However, I am informed that no work was commenced within the six months from the date of the permit and, therefore, it lapsed. The solicitors for both Mr. Smilestone and the construction company contend that since the approval was for one year, that the permit is likewise for one year, despite the provisions of Section 736 of the Charter, which says a permit shall expire six months from the date thereof if work has not been commenced.

This department takes the opposite view and says that while the approval may be good for one year, the permit still is only good for six months and lapses if work is not begun within that time.

To clarify the matter, Mr. MacKeigan, solicitor for Mr. Smilestone, is moving in the Supreme Court tomorrow, Friday, for a declaration that he has a valid permit and for an injunction restraining the City from interfering with the construction of the filling station.

Normally such an action would require twenty days' notice to the City, but in order to resolve the matter quickly, I took the responsibility of waiving this twenty days' notice and if Council is agreeable, I would ask it to confirm my action. However, if Council is opposed, will you kindly advise me so that I can notify Mr. MacKeigan that he cannot proceed immediately.

Yours truly,

T. C. DOYLE, CITY SOLICITOR. \*\*\*\*\*

Alderman Lløyd: "Whether we want the notice depends on whether the Solicitor is fully prepared to enter upon this action."

Deputy City Solicitor: "The Law Department feels that nothing can be gained by insisting on the twenty days' notice. If the case should go against us, then there will be greater damages awarded against the City for the twenty days' delay in the construction."

Alderman Lloyd asked what progress had been made with regard to expropriation of certain lands in the waterfront area.

Alderman O'Brien: "We are awaiting a report from the Manager to the Redevelopment Committee, I think, on the cost of expropriation and a further report to Council. That request was put forward about three or four weeks ago."

Alderman Lloyd then asked what would the expropriation action consist of.

Deputy City Solicitor: "Actually, the matter is coming before the Supreme Court Chambers at 11:00 a.m. tomorrow and the Judge may or may not grant their Injunction preventing the City from stopping the construction. If the Judge should grant them their Injunction, then they can continue building until the City takes expropriation action."

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Alderman O'Brien: "Well, in that case, wouldn't that twenty days be worth something to the City?"

The Deputy City Solicitor stated that if the City intends to proceed with the expropriation the twenty days' notice would be an advantage to the City.

Alderman O'Brien: "We should be giving consideration to this. We knew that time was a factor when Alderman Lloyd's motion was referred to the Redevelopment Committee, and a report came back to Council with a scheme prepared by Mr. Munnich. We've had a delay in getting some facts which I would have thought could have come to us sooner. Time being so important in this case, I wonder whether we shouldn't hold up for the twenty days, get the report on the expropriation estimated cost, and deal with that matter."

Deputy City Solicitor: "If Council so wishes, tomorrow morning I can protest in the Chambers that we didn't get our twenty days' notice; and, of course, it would be set over."

Alderman Lloyd: "Mr. DeBard, do you think you will have your report for the Committee in twenty days?"

City Manager: "There are other reasons why we didn't submit the report which has to do with the way in which this property was being handled."

Alderman Lloyd: "How would you put it in view of your close attention to this matter? Would you think it wise to take the twenty days in this case?"

City Manager: "I think probably it would be wise, now that that point has been brought up; because we're ready as soon as the Mayor comes back. We could have a meeting of the Redevelopment Committee quite soon and submit our report."

MOVED by Alderman Lloyd, seconded by Alderman O'Brien, that the action of the City Solicitor be not confirmed; and that City Council refuse to grant the waiver of twenty days acquired in an action by Mr. Smilestone.

Deputy Mayor: "Just before you pass that, I would like to ask the Manager if all the steps that are necessary to have the expropriation under way can be carried out within twenty days?"

City Manager: "Mr. West, you could get the plan ready and bring it to a Special Committee on Works meeting the same day as Redevelopment, the 20th.

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It would be before Council on the 26th. That's well within the twenty days."

Mr. West: "I think we can have the Expropriation Plan and the description ready. I wonder if it would be appropriate to point out at this time that that property isn't properly sub-divided. I don't think the Committee was aware of that fact when the original permit was issued. I think the legal opinion would have to be obtained but, really, we can't process any other permit until such re-subdivision takes place. We've gone way beyond the point of no return as far as this property is concerned. Actually, we really should start at the beginning and have the property re-subdivided before anything can be done."

City Manager: "It may not be necessary. If Council decides to expropriate, then that stops applications for permits, re-subdivisions or anything else. Not having it properly subdivided is no bar against the City. It's a bar against them."

The motion was then put and passed.

WRITE-OFF - TAXES - #22 DUFFUS STREET - CITY PROPERTY - MULGRAVE PARK PROJECT

TO: His Worship the Mayor and Members of City Council

FROM: T. C. Doyle, City Solicitor

DATE: May 11, 1960

SUBJECT: Write off Taxes - 22 Duffus Street

This property was expropriated by the City on March 26, 1959, for the purpose of housing in Mulgrave Park.

There is a balance of taxes for the year 1959 of \$134.72 and taxes for the year, 1960, of \$202.10, making a total of \$336.82, together with interest thereon.

Since I am in process of conveying this property to the Province and to Central Mortgage and Housing Corporation, I would respectfully suggest that these taxes be written off under Section 434C of the Charter.

Yours truly,

T. C. DOYLE, CITY SOLICITOR.

MOVED by Alderman Ferguson, seconded by Alderman Trainor, that the report be approved. Motion passed.

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### SETTING DATE FOR CELEBRATION OF NATAL DAY

Deputy Mayor: "There have been some enquiries as to when the date will be. It was felt that it should come forward to Council tonight."

Alderman Lloyd: "Has the Committee any preference or any recommendation to make?"

Alderman Fox: "As I understand it, it's set down by the City Charter as the second Monday in August. Is that correct?"

Deputy City Solicitor: "An amendment to the City Charter two or three years ago, provides that Council sets the date."

Alderman O'Brien: "If Council has the freedom to set the date, I wonder if we couldn't consider the possibility of moving it a little further away from the Dartmouth Natal Day. There are two holidays in the area, one and a half on each side of the Harbour that are pretty close together which can be an interference with some forms of business, particularly retail trade. It seems to me that from the tourist viewpoint, if you had them separated a little further apart, it might be advantageous to the area."

City Manager: "Dartmouth Natal Day will be on August 3rd this year and ours would be on the 8th, if we follow the usual pattern."

Deputy Mayor: "The amendment to the City Charter says that the date so set by the City Council shall remain the date until such time the City Council changes the date. Unless we take some action, it will be the same date that it was last year."

The Deputy City Solicitor read the section of the City Charter pertaining to this matter, as follows: "'The Natal Day of the City shall be observed in each year on such day as the Council may, from time to time, by resolution, appoint. The day so appointed shall continue to be the day on which such Natal Day shall be observed until such time as the Council shall pass a resolution appointing another day therefor'."

Alderman O'Brien: "Does that tie it to the date in August or to the Monday of the month?"

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Deputy Mayor: "It depends upon the terms of the resolution of last year."

Deputy City Solicitor: "In each year on such day."

Deputy Mayor: "It depends on whether last year's resolution said it would be on the second Monday or whether it would be on the 10th or whatever it was."

Alderman Trainor: "Let's have the same day as Dartmouth Natal Day. Something has to be done. You have one and a half days and possibly two days' holidays in that particular week. It certainly disrupts businesses--retail, wholesale, and any level you want to look at. Somewhere along the line the Town of Dartmouth and the City of Halifax should get together and declare one common day."

MOVED by Alderman Greenwood, seconded by Alderman Lloyd, that Monday, August 15th, be celebrated as Halifax Natal Day. Motion passed. APPLICATION TO REZONE LOTS #16 and #18 ~ LONDON STREET FROM R-2 ZONE TO R-3 ZONE

MOVED by Alderman Trainor, seconded by Alderman Abbott, that this item be referred to the Town Planning Board for a report. Motion passed.

TO LAY DOWN AND REMOVE A PORTION OF THE OFFICIAL STREET LINE AT THE NORTH-WESTERN CORNER OF QUINPOOL ROAD AND ROBIE STREET AS SHOWN ON SECTION 14-B OF THE OFFICIAL CITY PLAN

TO LAY DOWN A 10-FOOT BUILDING LINE ON THE WEST SIDE OF ROBIE STREET FROM QUINPOOL ROAD TO 46 FEET NORTHWARDLY OR TO THE EXISTING R-3 ZONE

May 11, 1960

Mr. R. H. Stoddard, City Clerk, City Hall, Halifax, Nova Scotia.

Dear Sir:

Confirming our telephone conversation of this morning, I request to have the adjourned hearing on the matter affecting the street line and building line of the property at the corner of Robie and Quinpool Road, further adjourned to the May 26th meeting of the City Council. I make this request as our Architect has not as yet completed the plans asked for by the City Council.

Yours very truly,

B. A. GAFFEN.

MOVED by Alderman Lloyd, seconded by Alderman O'Brien, that these items be deferred until such time as Mr. Gaffen submits his plan as requested by Council. Motion passed.

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### ESTABLISHMENT OF PARKING AUTHORITY

City Manager: "I'm supposed to prepare a report. I have a tremendous volume of material but I just haven't touched it yet."

MOVED by Alderman Lloyd, seconded by Alderman Trainor, that this item be deferred until the next meeting of the City Council. Motion passed.

### CAPITAL BUDGET

Deputy Mayor: "It has been suggested to me that consideration of this might be deferred until the next meeting at which time we will have the Mayor and the rest of the Aldermen present. I'm not asking you to defer it. I'm just saying that that has been suggested. If you wish to do that, all right; if not, we can go ahead as has been suggested and consider it."

Alderman O'Brien: "Is there any risk to the timing of carrying out the actual work involved?"

Alderman Lloyd: "Can you pick out the items that are of some urgency?" City Manager: "That's hard to say. I wonder if we should be looking at items or whether we should be looking at the overall picture. For this year, the Budget which is submitted to you for 1960, is not as it has customarily been—a recommendation from me, for the simple reason that the items which are listed for 1960, total over two and a half million dollars. And, I think we've got to, as I pointed out in this Capital Budget, come up against the hard reality of how much money we are going to spend, not only in 1960, but in the years to come. As to the matter of how we are going to finance them, I made some comparisons here and I think you may want to consider what you want to do.

"The problem of whether you're going to look at individual items isn't of too much use if, coming up with decisions on those individual items, it comes to a total that is beyond what you think we should engage in."

Alderman Lloyd: "That is certainly a decision Council has to make but to heed your warning on the matter of the amount of the Capital Budget this year, and over the immediate following years, certainly is a matter that should concern the entire Council as much as we can possibly do so. I was wondering if there weren't some items that are of some pressing character that we might

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decide not to remove if the Council was so disposed to remove items from the Budget, heeding your suggestion, Mr. Manager, that some items may perhaps have to be curtailed. That is what you are inferring, isn't it?"

City Manager: "Yes. I'm saying that the total is too great as it is listed now for 1960 and subsequent years."

Alderman Lloyd: "But, surely there must be some items in here that you feel must be done this year."

Alderman Lloyd: "In other words, you feel that every item in the Budget is open to this question of policy."

City Manager: "Pretty much so, except Schedule 'X' which are the ones we approved in 1959 after the 1959 Budget was approved; therefore, it becomes part of 1960. That was \$723,000.00, and I would think that the \$592,000.00 for the School Board which is the acquisition of some land, and the work up into Mulgrave Park, there's over half of it there about which we can do nothing."

Alderman Lloyd: "Why don't we deal with the School Board and dispose of that?"

City Manager: "Actually, I think you probably dealt with it, Alderman, when it came here direct from the School Board."

He referred to Schedule 'D' at the top of Page 24, and said: "The School Board made an approach to the Council which you approved or felt that a maximum of \$592,000.00 for St. Joseph's, Richmond, and acquisition of land for those schools—St. Catherine's and the new school in the St. Andrew's area; there was also another matter of land for that St. Andrew's School, but we are hoping to get that without cost. That's not in; but, in talking to Dr. Marshall, he indicated that before we could get the St. Catherine's and St. Andrew's, that would probably be in 1961. So, I have deferred those to 1961. The items then remaining would be St. Joseph's - \$241,000.00; -577-

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Richmond - \$248,000.00; and the acquisition of land for those two estimated at \$103,000.00; which gives you the total of \$592,000.00 for the year, 1960, and the other \$400,000.00 is pushed over into 1961."

Alderman Macdonald: "I think that \$103,000.00 covers the possible cost of the land from the Federal Government."

City Manager: "I didn't understand that when I talked to Dr. Marshall, but perhaps that is so."

Alderman Macdonald: "That is right, Mr. DeBard."

City Manager: "I don't want to anticipate anything, but I have an idea that what we're going to need for the north end of the City, might well come to the \$103,000.00; I don't know."

Alderman Lloyd: "The \$519,000.00 is what we require for this year, 1960?"

City Manager: "That is right."

Alderman O'Brien: "On this item that has been moved, might I ask the Manager whether he has requested since the last Capital Budget; requested of the School Board, a projection of their anticipated capital expenditures over the next five years, or is this Budget not supposed to include such information?"

City Manager: "It is supposed to include it and I have asked for it; I haven't got it and this isn't altogether the School Board's fault in a way. They came back, when I asked them for such figures, and wanted me to tell them what is going to happen in the various sections of the City with regard to changes in population, which we do to the best of our ability, using the Building Inspector in demolitions, building permits and so on. On the other hand, we eventually came to the conclusion--Alderman Macdonald, who is the Chairman of the School Board Committee, has worked with this very faithfully for six to eight months or so, but there were quite a few imponderables--we finally came up with the conclusion that the best information that we had with regard to school needs, lay in the school registrations themselves, by following trends, and then picking up such things as the Mulgrave Park where there will be a certain estimated number of children. That would give us the best picture. All I had from the School Board was this \$592,000.00, which covered

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the years 1960 and 1961.

"If you look at your recapitulation, you'll see that subsequent to 1961, I put figures in there of \$400,000.00 and \$500,000.00 each year which was pure guess. Subsequently, Alderman Macdonald called me up after this public discussion came up about replacing some of the older schools. While the School Board has not committed itself in any way, it was the feeling, apparently, that it might be something of the nature of about half a million dollars a year for some years to replace some of these older schools. Not necessarily every year; there might be several years where there might be more. So, by coincidence, it was my pure guess and that's all it was for the future years; it coincides with what the School Board Sub-Committee thought might be a school re-building program. That's about as close as we can come to it unless they have some better way. I can't forecast school building; they have to because they know the number of children involved better than I would."

Alderman O'Brien: "I think we've got to ask them or give them a deadline for the figure each year. I think that it is a case of getting the best estimates they can. They should be able to come up with some kind of a program which is as flexible as this Capital Budget. That is, they may say that this number of new schools are required over this period of time, spaced out thus and so; and these replacements will be required. And, when we get to our Capital Budget, you may recommend to us that we tell the School Board they'll have to defer for one year for certain items or two years for certain items, and so on. It seems to me that if we're going to have a long-range Budget which is meaningful at all, there should be a good deal more detail from the School Board.

"I might say that it seems to me that all the City Departments, and all the Commissions, should be requested with a deadline each year to put in their information. At one stage, it seems to me, a few years back, we had a figure from the Library Commission covering expansion which hasn't been carried forward. Some years we have figures in for the Recreation Commission, and some years we don't.

"We have a complaint in a sense from the Manager that we passed some

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items since the last Capital Budget which affects the total Capital Budget in program, but these include the Recreation Commission and redevelopment or new public housing work to a major degree. It seems to me that these things ought to be covered. There ought to be either a zero or some best estimated figure for each of the next five years in for redevelopment, for each of the Commissions and for each of the City Departments. I'm afraid, although the Manager cautions us against capital expenditures of too heavy a nature, that if we don't look at the total picture, that we can store up for ourselves extremely heavy capital expenditures that would be required at some date five or ten years hence in the same way that the City had to build so many schools at one period of time because of neglect and failure to forecast capital needs in that field quite a number of years back.

"I'm not at all satisfied that we have anywhere near the amount of detail and forecasting that is required in order to say how much capital expenditure we should be carrying out in the next five years. It seems to me we should have some rough ideas beyond the five years, but we should have some figures on paper for each of these things even if they are zero for the next five years for each of these categories."

Alderman Macdonald: "I will second the motion. This matter has been under study by the Committee and it was felt by the Committee that there should be a determined amount in the Capital Budget for each year for additions, replacements and so on. That motion was put before the Board on Monday night along with another aspect of replacement, and it was included in the same motion. It was a motion for a reconsideration. There has to be further study given to the older schools, which we have not completed yet, and I think Doctor Marshall has prepared a report up to 1980 for the 1980 Committee as far as increased costs are concerned with regard to education in the City of Halifax. I don't know whether any of those copies came to the City Hall or not, but we did get a copy from the School Board on Monday night. I think probably if Doctor Marshall was requested to supply copies to the members of Council, he would be very glad to do so."

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Alderman Lloyd: "In view of what Alderman O'Brien has said and pointed out about the School Board budget, and in view of what the Manager has said----I think he has couched in stronger terms this year probably than at any time in the past, the need to accelerate capital expenditures. He has always been very concerned about capital expenditures but this year there seems to be more emphasis expressed."

City Manager: "It's a bigger figure this year, and perhaps that is the reason."

Alderman Lloyd: "You are trying to hold the line—a Capital Budget related to some ratio of retirement factors in the City's debts and with some relation to assessments and economic factors and bond rates. That is what he is trying to do. In other words, he is trying to make our Capital Budget being related to some realistic future prospects; and, without a complete story, as Alderman O'Brien says, and what our needs are going to be in the school field, it becomes increasingly apparent that without a full Council tonight, that any item we tackle, we're liable to get into this question; and it might be wise to defer it until we have a full Council."

MOVED by Alderman Lloyd that the Capital Budget be deferred until the next meeting of Council.

Alderman O'Brien: "I wouldn't want to see this deferred if we run the risk of higher costs in this year's street program, because we are so late getting approval. Is there a risk?"

City Manager: "No, it is just a case of getting the work done."

Alderman O'Brien: "I will second the motion to defer consideration until the next meeting; but I would like to table a list of questions which I would like the Manager to attempt to answer, at least, prior to the next meeting, so that we can study some additional information. It may not be possible to answer more than a fraction of the questions, but I would like to read them and perhaps in the light of somebody else's judgment here, the questions might even be modified.

"What can we afford in debt per capita for each of the next five years?
 "What can we afford in debt as a ratio of tax receipts for each of the next five years?

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"The Manager, in the Budget, gave a ratio of debt against tax receipts; but I wonder if he wouldn't consider putting into his tax-receipts figure the grants in lieu of taxes which we get and which would be called taxes, except for a technicality of Federal law; and I think that they belong in there and should be considered when we consider debt as a ratio of our tax receipts."

City Manager: "But, that won't change the ratio of your debt to your total receipts which I also projected."

Alderman O'Brien: "I think it will be a better and clearer picture, particularly if you are going from there to make comparisons with other cities as some of your tables do. The next question is:

3. "What are the estimates of capital expenditures for the next five years for all departments, Commissions and the Redevelopment Committee?

"There are a lot of question marks in there."

City Manager: "It's only on the Redevelopment we have the question marks."

Alderman O'Brien: "When you come to Westwood Park, which has been approved in principle by the Council, we know how many units and we can come to an estimate of about how many thousands of dollars per unit. There's a figure that can be put in there and I would suggest that there are more figures available on the redevelopment than just the Westwood Park. It is a case of our portion of the total cost and what years it belongs in. 4. "What is the forecast of population, assessments and school population for the next five to ten years?

"It seems to me that these are assumptions on which we must base conclusions about what we can afford.

5. <sup>N</sup>Have we a long-range financial policy? If so, what is it? If not, should we have one?

"If it is not understood what I mean by that, I would refer the Manager to some of the publications of the International City Managers' Association, which give in great detail what long-range financial policy of any City should be.

6. To what extent is each section of our capital expenditure self-liquidating or partially so; what are the totals for various types, and how do these totals, that is, self-liquidating, partially self-liquidating and non-self-liquidating, -582-

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affect the totals of what we can afford?

"It seems to me we should consider separately a redevelopment item which is going to increase our assessments substantially as against schools, which are a dead cost; we certainly need them, but we don't get the same kind of financial return.

"Those are the questions I would like some answer on if possible." Alderman Macdonald: "On this motion for deferment, I don't know how this will affect the carrying out of the additions to St. Joseph's and Richmond Schools. Those are of a very urgent nature. The Mulgrave Park Development, I understand, that there will be people moving in the latter part of September or October of this year, which the Press reported. If that is so, we can't afford to wait too long."

Deputy Mayors "The deferment is for two weeks."

Alderman Lloyd: "I might say with regard to these questions which have been put to the City Manager, I'm sure Alderman O'Brien realizes it is extremely difficult in precise terms to correlate debt ratios to receipts, but it might be possible to crack it--get reasonable areas of judgment on it. I don't think we can go beyond that."

The motion was then put and passed.

### ADMINISTRATIVE REPORT FOR APRIL

A report was submitted from the City Manager covering administration for the month of April and same is attached to the original copy of these minutes.

FILED.

### POLL TAX REPORT

A report was submitted from the Commissioner of Finance listing collections for January, February and March, 1960, at \$40,982.84 and 1959 at \$20,568.11, or an increase over last year of \$20,414.73.

### FILED.

MOVED by Alderman Greenwood, seconded by Alderman Lane, that this meeting do now adjourn. Motion passed.

Meeting adjourned:

9:55 P. M.

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MAYOR AND CHAIRMAN.	
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# CITY COUNCIL MINUTES

Council Chamber, City Hall, Halifax, N. S., May 26, 1960, 8:00 P. M.

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A meeting of the City Council was held on the above date. After the meeting was called to order by the Chairman, the members of Council attending, led by the City Clerk, joined in repeating the Lord<sup>6</sup>s Prayer.

There were present His Worship the Mayor, Chairman; Aldermen DeWolf, Abbott, Lane, Macdonald, Fox, Ferguson, Trainor, Lloyd, Connolly and Greenwood. Aldermen Dunlop and O'Brien were absent due to illness.

Also present were Messrs. A. A. DeBard, Jr., R. H. Stoddard, T. C. Doyle, W. J. Clancey, L. M. Romkey, G. F. West, V. W. Mitchell, J. F. Thomson, W. P.

deSilva, H. K. Randall and Dr. A. R. Morton.

PUBLIC HEARING RE: PROPOSED NORTH WEST ARM BRIDGE

A Public Hearing in connection with the proposed construction of a bridge across the North West Arm was held at this time.

His Worship the Mayor: "The City, the Province and the Municipality of the County of Halifax joined in the cost of a survey of a proposed bridge across the North West Arm. Tonight we will hear any persons who wish to be heard on, first, the locations as suggested in the Whitman-Benn Report; that is the Robie Street entrance and the Oakland Road entrance or to the very idea of a bridge across the Arm itself. As is our custom here in our hearings, we will call any persons who wish to be heard on this matter to come forward and to state their reasons why they object."

Mr. R. A. Kanigsberg, Q. C.: "Your Worship, and Members of the Council: I represent a group of taxpayers, also a group of property owners on both sides of the Arm, as well as a group of persons who live at the south end of Robie Street; and I'm here to speak on their behalf as well as my own because I qualify as owning some property at the south end of Robie Street and I am a taxpayer. I wish to put to the Council the whole problem that is involved here. I ask your indulgence because this is a matter that involves millions and the taxpayers will ultimately be responsibile for that. Apart from that,

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I am asked to digest in a few moments what perhaps these experts have spent a great deal of time upon.

"Briefly, I believe a good place to start is at the beginning the same as the Bible starts; and in the beginning I believe there was confusion and chaos at the Rotary. I believe that this whole idea of the bridge emanates from a desire by the Civic, Provincial and County authorities to do something to alleviate a situation at the Rotary. It (a proposed bridge) would also feed the Spryfield area, divert traffic from the Rotary and open up, perhaps, so the experts say, a great development of land for housing and also provide a route to the St. Margaret's Bay. All of this took place under the false illusion that if traffic were diverted, first of all from the Rotary, the answer to the Rotary problem would become very simplified. I suggest that this would not be so and that the Rotary problem, if, as the experts say, population is expected to increase 7%, which I dispute and so do other experts, then the Rotary problem would still remain a terrible traffic problem for the City and the County as it has been to date.

"I also suggest that while all this thinking was going on, the magic wand of the bridge across Dartmouth gave everyone associated with this pet theory of a bridge across the Arm as the open answer and the key to a wonderful way of having a bridge which will cost nothing to everyone except those who use it because it has been proven that the Dartmouth bridge is a pretty good business venture. That is the second fallacy which I propose to dwell upon.

"Thirdly, the Report seems to emphasize that if the bridge is put where it is in the south end of the City, immediately a wast area on the other side of the Arm will be opened up for housing development and that the benefits to the City and the County and the Province will be tremendous; and I again will submit that that is a fallacy and that these bad lands across the Arm can never be used for that purpose as people believe they can.

"Dealing with the problem of the Rotary first, I wish to remind the Council that I do not believe the Whitman-Benn Report considered under the terms of reference the feasibility of a bridge across the Arm, the ancilliary problem of doing something to improve the Rotary. They were concerned and

given a problem of the feasibility of a bridge across the Arm and being consulting engineers, I submit that it is just like asking a person who sells sport goods whether exercise is good for the person. It would be natural for them to find every reason why a bridge can be built and nobody says that it can<sup>9</sup>t. I believe they have missed the whole problem that started this thing and that is the bottlenecks that exist.

<sup>a</sup>Dealing with the Rotary problem first, I wish to remind the Council that the Rotary as built right now was not the Rotary that was envisaged when it was first drafted and put into effect; this was just the first step as the Rotary consisted of other steps to feed either overhead by Chebucto Road, the Spryfield area or by other means improve that Rotary so that various centers could be syphoned off and traffic would be kept at a constant flow. That has not been done and I submit to the Council that Mr. Stephenson, whose name is a by-word in this City, as late as this week spoke to a reputable citizen of our community here and ventured the opinion that that Rotary is the problem and he couldn<sup>§</sup>t see the bridge at all.

<sup>B</sup>I also submit that the Stephenson Report does not dwell or deal with the problem of, perhaps, feeding the Sphyfield area and the other adjoining communities there by a causeway near the Horseshoe Island and straight across there instead of a bridge which would completely disfigure the beauty of the Arm; and I also submit to you that it is ridiculous to expect people to travel all the way down the south end through the City to enter at the end of Robie Street or at the end of Connaught Avenue on a bridge to go across the Arm and then retrace their steps all the way down for miles on the other side when those persons could best be served by a free access at the Rotary and to pay a toll for that in addition, they will not do so.

<sup>n</sup>The problem is further complicated by the fact that the Rotary picture and the traffic picture to the Spryfield and other areas in that district will, perhaps, be changed completely by the Bicentennial Drive and the access to Lady Hammond Road and that until such a line of traffic is established, then a pattern is established that it would be folly to embark on a project like this which runs into millions of dollars unless there was with absolute certainty a usefulness to the public wheel; and, secondly, that it would pay for itself

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rather than be a burden of taxation to the high taxes which both the municipal taxpayers and the City taxpayers are subjected to now.

<sup>n</sup>Dealing with the problem of the land development across the Arm, the Report bases the desirability of a bridge on two or three main problems. One, that population will increase by at least 7%; and in that regard I have Mr. Philip Vaughan, a consulting engineer, who will speak on that and show that the 2% increase as set out by the Stephenson Report is a more rational and proper approach to the population pattern over the years or the 3% by the British Consulting Engineers, and certainly not the 7%.

"Secondly, I have here, and I will table it rather than read from it a report made by a realtor in the City of Halifax, Mr. Whynacht, who has several degrees and is qualified as an expert to establish the fact that across the Arm the land there is bad land and that it does not lend itself to development in any form or shape. I believe the MacNab Report shows that it costs about \$3,000.00 to service the Spryfield area and this would cost twice as much for sever and water; that there are nothing but rocks there and it is practically impossible to develop the land in the immediate vicinity of where the bridge would land and for miles around. If that is so, you would then have a bridge emptying into 'no-man's land' with terrific terrain that would be most costly to pave and to develop as a road through Lake Williams and to vent no place at all until you get to Spryfield and then beyond which could be done much easier by easing, as I said, the Rotary problem.

<sup>n</sup>Dealing with another aspect of this Report and that is the financial self-liquidating aspect of the bridge, I again point out that there is no comparison, whatsoever, between the situation that exists today with a proposed bridge over the Arm and a situation which faced the community when the Dartmouth bridge was put into effect because there you had a large community in the Town of Dartmouth. You had land in the vicinity which was cheap and good to build on and good to develop which you haven<sup>1</sup>t here at all; and, in the forseeable future, perhaps 1980 or 1990, it does not appear from most of the experts that have gone into this matter that the same pattern of increase in population or housing development will ever take place on the other side of the Arm as has

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taken place on the Dartmouth side. So that, this traffic, as submitted by the Report, the further south you go, the less the expectancy you can have of bridge traffic; and conversely, therefore, the more north you go right in to the Rotary the better off you are insofar as usefullness to the community is concerned. The Report dwells at length on a 6% 30 year borrowing to pay for this bridge which any persons engaged in finance or knows the slightest bit about can tell you that today you cannot sell bonds on a 30-year 6% basks, and that it is most difficult to sell them for a 20-year period; and it will be submitted that this bridge venture would be a disaster financially for all participants to it.

"There is another aspect that I would like to submit for your consideration and that is this — that the tendency amongst City planners today is to route traffic to the periphery of a City, and not down through the City and across the City; and with the increase in cars per family as we have been witnessing, the increase affects the maintenance problem of streets for the City and so forth; and to bring traffic into the City and across all the way down to the south end, as I have said, and then feed them over to a bridge and then bring them down the other way in competition with the same person who can just take the old route that he has followed at no cost to him, will easily convince any person that they will not do that. But if it is a success, then you will create for yourself a traffic Frankenstein in the City of Halifax itself by routing and increasing your traffic problem in the City, which is not desirable and against all good planning principles.

"I, therefore, submit to you, Mr. Mayor and Members of the Council that this matter is a matter of serious import to the City of Halifax and the community and is not one that should be given a brush off or should lend itself to a simple phrase that, 'you can't stop progress', or words to that effect; but it should be one that should call for either a deferment until such time as it is demonstrated and the pattern of the Bicentennial Drive has evolved and the Rotary improvement has been explored. This matter should be made the subject of a commission to hear representations from experts other than Whitman-Benn who can come forward and give data and establish the matter as to whether or not a bridge should be built. I am not here to advocate whether a bridge

should be at 'x' or 'y' location. I am mostly here to protest against the desirability of having a bridge, taking all these matters that I have mentioned into consideration; and I trust, therefore, that such a commission will be established by the City to give a thorough hearing to this matter so that experts may be called. If it is not possible for the City to have a commission and then for the County to have a commission and then for the Province to consider this matter, it might be desirable for all three of the agencies who are associated with this suggested project to establish such a commission and have a public inquiry with the experts who will give their views on the matter.

"I want to thank you very, very much for the attention which I have received here today and I am glad to file this report of Mr. Whynacht which will bear out the fact that I have tried to establish before you as to the poor value of the land on the other side; and I also trust that my friend and associate, Mr. Vaughan, will have a chance to be heard."

Mr. Kanigsberg then tabled the report of Mr. C. F. Whynacht as follows:

### RESIDENTIAL DEVELOPMENT

# SPRYFIELD - HERRING COVE - PURCELL'S COVE AREA

The purpose of this report is to outline, in very general terms, the expected influence of the proposed Northwest Arm Bridge on future residential development in the area defined below. In particular, it is intended to point out that, although the bridge would provide a convenient route to and from the City for some residents of the West and Southwest surrounding areas, it is not, in itself, sufficient to encourage further large scale development. Other physical, economic and social factors must be considered and the future of the area cannot be disassociated from certain influences affecting the present level of development.

The area #eferred to in this report may be roughly defined as lying between the Northwest Arm and the Herring Cove Road, and extending from Cowie Hill to Herring Cove. A large portion of this land is owned by the Department of National Defence, and other portions are reserved as water-shed areas.

The land rises from the shore of Northwest Arm and extends West in rough, rolling terrain. There are several craggy sectors, with steep cliffs and deep

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ravines, particularly in the Purcell's Cove area. Generally, the topography is worse near the Purcell's Cove Road and improves somewhat in the Herring Cove Road area. The type of land is well illustrated by the fact that the only evidence of former farmland is found in the Spryfield area. Much of the land fronting on the highways is too steep for road building approval and several parcels are undeveloped for this reason.

There are several lakes which afford visual pleasure and recreational facilities, much of the area enjoys a view of Northwest Arm and Halifax Harbour, and the shore properties have the added water-front amenities. Other than these features, however, the area offers very little in the form of natural advantages. In fact, most of the surroundings present a rugged, bleak appearance.

The soil and sub-soil is extremely rocky, with granite boulder and large rock formations with outcroppings making construction difficult, costly and, in some cases, impossible. In the opinion of several engineers and surveyors, much of the remaining vacant land is not capable of development. While it is recognized that present day equipment and methods make it physically possible to work very difficult terrain, the cost, in many cases, would be prohibitive for residential purposes. Drainage is considered adequate and present developments suggest that there is an ample supply of water - although expensive welldrilling is necessary in most cases.

Future development of the area must be studied in relation to the land that is both <u>available</u> and <u>useful</u>. The available land has already been partly consumed by D. N. D. ownership, water-shed use and the development of recent years. The amount of useful land is further reduced by difficult terrain and soil conditions. This report does not presume to express an expert opinion on the feasibility of developing rough areas from an engineering point of view but it is felt that an engineer's report would show a strikingly small proportion of available, useful land for residential development.

The area is almost entirely residential in character and contains a number of communities, most of which have grown fairly substantially since World War II ~ and some of which were created. The main concentrations are Spryfield, Herring Cove, Purcell's Cove, Boulderwood, Jollimore, the Flemming developments, and Melville Cove.

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On the premise that the future of residential neighborhoods depends on the tastes and preferences of the typical home-buyer, considerable thought must be given to past buyer behavior in the subject area. There is a wide variety of homes in the area - ranging from very expensive homes in the Boulderwood - Flemming Heights - Flemming Glen area to the modest "low-downpayment" type home in the Herring Cove Road area. Therefore, the market activity of the past and present should reflect the thinking of a cross-section of buyers in a wide price range. Time does not permit a detailed market analysis of house selling activity but certain general observations on buyer attitude, and development trends in the area are considered indicative of the growth to be expected after construction of the proposed bridge:

(1) The greatest activity has been in the new, planned sub-divisions in the Spryfield area. Prospects have been attracted to these developments for a number of reasons but mainly because of the low down payments and easy N. H. A. financing. It has been found, however, that when down payments in Sherwood Heights, for example, are competitive, prospects prefer the latter location in spite of the fact that Spryfield is closer to the City.

(2) The higher priced developments, such as Boulderwood, Flemming Glen and Flemming Heights, attract prospects, but not in greater numbers than the more distant comparable sub-divisions located off the Bedford highway.
(3) Although some available, fairly useful land exists in the subject area, it has not been developed. On the other hand, there has been a steady rate of

development in the Kearney Lake area, Bedford area, and as far out as Lower and

Middle Sackville.

These three observations indicate that, although proximity and easy access to the City are important, home-buyers are influenced by other gonsiderations as well - and in the case of many prospects, it appears that other factors were more important.

After considering the past and future growth of the subject area, the activity of developers, builders and home-buyers, the availability of comparable land in other areas, and the trend of development generally, I am of the opinion that, although the proposed bridge will no doubt assist in opening up some new

sectors in the subject area, the impact on further residential development will not be as great as it might appear. My reasons are as follows:

- (1) The amount of available, useful land in the area is limited.
- Because of the terrain and soil conditions, some of the <u>useful</u> and (physically capable of development) will not be developed because of cost.
- (3) Even some of the better land will not attract speculator-builders because of the undetermined cost of foundations, wells, etc.
- (4) Developers will be wary of road and development costs.
- (5) Home-buyers will be discouraged by the prospects of costly landscaping.
- (6) Developer-supplied water and sewer will be too expensive.
- (7) If water and sewer are supplied on a municipal level, the high cost will be reflected in an already high tax burden on the home-owner.
- (8) Continued development off the Bedford Highway and in the Dartmouth area will continue to attract developers and home-buyers because of the more desirable soil conditions.
- (9) The reductions in driving time as shown in the engineering reports will not be sufficient incentive to overcome the other objections to the area.
- (10) 1980 Planning envisages provision for an increased City population by construction of "high-rise" multiple units. If easy access and proximity to the City are foremost in the minds of certain residents, they will be attracted to City accommodation.
- (11) The effects of lack of planning and haphazard building in the early stages of past development in the subject area will continue to be a deterrent to buyers in certain neighborhoods.
- (12) Although it is natural to compare the effects of the Angus L. MacDonald Bridge with the expected influence of the proposed Northwest Arm structure, the situation differs in several ways: Very desirable land was available on the outskirts of Dartmouth. Dartmouth is a "self-contained" community whereas the subject area will be dependent on Halifax for shopping and cultural facilities for some time. Dartmouth and suburbs includes a proportion of industry to help support the tax load. A proportion of the home-buyers attracted to Dartmouth are employed in Dartmouth. Dated at Halifax, N. S. 24th. May 1960.

(Sgd.) C. F. Whynacht, F. R. I.

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Mr. J. Philip Vaughan: "Your Worship, Ladies and Gentlemen of Council and Ladies and Gentlemen at the Hearing, I am the J. Philip Vaughan referred to by the previous speaker. I have prepared a short brief in connection with this matter which with Your Worship's permission I will read to the gathering and table it, if you wish, with the Clerk."

His Worship the Mayor: "Before you start, Mr. Vaughan, could I establish some facts? You are a consulting engineer?"

Mr. Vaughan: "Yes."

His Worship the Mayor: "What degrees do you hold?"

Mr. Vaughan: "Bachelor of Science and a Bachelor of Civil Engineering."

His Worship the Mayor: "Are you a sociologist?"

Mr. Vaughan: "I am not a sociologist."

His Worship the Mayor: "Are you a demographer?"

Mr. Vaughan: "I am not quite sure what that term means."

His Worship the Mayor: "If you had studied population moves and shifts,

you would know what that term means."

Mr. Vaughan's submission follows:

129 Hollis Street, Halifax, Nova Scotia, May 26, 1960. 14 4

Hon. G. I. Smith, Minister of Highways, Province of Nova Scotia.

Mayor Charles A. Vaughan, City of Halifax.

Warden F. G. H. Laverman, Municipality of the County of Halifax.

Gentlemen:

Having been engaged in the design and construction of bridges for the past 15 years, during most of that time as Chief Structural Engineer of the Department of Highways of Nova Scotia, and having been involved in the preliminary engineering studies of such projects as the Canso Causeway, the Annapolis River Dam and the Fairview Overhead entrance to Halifax, I respectfully submit for the consideration of the governing bodies involved, the following views concerning the proposed North West Arm Bridge. These views are presented on behalf of a group of Halifax citizens designated the North West Arm Bridge Committee.

Respectfully submitted,

J. Philip Vaughan, P.Eng., Consulting Engineer.

#### 1. FEASIBILITY STUDY

In August, 1959, the Department of Highways of Nova Scotia, the City of Halifax, and Municipality of the County of Halifax authorized the firm of Whitman, Benn and Associates to study "whether it is feasible in the reasonable future to build a toll bridge over the North West Arm". Feasibility, it should be noted, is both a function of future growth and of financing, and the latter may depend very much on the former, as well as on other considerations.

#### 2. FUTURE GROWTH OF TRAFFIC

Future growth of traffic is dependent on three factors:~

- (1) Change in population,
- (2) Change in the ratio of persons per vehicle,
- (3) Change in average vehicle use.

The records of gasoline consumption and vehicle registration in the Province of Nova Scotia indicate that the average vehicle use in mileage per vehicle will continue without great variation over the years.

The ratio of persons per vehicle, however, will change over future years from about 3.7 persons per vehicle in the Halifax area today to about 2.4 persons per vehicle in 1991, as vehicle registration climbs faster than the population increases.

### 3. INCREASE IN POPULATION

The increase in population in future years is a factor rather difficult to determine, and more so the increase in population of a particular segment within the Halifax Metropolitan area in relation to the other segments of the area.

On Page 4 of the Whitman-Benn Report it assumes "that 7% annual population increase is normal for the Spryfield-Herring Cove area during the first ten years of bridge operation".

On the other hand, the Supplementary Volume of the Stephenson Report on Redevelopment of Halifax on Page 16, has this to say:

"The 1956 engineering survey of the area - sponsored by the Province, the County, the City, and the Town, and conducted by Canadian-British Engineering Consultants - forecast a metropolitan population of 225,000 by 1970. The figure was based on an annual growth rate of about 3 per cent - about the same rate as in the decade 1941 to 1951. In other informed

quarters, a more conservative rate of 2 per cent is favoured, assuming an unusual growth pattern in that decade as the result of Federal programmes for Service establishments, Port facilities, and defence-related industry.<sup>m</sup>

It would appear that Dr. Stephenson favours a figure of 2% rather than 3% used by Canadian-British Consultants or the 7% used by Whitman-Benn.

In view of these widely varying views concerning the rate of population increase, and in consideration of a submission to be presented on the probability of real estate development in the Spryfield-Herring Cove vicinity as related to the general growth pattern of the Halifax Metropolitan area, serious doubts arise concerning the population estimates and hence the traffic growth figures developed in the Whitman-Benn Report.

For if the annual population increase of 2% referred to in the Stephenson Report should prove more realistic than the 7% annual increase of the Whitman-Benn Report, then the traffic generated by population increase will fall far short of the predicted traffic using the Bridge.

It should be noted also that the population increase in the Spryfield-Herring Cove areas particularly is that which will most affect the generation of bridge traffic and the feasibility of the Bridge. The predicted population increase in these areas is 14% of the Metropolitan growth, based on the Whitman-Benn Report and only 11% of the Metropolitan growth based on the Canadian British Report.

It is conceivable, too, that even the Canadian-British Report was a bit generous in its assignment of future population to the rugged areas of Spryfield, Purcell's Cove, Herring Cove and Kline Heights. The almost impossible nature of much of the terrain in these areas as to suitability for housing development, street grades, sewer and water installations and other services, would indicate such high cost of development in these areas, that future builders will be encouraged to look elsewhere, and far afield, before attempting further development of many of these areas. Cost of sewer and water services in the rugged terrain between MacIntosh Run and the Purcell's Cove Road could well be double the cost of those services in the present Spryfield area, where the cost now exceeds that of these services in other areas like Bedford and Sackville.

If the population increase in the rugged Spryfield-Herring Cove area is

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not sufficient to realize the estimated 1991 population of 50,000 people across the Arm as predicted by the Whitman-Benn Report, but produces only some 40,000 people as forecast by the Canadian-British Consultants, or some 25,000 people which, based on the Stephenson Report, might conceivably be the case, then there may well be insufficient traffic generated to repay by 1991 the capital debt incurred by the construction of a bridge.

### 4. BRIDGE EARNINGS

The Whitman-Benn Report in table XII on Page 32 suggests the assignment of diverted daily traffic, at the 1959 traffic level and based on a particular toll schedule, as 2,864 vehicles per day average daily traffic for a bridge at Oakland Road.

The Oakland Road location is the only one considered in this brief, it being noted that the pattern of desire lines illustrated in figures 8 and 9 of the Whitman-Benn Report indicates a bridge location for maximum traffic benefit to be located somewhat North of Oakland Road, at about 1.02 miles from the Rotary, or nearly at the foot of Coburg Road; and it being further noted that bridges at Robie Street and Point Pleasant Park would both cost more and serve traffic less than the Oakland Road location.

Considering Oakland Road, therefore, and its average daily diverted traffic of 2,864 vehicles per day for 1959, plus the 15% "facility increase" estimated in the Whitman-Benn Report, and applying a growth factor which takes into account a 2% annual population increase, instead of the 7% mentioned by Whitman-Benn, the average annual earnings over the earning life of 30-year Bonds would be \$416,000. instead of \$929,000. If the Whitman-Benn figure for average maintenance and operation over the 27-year period is accepted as \$280,000., then there will be available for amortization the sum of \$136,000. against an estimated annual amortization cost of \$333,068., as quoted on page 51 of the Whitman-Benn Report.

In short, if the population increase is only 2% per year as suggested by the Stephenson Report, then the bridge will not repay even half of its capital cost by 1991.

Moreover, on this basis the bridge will not even pay for its maintenance, operation, and interest charges until 1972.

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Following the reasoning of the Whitman-Benn Report, any bridge location South of Oakland Road would cost more and produce less revenue than the Oakland Road site, hence it would take an even longer time to realize the financial returns mentioned and would produce a still heavier burden on the taxpayer over the years.

### 5. RECOMMENDATION TO GOVERNMENT

In view of the foregoing, it is recommended to government at the several levels involved, that further very careful consideration should be given to this matter before the taxpayers are committed to a project which will require substantial subsidization over a long period of time.

### APPENDIX A

# TABLE OF ESTIMATED ANNUAL TOLL REVENUES

### For Proposed North West Arm Bridge at Oakland Road

# (For 2% average annual population increase)

Year	<u>Traffic Growth</u> (Per Cent)	<u>Gross Earnings</u> (\$000°s)
1963		210
1964	4	<b>2</b> 18
1965	8	236
1966	8	255
1967	6.5	272
1968	6.5	290
1969	6.5	308
1970	5.5	325
1971	4.5	339
1972	4	353
1973	4	367
1974	4	383
1975	4	398
1976	3.5	412
1977	3.5	1
1978	3.0	426
1918	2.5	438

Cour	cil	9
May	26,	1960

Year	<u>Traffic Growth</u> (Per Cent)	Gross Earnings (\$000's)
1979	and server finder of the	448
1980	2.	457
	2.	
1981	2.	466
1982		475
1983	2	484
1984	2	
	2	493
1985	2	502
1986		512
1987	2	522
	2	
1988	2	532
1989		542
1990	2	552

27 - Year Total 11,215,000.

First 5 - year average \$238,000.

First 10 - year average \$281,000.

27 - year average \$416,000.

Mr. H. P. MacKeen: "Your Worship, Ladies and Gentlemen: In the first place, let me say that I have a deep personal interest and prejudice in this matter as the proposed Robie Street crossing means the ruination of my own property as well as a number of other properties that contribute to the beauty of the City of Halifax and the North West Arm. I don't advance this as an argument that I expect to impress any of you. I am merely mentioning it to indicate that I am prejudiced in the matter though I may say, in passing, that there are Cities that seek to encourage this type of property on the assumption that they are civic assets.

"I'll be as objective as possible in my remarks and try and discuss the matter from the point of view of every Halifax taxpayer and resident.

"You, Gentlemen, I know will consider whether or not this Robie Street crossing is a sound investment for the taxpayers? money. I hope you will not be guided by meaningless platitudes, as Mr. Kanigsberg pointed out, like: 'you can't stop progress'.

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