

MINUTES OF THE JULY SESSION OF THE FIRST  
YEAR COUNCIL OF THE THIRTY-SIXTH COUNCIL OF THE  
MUNICIPALITY OF THE COUNTY OF HALIFAX.

The regular monthly session of Council of the Municipality of the County of Halifax convened at 10:00 a.m., Tuesday, July 16, 1968, with Warden Settle presiding.

Following the Lord's Prayer, the Clerk called the roll.

Council agreed to deal with the Public Hearings first on the agenda.

The Clerk introduced the Public Hearing on the Billman Property, Armdale, advising that the Public Hearing had been duly advertised and read a letter of objection from Mr. B. D. Quinn, 25 Melrose Avenue, on behalf of 109 petitioners, 78 of which were bona fide ratepayers as checked out by the Assessment Department.

The Clerk also read a portion of the Report of the County Planning Board dealing with this matter.

Mr. Gough, County Planning Director, illustrated the area by means of a large scale map.

Mr. R. Medjuck spoke in favour of the application representing Sobey's Limited. He said this property was brought before Council in 1966 and that Council had approved rezoning in 1967 from R1 to R4 in order to permit the construction of a high-rise low income apartment building but this became impractical because of sewage problems and other things. He said that the project had been recently analyzed and the applicant is now proposing to build a one unit supermarket, not a shopping center and that the Department of Highways have approved the application for entrances to the property for this purpose. Mr. Medjuck contended that there was no question of responsibility of the Developer that Sobey's are a responsible firm and there is another grocery store just across the street, so grocery stores are not unknown in this area; also, that land value surrounding this area would be appreciated, not depreciated, and they would be willing to enter into any sort of agreement that the land back of the proposed commercial property be zoned R1 or whatever the Council wished.

Councillor Street advised Council that a large number of residents called him who were concerned about this proposed rezoning and he himself was not in favour of it at this time. He pointed out that there are two other large properties in the immediate area which are capable of high density development and if this rezoning is approved, it will be a very short time until there are at least two other applications before this Council for spot rezoning using this as a precedent.

Councillor Colin Baker said he was not against a supermarket but he was most concerned with the resultant increase in traffic flow which is a problem now.

Councillor Hussey also reported he had a number of calls of residents who were concerned lest this rezoning be approved. He was against the proposal because of traffic problems and said he did not feel the developer should be too frustrated if refused this application because there is a tire store just down the road with the space and suitability for commercial use where this firm could be adequately represented in the area. In reply to Councillor Gaetz, Mr. Hattie said there had been no objection received from the City of Halifax.

Mr. Quinn, spokesman for the residents opposing the petition, said that of the 90 persons approached with the petition, only two refused to sign and this was not because they wanted a supermarket but had personality conflicts with some of those involved. He felt that the method of announcing zone changes were insufficient and the advertisements so small that most people did not even see them until it was too late. He said that in some areas where there are proposed zone changes, all persons immediately effected receive notice by registered letter.

Solicitor Cox in reply to Councillor P. Baker read a section from the Town Planning Act regarding objections to proposed rezoning. He said that Council must decide what they feel constitutes 20% of the properties directly effected.

In reply to Councillor Hudson, Solicitor Cox said that the Department of Municipal Affairs had not approved the rezoning application from R2 to R4 on the Billman Property submitted to them.

Mr. Quinn said there was nothing wrong with commercial development which is properly planned but he felt that it was the Planning Board's responsibility to do such things as marketing analysis and not the developer. He said that there has been a study conducted for R2 uses for the property in question and it is expected that dwellings will be built there for R2 use.

Councillor Allen said this strengthened his belief that Council should seek provision for conditional rezoning. He pointed out that Council had earlier approved rezoning of this property from R2 to R4 because the applicant specified he wanted to build a high-rise apartment building for low income families - accomodations which were badly needed in the County and now the developers are trying to use this to gain commercial usage of this property. He felt that the problem of increased traffic congestion in this area alone was sufficient to justify the refusal of this application.

It was moved by Councillor Allen, seconded by Councillor P. Baker:

"THAT the zoning bylaw be and the same is hereby amended by rezoning part of the Billman Property, so called, at Armdale, from R2 (Residential two-family zone) to C1 (Commercial Local Business Zone)". (Motion defeated).

Councillor P. Baker said he was for the rezoning because the Department of Highways had approved the application as far as traffic was concerned and he was satisfied with the advice of these experts.

Deputy Warden Nicholson believed that there was considerable laxity on the part of the City of Halifax for not having some representation at this hearing since, whatever the decision, it would certainly affect them with amalgamation.

Warden Settle ruled that there were enough signatures of taxpayers within the 1,000 feet radius of the property in question to make a two-thirds vote necessary.

The Warden called for a vote on the motion, 8 for and 12 against. (Motion defeated).

The Clerk introduced the Public Hearing on the Arlo Moen property at Stillwater Lake for purposes of a seasonal trailer park, advising that it had been properly advertised and he read a letter of objection together with the section in the Report of the County Planning Board dealing with this.

Mr. Gough illustrated the area with a large scale map and explained the area.

Mr. Moen also produced a large scale map and explained that his intentions were to provide from 12 - 18 travel trailer sites for overnight parking during the summer and that the minimum lot would be 34 feet square, that he planned to remove only the trees necessary for the individual camp sites and that the whole project would not be visible from the road because of the trees which he planned to leave there. He said he had the property checked with the engineers from the Water Authority and engineers from the Department of Public Health to assure that the facilities would be adequate and properly located and to make sure that there would be no danger of water pollution on the lake and both had approved his proposal. He agreed that legally this could be used for permanent mobile homes but the property did not make such operation practical. He said that although he hopes to make some money, he believes he has a beautiful property suitable for summer enjoyment for many people besides himself and his wife. He presented a petition signed by all persons living in close proximity and said he had spent some 15 months on preparing the requirements for this project.

Mr. G. H. Fitzgerald spoke on behalf of Mr. & Mrs. Worall and others having property on Stillwater Lake. He pointed out that in a petition that had been presented to the Planning Board there were 15 against and only 11 for the proposed rezoning, that the project was only 2,000 feet from the Bicentennial Interchange and there are indications that people will want to build cottages there. He said he could not see how there would be space to park 25 trailers because of the terrain. He said the people who he represented have been living there for some 25 years and have been very selective in the people who establish there when suddenly "this venture threatens". He challenged Mr. Moen to produce documents in which he said the Water Authority and Department of Health had approved this project because "all we have heard here yet are promises". He believed that this was just about the worst part along the lake for a trailer park.

A spectator in the gallery said that he was the first permanent resident in that area, that he moved down there 5 years ago and there were only summer cottages, but in the past three years some of these people had made permanent homes out of them and he drew Council's attention to the sign erected just across the lake advertising "Commercial Property for Sale".

Councillor Snair said he knew the property well since he had been travelling past it for 40 years and he did not think there was any other lake in Halifax County which lent itself so well to a travel trailer park and saw no reason why it should affect the people on the other side of the lake who were objecting. He believed that a number of permanent residents along the lake would pollute the water more than temporary tourist trailer parking, many units of which have their own sewage disposal. He verified the "commercial" sign on the other side of the lake and believed that such parks were very scarce and very necessary to Halifax County and that this particular area would not lend itself to mobile homes lots at any rate.

Councillor Hudson felt that the petitions should have come to Council from the Planning Board, that this would be more practical.

Solicitor Cox explained that the petitions went to the Planning Board when they were dealing with the matter, but when it was turned over to the Council for decision it was up to the petitioners to make their submissions to Council.

It was moved by Councillor Snair, seconded by Councillor Tonks:

"THAT the zoning bylaw be and the same is hereby amended by rezoning the lands of Arlo M. Moen, Stillwater Lake,

Hammonds Plains, from "G" (General Building Zone) to "T" (Mobile Home Park Zone)". (Motion carried).

In reply to Deputy Warden Nicholson, Solicitor Cox explained that there were different regulations for mobile home areas and those accomodating travel trailers and that if this rezoning is approved a building permit will have to be issued and the developer will have to comply with these regulations.

Councillor Street was concerned about pollution but agreed that if this zone change is approved the project would be subject to the approval of the Health Board.

Councillor Daye said that there is always somebody objecting to every good proposal. He felt that there was a great need for expanded tourist facilities in Halifax County and this was a good proposal and he felt Council should go along with it.

Councillor Bell observed that seven lots could be put in there for permanent accomodation and this would create greater sanitation problems than seasonal trailer parking.

Councillor Gaetz said there is one trailer parking area where the trailers are within 20 feet of the water and it has developed so that there are about 50 trailers there now and they have no pollution problem.

Councillor Butler said that if there are going to be individual hook-ups then people could park a 30-foot trailer there and four could live in one trailer year around and there was a trend to this because of the housing shortage.

Councillor Tonks said that there are many travel trailer parks all over Canada and Halifax County has no facilities and for this reason he would support the rezoning.

The Warden called for a vote on the motion. (Motion carried).

It was moved by Councillor Snair, seconded by Councillor Daye:

"THAT Council adjourn until 2:00 p.m."  
(Motion carried).

AFTERNOON SESSION

The afternoon session of Council convened at 2:00 p.m. with Warden Settle presiding.

The Clerk called the roll.

The Clerk introduced the application for approval of an undersized lot of Ethel Bonang, advising that this had been duly advertised and read the section of the Report of the County Planning Board regarding this application, reporting that no objections had been received.

It was moved by Deputy Warden Nicholson, seconded by Councillor C. Baker:

"THAT the lot of Mrs. Ethel Bonang located at Waverley be and it is hereby approved". (Motion carried).

The Clerk introduced a Public Hearing on the undersized lot of Ansel Dempsey, stating that this had been advertised and no objections received. He also read the section of the County Planning Board Report dealing with the application.

It was moved by Councillor C. Baker, seconded by Councillor Daye:

"THAT lots A and B of Ansel Dempsey located at Herring Cove be and they are hereby approved". (Motion carried).

It was moved by Councillor Tonks, seconded by Councillor Snair:

"THAT the Report of the County Planning Board be received". (Motion carried).

It was moved by Councillor Bell, seconded by Councillor Tonks:

"THAT the minutes of June 18, 1968, be adopted". (Motion carried).

The Clerk read the Report of the Warden to Council.

It was moved by Councillor Bell, seconded by Councillor Hussey:

"THAT the Report of the Warden be adopted". (Motion carried).

Mr. Hattie, in reply to Councillor Tonks, said that there had not been much done of a physical nature with regard to developing McNab's and Lawler Island but that the Authority is trying to make arrangements for a public ferry service and plan to provide picnic tables and toilet facilities and make just a small start this year.

The Warden called for a vote on the motion. (Motion carried).

The Clerk read the Report of the School Capital Program Committee.

It was moved by Deputy Warden Nicholson, seconded by Councillor Butler:

"THAT the Report of the School Capital Program Committee be adopted". (Motion carried).

The Clerk read the Report of the Municipal School Board.

It was moved by Councillor Bell, seconded by Councillor Hudson:

"THAT the Report of the Municipal School Board be received". (Motion carried).

Councillor Hussey pointed out that he had been approached by a contractor who had been invited to tender for curtains and drapery materials for 25 county schools and he suggested that since specifications were not given with the tender it necessitated every contractor visiting each school which was time consuming and added to the cost of the estimate.

In reply to Councillor C. Baker, Deputy Warden Nicholson said that the recommendation re the Ketch Harbour School had been placed before the Municipal School Board but they had not submitted their report to Council as yet.

In reply to Councillor Tonks, Mr. Hattie said that schools were tendered for insurance every three years with the exception of the Municipal buildings which the Finance and Executive Committee had discussed and felt it should also go for tender. As to Ocean View, he said that Major Brothers carried the insurance on a temporary basis until a final decision was made regarding those buildings.

In reply to Councillor Tonks, Solicitor Cox said that excavations could go right to the property line of an adjacent property so long as it did not undermine the other property.

In reply to Councillor C. Baker, Councillor Hudson said that there was a portable school in another area of the county which would be provided for Ketch Harbour.

Councillor P. Baker advised that at the Terence Bay School the flagstaff was leaning at a very precarious angle and it should be fixed before someone was hurt.

Deputy Warden Nicholson felt that with amalgamation coming up that the county should have negotiated with the city regarding tuition fees, for as it stood it would be just as cheap to send a high school student to a private school as to a city school.

It was moved by Councillor Hussey, seconded by Councillor Bell:

"THAT this Council request the Municipal School Board that in future, when tenders are called, that the call for tenders carry the full description of work to be carried out so that contractors bidding on the proposed work will have the full picture of the work to be done before them and not have to add to the cost of the tender what might be a considerable sum because of the tenderer having to carry out his own investigation of the work required to be carried out". (Motion carried).

Regarding the draperies for schools, Councillor Gaetz questioned whether it would not be better for those tendering to go to the schools themselves to see what is needed for hanging these drapes because this is an integral part of submitting a tender for any job.

Councillor P. Baker believed that the specifications should be spelled out in the tenders as to the kind of materials, whether they were to be lined or unlined, the measurements, etc., and this would not necessitate the tenderers visiting all the schools.

Councillor Hudson said that it had been done this way in the past but sometimes the drapes did not fit and this way the contractor is responsible if they do not fit.

The Warden called for a vote on the motion. (Motion carried).

The Clerk read the Report of the Finance and Executive Committee.

It was moved by Councillor Hussey, seconded by Councillor Allen:

"THAT the report of the Finance and Executive Committee be adopted, as amended". (Motion carried).

Councillor P. Baker referred to the three applications for Special Constables and pointed out that 19 were already appointed in addition to those appointed by the Councillors for each district. He said he had been concerned about these people running around harassing people and had spoken to the RCMP and the County Sheriff regarding these Constables carrying guns and black jacks. He did not feel this was at all necessary for collecting taxes or issuing papers. He said that the trend in Canada and the U. S. recently is to limit the use of firearms and he took exception to these people operating under the guise of County Constables and carrying firearms who had no training to use them. He said they contended it was for investigations and security and he questioned "what investigations? what security?". He also believed the onus should be on the applicant to provide certification of eligibility and not the County and he challenged Councillors to do some investigations on their own on what is going on in this County and the poor people being terrorized by some of these constables with questionable ethics.

It was moved by Councillor P. Baker, seconded by Councillor Hussey:

AMENDMENT

"THAT the paragraph re the appointment of Special Constables be deferred until the next session of Council". (Amendment defeated).

In seconding the amendment, Councillor Hussey said he too was alarmed with this situation and did not feel that there was need of so many Special Constables because there were the Corps of Commissionaires, for example, who are available for such jobs.

Deputy Warden Nicholson pointed out that although there was the fine force of the Royal Canadian Mounted Police they could not patrol on private property or direct traffic and of the three applicants for County Constables submitted to Council today all were members of the armed forces and of the Provost Corps.

Councillor Baker replied there was a "fellow around here a few months ago who was a member of the Provost Corps who brutally beat a three year old child to death", so he did not feel that this was any protection. He said he was not asking to disband the present constables but only to limit those appointed in future and make sure that they were investigated thoroughly.

Solicitor Cox reminded Council that some time ago this Council had sought legislation to enable it to appoint special constables to do certain jobs and once they are appointed they have certain powers and privileges and he had no knowledge of any proof of any County Constable charging higher than the standard rate.

Councillor Baker reminded Council that two years ago there had been an incident where a man who owed a bill of \$31.00 had been taken to jail and by the time all the costs were added on he had to pay between \$130.00 to \$140.00 and this was reported to the

Attorney General and after five months he received a letter from Mr. John A. Y. MacDonald enclosing a copy of the costs and fees.

Councillor Bell said that the Twin Cities Investigation Company which operated in Fairview had five constables and they did a good job at the Centennial Rink and for that reason he would support the constables.

Deputy Warden Nicholson asked Mr. Hattie if an immediate report could be provided from these agencies and after that quarterly.

Councillor P. Baker said that this would be of no use, that he had been trying to get the names of the Board of Directors of these agencies submitted with the application to this Council to see who "we are dealing with".

Councillor Allen said that the Finance and Executive Committee only screens the applicants as far as they are able, checking for police records and character reports but the appointments are made by this Council. He said he was told that the Royal Canadian Mounted Police have to register all firearms and they do not do so until some training is done on their use. He suggested that if there was no need for these constables that a move to recind the bylaw would be in order and if there are infractions they should be reported.

Councillor McCabe said he has not seen any county constables carrying firearms in his district and asked whether the carrying of firearms could be controlled to areas where there might be a need for them.

Councillor P. Baker requested a recorded vote, seconded by Councillor Hussey:

FOR - Districts 5, 10, 11, 15, 16, 17, 19, 20, 21 ----- 9  
AGAINST - Districts 1, 2, 3, 4, 6, 7, 12, 13, 14, 18 ----- 10

On the recorded vote, 9 for and 10 against, the Warden declared the motion defeated.

Councillor P. Baker warned Council that he would be bringing up the matter at the next Council session.

Councillor Tonks said that this county had shared in the cost of an urban development study a few years ago and now the City appears to be asking the County to approve another study where the Province will pay the costs. Mr. Hattie replied that the earlier study was a very preliminary one and this would be more detailed and up-to-date.

Councillor Street said he understood that the city has to pay 25% of the cost of this study and is only asking for the approval of the County because the area is still under County jurisdiction.

Councillor P. Baker said that the Board of Management was very disturbed to learn last week that there had been some \$20,000.00 debt written off on the County Hospital account and there is still an amount of more than \$10,000.00 outstanding.

Mr. Hattie said that this was just a book entry but has not been forgotten, he said it accrued from the Department of Indian Affairs who refused to pay the daily rate of \$10.00 for their patients in County Hospital but only paid \$6.75.

Councillor P. Baker said it would appear that the people of Halifax County will have to underwrite this deficit and the Board of Management would like to be informed of such amounts being written off.



Mr. Hattie said that both the Board of Management of the Hospital and the County has been attempting to collect this but had reached an impasse.

Councillor P. Baker said that at the next Executive meeting of the Board of Management of Halifax County Hospital he was going to ask permission to make representation to Ottawa in order to collect this \$35,000.00 even if he had to pay his own expenses to go.

Councillor Gaetz pointed out that it was most unfair of the Indian Affairs people not to pay the \$10.00 daily rate since they paid as high as \$20.00 per day for their patients in other provinces in Canada.

The Warden called for a vote on the motion. (Motion carried).

Councillor Hudson said that in the first day of Council she had asked that job classifications delete sex from their classifications and Councillor Allen and Deputy Warden Nicholson had assured her that there was no problem there but recently she noticed an ad in the paper where the County was advertising for a "male" accountant and asked why female accountants were being discriminated against?

Councillor Allen said that from his experience in industry that there were certain jobs which were more suited to male personnel and accountants was one of them. He pointed to a large number of single girls in which there was considerable turnover and also that they tended to be distracting.

Councillor Hudson said that the School Board had advertised for an assistant accountant and had no difficulty in getting a female to fill the vacancy and there was a surplus of applicants qualified for this position. Councillor Hudson said that if this County is going to discriminate against female workers, it might as well discriminate in areas of religion, color, etc., as well.

It was moved by Councillor Hudson, seconded by Councillor P. Baker:

"THAT all jobs with and for the Municipality of the County of Halifax be open to both men and women and that all reference to sex be deleted from job classifications, effective immediately". (Motion carried).

Councillor P. Baker said he had just received a copy of the Court Order handed down by Judge Bissett clearing the way for payments of the proceeds of the Bonnie Disaster fund to its beneficiaries.

Councillor Tonks said he had asked before that Councillors be informed of County activities in their districts and that this be incorporated in the bylaws.

Solicitor Cox said that if the County had assets located in a certain district it could be dispersed by the County but he had made a note to include this request in the revision of the bylaws and it would be so incorporated.

The Clerk read the Report of the Public Works Committee.

It was moved by Councillor Tonks, seconded by Councillor Allen:

"THAT the Report of the Public Works Committee be adopted". (Motion carried).

July Council Session - 1968  
Tuesday, July 16, 1968

Councillor Hussey and Councillor Tonks complained about the damage to street lamps in their districts. Councillor Hussey said that in two miles of the Purcell's Cove Road there were only two lights remaining. Councillor Tonks said that the replacement of street lamps had cost his district \$282.00 last month.

Councillor Allen said this problem had arisen in his district and they engaged the services of a county constable and the problem was soon solved.

It was moved by Councillor Smeltzer, seconded by Councillor Isenor:

"THAT WHEREAS the Council is of the opinion that the hereinafter described rights of the hereinafter described land are required for the purpose of a sewer easement through a portion of Sackville, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times in good condition and shall have access to the said lands at all times by its servants, employees, workmen, and agents and the the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below."

EASEMENT REQUIRED OVER LANDS

OWNED BY PIERCEY INVESTORS LIMITED

SACKVILLE

ALL that certain lot, piece or parcel of land situate, lying and being at Lower Sackville in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follows;

BEGINNING at the point of intersection of the northwest boundary of a lot of land now or formerly owned by one Ted B. Blackburn and the southwest boundary of a three hundred (300) foot right of way now or formerly called New Trunk No. 1;

THENCE south fifty-four degrees thirty minutes west (S54°30'W) along the northwest boundary of a lot of land now or formerly owned by one Ted B. Blackburn a distance of three hundred and fifty-five and three tenths feet (355.3') or to the north boundary of a sixty-six foot (66') right of way now or formerly called the Old Windsor Road;

THENCE in a northwesterly direction along the north boundary of the above mentioned right of way a distance of thirty and eight tenths feet (30.8+) more or less;

THENCE north fifty-four degrees thirty minutes east (N54°30'E) a distance of three hundred and seventy-seven and four tenths feet (377.4') or to the southwest boundary of the above mentioned New Trunk No. 1;  
(Notion carried).

It was moved by Councillor Tonks, seconded by Councillor Snair:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of a sewer easement through a portion of Sackville, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times in good condition and shall have access to the said lands at all times by its servants, employees, workmen, and agents and that the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below."

EASEMENT REQUIRED OVER LANDS  
OWNED BY TED B. BLACKBURN  
SACKVILLE

ALL that certain lot, piece or parcel of land situate lying and being at Lower Sackville in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follows;

BEGINNING at a point on the northeast boundary of a three hundred foot (300') right of way now or formerly called the New Trunk No. 1, said point being south thirty-nine degrees twenty minutes east (S39°20'E) a distance of two hundred and thirty and one tenth feet (230.1') from a Highways wooden stake marked with chainage 69 + 50;

THENCE south eighty-seven degrees two minutes east (S87°02'E) a distance of sixty and seven tenths feet (60.7') or to the southwest boundary of a proposed thirty foot (30.0') easement;

THENCE south thirty degrees twenty minutes east (S30°20'E) along the southwest boundary of the above mentioned easement a distance of twenty-three feet (23.0');

THENCE north eighty-seven degrees two minutes west (S87°02'W) a distance of fifty-five and seven tenths feet (55.7') or to the northeast boundary of the above mentioned New Trunk No. 1;

THENCE north thirty-nine degrees twenty minutes west (N39°20'W) along the above mentioned northeast boundary of the New Trunk No. 1 a distance of twenty-seven feet (27.0') or to the PLACE OF BEGINNING;

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by D. V. Purcell, P.L.S., and dated the 12th day of June, 1968.

THENCE south thirty-nine degrees twenty minutes east (S39°20'E) along the southwest boundary of the above mentioned New Trunk No. 1 a distance of twenty and five tenths feet (20.5') or to the PLACE OF BEGINNING;

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by D. V. Purcell, P.L.S., and dated the 12th day of June, 1968.

In reply to Councillor Hussey, Mr. Hattie said that the request for a study on greater utilization of schools had been passed on to the Department of Education and they replied saying that it had been passed over to the Committee for further study.

Councillor Gaetz extended an invitation on behalf of Honourable Mr. Pyke, Minister of Lands and Forests, to all Councillors, Staff, and Press to attend the official opening of the West Porter's Lake Park on Saturday afternoon, July 20.

It was moved by Councillor Hussey, seconded by Deputy Warden Nicholson:

"THAT a letter be sent to Victor deB. Oland congratulating him on his appointment as Lieutenant-Governor of the Province of Nova Scotia". (Motion carried).

It was moved by Councillor Allen, seconded by Councillor Bell:

"THAT Council adjourn until 4:15 p.m.". (Motion carried).

At 4:15 Council convened with Warden Settle presiding.

The Clerk read the Report of the Warden naming delegates and alternates for the Annual Union of Nova Scotia Municipalities Convention to be held in Sydney in August.

It was moved by Councillor P. Baker, seconded by Councillor Daye:

"THAT the delegates and alternates delegates and non-voting delegates to the Union of Nova Scotia Municipalities as named by the Warden be approved". (Motion carried).

It was moved by Councillor P. Baker, seconded by Councillor Allen:

"THAT voting delegates receive the sum of \$100.00 and their registration fees, and non-voting delegates receive the sum of \$50.00 plus their regular fees". (Motion carried).

It was moved by Councillor P. Baker, seconded by Councillor C. Baker:

"THAT the Department of Public Health and the Department of Public Welfare of the Province of Nova Scotia be requested to set up Convalescent Homes or Convalescent Hospitals at strategic locations throughout the Province to look after those patients who may be discharged from General Hospitals but who require a degree of nursing care that cannot be normally provided at home or in private nursing homes and further that a copy of this resolution be forwarded to the Union of Nova Scotia Municipalities with the request that it be placed before the Union at the Annual Conference of the Union of Nova Scotia Municipalities at Sydney this year". (Motion carried).

July Council Session - 1968  
Tuesday, July 16, 1968

It was moved by Councillor Allen, seconded by Councillor Street:

"THAT Council adjourn". (Motion carried).

Council closed with the singing of "God Save The Queen".

M I N U T E S

of the

F I R S T Y E A R M E E T I N G S

of the

T H I R T Y - S I X T H C O U N C I L

of the

MUNICIPALITY OF THE COUNTY  
OF HALIFAX

AUGUST COUNCIL SESSION  
TUESDAY, AUGUST 20, 1968

I N D E X   O F   M I N U T E S

Agreement - Local No. 1083 - Employees - Municipal Building -----	27
Agreement - Local No. 1456 re Firemen -----	27
Approval - Lesser Setback - Acres Atlantic Limited -----	2
Approval of Minutes - July Council Session -----	1
Blackburn, Ted B. - Sackville - Easement -----	8
Bridgeview Realty Limited - Indenture -----	15, 16
Bridgeview Realty Limited - Indenture -----	17, 18
Brief - Metropolitan Home Builders Association -----	1
Central Builders Limited - Indenture -----	19, 20
City Market - Location -----	2
Correspondence - Department of Highways re amber light near Atlantic Memorial School, Shad Bay -----	1
Correspondence - Metropolitan Home Builders Association -----	1
County Planning Board Report -----	2, 3
County Planning Board Report - Supplementary -----	3
County Planning Board Report - Supplementary -----	22
Department of Highways - Correspondence re amber light near Atlantic Memorial School, Shad Bay -----	1
Easement - R.C. Episcopal Corporation, Sackville -----	6
Easement - R.C. Episcopal Corporation, Sackville -----	7
Easement - Ted B. Blackburn, Sackville -----	8
Elkins Barracks - Ocean View Home -----	25, 26
Expropriation - Lakeside, Halifax County -----	21
Expropriation - Pioneer Avenue, Rockingham -----	12, 13
Expropriation - Robinson Road, Upper Lawrencetown -----	9-11
Finance and Executive Committee Report -----	22-25
Grant re Pockwock Water Supply -----	21, 22
Havill, Stanley - Middle Sackville - Notice of Intention to Rezone -----	3
Indenture - Bridgeview Realty Limited -----	15, 16
Indenture - Bridgeview Realty Limited -----	17, 18
Indenture - Central Builders Limited -----	19, 20
July Council Session - Approval of Minutes -----	1
Lakeside, Halifax County - Expropriation -----	21
Lesser Setback - Approval - Acres Atlantic Limited -----	2
Local No. 1456 re Firemen - Agreement -----	27
Local No. 1083 re Employees - Municipal Building - Agreement -----	27
Location - City Market -----	2
Metropolitan Home Builders Association - Correspondence and Brief -----	1
Minutes - Approval - July Council Session -----	1
Municipal School Board Report -----	3-5
Notice of Intention to Rezone - Lands of Stanley Havill, Middle Sackville - General Building to Mobile Home Park (T) Zone -----	3
Ocean View Home - Elkins Barracks -----	25, 26
Pioneer Avenue, Rockingham - Expropriation -----	12, 13
Planning and Unsightly Properties Bylaw - Revision by Solicitor -----	3
Pockwock Water Supply re Grant -----	21, 22
Public Housing Committee Report -----	26, 27
Public Works Committee Report -----	5-13
R.C. Episcopal Corporation, Sackville - Easement -----	6



I N D E X   O F   M I N U T E S

(CONTINUED)

R.C. Episcopal Corporation, Sackville - Easement -----	7
Reports Re: County Planning Board Report -----	2, 3
County Planning Board Report - Supplementary -----	3
County Planning Board Report - Supplementary -----	22
Finance and Executive Committee Report -----	22-25
Municipal School Board Report -----	3-5
Public Housing Committee Report -----	26, 27
Public Works Committee Report -----	5-13
School Capital Program Committee Report -----	3
Warden's Report -----	2
Rezoning - Notice of Intention to Rezone - Stanley Havill, Middle Sackville -----	3
Revision - Bylaws by Solicitor - Planning and Unsightly Properties -----	3
Robinson Road, Upper Lawrencetown - Expropriation -----	9-11
School Capital Program Committee Report -----	3
Street Paving - Temporary Borrowing -----	14
Supplementary Report - County Planning Board -----	3
Supplementary Report - County Planning Board -----	22
Temporary Borrowing - Street Paving -----	14
Warden's Report -----	1

MINUTES OF THE AUGUST SESSION OF THE FIRST  
YEAR COUNCIL OF THE THIRTY-SIXTH COUNCIL OF THE  
MUNICIPALITY OF THE COUNTY OF HALIFAX.

The regular monthly session of Council of the Municipality of the County of Halifax convened at 10:00 a.m., Tuesday, August 20, 1968, with Warden Settle presiding.

Following the Lord's Prayer, the Clerk called the Roll.

The Clerk read a letter from the Minister of Department of Highways with regard to a request by Council for an amber light near the Atlantic Memorial School at Shad Bay.

It was agreed by Council that this letter be filed.

The Clerk read a letter from the Metropolitan Home Builders Association requesting permission to present a brief to Council. It was agreed by Council to receive the brief.

Mr. Robert McCleave, Solicitor, appeared before Council and read a brief on behalf of the Metropolitan Home Builders Association.

Following the reading of the brief, it was moved by Deputy Warden Nicholson, seconded by Councillor Hussey:

"THAT this brief be referred to the Planning Board for consideration and a report to Council". (Motion carried).

Councillor Bell stated that he agreed in principle but felt that Council would have to have a very careful look at the situation.

Councillor P. Baker also agreed with the need and asked for prompt action by the County Planning Board.

Councillor Giles stated he also agreed in principle but felt that the Public Works Committee should be brought into the situation. The Warden agreed that while the report was being referred to the County Planning Board that other committees would be brought into the picture.

The Warden called for a vote on the motion. (Motion carried).

On the next item the approval of minutes of the July 16, 1968, session of Council, Councillor Tonks questioned the matter of a recorded vote on which no seconder was shown in the minutes.

It was moved by Councillor Hussey, seconded by Councillor Hudson:

"THAT the minutes be corrected to show Councillor Hussey as the seconder". (Motion carried).

It was moved by Councillor Daye, seconded by Councillor Tonks:

"THAT the minutes of the session of July 16, 1968, be approved, as amended". (Motion carried).

The Clerk read the Report of the Warden.

It was moved by Councillor Tonks, seconded by Councillor Gaetz:

"THAT the Report of the Warden be received". (Motion carried).

Councillor Hudson questioned the value of the City Market and wondered whether or not this market should be placed outside the City.

Councillor P. Baker stated he felt that the farmers wished to have the City Market remain in the City area.

Councillor Gaetz stated that he agreed with Councillor Hudson and felt that a market should be considered in a location outside of the City.

Councillor Daye stated that he felt that the operation should stay in the City area.

The Warden called for a vote on the motion. (Motion carried).

The Clerk read the Report of the County Planning Board.

It was moved by Councillor C. Baker, seconded by Councillor Tonks:

"THAT the Report of the County Planning Board be adopted". (Motion carried).

It was moved by Councillor Tonks, seconded by Councillor C. Baker:

"THAT the lesser set back for Acres Atlantic Limited as described in the Report of the County Planning Board be approved". (Motion carried).

Deputy Warden Nicholson stated that he agreed with the principle of the request but felt that Council should realize that if this request is granted, Council will be setting a precedent and would have to consider other requests in the future.

Councillor Bell stated he also agreed with the principle.

Councillor Gaetz stated that he did not agree with the request and was supported by Councillor Hussey.

Councillor Street questioned the wisdom of wholesale approval of set backs in this manner.

Mr. Gough, in answer to questions, advised that Clayton Park had similar approvals and advised that the roads in the subdivision would be 50' and 66' widths. Councillor Tonks stated that this is a completely planned subdivision and agreed with the principle of lesser set backs as requested.

Council agreed to hear Mr. Arends of Acres Atlantic Limited who outlined their plans for this subdivision and answered various questions by Councillors.

In reply to a question, Solicitor Cox stated that the Nova Scotia Housing

Commission as a government agency could if they wished to ignore the regulations and proceed in their own manner. He stated, however, that there had been no indication that this would happen if Council did not approve their request. He stated that to the best of his knowledge the Housing Commission were complying with all County regulations.

The Warden called for a vote on the motion. (Motion carried on a standing vote).

It was moved by Councillor Tonks, seconded by Councillor Gaetz:

"THAT Council give notice of its intention in the usual manner to amend the zoning bylaw by rezoning lands of Stanley Havill in Middle Sackville from General Building zone and General Building area to Mobile Home Park (T) Zone". (Motion carried).

The Clerk read the Supplementary Report of the County Planning Board.

It was moved by Councillor C. Baker, seconded by Councillor Giles:

"THAT the Supplementary Report of the County Planning Board be adopted". (Motion carried).

It was moved by Councillor Hussey, seconded by Councillor C. Baker:

"THAT the Solicitor be asked to review present County regulations and bylaws with respect to Planning and Unsightly Properties with a view to re-drafting if necessary to expediate action". (Motion carried).

Councillor Hudson questioned the matter of the keeping of animals and lack of regulations in this respect.

Councillor Daye stated that we were going to far with regulations.

Councillor McCabe questioned the need of regional planning approval of subdivisions in rural areas.

Warden Settle stated that the present planner with the Regional Planning would be presenting some recommendations on this matter.

Mr. Cox also advised that the Town Planning Act was under review and would probably be revised in the near future.

The Clerk read the Report of the School Capital Program Committee.

It was moved by Deputy Warden Nicholson, seconded by Councillor Tonks:

"THAT the Report of the School Capital Program Committee be adopted". (Motion carried).

The Clerk read the Report of the Municipal School Board.

It was moved by Councillor Bell, seconded by Councillor Snair:

"THAT the Report of the Municipal School Board be received". (Motion carried).

Councillor Street questioned as to how many students per classroom were planned for the Ketch Harbour-Sambro area?

Deputy Warden Nicholson questioned the location of the proposed new school facilities in the area and also the future growth of the whole area. He stated that in his opinion it would be a mistake to build a new school in the center of the area where there was very little school population and abandon two existing schools, one in Ketch Harbour and one in Sambro. He suggested that perhaps additional rooms should be added to the existing school in Sambro.

Councillor Baker stated he was concerned as to when the facilities would be available.

Councillor Bell questioned the wisdom of adding to old school buildings. He stated that it was difficult for the Municipal School Board to obtain teachers for these old schools.

Councillor Isenor felt that the whole problem should be looked at very carefully and that we should not be spending money needlessly.

Councillor Daye expressed concern over the water supply at the Eastern Shore Rural High School.

Councillor Gaetz, on behalf of the Municipal School Board, answered a number of questions with regard to the School Board Report.

Councillor Snair questioned the matter of the problem of the heating plant at the George P. Vanier Junior High School as reported by the Municipal School Board.

Deputy Warden Nicholson advised that this matter had been referred to the Architect and the Consulting Engineers for a report.

Councillor Butler expressed his concern at the School Board renting a garage at Sheet Harbour and hiring mechanics in order to carry out repairs to the busses in this area.

Councillor Bell, on behalf of the Municipal School Board, stated that this decision was made by the Municipal School Board with the view of cutting down costs in the future.

It was moved by Councillor Tonks, seconded by Councillor Bell:

"THAT Council adjourn until 2:00 p.m."  
(Motion carried).

AFTERNOON SESSION

The afternoon session of Council convened at 2:00 p.m., with Warden Settle presiding.

The Clerk called the Roll.

The Warden called for a vote on the motion to adopt the Report of the Municipal School Board. (Motion carried).

Councillor Hudson questioned the proper procedure whereby the Municipal School Board had recommended to Council an eight room school for the consolidated area of Ketch Harbour-Sambro and where this recommendation has been approved by Council could the School Capital Program Committee refuse to build this school?

Mr. Cox advised that if the recommendation was approved by Council, that the Committee could not refuse to build the school but that the Committee had the right to make reports and recommendations back to Council.

It was moved by Councillor C. Baker, seconded by Councillor Giles:

"THAT the School Capital Program Committee be asked to bring in a report at the September session of Council with respect to the proposed Ketch Harbour-Sambro ten room elementary school". (Motion carried).

The Clerk read the Report of the Public Works Committee.

It was moved by Councillor Gaetz, seconded by Councillor Hussey:

"THAT the Report of the Public Works Committee be adopted". (Motion carried).

It was moved by Councillor Smeltzer, seconded by Councillor Isenor:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of a sewer easement through a portion of Sackville, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times in good condition and shall have access to the said lands at all times by its servants, employees, workmen, and agents and the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below."

EASEMENT REQUIRED OVER LANDS

OWNED BY THE ROMAN CATHOLIC EPISCOPAL CORPORATION

SACKVILLE

ALL that certain lot, piece or parcel of land situate, lying and being in Lower Sackville in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follow;

BEGINNING at a point on the north east boundary of the New Trunk No. 1, said point being chainage forty-five plus eighty-one point four (45+81.4) of the Highway chainage;

THENCE north twenty-eight degrees forty-one minutes west (N28°41'W) along the north east boundary of the above mentioned New Trunk No. 1 a distance of two hundred and seven feet (207.0');

THENCE south fifty-four degrees twenty-three minutes east (S54°23'E) a distance of thirty-five and nine tenths feet (35.9');

THENCE south twenty-three degrees thirty-three minutes east (S23°33'E) a distance of one hundred and seventy-five and five tenths feet (175.5') or to the PLACE OF BEGINNING;

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by D. V. Purcell, P.L.S., and dated the 26th day of July, 1968. (Motion carried).

It was moved by Councillor Tonks, seconded by Councillor Snair:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of a sewer easement through a portion of Sackville, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times in good condition and shall have access to the said lands at all times by its servants, employees, workmen, and agents and the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below."

EASEMENT REQUIRED OVER LANDS

OWNED BY THE ROMAN CATHOLIC EPISCOPAL CORPORATION

SACKVILLE

ALL that certain lot, piece, or parcel of land situate, lying and being in Lower Sackville in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follows;

BEGINNING at a point on the north east boundary of the New Trunk No. 1 at a point distant north twenty-nine degrees forty-one minutes west ( $N29^{\circ}41'W$ ) a distance of one hundred and ninety-six and four tenths feet (196.4') from a Highways wood stake marked with the chainage forty-three plus zero zero (43+00);

THENCE north twenty-nine degrees forty-one minutes west ( $N29^{\circ}41'W$ ) along the north east boundary of the above mentioned highway a distance of eighty-five feet (85.0');

THENCE north sixty degrees nineteen minutes east ( $N60^{\circ}19'E$ ) along the south east boundary of the New Trunk No. 1 a distance of twenty-five feet (25.0');

THENCE south twenty-three degrees thirty-three minutes east ( $S23^{\circ}33'E$ ) a distance of one hundred and eleven feet (111.0') or to the north boundary of a sixty-six foot (66.0') wide right of way now or formerly called the Old Windsor Road;

THENCE north sixty-one degrees eleven minutes west ( $N61^{\circ}11'W$ ) along the north boundary of the above mentioned sixty-six foot (66.0') right of way a distance of twenty-nine feet (29.0') or to the PLACE OF BEGINNING;

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by D. V. Purcell, P.L.S., and dated the 26th day of July, 1968. (Motion carried).



It was moved by Councillor P. Baker, seconded by Councillor Daye:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of a sewer easement through a portion of Sackville, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times in good condition and shall have access to the said lands at all times by its servants, employees, workmen, and agents and that the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED that the lands to be affected by these rights are as below."

EASEMENT REQUIRED OVER LANDS  
OWNED BY TED. B. BLACKBURN  
SACKVILLE

ALL that certain lot, piece or parcel of land situate, lying and being at Lower Sackville in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follows;

BEGINNING at the point of intersection of the southeast boundary of a lot of land now or formerly owned by one Piercey Investors Limited and the southwest boundary of a three hundred foot (300') right of way now or formerly called New Trunk No. 1;

THENCE south thirty-nine degrees twenty minutes east ( $39^{\circ}20'E$ ) along the southwest boundary of the above mentioned right of way a distance of thirty feet (30.0');

THENCE north eighty-six degrees thirty-two minutes west ( $N86^{\circ}32'W$ ) a distance of forty-seven and five tenths feet (47.5') or to the southeast boundary of a lot of land now or formerly owned by one Piercey Investors Limited;

THENCE north fifty-four degrees thirty minutes east ( $N54^{\circ}30'E$ ) along the southeast boundary of the above mentioned Piercey Investors Limited lot a distance of thirty-five feet (35.0') or to the PLACE OF BEGINNING;

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by D. V. Purcell, P.L.S., and dated the 12th day of June, 1968. (Motion carried).

It was moved by Councillor Gaetz, seconded by Councillor Johnson:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of constructing a road in Upper Lawrencetown, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all time in good condition and shall have access to the said lands at all times by its servants, employees, workmen, and agents and the the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below."

EXPROPRIATION FOR ROAD PURPOSES  
ROBINSON ROAD, UPPER LAWRENCETOWN

ALL that certain lot, piece or parcel of land situate lying and being at Upper Lawrencetown in the County of Halifax, Province of Nova Scotia, said lot being shown on a plan entitled "Part of the Old Preston Road" prepared by J. Forbes Thompson, N.S.L.S. dated the 18th day of April, A.D. 1968. Said lot being more particularly described as follows;

BEGINNING at a point marking the intersection of the north side line of Lawrencetown Road with the western side line of Robinson Road. Said point also marking the south east angle of Lot Z;

THENCE north easterly along the east side line of Lot Z a distance of three hundred and eighty-five feet more or less (385'±) to the south east angle of Lot J;

THENCE north easterly along the east side line of Lot J a distance of one hundred and three and thirty-seven hundredths feet more or less (103.37'±) to the south east angle of Lot F;

THENCE north easterly along the east side line of Lot F a distance of one hundred fourteen and seventy-five hundredths feet more or less (114.75'±) to the south east angle of Lot G;

THENCE north easterly along the east side line of Lot G a distance of ninety-eight and six one-hundredths feet more or less (98.06'±) to the south east angle of Lot H;

THENCE north easterly along the east side line of Lot H a distance of ninety-two and thirty-four hundredths feet more or less (92.34'±) to the south east angle of Lot I;

THENCE north easterly along the east side line of Lot I a distance of one hundred and five and sixty-eight hundredths feet more or less (105.68'±) to the south east angle of Lot K;

THENCE north easterly along the east side line of Lot K a distance of seventy-one and eighty-seven hundredths feet more or less (71.87'±) to the south east angle of Lot L;

THENCE north easterly along the east side line of Lot L a distance of ninety-seven and sixty-two hundredths feet more or less (97.62'±) to the south east angle of Lot L1A;

THENCE north easterly along the east side line of Lot L1A a distance of one hundred fifty and four tenths feet more or less (150.4'±) to the south east angle of Lot L2A;

THENCE north easterly along the east side line of Lot L2A a distance of one hundred fifty-one feet more or less (151'±) to the south east angle of lands of Margaret Settle;

THENCE north easterly along the east side line of lands of Margaret Settle a distance of two hundred feet more or less (200'±) to a point;

THENCE south easterly and at a right angle to the last mentioned line a distance of sixty-six feet more or less (66'±) to a point on the western side line of lands of Roy Settle;

THENCE south westerly along the western side line of Roy Settle a distance of three hundred feet more or less (300'±) to the north west angle of Lot O;

THENCE south westerly along the western side line of Lot O a distance of one hundred and six tenths feet more or less (100.6'±) to the north west angle of Lot N;

THENCE south westerly along the western side line of Lot N a distance of one hundred and five tenths feet more or less (100.5'±) to the north west angle of Lot M;

THENCE south westerly along the western side line of Lot M a distance of one hundred twenty and seventy-three hundredths feet more or less (120.73'±) to the north west angle of Lot E;

THENCE south westerly along the western side line of Lot E a distance of one hundred seven and two tenths feet more or less (107.2'±) to the north west angle of lands of Roy Settle;

THENCE south westerly along the western side line of lands of Roy Settle a distance of three hundred sixty-seven feet more or less (367'±) to the north west angle of Lot C2;

THENCE south westerly along the western side line of Lot C2 a distance of one hundred twenty-five and one tenth feet more or less (125.1'+) to the north west angle of Lot C1;

THENCE south westerly along the western side line of Lot C1 a distance of one hundred sixteen and thirty-five hundredths feet more or less (116.35'+) to the north west angle of Lot C1A;

THENCE south westerly along the western side line of Lot C1A a distance of two hundred and four feet more or less (204'+) to the northern side line of Lawrencetown Road;

THENCE north westerly along the northern side line of said Lawrencetown Road a distance of seventy feet more or less (70'+) to the PLACE OF BEGINNING. (Notion carried).

It was moved by Councillor Butler, seconded by Deputy Warden Nicholson:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of constructing a road in Rockingham, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times by its servants, employees, workmen, and agents and the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below."

EXPROPRIATION FOR ROAD PURPOSES  
PIONEER AVENUE, ROCKINGHAM

ALL that certain lot, piece or parcel of land situate and being in Rockingham in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follows;

BEGINNING at the north west corner of a lot of land now or formerly owned by one Catherine M. and Angus Gillis;

THENCE north eleven degrees ten minutes west (N11°10'W) a distance of ninety-nine and one tenth feet (99.1');

THENCE south seventy-eight degrees fifty minutes west (S78°50'W) a distance of thirty-five feet (35.0');

THENCE south eleven degrees ten minutes east (S11°10'E) a distance of ninety-two feet (92.0');

THENCE south eleven degrees one minute west (S11°01'W) a distance of one hundred and forty-eight and eight tenths feet (148.8');

THENCE south seventy-two degrees one minute west (S72°01'W) a distance of sixty-seven feet (67.0');

THENCE south eighty degrees forty-seven minutes west (S80°47'W) a distance of three hundred and seventy-one and seven tenths feet (371.7');

THENCE south nine degrees twenty-eight minutes east (S09°28'E) a distance of twenty-nine feet (29.0');

. . . . . 2

THENCE south seventeen degrees twenty-eight minutes east ( $S17^{\circ}28'E$ ) a distance of seven and six tenths feet (7.6');

THENCE north eighty degrees forty-seven minutes east ( $N80^{\circ}47'E$ ) a distance of three hundred and seventy-four and four tenths feet (374.4');

THENCE north seventy-two degrees one minute east ( $N72^{\circ}01'E$ ) a distance of eighty-eight and four tenths feet (88.4');

THENCE north eleven degrees one minute east ( $N11^{\circ}01'E$ ) a distance of one hundred and seventy-eight feet (178.0') or to the POINT OF BEGINNING:

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by Donald Purcell, P.L.S., and dated May 10, 1967. (Motion carried).

Municipality of the County of Halifax,  
Temporary Borrowing Resolution,  
Street Paving - \$3,290.00

It was moved by Councillor Tonks, seconded by Councillor Gaetz:

"THAT WHEREAS by Section 6 of Chapter 186 of the Revised Statutes, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of the said Act and notwithstanding any of the provisions of any special or general Act of the Legislature of Nova Scotia, every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of improving and maintaining streets;

AND WHEREAS by Section 8 of the said The Municipal Affairs Act it is enacted among others things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS it is deemed necessary by the Municipal Council of the Municipality of the County of Halifax to borrow a sum not exceeding Three Thousand Two Hundred Ninety Dollars (\$3,290.00) for the purpose of improving and maintaining streets;

AND WHEREAS by the Municipal Affairs Act such sum in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of such debentures and to borrow such sum, not exceeding Three Thousand Two Hundred Ninety Dollars (\$3,290.00) as may be necessary for the purpose aforesaid from the Royal Bank of Canada at Armdale, Nova Scotia, the sum so borrowed to be repaid said Bank from the proceeds of said debentures when sold;

BE IT THEREFORE RESOLVED that the Municipality of the County of Halifax do, under and by virtue of the Municipal Affairs Act, and subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the said Municipality, a sum not exceeding Three Thousand Two Hundred Ninety Dollars (\$3,290.00) for the purposes aforesaid;

THAT under and in accordance with said The Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

THAT the issue of such debentures be postponed and that the said Municipality do, under and by virtue of the provisions of Section 148 (1) of Chapter 7 of the Acts of 1955, the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow a sum or sums of money not exceeding Three Thousand Two Hundred Ninety Dollars (\$3,290.00) from the Royal Bank of Canada at Armdale, Nova Scotia;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months with interest thereon to be paid said Bank at the rate of 7 1/4 per centum per annum and that the amount so borrowed be repaid the said Bank from the proceeds of the said debentures when sold. (Motion carried).

AUGUST COUNCIL SESSION - 1968

TUESDAY, AUGUST 20, 1968

It was moved by Councillor Butler, seconded by Deputy Warden Nicholson:

T H I S I N D E N T U R E made in triplicate this            day  
of                                            A.D., 1968.

B E T W E E N:

MUNICIPALITY OF THE COUNTY OF HALIFAX,  
a body corporate (hereinafter called  
the "Municipality")                                            OF THE ONE PART

- and -

PUBLIC SERVICE COMMISSION, of Halifax,  
a body corporate (hereinafter called  
the "Commission")                                            OF THE OTHER PART

WHEREAS Bridgeview Realty Limited has installed a water distribution system in Bridgeview Subdivision, Rockingham, in the County of Halifax, Province of Nova Scotia, as shown outlined in red on the attached plan.

AND WHEREAS Bridgeview Realty Limited has transferred to the Municipality of the County of Halifax the said water distribution system.

AND WHEREAS the Municipality is desirous of transferring to the Commission the said distribution system in order that the Commission may include the said system in its utility plan and integrate it as part of the Commission's over-all distribution system.

AND WHEREAS the Commission has agreed to accept a conveyance of the said system and to provide water service to customers in Bridgeview Subdivision subject to the rules and regulations of the Board of Commissioners of Public Utilities for the Province of Nova Scotia and subject to the payment of water rates.



NOW THIS AGREEMENT WITNESSETH that the Municipality for and in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration to the Municipality in hand well and truly paid by the Commission at or before the ensealing and delivery of These Presents, the receipt whereof is hereby acknowledged, hath granted, garbained, sold, aliened, enfeoffed, released, remised, conveyed and confirmed and by These Presents doth grant, bargain, sell, alien, enfeoff, release, remise, convey and confirm unto the Commission all the Municipality's interest in the said water distribution system.

IN WITNESS WHEREOF the Municipality hath hereto executed this Indenture on the day and year first above written.

SIGNED, SEALED AND DELIVERED)  
in the presence of )  
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)  
)

MUNICIPALITY OF THE COUNTY OF HALIFAX

\_\_\_\_\_  
Warden  
\_\_\_\_\_  
Clerk

PROVINCE OF NOVA SCOTIA)  
COUNTY OF HALIFAX )

On this \_\_\_\_\_ day of \_\_\_\_\_ 1968, before me the subscriber personally came and appeared

\_\_\_\_\_ a subscribing witness to the foregoing Indenture, who having been by me duly sworn made oath and said that the MUNICIPALITY OF THE COUNTY OF HALIFAX, one of the parties thereto, executed the same in h \_\_\_\_\_ presence by the hands of Ira S. Settle, its Warden, and R. G. Hattie, its Clerk, duly authorized in its behalf. (Motion carried).

\_\_\_\_\_  
A Commissioner of the Supreme Court  
of Nova Scotia.



NOW THIS AGREEMENT WITNESSETH that the Municipality for and in consideration of the sum of One Dollar (\$1:00) of lawful money of Canada and other good and valuable consideration to the Municipality in hand well and truly paid by the Commission at or before the ensembling and delivery of These Presents, the receipt whereof is hereby acknowledged, hath granted, garbained, sold, aliened, enfeoffed, released, remised, conveyed and confirmed and by These Presents doth grant, bargain, sell, alien, enfeoff, release, remise, convey and confirm unto the Commission all the Municipality's interest in the said water distribution system.

IN WITNESS WHEREOF the Municipality hath hereto executed this Indenture on the day and year first above written.

SIGNED, SEALED AND DELIVERED)  
in the presence of )  
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MUNICIPALITY OF THE COUNTY OF HALIFAX  
\_\_\_\_\_  
Warden  
\_\_\_\_\_  
Clerk

PROVINCE OF NOVA SCOTIA)  
COUNTY OF HALIFAX        )

On this                            day of                            1968, before me the subscriber personally came and appeared

                                          a subscribing witness to the foregoing Indenture, who having been by me duly sworn made oath and said that the MUNICIPALITY OF THE COUNTY OF HALIFAX, one of the parties thereto, executed the same in h        presence by the hands of Ira S. Settle, its Warden, and R. G. Hattie, its Clerk, duly authorized in its behalf. (Motion carried).

\_\_\_\_\_  
A Commissioner of the Supreme Court  
of Nova Scotia.

TUESDAY, AUGUST 20, 1968

It was moved by Councillor Bell, seconded by Councillor Giles:

T H I S I N D E N T U R E made in triplicate this                      day  
of                      A.D., 1968.

B E T W E E N:

MUNICIPALITY OF THE COUNTY OF HALIFAX,  
a body corporate (hereinafter called  
the "Municipality")

OF THE ONE PART

- and -

PUBLIC SERVICE COMMISSION, of Halifax,  
a body corporate (hereinafter called  
the "Commission")

OF THE OTHER PART

WHEREAS Central Builders Limited has installed a water distribution system on Convoy Avenue in Fairview, in the County of Halifax, Province of Nova Scotia, as shown outlined in red on the attached plan.

AND WHEREAS Central Builders Limited has transferred to the Municipality of the County of Halifax the said water distribution system.

AND WHEREAS the Municipality is desirous of transferring to the Commission the said distribution system in order that the Commission may include the said system in its utility plan and integrate it as part of the Commission's over-all distribution system.

AND WHEREAS the Commission has agreed to accept a conveyance of the said system and to provide water service to customers on Convoy Avenue in Fairview subject to the rules and regulations of the Board of Commissioners of Public Utilities for the Province of Nova Scotia and subject to the payment of water rates.

NOW THIS AGREEMENT WITNESSETH that the Municipality for and in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration to the Municipality in hand well and truly paid by the Commission at or before the ensealing and delivery of These Presents, the receipt whereof is hereby acknowledged, hath granted, garbained, sold, aliened, enfeoffed, released, remised, conveyed and confirmed and by These Presents doth grant, bargain, sell, alien, enfeoff, release, remise, convey and confirm unto the Commission all the Municipality's interest in the said water distribution system.

IN WITNESS WHEREOF the Municipality hath hereto executed this Indenture on the day and year first above written.

SIGNED, SEALED AND DELIVERED)

in the presence of )

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MUNICIPALITY OF THE COUNTY OF HALIFAX

\_\_\_\_\_

Warden

\_\_\_\_\_

Clerk

PROVINCE OF NOVA SCOTIA)

COUNTY OF HALIFAX )

On this \_\_\_\_\_ day of \_\_\_\_\_ 1968, before me the subscriber personally came and appeared

\_\_\_\_\_ a subscribing witness to the foregoing Indenture, who having been by me duly sworn made oath and said that the MUNICIPALITY OF THE COUNTY OF HALIFAX, one of the parties thereto, executed the same in h \_\_\_\_\_ presence by the hands of Ira S. Settle, its Warden, and R. G. Hattie, its Clerk, duly authorized in its behalf. (Motion carried).

\_\_\_\_\_  
A Commissioner of the Supreme Court  
of Nova Scotia.

Mr. Hattie placed before Council the matter of expropriation of lands of Edna P. Cox at Lakeside with regard to pumping station re Lakeside Industrial Park.

Mr. Cox advised Council that a release of claim had been obtained from Mrs. Cox, but due to the fact that it could not be established that she had clear title, he recommended to Council that this piece of land be expropriated.

It was moved by Councillor Giles, seconded by Deputy Warden Nicholson:

"THAT WHEREAS the Council is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of constructing a road and laying a pipeline in Lakeside, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits for maintaining the same at all times by its servants, employees, workmen, and agents and the compensation for the said rights to the land be \$1.00;

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are as below:

EXPROPRIATION FOR ROAD PURPOSES  
LAKESIDE, HALIFAX COUNTY

ALL that certain lot, piece or parcel of land situate, lying and being in Lakeside in the County of Halifax, Province of Nova Scotia, bounded and more particularly described as follows:

BEGINNING at the point of intersection of the north west boundary of lands owned by the Halifax County Industrial Commission and the north east boundary of a brook running into Governor's Lake;

THENCE in a north westerly direction along the north east boundary of said brook a distance of one hundred and fifty-three feet (153') or to the south boundary of a twenty foot (20') right-of-way now or formerly called Mill Road;

THENCE along the south boundary of the above mentioned road in an easterly direction a distance of one hundred and ninety feet (190') or to the north west boundary of lands owned by the Halifax County Industrial Commission;

THENCE south forty-seven degrees forty minutes west (S47°40'W) along the north west boundary of lands owned by the Halifax County Industrial Commission a distance of one hundred and twenty-two feet (122') or to the PLACE OF BEGINNING.

ALL the above described lot, piece or parcel of land being more particularly shown outlined in red on a plan made by D. V. Purcell, P.L.S., and dated the 18th day of December, 1967. (Motion carried).

Councillor Giles inquired as to whether any information had been received from the Chairman of the Atlantic Development Board as to when a decision might be arrived at with regard to the application by the Public Service Commission for a grant re

Pockwock Water Supply. Mr. Hattie advised that no information had been received to date.

It was moved by Councillor Giles, seconded by Councillor Tonks:

"THAT a letter be sent to the Chairman of the Atlantic Development Board requesting a date as to when the Board expects to bring down a decision as to the future supply of water to the Halifax-Dartmouth region". (Motion carried).

The Clerk read the Supplementary Report of the County Planning Board.

It was moved by Councillor Hussey, seconded by Councillor Tonks:

"THAT the Supplementary Report of the County Planning Board re extension of the C1 Zone for Lot No. 38, Rockingham, be approved". (Motion carried).

Councillor Butler stated that he felt that a Public Hearing should be held on this matter in order for the people of the district to express their wishes.

Councillor Giles stated he agreed with Councillor Butler and felt that Council should respect the wishes of the Councillor concerned.

It was agreed by Council to hear Mr. Vaughan on behalf of Metropolitan Projects Limited.

Mr. Vaughan appeared before Council and outlined the reasons for this request and indicated that the majority of the property owners affected had signed a petition of non-objection and that the persons who had not signed were out of the City and had not been contacted.

Mr. Hefler advised Council that the zoning as shown had existed since the original zoning for the Rockingham area.

Councillor Giles stated that before a vote was called for, he would like to see an overall plan of the area.

Mr. Hefler placed before Council a plan showing the Lot in question and the overall area.

The Warden called for a vote on the motion. (Motion carried).

The Clerk read the Report of the Finance and Executive Committee.

It was moved by Councillor Allen, seconded by Councillor Gatz:

"THAT the Report of the Finance and Executive Committee be adopted, as amended". (Motion carried).

Councillor P. Baker stated that he agreed with the Councillors from the annexed area being allowed to resign without penalty and also stated that he felt that they should receive some remuneration for their unexpired term of office.