

Weighing rights to the Arm

The public has little access to the Northwest Arm. Leonard Kitz is trying to improve this

by Alison Day

Leonard Kitz, QC, who lives on Rockcliffe Road, enjoys his exclusive plot on the steep slopes of the Northwest Arm. He grows fruit trees on his terraced property and keeps an eye on boating activities through a telescope on his balcony. He would like others to have access to the Northwest Arm, which is why he has been urging the city council to repair the Oakland Road Wharf, next to his property, and reopen the public right of way leading to it.

The closure of Oakland Road Wharf, and the public land adjacent to it, appears to be a violation of Section 250 of the City Charter. The section calls for a public hearing and notice, before the city can close a public site. According to Kitz, neither of these was done.

Don Murphy, city solicitor, says that the area was closed to the public by the director of works, for safety reasons. It was intended as a temporary closure and as such did not require the procedure described in section 250. Murphy adds that section 250 relates to permanent closures.

However, according to Engineering and Works Department records, the wharf and steep path leading down to it were closed March 14, 1979, seven years ago this month.

Oakland Road Wharf is situated at a narrow section of the Northwest Arm, directly across from the Dingle Tower in Fleming Park. The wharf has been in existence for 150 years and many Southend residents will remember a regular ferry service running across the Arm from there. The location offers sweeping views of the Arm and has been a popular place for fishing. Despite the current

closure, it is still used by some people.

Last year Halifax city council agreed to set aside the funds necessary to repair the wharf in 1986. So far this year the matter remains undecided. Deborah Grant, alderman for Ward 1, says that a figure in the capital budget was set aside for repairs to the wharf, but nothing is carved in stone.

Council has not yet reached a decision on how the operating budget will be divided up for 1986. Grant explains that the federal government has cut its grants to the provinces which means, in turn, that the province's grants to municipalities will be cut. Paul Calda, city manager, estimates that the operating budget and capital

expenditures will be decided on by the end of March.

Leonard Kitz, who has been pushing for a new wharf for several years, would like to reach an amicable solution. He says he does not want to have to take legal action against the city council for illegal closure. But it may come to that.

Public access to the Northwest Arm from the Southend of Halifax is limited; almost all the land running down to the shoreline is private property. The shoreline on South Street, Jubilee Road and Oakland Road are the only locations from which one can land or launch a boat. The Oakland Road site is the only non-vehicular right of way.



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Kitz: "People should not be denied... access to the water"