

Date: September 20, 1956.

Subject: Grafton Street Parking Lot and Additional Levels.

The Committee on Works, at a meeting held September 18, 1956, considered the attached report from the Commissioner of Works respecting various types of multi-level parking stations with reference to the Grafton Street Parking Lot.

On motion by Alderman Ahern, seconded by Alderman MacDonald, the Committee recommended to City Council that Mr. Douglas A. Webber be engaged by the City; that he and the Commissioner of Works study the site; make a survey of various multi-level parking stations in other cities and report to City Council with their recommendations for the Grafton Street Parking Lot and that the City pay their expenses to view such parking stations in other centres

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per Allen R. Barry,
for Clerk of Works.

Alderman Dunlop: "I think that the Committee should be enlarged by including Mr. David Zive, who has done a great deal of work on the parking lot and the success of the lot is due, in a large measure, to Mr. Zive who gave freely of his time and energy. He then moved that the report be approved after including the name of David Zive."

The motion was seconded by Alderman Ferguson

Alderman Ahern: "I would like to submit the name of the manager of the Parking Lot, Mr. Troy"

It was agreed that three would be sufficient to go away

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His Worship the Mayor: "I would like to see incorporated in that motion, a request which should be followed by a formal commitment by the Downtown Merchants that they would continue to operate this parking lot. Would you include that in your motion?"

Council agreed to this suggestion and the motion was passed.

Alderman Dewolf: "In connection with the double or triple parking lot that is being considered, has thought been given to acquiring another block of land and tearing down the buildings, rather than proceeding with the double-tiered lot? Which would be cheaper? It would be more advantageous if it could be purchased at the same price that the present lot was purchased for, and that would be cheaper than building up in the air. Has that been considered?"

His Worship the Mayor: "I believe the answer would be 'no', but I think it is a very proper point and that should be part of the terms of reference for this Board that has been chosen to advise us concerning enlarging the present parking lot by adding decks to it. It should be investigated."

Alderman Vaughan: "How much money will Mr. Webber be paid for his services. Will he be paid on a per diem basis or a project basis?"

His Worship the Mayor: "Do you want to leave that to the City Manager and myself to negotiate for his (Mr. Webber's) per diem rate of pay? We are not engaging an architect. The Solicitor points out that we may include such costs in the capital cost of the building. It may be wise to have the overall borrowing resolution passed at this time, say five to ten thousand dollars, and if we do not use the money there is no harm done."

Alderman Dunlop disagreed and moved that the funds required for this purpose be provided under the authority of Section 316C of the City Charter.

The motion was seconded by Alderman Ferguson and passed

NORTH END PARKING LOT ✓

This matter was deferred.

MOTION ALDERMAN AHERN RE: BOARD OF ASSESSORS ✓

This matter was deferred

BRANCH LIBRARY SITE - NORTH END ✓

His Worship the Mayor: "I have asked the Chairman of the Library Commission, Mr. F. W. Bissett, Q.C., to attend tonight; also Miss Cameron, hoping that

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they might give two or three minutes each to talk about the North End Library it is down here as a Branch Library Site. We have a motion gone through Finance and Council for permission to engage an Architect. That left open the question of a site but I am advised that that item has been clarified in their own thinking. This matter has been floating in Council for a considerable period of time and I would like to see the matter accepted or rejected tonight."

Mr. F.W. Bissett, Q.U.: "As I understand it, the request to the Board from the City was that we should advance the arguments which are relevant in support of a north end Library Branch. You will remember that some months ago the City asked the Board to recommend a site for the Branch. The Chief Librarian prepared a very extensive report which has been submitted. When it was decided to locate the Memorial Library in its present location, there was an understanding that in the not-too-distant future, there would be a branch located in the North End. This City is divided largely by the Commons, North and South, and the principle on which public library service is founded is "the greatest good for the greatest number", and it is somewhat difficult for the people of the North End to get down to where the Memorial Library is at the present time. I have been informed by those who know better than I, that in a City of this size, we should have a library containing 125,000 to 175,000 volumes. We have about 80,000 volumes now and the capacity of the present library building is about 55,000 volumes. Some people have suggested an extension to the present building. That would increase the capacity of the library to hold the books but it would not increase the service to the citizens of the North End. It is suggested that the cost of construction would be about \$200,000.00. There is a resolution on the books of the Library Board that we should erect one not exceeding \$250,000.00 but somewhere in that vicinity would be the right cost. The annual up-keep would be about \$25,000.00. It would be a smaller operation than the main building because all the ordering and processing would be done in the main building. That is all I have to say at the present. If any member of Council wishes to ask a question, I will be glad to answer as best I can."

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His Worship the Mayor: "The first question is, has the City not set aside a sum of money for the capital purpose of increasing the number of volumes, and what is the position of that fund?"

Miss Mary Camerons: "We are into the second year of that capital appropriation, we have spent somewhere in the vicinity of \$17,000.00. So far this year we have not touched it. We have no place to put books and we have not bought books this year for that reason. What Mr. Bassett has said is more or less the idealistic side of it but I would like to stress a few points from the practical end of it. We do not have enough room for books in the Library now. The building has been in operation for five years. In that short time it has grown from a small collection of 20,000 to 80,000 volumes and the capacity is 55,000 volumes. We have put 4,500 books in two school branches. We have been forced to put some books out of circulation and have to take books from stock. An estimated 22,000 to 24,000 volumes are in the homes of borrowers. Do the arithmetic, and you will realize that we have reached the saturation point. Already we are packing books away -- duplicates mostly, but more recently single titles. These are books which borrowers can and do ask for, but because they are packed and stored they are not available. This spring the Library Board decided that they would like to make use of the two rooms on the second floor normally used for art exhibits and small meetings, for expansion. Such a change by the purchase of about \$4,000.00 worth of steel shelving would have provided space for about 25,000 volumes. However, after consultation with the Commissioner of Works it was definitely established that the structural design of the building would not permit this. We are getting busier all the time which shows that the people are appreciating the services we are providing. It is putting a greater load on the staff and we can't put as much time on the individual borrower as we would like. Halifax is unique on this continent. We have a Library that was started and was permitted to stop expanding, and stagnation set in. If we are going to develop our library system to meet C.L.A. standards we must face the necessity of branch service. But quite apart from this, we are up against the practical problem of a decreasing standard in our present service if no expansion of facilities is undertaken."

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Alderman Ahern asked Miss Cameron if a branch library was needed in the North End.

Miss Cameron replied: "Yes, north of the Commons."

His Worship the Mayor: "Our library is one of the best operated libraries in Canada. Miss Cameron, have you settled on a site? Are you in favour of the site at the corner of Almon and Windsor Streets?"

Miss Cameron: "The recommendation that I made was another site. I said in my report that it was the ideal site--the corner of Gottingen and Uniacke Streets. The second choice was a close choice--was so close that I might settle for the corner of Almon and Windsor Streets. It would service over 50,000 people whereas the corner of Gottingen and Uniacke would service only 40,000."

Alderman Macdonald: "I was just wondering, while the downtown library is established and it has 80,000 books, would the people of the north end continue to come to the Memorial Library rather than the North End Branch where there is a lesser number of books to choose from."

Miss Cameron: "You would get a certain number of people who would use the Reference Library coming from the North End. It would not be intended to stock technical books in the North End Branch."

Deputy Mayor Vaughan: "I have before me a digest of the history of the libraries in the City of Halifax up to the opening of the Memorial Library, and having served on the Board, I am quite well versed as to its needs. The building on Memorial Park is a prestige building. We have one library user for every householder according to a recent survey. We are familiar with the fact that greater use of the library is made by the South end residents and the people who work in the downtown area. The library service is not being extended to the North end in the same measure as to the South end. I talked with the City Manager with regard to the capital debt and he expressed some fear about the rising debt. This is one case, I believe, that you can't measure in dollars and cents. It is well to compare the record of this city and that city with regard to per capita debt and rate of being paid off but this is a library, the use of which is an intangible thing."

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Moved by Alderman Vaughan, seconded by Alderman Ahern that the Library Board be authorized to engage an architect to prepare plans for a North End Library Branch, on a site to be selected by the Library Board, and that application be made to the Minister of Municipal Affairs for authority to borrow the sum of \$5,000.00 for this purpose.

Alderman Ahern: "I would like to point out that we did have a verbal agreement made in April, 1946, made in the Mayor's office. I was advised by four aldermen of the north end that they would be dissenters if I did not agree to have the library placed in the North end. But I pointed out to them that it is the Grafton Street site or it will be two or three years and a quick decision was needed. They asked me if I would promise them to go along with a scheme to have a branch library in the north end eight or ten years hence. I think we must keep faith and I feel that the north end with 35,000 to 40,000 people should be library minded. There is a great need for a library in the North end. There is an obligation and the obligation is to place a library in Halifax North."

Alderman Dunlop: "I am not against a branch library in the North end. I don't think we should approach this subject as such, north or south end, but where a library is needed. I deplore this talk of Mayor's office ten years ago. No man can bind this Council or future Councils. It is absolutely different to be on the Library Board as a citizen and to be an Alderman on that Board. The positions are so that I often wonder why I stay on that Board because I find myself in opposition to members of the Board. We have a library to be proud of and Halifax has made great strides in library service and we will make more. But the situation is entirely different today. That Library was built as a Memorial Library. We are now part of a Regional Library System. I thought that the City Manager was the man to whom financial problems should be referred and studied by him before they come to Council. I know that we have enough financial problems now with the abattoir, the incinerator, schools, etc., and we know that last year to keep our tax rate down we had to dip into our surplus to the extent of \$1,000,000.00. First things must come first. I

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don't think anybody in this City is suffering for want of library service today. We should try to solve our problem with the rooms we have. There is space up there that could be used for library purposes. As a Board, it has never studied the extension of that library. I think that a wing can be put in that library for less than another library which would give more service for four or five more years. We have got to look farther than the City of Halifax -- we have to look to the outlying districts. We have a regional system and should have a system that will take in these districts and I hope that we would be able to build a library where those people could come in and share in the expenses. I do not think the proper body to decide on the site is the Library Board. I think the proper people to decide are the members of this Council. I think that the site of Almon & Windsor Streets is wrong and I would like to see the City Manager make a report showing what it means by adding \$200,000.00 to our capital expenditures. What effect is that going to have on our taxation?"

Alderman Vaughan: "Fifty thousand dollars per year."

Alderman Dunlop: "Those are matters that should be considered before we decide on it. I can understand people pressing for more service but it gets down to a question of how much it costs and how it will affect the tax rate. The burden is on the City of Halifax to provide the funds and we should have a breakdown of the total cost and how much revenue it will bring in, and how much service it will give."

His Worship the Mayor: "There will be very little revenue."

City Manager: "With regard to the Library \$300,000.00 would cost \$15,000.00 for principal for twenty years. and \$7,500.00 per year for interest at 5%; in addition, \$25,000.00 for annual maintenance. That would be \$47,500.00. We are presently committed for \$7,200,000.00 for capital purposes. With regard to our general debt picture, that has been projected into the future and you were told three or four years ago and had we only spent \$1,000,000.00 per year we would still have the same debt. Our debt is going up. 25.8% of all monies in our budget are spent for debt services which is a high percentage."

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I know of no other city with a higher percentage. We are spending a lot of money on capital projects and I do not see how we can do without the new incinerator which is badly needed. We will have to try to find additional revenue through raised assessments."

Alderman Ahern: "I do not like statements like that being made in Council--it may destroy our efforts to sell bonds. Halifax is unique in Canada in that we have \$54,000,000.00 worth of tax exempt property from which no taxation comes and yet all we seem to hear is blue ruin."

His Worship the Mayor: "Nobody with a sense of responsibility can be anything but aware and impressed at our debt position which is grievously high. But you must remember that, coupled with that, right now we are financing over a ten-year period when our population has gone up forty-five percent and we have the 50,000 people in the area under reference to be serviced. On the question of tying in with some of the outside areas, I have broached that before but we would lose from a financial point of view because the present capital contribution made by the Government would not do it unless we got a worthwhile contribution from the County. We got one dollar in five from the Government on the 'Shared scheme'."

Alderman DeWolf: "This resolution is a little hastily conceived because an architect would want to know where the building is going to go before he prepares his plans. I do not think you could get the proper plans of a building unless you know where the building is going to be located."

Alderman Dunlop: "If we are going to build a library in the north end, let us build it in the north end in some depressed area which would give the people some encouragement to improve the area. I do not think Almon and Windsor Streets is the proper place. That is not the North end."

Alderman O'Malley: "I would like to take this opportunity to compliment Alderman Dunlop on the very broad, sound thinking he has given to this matter. I am sure there is no Alderman in this Council who is against the extension of library service. I think we have a further responsibility also. I don't think we should wait until there is a demand from the people in any section for library service. I think we should provide extended library service but we know this is going to be a costly matter. It is going to affect our tax

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rate. We have a low residential rate brought about by Council's decision to fix it as low as possible, as nearly as we could to the fixed rate. That was done by the use of the surplus funds. I think the matter should be clearly presented to us in the interest of all the taxpayers and it should be given further thought and consideration. I am not against it. I am for all the best things we can get in Halifax but I am thinking like Alderman Dunlop--I think the matter should have much greater study before we embark on an expenditure of a quarter million dollars."

Alderman Vaughan referred to the high capital debt and stated that an amount in excess of \$12,000,000.00 of that debt was for construction of schools built in the past few years which should have been done by Councils in the past. He then read from a report of Council happenings in 1891 and noted that the same problems existed then. He said that history is repeating itself and we can go back over history and see in the press letters expounding the same point of view--that the City is going to reach the point of disaster with regard to debt. Is our debt high today in relation to costs in 1939? Is our debt high when one relates it to our annual budget over the years? he asked.

Moved by Alderman Greenwood, seconded by Alderman O'Malley, that the matter be deferred for one month to give the City Manager an opportunity to submit a report showing how the financial position will be affected.

Motion passed.

REZONING - BEN'S PROPERTY ✓

His Worship the Mayor: "At the last meeting of Council, we had a couple of hours on Ben's Limited rezoning. At that meeting I advised Council that the vote insofar as it related to Pepperell Street, along with the Shirley Street part, had to be a two-thirds vote because more than 20% of the persons affected in that area had signed a petition protesting against the rezoning. I sent a letter to the City Solicitor to have that checked and I now ask him to explain."

The Solicitor then read from a report which he prepared for the Mayor and stated that a two-thirds vote was necessary for the rezoning of the Shirley St. property but he was not so certain that such a vote was necessary for the Pepperell Street area.

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Alderman Macdonald: "Does that mean that the vote for changing 'non-conforming' to 'C-2' is carried?"

His Worship the Mayor: "I think the vote and the facts speak for themselves. You should be aware that all of these things require the consent of the Minister (of Municipal Affairs). So, there is a higher Court of Surveillance."

AMENDMENT TO ORDINANCE NO. 2 ✓

His Worship the Mayor read the proposed amendment to Ordinance No. 2 and stated: "It is here for first reading. It is a proposed amendment to our by-law that would say that when a man proposes a change to a Zoning By-Law and it is thrown out, it can't come back for twelve months."

Moved by Alderman O'Malley, seconded by Alderman Greenwood, that the Amendment to Ordinance No. 2 be read and accepted a first time.

Alderman Dunlop: "Does that cover this situation. You make an application for a change and it is turned down. You sell the property to me and I make the application. Is that situation covered?"

City Solicitor: "It is. It is not the individual, it is the property."

The motion was passed.

RAILWAY CROSSINGS - CITY LIMITS ✓

His Worship the Mayor: "This started in December of last year. The Commissioner of Works lists nine railway crossings with the number of times that trains cross over. There is a provision in the Grade Crossing Act whereby the Board of Transport Commissioners will pay 60 or 80 percent of the cost of installing warning signals. I suggest that you leave the matter with me to confer with Mr. West to see what the cost will be, what the contribution will be from the Board of Transport Commissioners and then make a request after channeling it through the Board of Works."

LEGISLATION - (A) THREE YEAR TERM FOR MAYOR (B) CONCURRENT TERMS FOR MEMBERS OF COUNCIL ✓

Moved by Alderman O'Malley, seconded by Alderman Vaughan, that this matter be deferred for one month to give the Members of Council time to study the proposed legislation. Motion passed.

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COUNCIL MEETINGS ✓

September 6, 1956.

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

A meeting of the Finance and Executive Committee held on the above date a report from the City Solicitor submitting a draft of an Ordinance respecting Regular Council Meetings was considered.

It was decided to recommend that the Ordinance be not enacted at the present time and that a second Council meeting be held when Public Hearings are advertised or when business warrants and that questions by Aldermen be included as an item of business at such meetings.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Ferguson, seconded by Alderman O'Brien that the report be approved. Motion passed.

CITY SOLICITOR'S RESIGNATION ✓

Alderman Ahern: "In view of the absence of Alderman Lane, Adams and Fox I would suggest that the Solicitor be permitted to take his annual vacation to give him an opportunity to re-consider and withdraw his resignation as he is a very valuable employee and every effort should be made to retain his services."

Moved by Alderman Ahern, that the matter be deferred for one month.

His Worship the Mayor: "Do you agree? Do you want to have a special meeting for this purpose? Personally, I think that if this matter can be resolved tonight, it should be resolved."

Alderman Greenwood: "Is there a committee report on this?"

Alderman Vaughan suggested having the Committee meet again.

His Worship the Mayor: "I think it should be resolved now as no particular purpose would be served by meeting again."

Alderman Dunlop: "Is the resignation still before Council? It might not be satisfactory to Mr. Bethune to have the matter put over for a month. I would say that if Mr. Bethune does not withdraw his resignation when it expires, he is free to go."

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His Worship the Mayor: "The Committee reported to the Finance Committee and the Finance Committee just referred it up to this Council. I think this problem is more of construction than of substance. This is the time to do it."

Alderman DeWolf: "It has been my intention to move a Notice of Motion to have the matter dealt with at the next regular meeting of Council when all the Aldermen are here. It would be better to have all the members here if there is to be a discussion. If there is to be no discussion, I would be prepared to move the Notice of Motion tonight."

His Worship the Mayor: "Technically, on a Notice of Motion, there is no debate."

Alderman DeWolf: "A Notice of Motion would not, then, be in order at this moment?"

His Worship the Mayor: "Personally, I think we can settle this in about twenty minutes."

Alderman O'Brien: "On a point of order. If the Notice of Motion is accepted, will that preclude discussion on the item on the Agenda?"

His Worship the Mayor: "No, that stands on its own feet."

Alderman DeWolf: "I want to deal with personalities which I will do very carefully. I want to deal first with the changes in the Department Heads and the loss to the City of experienced men who were department heads, through one reason or another in the past four or five years. The first change in the Engineer's Department came about by the retirement of Mr. MacKinnon who was Engineer for many years, perhaps 15 years, and before that time, Mr. Johnson served for a great many years. We had quite a continuity in that office. Then Mr. Harris took over that position and he remained in office only a very short time. Then the City advertised the position and ultimately Mr. DeBard recommended Mr. West, who I might say is doing a very good job. Then, in the Assessor's Department, Mr. McManus had been in the service for many years and left to take another position, unfortunately perhaps. Mr. Yeason succeeded him and had to resign because of ill health, a condition perhaps accelerated by the great amount of work necessitated by the re-assessment of the City. We now have Mr. Thomson who is doing an excellent job. Then we go

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to the Finance Department. Mr. Bellew had been with the City for many, many years. We lost him through death. Mr. Romkey took over and is doing a good job. Dr. Morton, I am glad to say, has decided to stay with us. In a couple of more years we will lose Mr. Publicover--I assume we will lose him when he comes to an age when he has to retire. So that, now, we come to the final Department Head, Mr. Bethune. He sent in his resignation because of ill health. I think, perhaps, this ill health is of an imaginary nature--a condition most people develop when they reach middle age. I am informed that the condition was not as serious as the patient feared and he looks pretty healthy today. Mr. Bethune has had twenty-four years service in the legal department of the City. It seems to me that it would be a mistake to forego this experience at the present time and I think that something should be done to retain these valuable services.

Now, we come to the City Manager, the head of all departments. I wish to be quite specific that I do not plan to say anything that would cast any poor reflections on either his character or professional standing--either directly or by inference, but there is a condition that exists which I feel should be corrected. I would like to refresh the minds of the Council and point out to those members who were not in Council at the time that the City Manager was appointed as a result of a plebiscite. The majority of voters voted in favour of the City Manager Form of Government and Council eventually engaged the firm of Kellogg and Stevenson to find a City Manager. Kellogg and Stevenson came back after some months. They charged us \$3500.00 for securing a City Manager and said they could not find anyone in Canada to take the job and they were forced to go to the U.S.A. The point I want to make is that at the time he was engaged he advised that he would not take the Oath of Allegiance. I do not know his reasons but I imagine he wanted to see what his job, the people and the country were like before he changed his citizenship. Four years have gone by and I understand Mr. DeBard is still a United States citizen. I have no fault to find with that but I believe that the person holding the position of City Manager of this City should be a Canadian Citizen. Now, Halifax is a very important port, a No. 1 target area, in the Dominion of

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Canada. Because of its importance from a national standpoint City officials from time to time are entrusted with secret information. I do not know who receives this information at the present time but the logical person is the City Manager or Mayor, and I think the proper person to handle this type of information is a Canadian Citizen. Most countries demand that people who stay over six months in that country become citizens of that country, and I am sure that no city in the United States would employ a person who had not done just that. In connection with the Oath of Allegiance, I would like to read an extract from the Civil Service Act of Canada," he then read a section of the Civil Service Act which stipulates that all civil servants shall be Canadian citizens either by birth or naturalization, and continued: "There seems to be some struggle for authority between Mr. DeBard and Mr. Bethune, and I am under the impression that they are not seeing eye to eye on certain questions. The City has an investment in Mr. Bethune, an investment of 30 years of legal experience, 24 years of which were spent in the legal department of the City. Against that experience is that of 4 years of the City Manager. It is conceivable to me that Mr. Bethune could direct the services of the legal department and fill the office of the City Manager, and, perhaps, at a later date, might take over certain duties in connection with the City Clerk's office. Having in mind Mr. Bethune's long experience and wealth of diplomacy, I think he is capable of doing what I have suggested and I am giving notice of motion that Mr. Bethune be given the opportunity of filling the City Manager's position and I shall give this Notice of Motion to come up at the next regular meeting of Council."

Alderman O'Brien: "I, too, value the services that Mr. Bethune has given the City over the years. I have found him to be very helpful to me on several occasions since I entered Council. However, in reading the conditions he has laid down for changing his plans to resign, I think something might be said about them and, if it is possible to work on them, granting some and denying others and I think we should attempt a compromise and I would make a motion to have the Committee consult with him along the lines that I would suggest. His

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His first condition has to do with salary. This is a matter that will have to be negotiated and council needs to consider the salaries of the department heads and their relation to that of the City Manager if we are going to keep good men for department heads. With regard to his next point concerning removal of the office of the City Solicitor from control of the City Manager. Unless we are prepared to do away with the City Manager system, we will have to accept his resignation. Third, with regard to providing a capable assistant this seems to be very necessary and the compromise would be to arrange some sort of caretaker regime while a younger man was being trained to take over in a couple of years. Regarding the Solicitor's being released from attendance at Council meetings, I think he should attend all Council meetings but should be required to work a 40-hour week and receive compensating time off for any overtime worked in this manner. Four, permit the Solicitor without question to attend two conventions each year. I think it is important that our officials go to these things but the most we should agree to is for the Solicitor to go to one and his assistant to the other. Five, give some consideration to future improvements of the staff. That is important. I don't know if that is being done by the City Manager but it is connected with the condition about training an assistant. Six, restrict the work of the Solicitor to purely legal work. Well, it certainly seems to me that the legal work should come first. There is some legal work that has not been done that should have been done years ago, such as revision of the City Charter. That has been delayed for various reasons but it should take precedence over briefs to Governments and commissions which could be prepared by the City Manager. The last point has to do with a five-year contract. I doubt that we can bind future councils in that way but if there is no way of working out a compromise, perhaps something can be done even if it is only for three, four or five years. I would like to see the Committee that has dealt with this matter consult with Mr. Bethune and see if that can be arranged, and I would move that the Committee take on that task."

His Worship the Mayor: "I think you have presented your case very well."

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I think that what we might well do at this stage is to adjourn and meet in camera and work out something tonight and not leave it to a committee of three."

Alderman Ahern: "You have a live motion on the floor."

His Worship the Mayor: "It has not been seconded."

Alderman O'Malley: "I'll second it."

Alderman Dunlop: "I am going to make a motion that this Council express its confidence in the City Manager. The reason I heard that Alderman DeWolf gave against the City Manager was that he is an American citizen. He couldn't be a British subject if he wanted to because he would have to be a resident for five years."

His Worship the Mayor: "I have been trying to be liberal in my rulings from the chair so that you can discuss this matter freely and possibly come to some decision tonight. I will accept your motion, Alderman Dunlop, as a notice of motion but not as a motion."

City Solicitor: "When I submitted my resignation, it was for reasons of health. Since that time, I have been declared physically fit. However, I have submitted my resignation effective November 17th. Since that time I submitted suggestions why I would stay. If the matter needs further consideration, I would not be rigid about November 17 but I would like to have it settled by December 31st."

Alderman Dunlop: "I would suggest that the resignation be withdrawn and that the matter be re-considered by Council. I think the letter with the conditions was written on the basis of negotiation."

The motion for deferment was put and passed, six voting for the same and five against, as follows:

FOR THE MOTION

Alderman Wyman
Vaughan
DeWolf
Ferguson
O'Malley
Ahern

AGAINST IT

Alderman O'Brien
Greenwood
Abbott
Dunlop
Maddoni

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REPAIRS TO CHERRY STREET ✓

Alderman O'Malley: "I would like to have tabled the extended width of Cherry Street together with the cost of such; the number of squares that were laid on Cherry Street and were removed this year to put in a complete sidewalk."

PARKING ON NORTH COMMONS ✓

Alderman Ahern: "In reference to parking of automobiles on the North Commons, this is done annually under the direction of the Chief of Police, and I would like the Council to authorize the Chief to continue the parking, and the areas defined as in the past and for him to have the authority to make the regulations."

CHANGING STREET NAME - BRIDGES STREET ✓

Alderman Ahern: "Three or four months ago Council decided to name a street in the south end in honour of the late Premier. I would like to see that sign. Whose responsibility is it? It is still being called Bridges Street. Where is the sign."

His Worship the Mayor: "The matter shall be referred to the Board of Works."

CLOSING OF T.B. HOSPITAL ✓

Alderman Ahern: "I was amazed to hear of the resignation of Dr. Beckwith as Director of the T.B. Hospital, and I don't think that the T.B. Hospital is going to be closed without discussing it with this Council."

His Worship the Mayor: "I think the City of Halifax has been most unfortunate in losing the services of Dr. Beckwith. Any decisions concerning the T.B. Hospital will be funnelled through the Health Committee to this Council."

Alderman Dunlop: "The Board of Health had a meeting last night and while it is true that Dr. Beckwith is taking another position, his services will, perhaps, be available to the City if certain recommendations are followed."

ARMDALE ROTARY - SNOW CLEARING ✓

Alderman Greenwood: "Have arrangements been made to decide who is going to plough the snow on the Rotary this winter."

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His Worship the Mayor: "I suppose we will do it and ask for payment back from the Province."

Mr. West: "I think the Province will do it, but all those problems are being worked out now."

INCINERATOR ✓

Alderman Greenwood: "What is the position of the incinerator?"

Mr. West: "The specifications are being prepared for the equipment; test borings are just about completed on the site on the Basin and the results will be submitted to Council in a week."

SNOW CLEARANCE - PILING SNOW ON BOULEVARDS ✓

Alderman O'Malley: "I will give a Notice of Motion that we discontinue the practice of piling snow on the boulevards."

His Worship the Mayor: "Taking it as a question, do you consider it advantageous, Mr. West?"

Mr. West: "I think it is. Actually the residents on boulevarded streets are spared the trouble of shovelling their drive ways."

Alderman O'Malley related a personal experience last winter while proceeding north on Robie Street and turning into Williams Street, the snow was piled so high he could not see the south bound traffic and by the time he got into the intersection to see the traffic his car was struck and damaged to the extent of \$1200.00.

City Manager: "We push the snow back as far as we can depending on the depth of the snow."

Alderman O'Malley: "If we have as much snow fall as last winter, I suggest that we discontinue that practice and pay for the cost of removing that snow."

BIRTHDAY GREETINGS - CITY CLERK PUBLICOVER ✓

His Worship the Mayor: "Aldermen, will you join me in wishing Many Happy Returns of the Day to Mr. W.P. Publicover, our City Clerk, whose birthday today is."

All Members: "Hear, hear."

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ENTRANCE TO THE CITY AT FAIRVIEW ✓

This matter was deferred.

VIOLATION PART V ZONING BY-LAW ✓

A report was submitted from the Commissioner of Works concerning alleged violations of Part V of the Zoning By-Law and same is attached to the original copy of these minutes. Copies of the report were distributed to the members of Council.

Alderman O'Brien: "We have an explanation which has been presented by the Commissioner of Works and since the first few paragraphs seem directed at me, I feel I should say a few words about them. The Commissioner states (he then quoted from paragraphs 1 and 2 of Mr. West's report, and continued) I think it would be better if these reports named the people.

When the matter was first brought to my attention, it was by a letter which had been written to the Mayor by the Pinehurst Civic Improvement Association, I asked him what he intended to do about it, and he consulted with the Solicitor and the indication given was that there was no violation, but that was an 'oral' ruling. Subsequently, I discussed the matter with the City Manager. I have discussed a good many matters with the Commissioner of Works dealing solely with his department, but I went to the City Manager because it seemed to me that more than one department was involved. I have had several discussions with the City Manager, with the City Solicitor and the Commissioner of Works. I asked him (the Commissioner of Works) how he was getting along with the problem and he said, in effect there is no problem. I also secured no information on a further question and, therefore, my attention has been directed to the City Manager to get information. When he went on holidays the City Manager gave me a copy of a memorandum for certain reasons. Being further pressed by several persons in the Pinehurst Improvement Association, I went to the Acting City Manager and asked him to get what information he could about the status of the legal ruling. Subsequently, Mr. Publicover produced the memorandum of July 30 from Mr. Bethune to Mr. West. I asked Mr. Publicover if he had received the figures from Mr. West and was told 'no'. I asked the question in Council to get the matter settled. I think this matter can be

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settled by some discussion and the air cleared which is the main thing. There are a lot of people who feel that their interests in their own houses and properties were being jeopardized because of buildings being constructed in their neighbourhood and they feel that in some manner they were not protected. They have been pressing for all the facts and since I have not secured the facts. I think it should be brought out in the open and cleared up tonight. I agree that the Works Department is doing a great deal of good work and I have confidence in Mr. West. I think it was an unfortunate mistake. The Assistant Solicitor made a ruling which was, apparently, absolutely wrong at one time and the Commissioner of Works posted it up, and permits were issued on that basis. I can't understand why the mistakes could have been permitted to go on by the Solicitor after he returned, by the Town Planning Engineer and by the City Manager. I cannot understand why one year had to go between the time of the incorrect ruling and its discovery. It seems to me that one answer is that we have not got a Building Inspector.

The Commissioner of Works, in my view, has too much to do. I understand he works eighteen hours a day which is all wrong and he should not be holding down two jobs. There are probably other things in the Works Department which could be done to relieve the Commissioner of Works of so much detail and leave him time for policy work. One thing that a Building Inspector might have done was to see that the interpretation of Mr. Doyle was being carried out. The important thing is to make sure that the recommendation of Mr. West in this memorandum is carried out, that all these places with the five apartments be changed to four. There are, also, loop-holes in our Zoning by-Law that need to be blocked. We should have a definition for the word 'apartment' in the by-Law.

Another place where improvement is needed--there should be some way of tying down the nature of double-duplex buildings in an R-2 Zone so that they conform more with the surrounding area than buildings which are obviously built so that they could accommodate two apartments on each of three floors.

Another one is this question as to whether it is right that a person could

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build a building which is suited for six apartments, leaving two of them vacant and four of them occupied in an R-2 Zone. There seems to be some confusion there and it seems to me that the builders are taking advantage of the confusion existing and as soon as the City Council passes an amendment, within 24 or 48 hours they could have their six apartments which at the present time are only permitted for four. Requirements are needed to link the issuance of occupancy and building permits."

His Worship the Mayor: "I am sorry to have to interrupt you but the rules of order only permit ten minutes, and I have allowed you to go over by several minutes."

Alderman O'Brien: "I was on the point of suggesting that some of the considerations that I have raised, there may be answers to which I do not know and some person here could provide the answers. I have done my best to provide the facts and I feel that if the amendments which have been suggested are considered by the Town Planning Engineer and a report brought forward by him that that will help, and as far as the weaknesses in administration all I can suggest is that the City Manager take notice of what I have said and see if there are some changes in procedure or in staff that would prevent this thing happening again. It has been suggested that we have a survey to see if all the apartments are built in accordance with the laws but I will accept the words of this report that they have been examined and that the law henceforth is being complied with, and on the understanding that I would raise the matter again if such were not the case, I would move that the report be filed."

Mr. West stated that when a report is written for submission to Council by his Department, the facts are reviewed and excerpts taken from the official minutes, leaving out names where they appear. He further stated that his Department works through the City Manager and any information requested by him is always sent to him. In this case, there has apparently been a misunderstanding.

Mr. West said he would like to have more staff and that he had discussed the need with the City Manager and stated: "Whether we are overworked or not,

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we take pride in the fact that our administration has tightened up immeasurably and we feel that what has happened is a blot on our record."

SERVICE INSTALLATIONS IN SUBDIVISIONS ✓

This matter was deferred.

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

Meeting adjourned 11:11 P.M.

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L.A. Kitz,
MAYOR AND CHAIRMAN.

W.P. Publicover
W.P. PUBLICOVER.
CITY CLERK.

CITY COUNCIL MEETING
THURSDAY, OCTOBER 11, 1956

A G E N D A

Prayer.
Minutes.

1. Motion by Alderman Dunlop to Rescind Resolution of Council Re: Sale of Land Lloyd Fox Avenue to Rev. Matthews or Edgewood United Church.
2. " " Alderman O'Brien to Seek Legislation permitting City Employees to Repair Culverts etc. on private property and charge the owners.
3. " " Alderman DeWalt Re: City Solicitor.
4. City Solicitor's Resignation.
5. Accounts over \$500 CO.
6. Resubdivision Connaught Avenue (Recommended).
7. Undersized Lots:
 - A. 38 Connolly Street (not recommended).
 - B. Connaught Avenue (not recommended).
 - C. 102 Dublin Street (recommended).
 - D. 15 Summit Street (recommended).
8. Tax Abatements and Refunds Ashburn and Hamlock Avenues.
9. Lease - Cathedral Barracks. (Deferred)
10. Bayers Road Housing Project - Scale of Rentals.
11. Halifax Tuberculosis Hospital.
12. Tenders for:
 - (a). Threshing Machine - City Prison.
 - (b). Small Front-End Loader.
13. Extension of Rental Control to November 30, 1956. - Appropriation of \$1,000.00 Sec. 316 "C".
14. Contribution to Community Chest - \$9,000 CO.
15. Dismissal of Bernard Hunt - City Field Employee.
16. (a). Ordinance Re: Smoke Nuisance - 1st Reading.
(b) " #2 - 1st Reading of Amendment.
17. Naming Streets - Scotvale Subdivision between Kenith Avenue & Desmond Avenue, North of Blair Street.
18. Acceptance of Streets
19. Appointment to Governing Board of Halifax Infirmary.
20. Questions by Aldermen.
21. Application Beta Hi-Y Chapter Y M.C.A. Chain of Dimes Tag Day.
22. Applications to Rezone:
 - (a) N/E Corner Oxford & Young Sts. (To T.P. Board).
 - (b) McLean Street. (To T.P. Board).
 - (c) 12 Quinn Street (To T.P. Board).
23. Maintenance Rates Halifax County Hospital.
24. Demolition Morris Street School \$8,800 - Land Sale Account.

ITEMS FOR INFORMATION ONLY

City Manager's Administrative Report.
Tax Collections
Change in Trolley Coach Stop - Gottingen and Alton Streets.

DEFERRED ITEMS

Site of Branch Library
Motion Alderman Sheehy Re: Board of Assessors
Parking Lot North End
City Prison Lots
Garson Property North Street

EVENING SESSION

City Court Chamber,
Brunswick Street,
Halifax, N.S.
October 11, 1956,
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, Abbott, Dunlop, Macdonald, Fox, Ferguson, Ahern, O'Brien and Greenwood.

Also present were Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., J.L. Leitch, J.F. Thomson, G.F. West, W.A.G. Snook, A.P. Flynn, V.W. Mitchell, H.L. Stewart, T.C. Doyle and Dr. A.R. Norton.

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

The following named papers were submitted.

BAND SHELL GARRISON GROUNDS ✓

His Worship the Mayor: "I had a conversation with Major General E.C. Plow and the Army does not look too kindly upon giving up part of the Garrison Grounds for the band shell. They are anxious and I assured them that the Council was anxious that some time in the future there might be some permanent type of Army Headquarters on the location they occupy. I asked Major General Plow to ask if the Army had any plans in giving up the length of the shoreline running along York Redoubt to Sandwich Battery and also the portion of McNab's Island. It was a general conversation and I think it is true to say that the old time thought of defence on the coastline no longer has the same meaning that it once did."

BRANCH LIBRARY SITE ✓

Mr. F.W. Bissett, Q.C., Chairman of the Regional Library Board, was present and stated that the Board had made 2 recommendations as to sites for a branch library as follows: One on the property of the School for the Deaf and the other on the Forum Property but they had since found out that it is not possible to obtain the land from the School for the Deaf so the Board

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recommended that the Forum Property at the Corner of Windsor and Almon Streets be the site for the proposed new branch.

Alderman Ahern: "I only know what Mr. Bissett told me. I am in favor of a library in Halifax North and I will recommend to the Forum Commission that a site be provided. I am not saying the site they wish to have the library on will be available but I am quite willing to recommend that we provide the land. As I have pointed out for 7 years I have been trying to get a branch library in Halifax North. I would like to point out to all that this North end library would serve about 31,000 people so I am in accord with the decision of the Library Board and I am sure ready to call a meeting on short notice."

Alderman Wyman arrives at 8:15 P.M.

Moved by Alderman Ahern, seconded by Alderman Greenwood that the Forum Commission be requested to make available a site on which a branch library may be erected and also that a meeting of the Forum Commission be called as soon as possible to consider the matter.

Alderman Dunlop: "I differ from the previous speakers. I am absolutely opposed to the building of a branch library at the present time on any site. My reasons are chiefly financial. One objection I have is that these matters come so suddenly before us you don't have much chance to study them. The financial position of this City is that we have capital expenditures outstanding and debts close to \$25,000,000.00. We have before us a large capital expenditure for schools. We have an incinerator which is not completely budgetted for yet. We have the question of the City Home. We have hundreds of people out there in a building which is old and 70 of our people in the County Home should be provided for. We have the question of a new and modern jail for Halifax. I regard that as one of the first requirements. It is a disgrace to the City of Halifax. It is 85 years old. We have a large street problem with our main streets such as Barrington Street where the tram rails are coming through. We have a residential tax rate of \$1.40 and 10 cents which makes \$1.50 and a business rate of \$4.75 and to keep those rates we had to reach into our surplus for \$1,000,000.00."

Alderman Vaughan arrives at 8:20 P.M.

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Alderman Dunlop continued: "Our Police, Fire and City Hall employees are costing more. Even the Library Commission has increased the salaries. I would say it would be close to \$500,000.00. Where are we going to get the money? I will say to the Chairman of the Library Commission that there is nobody in the City suffering from the want of library service. The present library is built in the most accessible spot in the City. I say a library constructed on the Fort property will not be a north end library. To think that people from North Barrington and Göttingen Streets are going to travel out there is just fantastic because traffic does not go that way."

Alderman O'Malley arrives at 8:25 P.M.

Alderman Dunlop continued: "What I am mostly concerned with is the financial position of the City. If we increase the residential rate to \$2.00 I am sure it is going to drive home owners out of the City because they will not be able to carry that load and business will no longer carry the increased load. Let us stop and take a look at our financial position. This is the time to approve of this finally or else say no. The time to find out these facts is before you decide to do it. A library would cost \$250,000.00 in the north end. Why don't they take a house in the Westmount Area and stock that and see how it works out. I would hope that the people who live in the emergency shelters find other places to live and we will have to decide whether we want to restore the Provincial Exhibition. I would say if you are bound to build a library build it where it will be in the centre of population somewhere around Cunard and Agricola Streets. Tear down some of the old buildings and put up a nice building and you will improve the locality. I think the City at the present time is in no position to embark on a capital expenditure which will run into \$250,000.00 to \$300,000.00."

Alderman Ahern: "There was an agreement and I think we could find something in the records in the Mayor's Office regarding the location. We had several meetings and not behind closed doors. The speech does not appeal to me one bit and I think we can very well afford a bond issue of \$250,000.00. I don't think you will need a large building. I will agree that if we had it around Cunard or Agricola Streets that would be alright."

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Alderman O'Brien: "I would certainly like to see a branch library in the north end. I feel that we have to take into consideration the thoughts expressed by Alderman Dunlop. It seems to me that our proper course would be to defer a decision until we are considering our capital budget next year. At the meeting when that is being considered we will have an opportunity to weigh all the things we can afford to have this coming year. I feel there are many other things that Alderman Ahern would support that would be valuable for people if we could afford them at this particular time. I think 1957 is the time to consider whether we should build the branch library."

Alderman O'Malley: "At the last meeting of this Council I made it clear that there is not an Alderman in this Council that would not like to see a library built in Halifax north. Since that time you have candidates running in Halifax north for the Provincial election. I have always in the past supported Alderman Ahern in any proposal he brought before Council but I feel we must be realistic in our approach in the matter of a library in Halifax north. I was pleased to hear the remarks of Alderman Dunlop but I am not prepared to support him in selecting a house and providing books and facilities for the library. I cannot support the creation of a public library at this time. I don't think we have a full picture of our financial position. We have other capital considerations this year. We have the incinerator and we know not yet what we have before us. We have been warned in the past by the American bond brokers that we should not permit our borrowings to extend beyond \$1,000,000.00. I believe in first things first. We have been advised by Alderman Ahern that a library has been promised for Halifax north. Promises should be honoured but should only be honoured on a tax basis that affects the tax payers in this City. I feel the only realistic approach should be considered after we have our true financial position and the affect of a new library and all other capital expenditures on the tax rate. I am happy at all times to support anything for the good of our citizens and I would like to see a library erected tomorrow if I were satisfied that it was not an undue burden on our citizens. I would like to see this matter deferred."

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Alderman Vaughans: "Much has been said about our ability to pay. I notice in the report to the Council showing capital expenditures I find the City leads the way with \$108.00 per capita. No other municipality in the Province proposes a tax such as we do; that is an indirect sales tax. It is the high business tax levied on all business. My thought was to bring to the fore the problem of additional space. I will not be one bit offended if Council turns this down but I do urge that when we are considering our Capital Budget that we keep the matter of a library branch in mind. We should not let it languish. We should do all we can to encourage it. It fills a need to the people of Halifax to further their education. I submit that to the Council for consideration."

Miss Cameron: "I think there is more than a north end branch at stake. We had reached the saturation point. We are faced with a deterioration in our service. I pride myself and the staff in giving good service to the City but it now has to go back. We will have to pack away books we would like to use. It is space we have to have and if we are to go forward we have to have space."

Alderman O'Malley: "I think we will be just as far ahead when the Capital Budget is considered as we will be tonight. This time of year I doubt if the facilities could be made available till next spring anyway. I think the suggestion of deferring it to Capital Budget is a good one."

His Worship the Mayor: "We have a high capital borrowing and it is also true that it is a tough time to enter the bond market. 5% and more."

Alderman DeWolf: "I have from Mr. DeBard a statement of our liabilities but what I never got is a statement of our assets. How much are our current assets? Should they be taken off the debt? Is this a picture of our net debt only in relation to bonds? Does the same thing apply to other centres? Are the current assets taken into consideration? Is the \$1,600,000.00 bonds deducted? What I would like to have pointed out is this that Halifax has spent more money on educational facilities during the past 10 years and that is what puts our debt up. It is a mistake to have a gloomy picture like this and never see the sunny side. I think that should be shown at all times when a statement like this comes out and not always paint a gloomy picture. What are the assets? I would like to know what the assets are?"

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City Manager: "Most municipalities deduct their current assets from what they owe in bond debts. If we raise \$11,000,000.00 that \$11,000,000.00 is spent. For this \$21,000,000.00 we have various buildings which run up to \$100,000,000.00. We could have \$500,000,000.00 worth for our \$25,000,000.00 debt. It takes dollars to pay debts. The assets we are talking about are not taxable and raise no money."

Alderman DeWolf: "Schools are not a recurring item."

Alderman O'Malley: "I wonder if the mover and seconder would be willing to change the motion so that we could endorse the need for additional facilities and that every attempt be made to provide the capital funds at the time of the capital budget?"

Alderman Ahern: "I can see no good reason for the delay."

Alderman Vaughan: "What happened to the motion I made at the last meeting? It was to provide for a borrowing resolution in the amount of \$5,000.00 to hire an architect to prepare plans for a library on a site to be chosen by the Library Board."

Alderman Vaughan then moved the above motion but received no seconder.

Alderman Macdonald: "I am not opposed to the establishment of a branch library either in the north end or central Halifax but at this time I will have to oppose it. I think it could very well be left over until 1957 estimates are prepared. We could have a clearer picture of our financing for 1957. I will have to vote against it tonight for that reason."

Alderman Wyman: "If we spend this \$5,000.00 now then at the time we are considering the capital budget we will know just how much money will be needed for the branch library."

Alderman Dunlop stated that architect's fees are based on the cost of constructing the building.

Moved in amendment by Alderman O'Malley, seconded by Alderman O'Brien that this matter be deferred until the Capital Budget is considered.

The amendment was put and passed by voting for the same and 4 against it as follows:

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FOR THE AMENDMENT

Alderman O'Brien
Greenwood
DeWolf
Abbott
Macdonald
Fox
Ferguson
O'Malley

- 8 -

AGAINST IT

Alderman Vaughan
Dunlop
Ahern
Wyman

- 4 -

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

FOR THE MOTION

Alderman O'Brien
Greenwood
DeWolf
Abbott
O'Malley
Ahern
Wyman

- 7 -

AGAINST IT

Alderman Dunlop
Macdonald
Fox
Ferguson
Vaughan

- 5 -

Alderman O'Malley: "The only thought I have on this site is how well will it blend itself in?"

MINUTES

Moved by Alderman Greenwood, seconded by Alderman Ahern that the minutes of the last regular meeting be approved. Motion passed.

MOTION ALDERMAN DUNLOP TO RESCIND RESOLUTION OF COUNCIL Re: SALE OF LAND ON LLOYD FOX AVENUE TO REVEREND MATTHEWS OR THE EDGEWOOD UNITED CHURCH ✓

Moved by Alderman Dunlop, seconded by Alderman Macdonald that the resolution passed by the City Council at a meeting held July 12, 1956 respecting the sale of a lot of land on Lloyd Fox Avenue to the Edgewood United Church be rescinded.

Alderman Dunlop: "In 1955 legislation was secured requiring all land to be sold by public tender. The practice was growing of selling land to churches without calling for tenders. The legislation did not go so far as to say that it had to be sold to the highest tenderer. This is a building lot and the use will be residential. The City will get the same amount of revenue. One tender was \$1,500.00 higher. The Council decided to accept the lower tender. The Solicitor gave us a report but I do not agree with the law in this case. I

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would strongly urge my fellow Aldermen if they wish to sell this land to the church to take the course of applying to the Legislature to secure permission. The whole transaction does not look like the land was to be sold to the highest tenderer."

Alderman Macdonald: "I have always been sympathetic to religious institutions but this does not come in that category. It is not a church. I think we should accept the highest tender. I voted against it before."

Alderman Vaughan: "Where do we stand in respect to this land? Have they paid money to us or not?"

City Solicitor: "There was an offer and an acceptance. The money has been paid. A deed has been prepared and I spoke to one of the Trustees that I would like to hold the deed until after this meeting when Alderman Dunlop's motion would be considered. I think we are a little late in rescinding a motion which consummated a contract."

The motion was put and lost.

MOTION ALDERMAN O'BRIEN TO SEEK LEGISLATION PERMITTING CITY EMPLOYEES TO REPAIR CULVERTS ETC. ON PRIVATE PROPERTY AND CHARGE THE PERSONS RESPONSIBLE

Moved by Alderman O'Brien, seconded by Alderman Ahern that the City seek legislation to build or repair culverts when such action is deemed necessary to the health of citizens and charge the cost of such work to the persons responsible.

Alderman O'Brien: "I feel this requires some action and long range action as well as the temporary kind of solution which is proposed in this motion. It deals with a brook that runs in a culvert on Spruce Street. Some of the water comes from the County side. We have the report of the Metropolitan Area and I presume it will be some time before the proposal is acted upon as it is a permanent solution. What I am proposing is something that will help in the meantime until the permanent solution is achieved. There is a very serious flooding at certain times of the year. There is the risk of children drowning and the risk of poisoning. I am told that there have been rats seen in the neighbourhood of the culvert. There is the question of property damage and depreciation. The City has permitted this area to be sub-divided and houses built. We have some moral responsibility particularly when the health of our

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citizens is concerned. Not so long ago we passed for legislation a proposal which would permit the Works Department to take action to clear drains which are private and connected to a public sewer and to charge the cost to the persons who have responsibility for those private drains. This motion is designed to secure legislation which would permit the Works Department to repair or further construct a culvert which would protect the people in the area and health at the direction of the Commissioner of Health at the expense of the person who is responsible for the culvert. The responsibility in this case is clear. It is with the original subdivider. If he does not repair the culvert and have it in shape when flood time comes then the City should repair it and charge him. I have a petition here which is signed by all the property owners in the block which is directly affected. (He then read the petition and took responsibility for it.) This is designed to give the City authority to do something in an emergency. There is danger of serious flooding."

Alderman Ahern: "I would say Alderman O'Brien means a remedy as soon as possible."

Alderman Dunlop: "Is this the green line that will cost \$225,000.00?"

Alderman Greenwood: "I have been very much aware of this. We took it to the Committee on Works and it is \$225,000.00. It should merit very deep consideration."

City Solicitor: "There is the matter of water courses on private and City land. In general the principle is that it is entitled to run freely. A person is not entitled to block it at any course. If you interfere with it you make yourself responsible for any damages arising from the change in direction. If we attempt to make a correction where the trouble is now, that is no assurance at all. In the near future that will become inadequate. This originated in a pond on the other side of the Dutch Village Road. I understand that pond has ceased to exist and as a result we have a direct flow down the brook. That will be aggravated when the street and roads in the County are paved. There is no assurance that that is going to be a permanent cure. We cannot go on private property and charge him for it without legislation."

Alderman O'Brien: "The motion deals with the temporary solution for a small section on the plan."

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The City Solicitor suggested that the work be charged against the property.

Alderman Ferguson: "We have been told that the estimated remedy would cost \$250,000.00. I know this area well and I have a whole reel of film showing a bull-dozer half under water when that area was flooded. I don't think the culvert was there at that time. I think this is a situation of long standing."

City Manager: "The man built that culvert and he diverted the stream. I think he is responsible. I think the record will show. He had to re-route the stream or lose some lots."

Alderman O'Brien: "The Metropolitan Area Report indicates that in certain parts of the County sewerage gets close to the surface. We don't know what is there. The Health Department should check what is in the water. We should know what risks are being run there. There is another suggestion that the City endeavour to bring together the original sub-divider who built the culvert and representatives of the people in the area with our Works and Health Departments to see if some agreement can be reached to save the situation for this year. When our Capital Budget is considered we may be able to see it for next year. What we are trying to do is to find protection for these people. All the money should not come from the City as it is County and Provincial water."

His Worship the Mayor: "You have water courses in Halifax by the score. There is Jubilee Road, South Street, etc. I would like to see a solution to this but I would be scared to death unless you are doing it with your eyes open."

Alderman O'Brien: "The City is channelling the water under Howe Avenue. The City has some interest in it."

City Solicitor: "That culvert does not restrict the normal flow of the brook."

His Worship the Mayor: "With respect to the Metropolitan Survey I have been in touch with Mr Hattie and suggested he call a general meeting of our Council and the County Council to study the implications of the Report."

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Alderman Macdonald: "Suppose the City did the work and remedied the situation and the money is not collectible which was spent, what is the position of the City then?"

City Solicitor: "You have a debt. In this case we are dealing with a person who may not own any property there. You should attach it to a property by way of a lien."

Alderman Dunlop: "I don't see any legislation that would be workable. You could not tack a lien on the present owner. I would suggest that this matter go to the Committee on Works for study and let us have a draft of what is proposed and the Commissioner of Works give us an idea of the cost."

Moved in amendment by Alderman Dunlop, seconded by Alderman Vaughan that this matter be referred to the Committee on Works for investigation and report.

Alderman O'Malley: "Is there only one culvert referred to on the plan smaller than the City-owned culverts at each end?"

Mr. West: "One is plugged and the water is being diverted to the newer one."

Alderman O'Malley: "We now discover that one of these culverts is plugged. It should be referred back to the Committee on Works."

Alderman Ahern: "I would like to know what can be done as a temporary measure?"

The amendment was put and passed 11 voting for the same and 1 against it as follows:

FOR THE AMENDMENT

Alderman Greenwood
DeWolf
Abbott
Dunlop
Macdonald
Fox
Ferguson
O'Malley
Wyman
Vaughan
O'Brien

AGAINST IT

Alderman Ahern

October 11, 1956.

MOTION ALDERMAN DEWOLF Re: CITY SOLICITOR ✓

Alderman DeWolf: "I find the notice of motion has to be signed by two Aldermen therefore the notice I gave is not valid for this meeting. I will follow the course as in the City Charter."

His Worship the Mayor referred to Section 118-A and read the same for the information of the Council.

It was then decided that the matter would be presented to the next meeting of the City Council.

CITY SOLICITOR'S RESIGNATION ✓

Moved by Alderman DeWolf, seconded by Alderman Ferguson that this matter be deferred until the next regular meeting of the City Council.

Alderman Vaughan: "I think we should discuss this tonight on its merits. I think the Solicitor should be cleared on this matter."

Moved by Alderman Ahern, seconded by Alderman Vaughan that the City Solicitor be requested to re-consider his resignation and all members of Council discuss the matter with him.

Alderman O'Malley: "On what basis are we asking the City Solicitor to re-consider his resignation? He pointed out some reasons why he did not wish to serve under the present system. That being so he wanted to be removed from the direct control of another official. I am opposed to any appointment as successor to a particular post. I am opposed to that particular post. I will not support a successor to the post as occupied by the official.

His Worship the Mayor: "There is another matter is that the City Solicitor take over some other job but that is not what is on the floor. The letter from the Solicitor might be considered by this Council point by point. I think that might be the quickest way to get to this matter."

Alderman Dunlop: "When a person in the employ submits a resignation I presume he means it. He submitted a resignation to Your Worship under which he gave certain conditions under which he was prepared to stay. If those conditions are the only ones on which the City Solicitor will stay I think the Council should accept his resignation. I hope he stays. If he has made up his mind that he wants to go I don't think we should change it for him. What

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is to be done with the two Assistants in the Department. He does not say what is to be done. Are they to be supplanted by another Solicitor to be brought in? I think it is a matter for the Head of the Department to decide whether the Assistants are to be retained."

Moved by Alderman Dunlop that the resignation be accepted.

There was no seconder to this motion.

Alderman Ferguson: "I realize the valuable service given us by the City Solicitor. He has given his views in a letter. I think the solution is to reach a compromise and I don't think we can work out the details. I think we should retain the services of the Solicitor. I think there are certain questions involved. There are other questions dealing with other personnel. I think a new committee should be appointed and bring in a final report and we will have to go from there."

Moved by Alderman Ferguson, seconded by Alderman Greenwood that Council resolve itself into a Committee of the Whole to discuss this matter with the City Solicitor now.

Alderman O'Malley: "I think we should have a presentation tabled to the adjourned meeting by the individuals who we know are involved and we can do it ourselves."

The motion was put and passed.

10:05 P.M. Council adjourned.

10:55 P.M. Council reconvened the following members being present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Dunlop, Lane, Macdonald, Fox, Ferguson, O'Malley, Ahern, Wyman, Vaughan, O'Brien and Greenwood.

Moved by Alderman Ahern, seconded by Alderman Greenwood that Council request the City Solicitor to re-consider his pro-offered resignation.

Motion passed.

City Solicitor: "After the discussion I am quite prepared to withdraw my resignation.

This was acceptable to Council.

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ACCOUNTS OVER \$500.00

To: His Worship, L. A. Kitz, and
Members of City Council.
From: City Manager, A.A. DeBard, Jr.,
Date: October 10, 1956.
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>
Works	Armco Drainage & Metal Products of Canada Ltd.	Supply and installation of Armco Asbestos Bonded Corrugated Metal Pipe Paved and Asphalt coated	\$34,450.18
Works	Applied Insulations Ltd.	Pipe Covering - Boiler Room	778.50
Works	Brookfield Bros Ltd.	Windows	1,296.00
Works	T.P. Calkin, Limited	Copper Pipe, Brass Tee, Bushing & Plug	507.33
Works	Murray & Falconer, Ltd.	Sodding -St. Andrew's School	3,806.61
Civil Defence	Payette Radio Limited	Communicator, amplifier, crystal, tubes & lamps	645.35
			<u>\$41,543.97</u>

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

Moved by Alderman Greenwood, seconded by Alderman Macdonald that the report be approved. Motion passed.

RESUBDIVISION CONNAUGHT AVENUE ✓

To: His Worship the Mayor and Members of the City Council.
From: Town Planning Board
Date: September 20, 1956
Subject: Resubdivision, Connaught Avenue

The Town Planning Board, at a meeting held September 18, 1956, considered the attached report from the Town Planning Engineer respecting the re-subdividing of the lands of Phyllis R. Blakeney, Connaught Avenue, formerly Fifth Street.

October 11, 1956.

On motion by Alderman Ahern, seconded by Alderman O'Brien, the Board approved the report and resubdivision, as shown on Plan No. 00-8-13577, and recommended to City Council that no public hearing be held.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per.. Allan R. Barry,
for Clerk of Works.

Moved by Alderman Ferguson, seconded by Alderman Fox that the report be approved. Motion passed.

UNDERSIZED LOT #38 CONNOLLY STREET ✓

To: His Worship the Mayor and Members of the City Council.
From: Town Planning Board.
Date: September 20, 1956.
Subject: Undersized Lot - 38 Connolly Street.

The Town Planning Board, at a meeting held September 18, 1956, considered the attached report from the Town Planning Engineer regarding an application to add two apartments to an existing two-flat building on a lot 44' x 100' at 38 Connolly Street.

On motion by Alderman Macdonald, seconded by Alderman Abbott, the Board approved the report and recommended to City Council that the application be refused.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per.. Allan R. Barry,
for Clerk of Works.

Moved by Alderman Ferguson, seconded by Alderman Dunlop that the report be approved. Motion passed.

UNDERSIZED LOT CONNAUGHT AVENUE ✓

To: His Worship the Mayor and Members of the City Council.
From: Town Planning Board.
Date: September 20, 1956.
Subject: Undersized Lot Connaught Avenue near Chebucto Road.

The Town Planning Board, at a meeting held September 18, 1956, considered the attached report from the Town Planning Engineer respecting an application to erect a single family dwelling on a lot 35' x 76' or 2,660 square feet on the east side of Connaught Avenue, near Chebucto Road.

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Alderman O'Brien moved that the application be denied. His motion was seconded by Alderman Macdonald.

Alderman Ahern and Abbott were both opposed to the motion.

His Worship the Mayor voted in favour of the motion thus recommending to City Council that the application be denied.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..Allan R. Barry,
for Clerk of Works.

City Solicitor: "This is less than 3000 sq. ft."

Alderman O'Malley: "Is it not true that there was a driveway placed there when they paved that street and sewer and water have been supplied? It must have been the intent of the City when they supplied the other services to grant a permit in the future."

His Worship the Mayor: "Those might have been supplied before the Zoning By-Law came into effect."

Moved by Alderman O'Malley, seconded by Alderman Ahern that the permit be granted and the necessary legislation obtained.

Alderman Macdonald: "I don't know whether the Council has all the facts or not. I understand the lot is about 1400 or 1500 feet under the requirements for a lot. I think our opinions and thoughts as far as planning is concerned should be brought up to date. That is putting us in a position that we were in many years ago."

Alderman O'Brien: "I am opposed to this motion for several reasons. I don't believe we should be building houses on lots that small. If we are going to do that sort of thing because somebody owned the lot before we had a Zoning By-Law, it won't be too long before the Zoning By-Law will be meaning-less. That corner has an increasing amount of traffic. The street lines at the intersection are not too good. The traffic is bound to increase when Eaton's have their development in that part of the City and if we ever proceed with the Expressways as in the Metropolitan Survey, the traffic will have to go down Connaught Avenue. The drug store is right out on the sidewalk."

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If we are going to straighten out Chebucto Road it looks like a piece will have to come off the drug store. If there is going to be off-street parking I just don't see where there is going to be room. I feel this motion should be opposed. The Town Planning Board had a letter from one of the residents of adjoining property opposing this and I think the Council should know about it.*

The motion was put and passed 10 voting for the same and 3 against it as follows:

FOR THE MOTION

Alderman Abbott
Dunlop
Lane
Macdonald
Fox
Ferguson
O'Malley
Ahern
Wyman
Vaughan

- 10 -

AGAINST IT

Alderman DeWolf
O'Brien
Greenwood

- 3 -

UNDERSIZED LOT #102 DUBLIN STREET ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board,
Date: October 2, 1956.
Subject: Undersized Lot - 102 Dublin Street.

At a meeting of the Town Planning Board held on the above date a request to enlarge an existing building with a basement apartment to include three apartmetns was considered.

The Town Planning Engineer recommended that the applicant be required to abandon the basement apartment and permission be given to convert to two flats only.

The Board approved the Town Planning Engineer's recommendation.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..J.B. Sabean,
Clerk of Works.

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

October 11, 1956.

UNDERSIZED LOT #15 SUMMIT STREET ✓

To: His Worship the Mayor and Members of City Council.
From: Town Planning Board.
Date: October 2, 1956
Subject: Undersized Lot - West of #15 Summit Street.

At a meeting of the Town Planning Board held on the above date a report from the Town Planning Engineer recommending approval of an application to construct a single family dwelling on a lot on Summit Street with a frontage of 33' 6" and an area of 4700 square feet was considered.

The Board approved and recommended same to City Council.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..J.B. Sabean,
Clerk of Works.

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

TAX ABATEMENTS AND REFUNDS ASHBURN AND HEMLOCK AVENUES ✓

October 4, 1956.

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 Manager respecting Tax Abatement and Refund.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

To: His Worship, L.A. kitz, and
Members of City Council.
From: City Manager, A A. DeBard, Jr.,
Date: October 11, 1956.
Subject: Tax Abatement & Refund.

When we were laying sewer in the Seventh Ward some years ago, it was

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decided to run the sewer down Ashburn Avenue instead of Hemlock because there was a large block reserved for school purposes, necessitating cutting off Hemlock at Abbott Drive. Permission of the then owner, Mr. C.F. Abbott, was secured, but title to the land was not obtained. Subsequently all the lots along Abbott Drive were sold to Mr. Butler.

An exchange of lots was arranged by closing Hemlock Street and giving this lot in exchange for the lot where Ashburn Avenue now is.

Taxes are owing on lot 68 for \$75.51 including interest to September 30, 1956. Taxes were paid on lot 64A to an amount of \$53.98 and there is due with interest \$29.69 for 1956.

Since one lot (68) was the street and the other (64A) the former street, neither could be used by the owners of record. It is recommended that the unpaid taxes be abated and that a refund of \$53.98 be made for the taxes paid and to secure the necessary legislation.

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

Moved by Alderman Macdonald, seconded by Alderman Greenwood that the report be approved. Motion passed.

LEASE - CATHEDRAL BARRACKS ✓

His Worship the Mayor stated that this property is a very valuable piece of land situated where it is and would give a good tax yield. He said he would be loath to see a long term lease and it was his recommendation that the City offer a 3 year term lease under the same conditions as previously at \$250 00 per month.

Moved by Alderman Ahern, seconded by Alderman Vaughan that the recommendation of His Worship the Mayor be approved and the Mayor and City Clerk authorized to execute the Lease on behalf of the City.

Motion passed.

October 11, 1956.

BAYERS ROAD HOUSING PROJECT - SCALE OF RENTALS ✓

A report was submitted from the City Manager setting forth a letter from Mr. W.D. Iverach of C.M.H.C. in which he advised that the Minister of Public Works had recently communicated his feelings on the rent scales to the two Halifax Members of Parliament and to the Bayers Road Housing Association and the gist of his remarks was that no change is contemplated. Mr. Iverach stated in his letter that the Minister suggests that an educational program is needed to impress upon the tenants the necessity for them to secure housing accommodation elsewhere as soon as they reach a certain income level so that public housing is made available to those who need it more.

FILED

Alderman O'Malley retires at 11:10 P.M.

HALIFAX TUBERCULOSIS HOSPITAL ✓

October 4, 1956.

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

At a meeting of the Public Health and Welfare Committee held on the above date, the situation respecting the Tuberculosis Hospital was considered.

The recommendations contained in the attached report were unanimously concurred in.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

October 2, 1956.

Chairman and Members,
Committee on Public Health and Welfare.

Re: Halifax Tuberculosis Hospital

At an informal get-together between the Members of the Committee on Public Health and Welfare, the President of the Medical Staff of the Tuberculosis Hospital, the Dean of the Faculty of the Dalhousie School of Medicine and also the full-time Professor of Medicine, the President of the Rehabilitation Council of Nova Scotia, the Deputy Minister of Health for the Province, Dr. C.J.W. Beckwith, Mr. A.A. DeBard, and myself, the local hospital situation was quite fully discussed; with emphasis on the situation in regards to the Tuberculosis Hospital.

The attached brief which emphasizes some of the points of my previous brief to City Council on July 24th., was presented to the Meeting along with a letter addressed to the Mayor from the patients at the Hospital, one addressed to myself as Commissioner of Health from the patients, one addressed to me from the Medical Staff at the Hospital submitting a resolution, and also

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Department of Medicine at Dalhousie.
Halifax, N.S.

... actual cost of the
... at the cost of our
... reported the
... Robertson, Deputy
... pay the City of
... 1955. This figure
... Hospital maintenance
... cost was \$8.38 per
patient.

... last year was \$315,364.92
... at the \$8.41 rate from
... D.V.A. patients and
... of operation, including
... the control costs,
... to the tax payer was

... that the Government supply the
... in the treatment of tuber-
... This is estimated at
... and replace the City x-ray

... pointed out that the
... in the Halifax area
... diagnosis and
... in his letter. Dr. Dickson,
... to this area, felt that
... was essential to the

... staff at the Hospital, presented
... this month, to the
... Hospital recommends
... as a Medical Consultant
... Hospital

... the sections now turned over to
... the possibility that they will
... the City, and will be able
... the Public Ward

... the use of the City Home and
... mentally ill, and the
... of such an Institution.

... to operate the

... authorized to proceed
... the taking on of
... resignation.

... Chest Diseases to this

... for your consider-

October 11, 1956.

Respectfully submitted,

Allan R. Morton, M.D.C.M., M.P.H.,
Commissioner of Health and Welfare.

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

Alderman Vaughan pointed out that the City Council was successful in having the hospital cared for by the Provincial Government.

TENDERS FOR THRASHING MACHINE AT THE CITY PRISON ✓

October 4, 1956.

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

The Public Health and Welfare Committee at a meeting held on the above date agreed to recommend for acceptance a tender of Mr. Lindsay offering to pay the sum of \$65.00 for a Threshing Machine at the City Prison.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

TENDERS FOR SMALL FRONT END LOADER - WORKS DEPARTMENT ✓

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

From: Committee on Works.

Date: October 2nd, 1956.

Subject: Tenders - Small Front End Loader.

The Committee on Works at a meeting held on the above date, recommended that a Hough Model HA Payloader be purchased from Industrial Machinery Company Limited, at the price quoted - \$5,888.00.

Alderman MacDonald and Alderman Ferguson opposed.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per J.B. Sabean,
Clerk of Works.

Alderman Dunlop felt that the Riley Engineering Sales Limited should be forced to deliver the machine.

His Worship the Mayor felt that the City should not purchase another machine when a contract for the purchase of one machine was still outstanding.

October 11, 1956.

The City Solicitor reported verbally as follows: "In my opinion it is probable that such an action would be successful and the amount which could be recovered would likely be the difference in the cost of acquiring similar equipment elsewhere."

It was then agreed that the Riley Engineering Sales Limited be directed to deliver the machine at the price of \$4,990.00.

EXTENSION RENT CONTROL TO NOVEMBER 30/56 - APPROPRIATION 316 "C" \$1,000.00 ✓

October 4, 1956.

To His Worship the Mayor and
Members of the City Council

Alderman DeWolf, Chairman of a Special Committee appointed to consider the matter of Rent Control reported to the Finance and Executive Committee at a meeting held on the above date that the committee would not be ready to report until the November meeting of Council and suggested that action be taken to extend Rent Control beyond October 31, 1956.

It was agreed to recommend that the sum of \$1,000.00 be provided under the authority of section 316C of the City Charter to continue Rent Control to November 30, 1956.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

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

CONTRIBUTION TO COMMUNITY CHEST \$9,000.00 ✓

October 4, 1956.

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 legislation be obtained at the next session of the Legislature enabling the City to contribute the sum of \$9,000.00 to the Halifax Community Chest for the year 1956.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Moved by Alderman Greenwood, seconded by Alderman DeWolf that the report be approved Motion passed

DISMISSAL OF MR. BERNARD BUNT - CITY FIELD EMPLOYEE ✓

At the request of the City Field Union this matter was deferred until the Special Meeting of City Council to be held on October 25, 1956.

October 11, 1956

ORDINANCE RE: SMOKE NUISANCE FIRST READING ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: October 2, 1956.
Subject: Re: Control of Smoke Nuisance.

At a meeting of the Committee on Works held on the above date the attached report from the City Solicitor and a draft of a "Smoke Control Ordinance" was considered

The Committee recommended that the Ordinance be read and passed a first time.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Fernando J.B. Sabean,
Clerk of Works.

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

ORDINANCE

The City Solicitor submitted the Ordinance and same is attached to the original copy of these minutes. Copies of the same were furnished the members of Council.

Alderman O'Brien: "I asked if this would cover railways and Mr. Doyle said 'no'. I would like to read one section of a timetable in Sydney, N.S. If Sydney can pass a by-Law that affects a railway I don't see why we can't. There is the smoke and whistle nuisance "

Moved by Alderman Wyman, seconded by Alderman Greenwood that the Ordinance be read and passed a first time and referred to the Finance and Executive Committee. Motion passed.

AMENDMENT TO ORDINANCE #2 - FIRST READING ✓

BE IT ENACTED by the Mayor and City Council of the City of Halifax as follows:

1 Ordinance Number 2, Respecting the Rules of Order of Council, is amended by inserting therein, immediately following section 51 thereof, the following Section:

51A When a motion for the adoption of a proposed amendment to the

Respecting the Abatement of Smoke and other
atmospheric pollution.

BE IT ENACTED by The Mayor and City Council of the City of Halifax
as follows:

1. This Ordinance may be referred to as "The Smoke Abatement
Ordinance".

2. In this ordinance and in the regulations, -

"dust" means gas-borne and air-borne particles larger than 10
microns in mean diameter;

"dust-separating equipment" means an apparatus or device for
separating solid matter from the gas medium in which it is
carried;

"fly-ash" means fine solid particles, consisting mostly of in-
combustible material, that are entrained in and carried by
the gaseous products of combustion;

or

"fly-ash" means gas- or air-borne particles larger than one micron
(approximately 0.00004 inch) and consisting essentially of
fused ash and/or burned or unburned combustible material;

alternative.

"fuel-burning equipment" means a furnace, incinerator, refuse-
burning equipment, boiler, chimney, flue, stack or any other
apparatus, device, mechanism or structure used in or in con-
nection with the process of burning fuel or other combustible
material, but does not include an internal combustion engine
or a vehicle.

*including coal-burning
stoves, chimneys*

"fumes" means gases or vapours that are of such character as to
create an unhealthy, destructive, offensive or unhealthy
condition;

"Inspector" means the Inspector of Buildings of the City of Halifax
or the person from time to time performing the duties of that
official under this ordinance.

"internal combustion engine" means an engine or turbine in which
combustion of a gaseous, liquid or pulverized solid fuel
takes place within one or more cylinders or combustion
chambers;

"person" includes a partnership, association, syndicate, trust,
corporation, department, bureau, agency or any other entity
recognized by law as the subject of rights and duties;

"regulations" mean the regulations passed by the Smoke Advisory
Board pursuant to clause (d) of subsection (2) of Section 12
of this ordinance;

"Ringelmann smoke chart" means the Ringelmann Smoke Chart 4th
Edition, 1956, as published by the United States
Bureau of Mines when the same is used in accordance with such
instructions;

"smoke" means gas-borne and air-borne particles consisting essentially of
solid matter and having a sufficient number to be perceptible

"soot" means agglomerated particles consisting essentially of carbonaceous material;

"stack" or "chimney" include a flue, conduit or other opening arranged for emitting gases into the open air;

"machine" includes a roller, derrick, crane, pile-driver, trencher, ~~hoist~~, excavating machine, portable hoisting engine, tar kettle or other apparatus which is not ordinarily permanently installed in one location but is used at various places over a wide area.

other than a coal-burning steam shovel

(1) The discharge or emission to the atmosphere or open air, within the limits of the City of Halifax, of smoke, dust, fly-ash, soot, fumes or other solid or gaseous product of combustion, the shade or appearance of which is equal to or greater than that described as No. 3 on the Ringelmann Smoke Chart or so dense that it cannot be seen through at the point of emission for a period of or periods aggregating six minutes in any one hour, is prohibited.

(2) The discharge or emission to the atmosphere or open air, within the limits of the City of Halifax, of smoke, dust, fly-ash, soot, fumes or other solid or gaseous product of combustion, the shade or appearance of which is equal to or greater than that described as No. 2 on the Ringelmann Smoke Chart, or so dense as to be dimly seen through at the point of emission for a period of or periods aggregating ten minutes or more in any one hour, is prohibited.

(3) No person shall, in the City of Halifax, cause, suffer or allow to be discharged or emitted from any fuel-burning equipment, internal combustion engine, vehicle, outside open fire, or premises, any smoke, dust, fly-ash, soot or fumes or other solid or gaseous product of combustion in violation of subsections (1) and (2) of this Section or to an extent which is detrimental to the property of any other person or which is a nuisance to any person not being therein or thereupon engaged.

(4) All fuel-burning equipment in which pulverized fuel is or is intended or designed to be burned, spreader stokers or similar types of suspension-burning equipment, installed in the City of Halifax after the coming into effect of this ordinance shall be provided with dust-separating equipment.

(5) No person shall, in the City of Halifax, cause, suffer or allow to be discharged or emitted from any fuel-burning or dust-separating equipment, any dust, soot or fly-ash exceeding 0.05 pounds per 1,000 pounds of gases, adjusted to 12 percent CO₂, except that dust, soot, or fly-ash not exceeding 15 percent of the total dust, soot or fly-ash entering any dust-separating equipment may be discharged or emitted to the atmosphere or open air; and for the purposes of this paragraph the amount of dust, soot or fly-ash in the gases shall be determined according to the Test Code for Dust-Separating Apparatus of the American Society of Mechanical Engineers as attached to this Ordinance and signed by the Mayor and City Clerk.

(6) Each stack or chimney of every plant that burns coal, intended or designed to burn solid or liquid fuel and has more than 500 square feet of boiler heating surface (50 H.P.) shall be equipped with an approved smoke indicator or recorder.

(7) For the purpose of this Section, "smoke indicator" means a device installed in a boiler room having a fireman in constant

and filed in respect to the provisions of this ordinance and the regulations, shall be known as an Operating Permit, and upon the issuance of such permit, the permit holder shall place such Operating Permit in a conspicuous position adjacent to the equipment.

- (1) No person shall
- (2) commence, proceed with or continue any work of erecting, reconstructing, installing, altering or repairing any fuel-burning equipment without an Installation Permit or which is not in compliance with the application and plans and specifications filed pursuant to subsection (2) of this Section;
- (3) operate, use, maintain or allow to be operated or used any fuel-burning equipment in respect of which an Installation Permit has been issued unless and until he shall have obtained an Operating Permit pursuant to subsection (2) of this Section and each day of operation of such equipment without such Permit shall constitute a violation of this ordinance.

(3) The absence of an Installation or Operating Permit shall not constitute a violation of this ordinance for a violation of any provision of Section 5 or for a nuisance.

5. (1) Whenever a chimney or stack is so located that the smoke or steam therefrom are a nuisance to the occupants of the building in which it is subsequently erected or where any building is subsequently erected adversely affects the draft of any other chimney or stack, such nuisance shall be abated on the advice of the Inspector and draft shall be corrected as the case may be, either by increasing the height of the chimney or stack, or by making such other changes as may be deemed effective by the Inspector.

(2) The work of increasing the height of the chimney or stack or making such other changes may be deemed effective by such Inspector shall be done to the order of the building or structure of which the chimney or stack is a part and at his expense.

7. Every applicant for a permit under this ordinance shall pay, at the time of filing his permit application, a fee of Five Dollars (\$5.00) for the permit so received.

8. The Inspector of Buildings shall be responsible for the enforcement of this ordinance and the regulations and his duties shall, among others, be as follows:

- (a) to investigate complaints, make observations of smoke conditions and take the necessary and proper action to abate nuisances therefrom;
- (b) to issue permits, certificates and notices under this ordinance and the regulations, and to keep records of applications, plans, specifications, permits, certificates, violations, complaints and other matters for the departmental use only;

- (c) to examine the plans and specifications for all new buildings and alterations of or repairs to existing buildings for the purpose of ascertaining that such buildings when erected, altered or repaired will meet the requirements of this ordinance and the regulations;
- (d) to examine the plans and specifications for the erection, construction, reconstruction, installation, alteration or repair of fuel-burning equipment and the issuance of Installation Permits in respect thereof;
- (e) to inspect the erection, construction, reconstruction, installation, alteration or repair of all fuel-burning equipment for which Installation Permits have been issued and the issuance of Operating Permits in respect thereto;
- (f) to publish and disseminate information on methods of smoke reduction;
- (g) to enlist the cooperation of civic, technical, scientific and educational groups, societies or organizations in respect of the reduction and abatement of smoke and other atmospheric pollution.

9. (1) The Inspector and every person appointed to assist him in carrying out his duties under this ordinance and the regulations may, at all reasonable hours, enter upon any property in order to ascertain whether or not the ordinance or the regulations are being complied with.

(2) The Inspector may require the owner, occupant, manager or agent of any property to make such tests of or alterations in fuel-burning equipment thereon or the manner of operating the same as may, in his opinion, be necessary to prevent or lessen the emission or discharge to the atmosphere or open air of smoke, dust, fly-ash, soot, fumes or other solid or gaseous products of combustion.

10. No person shall in any manner obstruct, hinder, delay, resist, prevent or in any way interfere or attempt to interfere with the Inspector or any person appointed to assist him in the carrying out of his duties under this ordinance or the regulations or refuse them or any of them entry upon any property or premises at any reasonable time in the course of duty.

11. Notwithstanding any provision of this ordinance or of the regulations, the Inspector may permit deviations or exemptions from the requirements of this ordinance and the regulations for such period of time and to such extent and upon such terms and conditions as he may from time to time determine.

12. (1) (a) A Board, named the Smoke Abatement Advisory Board, (hereinafter referred to as the Board), consisting of seven members, six of whom shall be appointed by the Council within thirty days of the approval of this ordinance, is hereby established.

(b) The Inspector shall be a member ex officio of the Board and a majority of the members shall not be members of the Council.

(c) Except in the case of the Inspector, the members of the Board shall hold office for the term of four years.

and until their respective successors are appointed and shall be eligible for reappointment, provided that any member appointed from the Council shall upon ceasing to be a member of the Council cease to be a member of the Board.

(d) Upon the death or resignation of any member of the Board, his successor shall be appointed by the Council at the next following meeting thereof for the balance of such term of office.

(e) Four members of the Board shall constitute a quorum.

(f) The Board shall at the first meeting in each year appoint one of its members to be Chairman.

(g) The Board may meet and adjourn from time to time, at pleasure, or may be summoned at any time by its Chairman.

(h) The City Clerk shall provide all secretarial and clerical facilities required by the Board.

(2) The Board shall have the following duties and powers:

(a) to act in a general advisory capacity to the Council and to the Inspector.

(b) to advise the Inspector as to progress in fuel-burning technique and equipment.

(c) to hear and determine appeals from decisions and orders of the Inspector brought in accordance with Section 13 and to confirm, vary or reverse any such decision or order.

(d) to pass resolutions regulating, in a manner not inconsistent with this ordinance, the erection, construction, construction, installation, alteration, repair, maintenance, operation and use of fuel-burning equipment, internal combustion engines and vehicles, and, from time to time, alter or amend any such resolution.

14. (1) Any person complaining of an order or decision of the Inspector may personally or by his agent give notice in writing to the Inspector that he intends to appeal such order or decision and shall therein state a name and an address where notices may be served upon him.

(2) The notice of appeal shall be given to the Inspector within ten days after the day upon which the order or decision complained of is made.

(3) The Inspector shall forthwith after receipt of a notice of appeal forward the same to the Chairman of the Board and the Chairman shall appoint a day within fifteen days after receipt of the notice for the hearing of the appeal.

(4) The Board shall communicate its decision to the Inspector who shall forthwith notify the appellant.

15. Every person engaged in selling or leasing for installation in the City of Halifax any fuel-burning equipment shall, within ten days of every sale or lease by him of any such equipment

report in writing to the Inspector particulars of such sale or lease, including the name and address of the purchaser, a description of the equipment sold or leased, the place of delivery and the location of the building or place in which the equipment is to be installed.

15. All persons owning, operating or in charge or control of any fuel-burning equipment who violate or cause, suffer or allow any violation of this ordinance or of the regulations, either as owners, occupants, managers, agents, superintendents, janitors, engineers, firemen, constructors, installers, mechanics, repairmen or otherwise shall be jointly and severally liable to the penalties imposed by this ordinance.

16. Every person who contravenes

- (a) any of the provisions of this ordinance or of the regulations,
- (b) any decision or order of the Inspector pursuant to this ordinance, or
- (c) any decision of the Board,

shall upon conviction thereof be liable to a penalty not exceeding Fifty Dollars for the first offence, One Hundred Dollars for the second offence and Two Hundred Dollars for the third and for each subsequent offence.

17. This ordinance shall be known as Ordinance Number ~~44~~.

October 11, 1956.

Zoning by-Law in effect in the City of Halifax has been considered by the Council and resolved in the negative, such proposed amendment shall not again be considered by the Council until twelve months have elapsed

Moved by Alderman Vaughan, seconded by Alderman Ahern that the amendment as set out above be read and passed a first time and referred to the Finance and Executive Committee Motion passed

NAMING STREETS - SCOTVALE SUBDIVISION BETWEEN KENITH AVENUE AND DESMOND AVENUE
NORTH OF BLAIR STREET

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

From: Committee on Works

Date: October 2nd, 1956

Subject: Street Names - Scotvale Subdivision - between Kenith Street and
Desmond Avenue - North of Blair Street.

At a meeting of the Committee on Works held on the above date, the matter of renaming

Kenith Street,
Short Street
and
Blair Street

was considered

The Committee recommended that Kenith Street be named Cotter Street,
Short Street be named Condon Street,
Blair Street be named Jones Street.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per... J. B. Sabean,
Clerk of Works.

Moved by Alderman Ahern, seconded by Alderman O'Brien that the report be approved Motion passed

ACCEPTANCE OF STREETS

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

From: Committee on Works

Date: October 11, 1956

Subject: Acceptance of Streets

At a meeting of the Committee on Works held on the above date, the Committee recommended that Aikens Avenue and St. Andrew's Street be accepted as public streets. It is recommended acceptance subject to the satisfaction of the City Engineer prior to City Council meeting

October 11, 1956.

The Committee approved same.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per...J.B. Sabean,
Clerk of Works.

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

APPOINTMENT TO GOVERNING BOARD OF HALIFAX INFIRMARY ✓

Deferred until the Special Meeting of the City Council to be held on Thursday, October 25, 1956.

RENOVATIONS TO COUNCIL CHAMBER ✓

His Worship the Mayor: "The Committee had decided to plaster the walls. Certain Aldermen have approached me and suggested that we should panel it. It would be more impressive. The decorator is in agreement and the architect has recommended it. The amount of money involved would be about \$9,000.00. This is a scheme which has come forward from the Shipyards and they have laid out the design."

Alderman Macdonald: "I have always been partial to panneling. Especially in the Council Chamber. It is much more impressive and I think we would be more satisfied if the permanent job was done in the panel effect. When you deduct the plastering and maintenance over the years we might not be out any money."

Alderman DeWolf: "How much would it cost if it were not pannelled?"

Mr. West: "About \$1,500.00."

Alderman DeWolf: "I think if we had a panneling we would save money over the years."

Moved by Alderman DeWolf, seconded by Alderman Greenwood that the sum of \$9,129.00 be appropriated for the purpose of panneling the Council Chamber.

Motion passed.

His Worship the Mayor: "I hope the panneling will blend with the furniture"

Mr. West: "This will be an extra \$10,000.00 over and above the additional \$15,000.00 authorized by the Council at a previous meeting which will be approximately \$40,000.00 for the renovations to the Council Chamber which were originally estimated at \$15,000.00"

October 11, 1956.

Alderman Wyman asked if any thought had been given to improve the acoustics to which His Worship the Mayor advised that the architect feels that the ceiling has been designed with that thought in mind.

MAYOR'S VACATION ✓

His Worship the Mayor stated he was going to England and Italy for 3½ weeks and would be returning on the H.M.C.S. Magnificent.

BOAT SHED CENTRAL COMMONS ✓

The matter of a Boat Shed on the Central Commons was considered.

Moved by Alderman Vaughan, seconded by Alderman Ahern that the City Manager and Commissioner of Works confer with Mr. Duckworth and bring back a report to Council. Motion passed.

TRAFFIC LIGHTS DUKE AND BRUNSWICK STREETS ✓

Alderman DeWolf: "Is there any consideration being given to traffic lights at Duke and Brunswick Streets?"

Chief Mitchell: "Not at the moment."

Alderman DeWolf: "I find there is quite a congestion. I think it would be well worthwhile for the Chief to make a report."

Chief Mitchell: "We want to wait to see what happens on a hill such as at Cornwallis and North Streets."

PIPE LINE ON CITY PROPERTY NORTH BARRINGTON STREET ✓

Alderman Vaughan referred to a pipe line on North Barrington Street on City property and asked if an easement had ever been approved by City Council.

Mr. West stated that that matter had been processed.

Mr. West was requested to bring in a report at the next regular meeting of the City Council.

STREET LINE W/S WATER STREET ✓

Alderman Fox asked if any consideration had been given to a Street Line on the West Side of Water Street from Jacob Street north as a building had been torn down.

No action was taken on this matter.

APPLICATION BETA HI-Y CHAPTER Y M.C.A. CHAIN OF DIMES TAG DAY ✓

A letter was received from the above Organization requesting permission to hold their annual Chain of Dimes Tag Day on November 2, 1956 from 3.00 P.M. to 9.00 P.M.

October 11, 1956.

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

APPLICATIONS TO REZONE ✓

Applications were received to rezone the following properties:

1. N/E Cor. Oxford and Young Streets.
2. 12 Quinn Street

The applications were referred to the Town Planning Board for a report.

MAINTENANCE RATES HALIFAX COUNTY HOSPITAL ✓

October 4, 1956.

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

The Public Health and Welfare Committee at a meeting held on the above date agreed to recommend for approval the attached report from the Commissioner of Health respecting Maintenance Halifax County Hospital.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

October 1, 1956.

His Worship, L. A. Kitz, and Members of the
Committee on Public Health and Welfare.

Re: Maintenance Halifax County Hospital

Under date of September 11th, I received word from Mr. R.G. Hattie, Municipal Clerk and Treasurer, that the rates for the patients at the Halifax County Hospital, Coal Harbour, will be increased to \$15.00 per week from the present rate of \$12.00. This new rate applies for certain categories.

They have added a full-time Medical Health Officer to the staff as well as a Dentist on a part-time basis, and because of this, are able to carry out an enlarged programme to the use of the new drugs. Because patients under treatment must be kept under close observation at all times, and because these patients are bed patients and require additional nursing care, County Council has found it necessary to make this increase on these bed patients or those under active treatment. Such increase to be retroactive to August 1st.

At the present time, we have seventy-two patients there, sixty-four of these are under active treatment and eight are custody only.

This will mean an additional amount required in our estimates, and at the present time, as I advised you in the Spring when we also had an increase of \$1.00 per week for the maintenance charges in this institution, that our appropriation for this year was \$47,000 and would, in all probability be over-expended. This new increase certainly will cause an over expenditure which will have to be carried over 1957.

I cannot pay the account to the County until these new rates have been approved by City Council. As a rough estimate, I would say that with the present number of patients there, it is going to cost the City upwards of \$50,000. to \$60,000. per year for their treatment.

October 11, 1956.

Respectfully submitted,

Allan R. Morton, M.D.C.M., M.P.H.,
Commissioner of Health and Welfare.

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

APPROPRIATION FOR DEMOLITION MORRIS STREET SCHOOL ✓

A report was submitted from the City Manager suggesting that the sum of \$8,800.00 be taken from the Land Sale Account for this purpose.

Alderman Dunlop: "I don't think it should come from the Land Sale Account."

City Manager: "At the time it was discussed, I don't recall whether there was a recommendation from Council but that is what was said that it would come from the Land Sale Account."

Moved by Alderman Vaughan, seconded by Alderman Dunlop that the sum of \$8,800 00 required for the demolition of Morris Street School be appropriated under the authority of Section 316 "C" of the City Charter. Motion passed.

Alderman Lane: "It was reported that a child was hurt. I have been protesting the condition of that lot for months. I think it is high time somebody did something."

City Manager: "We have not ignored the School. Mr. West has been in touch with Mr. Gray. I recommended that the bid be not awarded to him as he starts work and then bogs down. I presume he has been in touch with Mr. Gray 20 times urging him to get the work done."

His Worship the Mayor: "I think you should confer with Mr. Bethune and you should take action with respect to non-fulfillment of the contract."

Alderman Lane: "What is going to be done to protect the children? What is going to be done about a hazard on private property?"

His Worship the Mayor: "I think steps should be taken with the Solicitor to give a reasonable time to complete the work."

Mr. West: "I was there and Mr. Gray has done more on that job than most demolition jobs. He is handling fill in there. I was there with the Principal of the School."

His Worship the Mayor: "We hope that action will be taken on this matter."

October 11, 1956.

TAX COLLECTIONS MONTH OF SEPTEMBER 1956

CIVIC YEAR	RESERVES	O/S BALANCE AUG 31, 1956	NEW ACCOUNTS & ADJUSTMENTS	SEPT. 1956 COLLECTIONS	O/S BALANCE SEPTEMBER 56
1954	74,378.20	196,523.67	Cr 48.75	6,099.24	190,375.68
1955	68,424.37	393,675.24	Cr 170.33	20,650.65	372,854.26
1956	83,040.92	<u>1,123,475.64</u>	Cr 143,926.67	<u>136,615.28</u>	<u>1,212,953.69</u>
		2,083,674.55	Cr 144,125.75	163,365.17	1,776,183.63

Tax Years Prior to 1954 (covered by reserves) 14,064.04
177,429.21

POLL TAXES

1954	16,680.67			277.67	16,403.00
1955	10,600.64	Dr.	10.00	618.82	9,999.82
1956	<u>61,223.55</u>	Dr.	20.00	<u>39,522.25</u>	<u>21,721.30</u>

Poll Taxes other than listed above 40,418.74
126.27
40,845.01

Total Collections in September 1956 218,274.22
Total Collections in September 1955 316,358.96

Current Taxes Collected Jan. 1st to September 30, 1956 6,138,179.22

Corresponding Period 1955 6,247,931.89

Tax Arrears Collected Jan. 1st to September 30, 1956 665,875.31

Corresponding Period 1955 524,396.85

Poll Tax Collections Jan. 1st to September 30th, 1956 95,153.70

Corresponding Period 1955 100,699.16

6,899,208.23 6,873,027.90

		AMOUNT COLLECTED JAN. 1st to SEPT. 30th	%
Tax Levy 1956	7,215,880.21	6,138,179.22	85.06
Tax Levy 1955	7,437,406.78	6,247,931.89	84.01
Tax Arrears January 1st, 1956	1,293,653.31	665,875.31	51.47
Tax Arrears January 1st, 1955	1,119,042.92	524,396.85	46.86
Total Collections to Sept 30th, 1956		6,804,054.53	94.29
Total Collections to Sept 30th, 1955		6,772,328.74	91.06

Respectfully submitted,

H R. McDonald
CHIEF ACCOUNTANT.

His Worship, L. A. Kitz, and
Members of City Council,

City Manager, A. A. De Bard, Jr.,

Date September 27, 1956

Subject Monthly Administrative Report for the month of August, 1956.

Since I left the City early in September this report is later than usual.

1. Electrician's Department

284 wiring inspections made, permit income	\$ 636.08
Revenue from wiremen's licenses	25.00
4 new street lights - St. Andrews Scheelyard	

2. Building Permits

	<u>Number</u>	<u>Value</u>
Dwellings, new	18	\$ 247,300.
Garages, new	18	6,970.
Commercial, new	2	435,000.
Dwellings, repairs	235	69,011.
Garages, repairs	13	1,326.
Commercial, repairs	20	24,880.
Institutional, repairs	11	46,875.
	<u>317</u>	<u>\$831,362.</u>

3. Streets and Sewers

Square yards of streets stoned & oiled	15,547
Square yards of streets graded	18,642
Tons of hot patch used on paved streets	126
Tons of hot patch used on stoned and oiled streets	462
Cubic yards of material used on streets	3,865
No. of square yards applied with dust layer	7,800
" " " sidewalk repairs	520
Lineal feet curb and gutter repairs	150
Number of street signs maintained (new)	10
" " " " "	46
" sewers cleared and cleaned	3
" catchpits repaired	21
" " constructed	19
" " cleaned	31
" manholes repaired	24
" junctions constructed	21
Miles of streets swept by hand	257
" paved streets swept by mechanical sweepers	596

4. Garbage

2,490 tons of garbage and refuse were collected of which 604 tons were burned together with 1,944 tons of privately collected materials. Total amount processed 2,547 tons with incinerator in operation 380 hours. Hired trucks 52 hours collecting 67½ tons.

6. Emergency Shelter.

One transfer - Alenze Ferrestall from 1420 Barrington to 1460 Barrington St.

6. Prefab Housing.

Houses completely paid 356
 Current accounts 456
 Original number of houses 812

Mortgage* receivable July 31, 1956 \$1,080,494.73
 " " August 31, 1956 1,060,340.68
 " Decrease during month 20,154.05

Total borrowing July 31, 1956 375,859.95
 August 31, 1956 351,295.26

Borrowing decrease 24,564.69

90 accounts two or more months in arrears----- \$ 12,612.96

7. Stoning & Oiling

New Work

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Started</u>	<u>Completion</u>
Connaught Ave.	Regent Rd.	Chisholm	1000'	7/25/56	50%
Abbott Dr	Ashburn Ave	Howe Ave	1400'	8/15/56	100%
Elliott St.			500'	8/21/56	60%
Pearson Dr.	Pennington Ave.	Hemlock	650'	8/28/56	40%
Pennington Ave	Pearson Dr.	Fayers Rd	1000'	8/31/56	10%

New Work held over from 1955

Ronans Ave	Monford Rd.	Northerly	250'	8/1/56	100%
Basin View Dr	Bright St	Robie St	400'	8/6/56	100%
Bright St	Basin View Dr	Robie St	400'	8/6/56	100%
High St	Leeds St	Robie St.	700'	8/6/56	100%

8. Repaving

Atlantic St.	Tower Rd	Young Ave.	250'	7/21/56	100%
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9. Concrete Steps

Cogswell St.	N.E. Cor. Gettlingen St.	East	250'	7/12/56	100%
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10. Asphalt Paving

Connaught Ave	Regent Rd.	Chisholm(W)	960'	7/27/56	100%
Deleed St.	Oxford St	Connaught	1120'	8/1/56	100%
Tobin St.	Barrington	Queen	930'	8/23/56	70%
Windsor St	Connaught	Patview Cemetery Gate	550'	8/27/56	100%
Oxford	Quimpoe.	North	1700'	8/30/56	100%

11. Seal Coating

Deffus St.	Barrington St	Gettlingen
Gettlingen St	Deffus	Rector
Monford Rd.	Basin Village	Chebuck Rd.
Oxford St.	South St.	Coburg Rd.
Gettlingen St.	Parson's Dr	Cogswell St.
Brunsford St	Deffus	Cogswell St.

12 Sidewalk & Sed. Curb & Gutter

Street	From	To	Length	S i d e	Length	Work	Date & % Completed
Abbott Dr.	Ashburn	Ralston	760'	N	760'	C. & G.	6/18/56 100%
Abbott Dr.	Ashburn	Howe	525'	B	1050'	C. & G.S. & S.	6/19/56 95%
Hanover	Albert	Barrington	400'	B	800'	C. & G.	6/20/56 98%
Bellevue	Beaufort Intersection		145'	N	145'	C. & G.S. & S.	6/26/56 100%
Robie	High St. Intersection			B		C. & G.S. & S.	6/27/56 98%
Leeds	Robie	Rosemeade	230'	S	230'	C. & G.	6/29/56 98%
Spruce	Howe	Ashburn	400'	N	400'	C. & G.	7/5/56 90%
Memorial Dr.	Robie	Southerly	1025'	E	1025'	S. & S.	7/9/56 70%
Wm. Hunt	Edward Arab	Chebucto	870'	E	870'	S. & S.	7/10/56 70%
Basinview	Leeds	Northerly	250'	E	250'	S. & S.	7/5/56 100%
Pennington	Bayers	Pearson Dr.	1010'	W	1010'	S. & S.	7/13/56 100%
Peter Lowe Ave.	Geo. Dauphinee	Wm. Hunt	950'	B	1900'	S. & S.	7/16/56 70%
Robie	Memorial Dr.	Basinview	300'	W	300'	C. & G.	7/16/56 98%
Ernst Ave.	Ashburn	Stanford	300'	B	600'	C. & G.S. & S.	7/18/56 95%
Duffue	Robie	Westerly	320'	B	640'	S. & S.	7/24/56 100%
Stanford	Abbott	Mumford	830'	B	1660'	C. & G.S. & S.	7/27/56 60%
Robie	Macara	Livingston	1500'	B	3000'	C. & G.	7/31/56 80%
Romans	Bayers	Mumford	1350'	B	2700'	S. & S.	8/2/56 98%
Connolly	Edgewood	Northerly	465'	E	465'	S. & S.	8/7/56 50%
Edgewood Ave.	Connolly	Easterly	325'	N	325'	S. & S.	8/7/56 50%
Cherry	Vernon	Robie	750'	B	1500'	S. & S.C. & G.	7/14/56 65%
Claremont	Oxford	Connolly	575'	B	1150'	S. & S.	8/28/56 25%
Veith	Hanover	Richmond	550'	W	550'	S. & S.	8/31/56 5%

13 Sewer Capital

Street	Size	Started	Feet Laid		Completed
			Total to Date		
Dutch Village	10" Transite	5/18/56	Excavation		15%
Clinton Ave.					
Pumphouse					
Connolly St. to					
Connaught Ave.	24" Conc.	6/4/56	100%		Aug. 2, 1956
Franklyn St.	12" Conc.	7/3/56	100%		Aug. 8, 1956
Dutch Village Rd.					
Clinton to Lexington	10" Trans.	6/6/56	700'		40%
Chain Rock Drive	12" Conc.	8/9/56	Excavation		
Culvert at Dump	24" V. C.	8/6/56	188'		Aug. 17, 1956
Lloyd Fox Ave.	12" Conc.	8/21/56	260'		90%

14 Sewer Rehabilitation

Black St.	12" Conc.	7/20/56	280'	50%
Arm Bridge Overflow	48" Conc.	7/20/56	160'	60%

15 Armdale Rotary (as of August 31, 1956)

Clearing & Grubbing	100%
Excavation (Common & Solid Rock)	98%
Borrow placed	96%
Foundation Excavation (Common)	98%
Foundation Excavation (Solid Rock)	98%
Catch Basins complete	95%
Concrete sewer pipe	98%
Concrete Class 'A'	98%
Reinforcing Steel	98%
Trench Excavation & Backfill	98%
Removal of Seawall	99%
Base Course	90%
Removal of Existing Curb & Gutter	98%

Arndale Rotary (Cont'd.)

Removal of Existing Pavement	95%
Concrete Sidewalk	80%
Curb & Gutter	77%
Fine Grading	85%
Rock Fill	85%
Sodding	69%
Paving	70%

No work has been done on the masonry wall

A. A. DeBard Jr.
City Manager.

To: His Worship, L. A. Kitz, and
Members of City Council,

From: City Manager, A. A. De Bard, Jr.,

Date: October 10, 1956

Subject: Monthly Administrative Report for September, 1956

1. Electrician's Department

229 wiring inspections made, permit income \$ 344.73
Four new street lights - Union Crescent
One new street light - First Street.

2. Building Permits

	<u>Number</u>	<u>Value</u>
Dwellings, new	7	\$ 120,000.00
Garages, new	13	5,053.00
Commercial, new	2	61,000.00
Government	3	429,000.00
Dwellings, repairs	191	54,022.00
Garages, repairs	6	1,405.00
Commercial, repairs	27	85,160.00
Institutional, repairs	5	32,180.00
	254	\$ 787,820.00

3. Streets and Sewers

Square yards of streets stoned and oiled	11,411
" " " sealcoated	21,120
" " " graded	32,400
Tons of hot patch used on paved streets	70
" " " " stoned & oiled streets	359
Cubic yards of material used on streets	7,328
Number square yards applied with dust layer	11,600
" " " sidewalk repairs	616
Lineal feet curb and gutter repairs	301
Number of new street signs	4
" street signs maintained	49
" sewers cleared and cleaned	3
" catchpits repaired	6
" " constructed	28
" manholes repaired	4
" junctions installed	22
2 catchpits cleaned	35
Miles of street swept by hand	266
" paved streets swept by mechanical sweepers	635
Square yards of new sidewalk	45
Lineal feet of curb and gutter	85

4. Garbage

2,297 tons of garbage and refuse were collected of which 555 tons were burned, together with 1,851 tons of privately collected materials. Total amount processed 2,406 tons with incinerator in operation 389 hours. Hired trucks 28 hours collecting 38 tons.

5. Emergency Shelter Operations - April, May & June of 1956

THREE MONTHS 1956 COMPARED WITH 1955
APRIL, MAY, JUNE

<u>Receipts</u>	<u>Three Months 1956</u>	<u>Three Months 1955</u>	<u>Saving 1956 over 1955</u>
Total Rental Charges	\$ 31,508.47	\$ 36,050.18	\$ 4,541.71#
Less Refunds	-	-	-
	\$ 31,508.47	\$ 36,050.18	\$ 4,541.71#
Non-Payments	1,680.57	200.41	1,399.96#
Net Receipts	\$ 29,827.90	\$ 35,769.57	\$ 5,941.67#
<u>Expenses</u>			
Wages	8,230.28	8,472.00	241.72
Carpenter Repairs	1,056.47	1,394.11	337.64
Plumbing Repairs	2,169.02	3,527.39	1,358.37
Electrical Repairs	111.81	135.46	23.65
Light	4,157.54	4,417.49	259.95
Water	935.50	1,262.75	327.25
Coal	7,520.59	7,376.62	143.97#
Insurance	300.60	-	300.60#
Fire Equipment	191.85	-	191.85#
Sanitary Supplies	-	-	-
Hardware	99.85	65.40	34.45#
City Works	347.39	321.84	25.55#
Steros	565.06	912.34	347.28
	25,685.96	27,885.40	2,199.44
Stationery	3.56	11.84	8.28
Transportation (Mr. Kelly Mr. Mielke)	36.00	36.00	-
Postage	38.00	47.76	9.76
Telephone	74.52	65.11	9.41#
Office Salaries	1,335.00	1,355.71	20.71
Miscellaneous	5.44	30.00	24.56
	27,178.48	29,431.82	2,253.34
Profit	2,649.42	6,337.75	3,688.33

#Expenditure larger than 1955 or receipt smaller than 1955.

6. Prefab Housing

Houses completely paid	363	
Current accounts	<u>449</u>	
Original number of houses	812	
Mortgages Receivable August 31, 1956		\$1,060,340.68
" " September 30, 1956		<u>1,041,654.10</u>
" decreased during month		\$ 18,686.58
Total borrowing August 31, 1956		351,295.26
" " September 30, 1956		<u>328,898.67</u>
Borrowing decrease		22,396.59
103 accounts two or more months in arrears		13,684.48

Street	Size	Started	to date	Completed
Dutch Village Rd.				
Clinton to Lexington	10" Trans.	6/6/56	880	Sept. 21
Dutch Village Road	12"-18" Conc	5/18/56		Excavation
Clinton Ave. Pumphouse				Pumps being installed
Chain Rock Drive	12" Conc.	8/9/56	470	90%
Lloyd Fox Ave.	12" Conc.	8/21/56	260	Sept. 15

8. Sewer Rehabilitation

Black Street	12" Conc.	7/20/56	520	Sept. 7
Arm Bridge Overflow	48" Conc.	7/12/56	160	75%
Connelly St.	24" Conc.	9/19/56	-	5%

9. Sidewalk & Sed. Curb & Gutter

Street	From	To	Length	S	E	Length	Work	Date Started	% Comp.
Abbett	Ashburn	Howe	525'	B	1050	C. & G.S. & S.	6/19	95%	
Hanover	Albert	Barrington	400	B	800	C. & G.	6/20	100%	
Robie	High St. Intersection		-	B	-	C. & G.S. & S.	6/27	100%	
Leeds	Robie	Rosemeade	230'	S	230'	C. & G.	6/29	100%	
Spruce	Howe	Ashburn	400'	S	400'	S. & S.	7/3	100%	
Spruce	Howe	Ashburn	400'	N	400'	C. & G.S. & S.	7/5	90%	
Memorial	Robie	1025' South	1025	E	1025'	C. & G.S. & S.	7/9	85%	
Wm Hunt	Edward Arab	Chebucto	870'	E	870'	S. & S.	7/10	100%	
Peter Lowe	Geo-Dauphinee	Wm. Hunt	950'	B	1900'	S. & S.	7/16	100%	
Robie	Memorial	Basinview	300'	W	300'	C. & G.	7/16	100%	
Ernst	Ashburn	Stanford	300'	B	600'	C. & G.S. & S.	7/18	98%	
Stanford	Abbett	Munford	830'	B	1660'	C. & G.S. & S.	7/27	70%	
Robie	Macara	Livingstone	1500'	B	3000'	C. & G.	7/31	80%	
Renanx	Bayers	Munford	1350'	B	2700'	S. & S.	8/2	95%	
Connelly	Edgewood	Northerly	465'	E	465'	S. & S.	8/7	80%	
Edgewood	Connelly	Easterly	325'	N	325'	S. & S.	8/7	80%	
Cherry	Vernon	Robie	750'	B	1500'	C. & G.S. & S.	8/14	90%	
Claremont	Oxford	Connelly	575'	B	1150'	S. & S.	8/28	90%	
Veth	Hanover	Richmond	550'	W	550'	S. & S.	8/31	75%	
North	Cor. Barrington		120'	-	120'	C. & G.S.	9/4	100%	
Claremont	Maxwell	Oxford	550'	W	550'	S. & S.	9/6	90%	
Windsor	Hood	Connaught	900'	E	900'	S. & S.	9/7	85%	
Robie	High	Basinview	250'	W	250'	C. & G.	9/10	100%	
Inglewood	Existing	Dead End	280'	B	560'	C. & G.	9/13	95%	
South	R.C.A.F.	Gorsebrook	560'	S	560'	S. & S.	9/17	75%	
Maclean	Existing	Atlantic	400'	W	400'	C. & G.S. & S.	9/19	50%	
Geo									
Dauphinee	Existing	Bayers	560'	E	560'	C. & G.S. & S.	9/19	40%	
Gorsebrook Tower Rd.		705' W.	750'	S	750'	C. & G.S. & S.	9/28	35%	

10. Stoning & Ciling

Street	From	To	Length	Started	Completed
Elliott	Ashburn	Howe	500'	8/21	Sept. 10
Pearson Dr.	Pennington	Henlock	900'	8/28	Sept. 4
Pennington	Bayers	Pearson	1100'	8/31	Sept. 19
Connaught	Regent	Chisholm	1000'	7/25	50%
Robie	Leeds	Memorial	1400'	9/18	35%
Hanover	Barrington	Devonshire	500'	9/30	70%
Ernst	Ashburn	Stanford	940'	9/30	70%
High	Leeds	Robie	960'	8/6	Sept. 24

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Started</u>	<u>Completed</u>
Cabot	Agricola	Robie	400'	9/24	70%
<u>Seal Coating</u>					
Cedar St.	Vernon	Preston	1200'		9/5
Connolly	Seaforth	Bayers	2300'		9/5
Dublin	Almon	Young	1500'		9/6
Leanan	Norx. iv	Leeds	2000'		9/6
Leeds	Gettingen	Westerly	650'		9/6

11. Paving

Tobin	Barrington	Queen	930'	8/23	9/14
South Park	South	Spring Garden	1500'	8/31	9/4
Quinpool	Dingle Ferry				
	Entrance	Rotary	400'	9/6	9/6
North	Agricola	Windsor	1650'	9/15	9/19
Bloomfield	Gettingen	Agricola	850'	9/17	9/26
North	Creighton	Maynard	150'	9/19	9/27
Davison	West	Charles	670'	9/19	9/27
Robie	St. Albans	Almon	450'	9/21	9/21
Oxford	Quinpool	North	1700'	8/30	95%
Almon	Oxford	Connaught	1350'	9/20	50%
Edward	South	University	525'	9/26	50%
Henry	South	University	525'	9/26	20%
Windsor	Almon	Young	1300'	9/28	20%

12. Trolley Steps

N. W. Cor. Quinpool and Oxford	80' North	80'
S. E. Cor. North and Oxford	50' South	50'

13. Arndale Rotary

Clearing and Grubbing-----	100%
Excavation (Common & Solid Rock)-----	98%
Borrow Placed-----	96%
Foundation Excavation (Common)-----	98%
Foundation Excavation (Solid Rock)-----	98%
Catch Basins complete-----	95%
Concrete Sewer Pipe-----	98%
Concrete Class "A"-----	98%
Reinforcing Steel-----	98%
Trench Excavation & Backfill-----	98%
Removal of Seawall-----	99%
Base Course-----	92%
Removal of Existing Curb & Gutter-----	98%
Concrete Sidewalks-----	88%
Curb & Gutter-----	90%
Fine Grading-----	95%
Rock Fill-----	90%
Sodding-----	85%
Paving-----	85%
Masonry Wall-----	16%

A. A. LeBard

City Manager.

en

October 11, 1956.

APPOINTMENT OF COAL WEIGHER

A letter was submitted from A.T. O'Leary & Co. Ltd. requesting that Mr. John David Lahey of 28 Cedar Street be sworn in as a Coal Weigher.

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

DEFERRED ITEMS

The following items were further deferred.

Motion Alderman Ahern Re: Board of Assessors.
Parking Lot North End.
City Prison Lots.
Garson Property North Street.

CITY MANAGER'S ADMINISTRATIVE REPORT FOR AUGUST & SEPTEMBER

Reports were submitted from the City Manager for the months of August and September and same are attached to the original copy of these minutes. Copies of the reports were distributed to members of the Council for their information.

FILED

CHANGE IN TROLLEY COACH STOPS

A report was submitted from the City Solicitor advising of the following change in trolley coach stop:

Gottingen Street, east side 75' South of South Line of Almon Street changed to 100' South of South Line of Almon Street.

FILED

PROGRESS REPORT ASSESSOR'S DEPARTMENT

A report was submitted from the City Manager listing the following information with respect to the Assessor's Department:

Street Work: Completed in Wards 1, 4, 5; in 2 and 3 except Barrington Street which has been deferred pending completion of appeals: Ward 6 - 90% complete and Ward 7 to be started and completed in October.

Valuations: Being extended where visitation has been made.

Court of Tax Appeals: 59 decisions handed down in September. 59 dismissed 30 granted some reduction.

FILED

October 11, 1956.

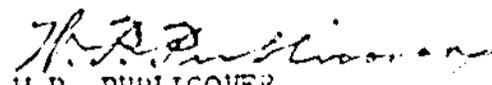
Moved by Alderman Vaughan, seconded by Alderman Greenwood that this meeting do now adjourn. Motion passed.

Meeting adjourned. 11:50 P. M.

LIST OF HEADLINES

Band Shell Garrison Grounds	681
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Motion Alderman Dunlop to Rescind Resolution of Council Re: Sale of Land on Lloyd Fox Avenue to Reverend Matthews or the Edgewood United Church	687
Motion Alderman O'Brien to seek Legislation Permitting City Employees to Repair Culverts Etc on Private Property and Charge the Persons Responsible	688
Motion Alderman DeWolf Re: City Solicitor	692
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Undersized Lot Connaught Avenue	695
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Extension Rent Control to November 30/56 - Appropriation 316 "C" \$1,000.00	703
Contribution to Community Chest - \$9,000 00	703
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Ordinance	704
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Naming Streets - Scotvale Subdivision between Kenith Avenue and Desmond Avenue North of Blair Street	705
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L.A. Kitz,
MAYOR AND CHAIRMAN.


W.P. PUBLICOVER,
CITY CLERK.

EVENING SESSION
SPECIAL MEETING

Police Court Chamber,
Brunswick Street,
Halifax, N.S.,
October 25, 1956,
8:00 P.M.

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

The meeting was called to order by the City Clerk who advised that His Worship the Mayor was out of the City and as the Deputy Mayor would be detained on civic business, it was therefore necessary to appoint a Chairman to act until the Deputy Mayor arrived.

Moved by Alderman Macdonald, seconded by Alderman Ferguson that Alderman Dunlop act as Chairman of this meeting until such time as the Deputy Mayor arrives. Motion passed.

Alderman Dunlop then assumed the chair.

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 Aldermen Abbott, Dunlop, Macdonald, Adams, Fox, Ferguson Ahern, Wyman, O'Brien and Greenwood.

There were also present Messrs. A.A. DeBard, Jr., W.P. Publicover, R.H. Stoddard, C.P. Bethune, Q.C., L.M. Romkey, G.F. West, J.F. Thomson, V.W. Mitchell W.A.G. Snook and Dr. A.R. Morton.

The meeting was called specially to consider the following items:

1. Public Hearing Re: Rezoning of a portion of land on the east side of Windsor Street near Connaught Avenue from R-2 Zone (General Residential Zone) to R-3 Zone (Multiple Dwelling Zone).
2. " " Re: Altering Southern Official Street Line of Young Street from Robie Street to Kempt Road as shown on Section 1 of the Official Plan.
3. " " Re: Altering Official Street Lines at the Southwest corner of Robie Street and Basinview Drive as shown on section 6D of the Official City Plan.
4. Motion Aldermen DeWolf and Lane Re: City Solicitor and City Manager and Letter of Withdrawal.
5. Report Special Committee Re: Council-Manager Form of Government.
6. Dismissal of Bernard Hunt - City Field Employee.
7. Appointment to Governing Board of Halifax Infirmary.
8. Boat House and Canteen on Commons (Recreation and Playgrounds Commission).
9. Questions by Aldermen.
10. Legislation Re: Three Year Term for Mayor.
11. Undersized Lot - 444 Agricola Street.
12. Street Names Letson Place and Wright Place.
13. Final Certificate Armco Drainage and Metal Products of Canada Ltd. \$32,449.99
14. Tenders for Construction of Sewer Outlet - Pier Nine
15. 1956 Sidewalk Program Replacements.

October 25, 1956.

PUBLIC HEARING RE: REZONING OF A PORTION OF LAND ON THE EAST SIDE OF WINDSOR STREET NEAR CONNAUGHT AVENUE FROM R-2 ZONE (GENERAL RESIDENTIAL ZONE) TO R-3 ZONE (MULTIPLE DWELLING ZONE)

A Public Hearing into the matter of rezoning the above land was held at this time.

No persons appeared in favor of nor against the proposed rezoning.

A formal By-Law was submitted.

Moved by Alderman Ahern, seconded by Alderman Abbott that the By-Law be approved. Motion passed.

PUBLIC HEARING RE: ALTERING SOUTHERN OFFICIAL STREET LINE OF YOUNG STREET FROM ROBIE STREET TO KEMPT ROAD AS SHOWN ON SECTION 1 OF THE OFFICIAL CITY PLAN

A Public Hearing into the matter of altering the Southern Official Street line of Young Street between Robie Street and Kempt Road as shown on Section 1 of the Official City Plan was held at this time.

No persons appeared in favor of nor against the proposal.

A formal Resolution was submitted.

Moved by Alderman Ahern, seconded by Alderman Greenwood that the Resolution be approved. Motion passed.

PUBLIC HEARING RE: ALTERING OFFICIAL STREET LINES AT THE SOUTHWEST CORNER OF ROBIE STREET AND BASINVIEW DRIVE AS SHOWN ON SECTION 6-D OF THE OFFICIAL CITY PLAN

A Public Hearing into the matter of altering the Official Street Lines at the Southwest Corner of Robie Street and Basinview Drive as shown on Section 6-D of the Official City Plan was held at this time.

No persons appeared in favor of nor against the proposal.

A formal resolution was submitted.

Moved by Alderman Wyman, seconded by Alderman Greenwood that the Resolution be approved. Motion passed.

UNDERSIZED LOT #444 AGRICOLA STREET

To: His Worship the Mayor and Members of City Council

From: Town Planning Board.

Date: October 16th. 1956.

Subject: Undersized Lot - #444 Agricola Street.

At a meeting of the Town Planning Board held on the above date, the

October 25, 1956.

attached report from the Town Planning Engineer recommending refusal of an application to convert an existing family dwelling into three apartments on a Lot 34' x 100' was considered.

The Board recommended that permission be granted.

Alderman O'Brien and Alderman Macdonald opposed.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..J.B. Sabean,
Clerk of Works

Moved by Alderman Ferguson, seconded by Alderman Ahern that the report be approved.

The motion was then put and passed 7 voting for the same and 2 against it as follows:

FOR THE MOTION

Alderman Adams
Fox
Ferguson
Ahern
Wyman
Greenwood
Abbott

AGAINST IT

Alderman Macdonald
O'Brien

- 7 -

- 2 -

MOTION ALDERMEN DEWOLF AND LANE RE: CITY SOLICITOR AND CITY MANAGER AND LETTER OF WITHDRAWAL

The City Solicitor advised that as this was given as a Notice of Motion there was nothing before Council for consideration at this time. The matter was then withdrawn.

REPORT COUNCIL-MANAGER FORM OF GOVERNMENT ✓

Moved by Alderman Abbott, seconded by Alderman Greenwood that this matter be deferred until the meeting of City Council scheduled to be held November 29, 1956. Motion passed.

DISMISSAL OF BERNARD HUNT - CITY FIELD EMPLOYEE ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works,
Date: October 2nd, 1956.
Subject: Letter City Field Union re Bernard Hunt.

October 25, 1956.

At a meeting of the Committee on Works held on the above date, the attached letter from the Halifax Civic Workers Federal Union relative to the dismissal of Mr. Hunt on August 9th, 1956, for doing unauthorized work on London Street and receiving money was discussed.

A Motion that Mr. Hunt be re-engaged as a new employee as a laborer at City Field, was defeated by a vote of four to three.

Voting for the Motion - Aldermen Lane, Ahern and Abbott.

Against the Motion - Aldermen O'Brien, Adams, Macdonald and Ferguson.

As required by section 4B of the agreement between the City of Halifax and the Civic Workers Federal Union Local 108 this matter is referred to City Council for consideration.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per. J.B. Sabean,
Clerk of Works.

Alderman Ahern: "Some of us thought that the punishment was too severe. I am one and so is Alderman Lane."

The Chairman: "Does the Council want to hear the appeal?"

Moved by Alderman Fox, seconded by Alderman Greenwood that Council hear the appeal. Motion passed

Mr. Kenneth Duggan read a letter from Mr. Hunt as follows:

Sept. 1, 1956.

To Whom It May Concern.

On the 2nd of August I received a letter from Mr. West saying that I was discharged from my job for something that I consider myself innocent of. Here are the facts: We were putting sidewalks in on London St. on the 10th of July when Mr. Primeau, foreman of the job asked me how much it would cost to put in a small piece of concrete between sidewalk and man's walking. I told him \$3.00. After work that evening Mr. Primeau asked me to dig it out, which I did. The next day I was shifted to Buckingham St. to finish off some concrete there, when I returned to London St. about 4.30 that afternoon the concrete was all poured. I started finishing sidewalk and when I came to the piece I had dug out the evening before for Mr. Primeau I run the trowel over that too. Before I left to come home Mr. Primeau handed me \$3.00 I told him I didn't want it and he took \$1.00 back. Now on this job I didn't take it or even see the man at all. Mr. Primeau told me the cement he put in it was left over from the job. These are the facts as they happened.

Sincerely

Bernard Hunt.

Mr. Duggan: "There is one charge the man is guilty of. He did trowel the job. It was a small piece of concrete. It was about 2 1/2' x 3'. The hole was dug after 5.00 P.M. That is what he got paid for. Those are the facts."

October 25, 1956.

Alderman Macdonald: "I think we should hear from the Commissioner of Works."

Mr. West: "As far as I am concerned it is certainly not my desire to fire any man or deprive him of a livelihood but we have a responsibility to see that our work is carried out efficiently and honestly. I would not care if my own father was working for the City that if a cent's worth disappears I would do something about it. We discussed this case very thoroughly after conferring with the individuals concerned and the Grievance Committee. There is no doubt in my mind. We have to draw the line somewhere. It is not so much what Mr. Hunt did but it is the principle we have to consider. We have to consider the effect it has on the rest of the organization. We had 400 men on the payroll and since August 1954 we had to dismiss 15 in addition to Mr. Hunt for conduct what we do not consider to be that of a good City employee. I think the other 15 have the right to appeal their cases as much as Mr. Hunt. I cannot change my mind. I think we acted in the best interests of the City. We made this policy and I think we have to stick by it. I don't think we should re-hire Mr. Hunt. The principle of the thing is the most important factor. I think the Union will admit that he knew what he was digging the hole for and what he was doing the trowelling for. At a meeting in my office with Mr. Hunt they said the concrete was poured at 12.00 noon. It would be impossible to trowel cement at 4.30 P.M. that was poured at 12.30 P.M." At this time Mr. West was about to give a review of the past record of Mr. Hunt.

The Chairman: "I would think that what he did before should have no bearing on this case."

Mr. West: "I think the personnel record has a bearing on what we do in the Department. I was asked what his record was and I thought the rest of the Council would be interested in that."

City Manager: "There were 2 other men involved and both were discharged. When we found people doing this sort of thing and showing influence of liquor on the job, we tried suspension and it did not work."

The Chairman: "The subject can't be too bad. 400 people working and 15 fired over a period of 2 years."

October 25, 1956.

City Managers: "It is very difficult to get any concrete. We hear rumors. We have tax payers calling us and wanting to know if they can have work done by City forces at little cost."

8.20 P.M. The Deputy Mayor arrives and assumes the Chair.

Alderman Ahern: "I think suspension would have served the purpose. I think his record is a very good one. It was tabled at a meeting of the Committee on Works. To dismiss him after 27 years seems unfair."

Moved by Alderman O'Brien, seconded by Alderman Macdonald that this appeal be denied.

Alderman O'Brien: "I think it is necessary in the interests of efficiency in our organization that we take a firm hand. There has been adequate warning to the staff. Anyone who had been in the employ of the City for 27 years certainly knows that they should not steal cement whether it was two cents or not. I think we should back up the Manager and our Officials to get an organization that is efficient and honest."

Alderman Macdonald: "I cannot disregard the recommendation of the City Manager and Commissioner of Works in this case. I think we have to give support to a Department Head who is trying to build a more efficient Department and help in the efforts to do that. I think we should support him in all his efforts in building up a better Department."

Alderman Fox felt that precedents had been established in years gone by at City Field and City Hall and suggested that Mr. Hunt be re-instated which Alderman Ahern agreed with

Alderman Dunlop: "There is no sense in having the appeal before Council. I read that man's letter and if the statements are true I think he has been too harshly dealt with. He could not be convicted of stealing that cement. If his letter is right I can't see that he did very much other than doing some trifling work for a citizen of the City. There are no regulations about doing work after 5 O'P.M. I believe a dismissal is too severe after an offence of trowelling. I would like to know the whole thing. I gather some citizens asked them to put some concrete in. Quite often there is a bit of cement left over. I don't know just what happens to it. I believe that if anyone is

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caught stealing at the City Field they should be fired immediately. He has been off work about 2 months now. I think the punishment is too great. I am going to vote against the motion."

The Commissioner of Works read the following letter:

August 1st, 1956.

Mr. Bernard J. Hunt,
c/o City Field
Summer Street,
Halifax, N.S.

Dear Mr. Hunt:-

We have carefully considered all the facts associated with certain unauthorized work carried out on London Street, July 10th, 11th and 12th and feel that the lack of judgment displayed by the individuals concerned is not consistent with the high calibre of work we have a right to expect from good Works Department employees.

In cases of this kind it is always a difficult task, for those in authority, to make a decision which concerns individuals in the manner hereinafter set out but the welfare of the Department, and the City, is above personal feelings and, in this case, we are left with no alternative. It is my unpleasant duty, therefore, to inform you that your services are no longer required by the City, effective Thursday, August 9th, 1956.

Very truly yours,

G.F. West,
Commissioner of Works.

The Deputy Mayor: "What is he fired for?"

Mr. West: "Doing work with City materials and being paid for it on City time."

Alderman Dunlop: "Is that all he did? What did he do?"

Mr. West: "He was asked how much it would cost to do this particular job. I don't think there was any doubt in their minds that he would use City cement."

The motion was put and passed 7 voting for the same and 3 against it as follows:

FOR THE MOTION

Alderman Macdonald
Adams
Ferguson
Wyman
O'Brien
Greenwood
Abbott

AGAINST IT

Alderman Fox
Ahern
Dunlop

October 25, 1956.

APPOINTMENT TO GOVERNING BOARD HALIFAX INFIRMARY ✓

Moved by Alderman Ahern, seconded by Alderman Ferguson that this matter be deferred. Motion passed.

LEGISLATION THREE YEAR TERM FOR MAYOR ✓

Moved by Alderman Ferguson, seconded by Alderman Ahern that this matter be deferred until the next regular meeting of the City Council.

Motion passed . .

BOAT HOUSE AND CANTEN ON COMMONS ✓

City Solicitor: "This came up after calling for tenders. A tender was received based on certain specifications. I prepared a contract and it came to the Council. They did not like the style of the building. I wonder if it is possible to make a change in the specifications without calling for new tenders."

City Manager: "I want to register that same thought."

Alderman Ferguson: "At the last Recreation Commission it was understood that the original plan was to be presented. Some people feel the building is suitable for the need and that is the amount of money to be used."

Moved by Alderman Ferguson, seconded by Alderman Fox that the building be proceeded with and the Mayor and City Clerk authorized to execute the contract on behalf of the City. Motion passed.

REVISION OF ZONING BY-LAW ✓

Alderman O'Brien asked when the revisions to the Zoning By-Law would be considered again by the City Council.

City Manager: "The Mayor asked if it could be on the November meeting. We said we thought it could be. It is in process of being typed with the changes."

Alderman O'Brien: "Some people have taken objection to a change in the R-2 zoning and if by petition more than 20% of the people in the R-2 zone area should oppose that change, would we be voting on this area and require a two-thirds vote or the whole thing?"

Alderman Ahern retires at 8:40 P.M.

October 25, 1956.

City Manager: "The question is whether a separate vote would be taken for separate sections. We are trying to make some provision by having additional residential zones. There is likely to be 5 residential zones instead of 3."

Alderman Greenwood: "I took this matter up with the Town Planning Engineer and he assured me that every consideration was being given to a 3 or 4 residential zone."

City Solicitor: "We are bringing in a new one. We are not amending an existing By-Law. That provision of the Town Planning Act about 20% will not apply when this Zoning By-Law comes before Council."

The Deputy Mayor stated that confusion had arisen as to what constituted an apartment and that some buildings permitted to be erected contained more apartments than under the existing law. He felt the law should be tightened up.

The City Manager said that that matter would be straightened out.

TRAFFIC LIGHTS CONNAUGHT AVE. & QUINPOOL ROAD ✓

Alderman Ferguson requested the Chief of Police to bring in a report on the advisability of erecting traffic lights at the above intersection in the light of recent traffic accidents.

The Deputy Mayor stated that there were 3 accidents within a 48 hour period.

FLYNN PARK ✓

Alderman Fox asked about fill being placed at Flynn Park and asked if it were the plan to have that park levelled off this fall.

The Deputy Mayor stated that they had started on this program.

STREET NAMES LETSON PLACE AND WRIGHT PLACE ✓

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

From: Committee on Works.

Date: October 16th, 1956.

Subject: Street Name - Letson Place and Wright Place.

At a meeting of the Committee on Works held on the above date, a request from some ten residents of Wright Place and Letson Place to have the names changed to Wright Avenue was approved and recommended to Council.

October 25, 1956.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per...J.B. Sabean,
Clerk of Works.

Moved by Alderman Macdonald, seconded by Alderman Ferguson that the report be approved. Motion passed.

FINAL CERTIFICATE ARMCO DRAINAGE AND METAL PRODUCTS OF CANADA LTD. \$32,449.00 ✓

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

From: Committee on Works

Date: October 16th, 1956.

Subject: Armco Drainage and Metal Products of Canada Ltd. - Final Certificate
\$32,449.00

At a meeting of the Committee on Works held on the above date, a Final Payment of \$32,449.00 to Armco Drainage and Metal Products of Canada Limited on account of their Contract for rehabilitation of the Fresh Water Brook Sewer was approved and recommended to City Council for payment.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per..J.B. Sabean,
Clerk of Works.

Moved by Alderman Dunlop, seconded by Alderman Ferguson that the report be approved. Motion passed.

TENDERS FOR CONSTRUCTION OF SEWER OUTLET AT PIER #9 ✓

To: His Worship, L.A. Kitz, and
Members of City Council.

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

Date: October 25, 1956.

Subject: Tenders for Construction of Sewer Outlet - Pier Nine

At the Committee on Works meeting on October 16, 1956 tenders were opened for the sewer outlet at Pier Nine.

They were:

R.S. Allen Limited	\$24,100.00
Standard Paving Maritimes Ltd.	27,300.00
Cameron Construction Co.	33,000.00
Foundation Maritime Ltd.	35,000.00

October 25, 1956.

The Committee recommended the lowest tender be accepted if it was in conformity with specifications.

Since that meeting, Mr. West has re-examined our estimate which was \$12,000.00 and cannot see where this estimate would be greatly exceeded even with the uncovering of difficult conditions. In addition, there is an Armco foreman in this area who is available to supervise the work.

We would ask that all tenders be rejected and that City Field do the work.

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

- Moved by Alderman O'Brien, seconded by Alderman Ferguson that the report be approved.

Alderman Dunlop: "Have we the staff?"

Mr. West: "Yes. We have the chance of the service of a foreman from an outside Company."

The motion was put and passed.

1956 SIDEWALK PROGRAM REPLACEMENTS ✓

To: His Worship the Mayor and Members of City Council.
From: Committee on Works.
Date: October 16th, 1956.
Subject: 1956 Sidewalk Program - Replacements.

At a meeting of the Committee on Works held on the above date, the attached report from the Commissioner of Works advising, that Memorial Drive and Halston Avenue cannot be completed in part, this year, and recommending that Acadia Street and Normandy Drive be ordered as replacements for Drainage and Safety purposes, was considered.

The Committee approved the recommendation.

Respectfully submitted,

W.P. Publicover,
CITY CLERK.

Per...J.B. Sabean,
Clerk of Works.

To: His Worship the Mayor, Chairman, and Members of the Committee on Works.
From: G.F. West, Commissioner of Works.
Date: October 16, 1956.
Subject: 1956 Sidewalk Program - Replacements.

Due to circumstances beyond our control the following streets cannot be completed, in part, this year.

October 25, 1956.

1. Memorial Dr. - South Side - between Robie and Leeds - 750'
2. Ralston Ave. - Both Sides - between Mumford and Pearson - 240'

It is recommended that the following streets be ordered as replacements for drainage and safety purposes:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>EST. ASSESS.</u>	<u>EST. COST</u>
3. Acadia	Devonshire	Duffus	4207.00	
		Curb and Gutter - Both sides		2635.00
		Sidewalk & Sod - East side		2250.00
4. Normandy	High	Bright		
		Sidewalk and Sod - 230'	977.00	1150.00
			<u>\$5,184.00</u>	<u>\$ 6035.00</u>

The money available from 1 and 2 above is sufficient to cover the cost of 3 and 4.

G.F. West,
Commissioner of Works.

Moved by Alderman Ferguson, seconded by Alderman Macdonald that the report be approved. Motion passed.

Moved by Alderman O'Brien, seconded by Alderman Greenwood that this meeting do now adjourn. Motion passed.

Meeting adjourned. 8:45 P.M.

LIST OF HEADLINES

Public Hearing Re: Rezoning of a portion of land on the east side of Windsor St. near Connaught Ave. from R-2 Zone (General Residential Zone) To R-3 Zone (Multiple Dwelling Zone.)	714
Public Hearing Re; Altering Southern Official Street Line of Young St. from Robie Street to Kempt Road as shown on Section 1 of the Official City Plan	714
Public Hearing Re: Altering Official Street Lines at the Southwest Corner of Robie Street and Basinview Drive as shown on Section 6-D of the Official City Plan	714
Undersized Lot #444 Agricola Street	714
Motion Aldermen DeWolf and Lane Re: City Solicitor and City Manager and Letter of Withdrawal	715
Report Council-Manager Form of Government	715
Dismissal of Bernard Hunt - City Field Employee	715
Appointment to Governing Board Halifax Infirmary	720
Legislation Three Year Term for Mayor	720
Boat House and Canteen on Commons	720
Revision of Zoning By-Law	720
Traffic Lights Connaught Avenue & Quinpool Road	721
Flynn Park	721
Street Names Letson Place and Wright Place	721
Final Certificate Armco Drainage and Metal Products of Canada Ltd.	722
	\$32,449.00
Tenders for Construction of Sewer Outlet at Pier #9	722
1956 Sidewalk Program Replacements	723

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

Charles A. Vaughan,
Deputy Mayor and Chairman.