

PRESERVATION SURE OF AVENUE RD. TREES IN KILLING OF BILL

Words "on Petition Only"
Remain in Pavement
Widening Clauses

DENOUNCED BY SPONSOR

The trees on Avenue Road have been preserved. Denounced by its originally unsuspecting sponsor, Hon. James Lyons (Conservative, Sault Ste. Marie), the bill removing the words "on petition only" from the clauses of the Local Improvement Act covering pavement widening, was killed at a meeting of the Municipal Laws Committee in Queen's Park yesterday. No action was taken on the amendments which accompanied the proposed enactment into oblivion, when the Chairman, Hon. William Finlayson, suggested that the first vote should be taken on the principle.

Members and citizens appearing before the committee made little attempt to dissociate the bill and the Avenue Road crisis. But there was no word, at least in public, of the possible opinions on the subject held by a personage "over the water."

Motorists Criticized.

J. Grayson Smith, K.C., as a representative of a number of the property owners concerned, pointed out that beautiful homes had been built on the strength of the restrictions enforcing a deep lawn and limiting traffic. Mr. Smith mentioned the beautiful trees making the avenue a "city beauty spot," and criticized motorists who go "Honk, honk, honk," in a terrible rush to get downtown and "then spend half an hour talking to the proprietor of the parking lot."

Speaking on the broad principle of the bill, C. M. Colquhoun, K.C., City Solicitor, protested that the municipalities were forced to cope with increasing traffic and that the highway was designed for public use. The question of whether compensation should be paid to owners of property which loses value because of increased traffic was raised, and Mr. Colquhoun stated that he had never heard of such payments. "I think the principle wrong that permits property owners to stop traffic improvements," he said.

Blessing Given Measures.

The committee's blessing was asked for half a dozen other contentious bills, and was granted to the measures providing a degree of uniformity in suburban income tax rates, and to the enactment by which William Morrison (Conservative, Hamilton East) proposes to permit municipal Councils to fix prices for cleaning and pressing.

The income tax measure, sponsored by F. G. McBrien (Conservative, Brockton) is designed to eliminate discrimination in suburban income tax rates by permitting the respective Councils to set a rate of 35 mills in suburbs in which the general rate is higher. The Conservative member made it clear the legislation was designed to give no advantage to either public or separate schools.

Suburban Praise Heard.

Representations were received from the suburbs in which the bill was praised, one witness declaring that large vacant areas would never be built up under the present high rates which deterred families from moving into the area. An appeal from Mimico asked that the original measure affecting only the suburbs "adjacent" to Toronto be extended to include that town, and with an amendment mak-

ing it applicable to all municipalities within ten miles of the city limits the legislation received approval.

The introduction of Mr. Morrison's measure was followed by a controversy between the sponsor and George Shields (Conservative, Woodbine) who questioned the constitutionality of the legislation. Mr. Morrison urged that the bill, which permits municipal councils to fix cleaning and pressing charges, should be approved and the constitutionality question left to the courts.

Cleaners', Dyers' Viewpoint.

George B. Wright, speaking for the cleaners and dyers, painted a dark picture of present conditions in the industry, contending municipalities could not control "chisellers" and "cut-throats." "We are in the throes of a price war, old firms are going into bankruptcy, credits are ruined, and employers are forced to push down wages," he declared, asking for aid in getting away from "this terrible racket."

The measure was passed with several expressions of reluctance, members of the committee objecting to setting a precedent in the price-fixing field and questioning the constitutionality of the measure. Mr. Lyons warned the members, "I think we are getting on dangerous ground," and pointed out that the problem with which they dealt was a product of depression. The member for the Sault labelled the legislation "far-reaching" in its tendencies to eliminate competition and coupled a repetition of this argument for a general minimum wage law with a suggestion that action should be delayed until the outcome of the Stevens' investigations was apparent.

The amendment to the Assessment Act, by which Paul Munro (Liberal, Wellington South) proposed to eliminate assessment appeals to the Ontario Municipal Board met with a hostile reception, particularly from A. Ellis (Conservative, Ottawa South), and was finally killed. Sponsored by Lewis Duncan, K.C., in the absence of Mr. Munro, the measure was supported by a resolution of approval in the name of the Toronto Real Estate Board and the Building Owners and Managers' Association of Ontario. Proponents argued that the present system involved three separate trials, and that the Municipal Board was not a judicial appellate tribunal. Mr. Ellis argued the Municipal Board could work more efficiently than the Court of Appeal. Mr. Finlayson pointed out the proposed measure would entail the erection of the County Court into a court of record in assessment cases, setting up a cumbersome system. The

bill was lost without a single affirmative vote.

Another amendment to the Assessment Act reducing the business assessment chargeable to professional men who have offices in their private homes received the committee's approbation. The committee also reported the amendment to the Ditches and Watercourses Act, raising the maximum gross cost of an award ditch to \$2,500.