

Mr. Perry's attention re the kindergarten class in the Glengarry School, that there are three schools here which could be served by the same driver-janitor who is there at noon and could be done in half an hour when the bus was not being used. He said there was a stragler bus coming in to pick up four (4) high school students and one with a heart condition and goes right through this road passing children all the way. He read a petition passed at a school meeting at Timberlea last night. Deputy Warden Nicholson said that some Councillors feel that if this service is not available all over the County, then one district or other should not get it but he did not subscribe to that type of thinking. He believed where busses were available the children in the area should be transported.

In reply to Councillor P. Baker, Mr. Perry said he expected the first of the new busses to be delivered in December.

In reply to Deputy Warden Nicholson, Mr. Perry said there had been a general shuffle on the problem at Brookside but was not sure how it had been resolved.

Councillor P. Baker said he had letters from two medical people which were not solicited regarding the very early hour of picking up children for school which was causing some concern and he would take it up with Mr. Perry in his office later.

Councillor McCabe said that in the village of Middle Musquodoboit there was a case where the teachers of the elementary school had to take turns in staying until a very late hour in order to supervise a group of children from a remedial class from the High School and they were not getting out of school until after the High School teachers. He asked if these children could not be kept at the High School until picked up by the bus.

Councillor Giles asked if it was true that a member of this Council said in a School Board meeting that they were not in favour of any children getting transportation within a 2 1/4 mile limit if the children in their district could not have it. Mr. Perry said he did not remember.

Councillor Hudson said that no member could make such a statement with any conviction; however, she felt as did other members of the School Board that if they transported under the 2 1/4 mile limit that this service should be extended to other districts as well.

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

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

"THAT a Committee of three be set up to investigate overall operations of our present school bus system in Halifax County and that the members of this Committee be independent from the members appointed to the Municipal School Board". (Motion carried).

Councillor Hudson said that in this matter, the Provincial Government last April hired a firm of consultants from Toronto to investigate the bus system in Nova Scotia at a cost of \$25,000.00 and Halifax County was included in the study and at present the Municipal School Board is waiting to receive this report and to deal with it.

Councillor Giles said he had no quarrel with these people as educators but as administrators he had grave doubts. He pointed out that the County has a big investment in school busses and he felt they were not getting their monies' worth out of them. He said there were at least 20 busses in the Bedford area and each one has to go into the garage to have the antifreeze tested, yet there are two service trucks which could do this and it was ridiculous.

Mr. Perry said that the five students who were being transported from Sideny Stephen to Halifax West were in the general program and were being transported in order to save the cost of hiring more teachers.

Councillor Giles said that there was a private bus system which could transport these children at a cost of \$5.00 instead of paying \$20.00 for a bus to do it.

Solicitor Cox advised Council that it was getting outside its jurisdiction when discussing the school bus system within the foundation program. He said that this was in the jurisdiction of the Municipal School Board and he did not believe Council had the right to investigate anything under the foundation program; however, representation could be made by Councillors as individuals to the Municipal School Board.

Councillor Giles asked why the Municipal School Board brought in a report to this Council when it had nothing to say in it. He said that the phone rings and rings and people ask the Councillors questions on which they do not have any information from the School Board.

Councillor Bell asked why Councillor Giles did not bring these criticisms and questions to the Municipal School Board. He said he had never seen him at one of the meetings yet. He said before he became a member of the Municipal School Board, as a Councillor he requested permission to meet with the School Board and hammered out many problems with them. He felt that if Councillor Giles had a legitimate beef that the School Board would be glad to know about it or anything else that will contribute toward better and more economical service.

Councillor Giles said that the School Board, by Mr. Perry's own admission, had not presented the problem of the matter to the Government in its true light.

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

"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.

Councillor Tonks questioned Mr. Cox's ruling on the motion and said, "We are paying \$24,000.00 for a part time person to give us legal advice who in my opinion gave us advice that is just not true". He maintained that Council has every right to investigate any body in this County and that the motion he had made was strictly legal regardless of what Solicitor Cox says. He said the Solicitor has just admitted that Councillors have the right to go to the School Board, all the more right they have to go to the School Board as a Council.

Solicitor Cox said whether or not a motion is acceptable is first the prerogative of the Warden and the Council.

Councillor Street suggested that if it was the feeling of Councillors that there be an investigation, that three members of Council be appointed to look into these matters.

Councillor Giles said that if Council has no say in what the money is being spent for in the School Board then he as a Councillor felt no obligation to vote for anything that the School Board recommended. He said if the School Board insists on surrounding itself in secrecy it would appear that they have something to hide.

Councillor Street felt that it would be a good idea for those who "do not seem to catch on" to have something written down by the solicitor to explain Council's position because it wastes a lot of time when meeting after meeting the same Councillors get up and say the same things and get the same answers explained to them.

In reply to question, Warden Settle agreed that the Councillors have the right to speak openly on these matters and suggested that a committee of three be set up to meet with the School Board,

Deputy Warden Nicholson said that some Councillors feel they want to know where the busses are going and if they are operating efficiently, he believed the place to get this information was from Mr. Burge the supervisor or the drivers themselves.

Councillor Bell said again he felt that if Councillors have any criticisms or questions that they should come before the School Board, and that he for one would see that the matters were investigated.

Councillor Baker said he had tried to go to a School Board meeting two years ago and was kicked out. He felt that with Council coming into a new year and with annexation, he wondered if any thought had been given to those supervisors, bus drivers, etc., who would be displaced by annexation?

Councillor Hudson said that the School Board would be providing the school bus transportation in the City area after annexation and other than the supervisor from the B. C. Silver School that all employees would be absorbed after annexation.

Councillor Daye said that some time ago he made application to come before the Municipal School Board and was told to be there by 10:00 a.m., that he was there at 10:00 but had to wait outside until 11:45 while the Board debated as to whether he could come in or not, finally, he did get in and got his point across and got what he was after. He observed that when the Municipal School Board makes up its mind

to something it is pretty hard to convince them when they are wrong.

Councillor Giles and Councillor Street requested a recorded vote.

Councillor Street objected to the word "investigate" in the motion and he asked Solicitor Cox if the Council had the authority to investigate. Solicitor Cox replied in the negative.

In a recorded vote of 17 for and 4 against, the Warden declared the motion carried.

FOR: Districts - 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 21 -(17)
AGAINST: Districts - 6, 12, 19, 20 -(4)

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

"THAT the Municipal School Board be requested to present a brief to the Department of Education asking the Department of Education to share in the cost of transportation below the 2 1/4 mile limit in cases where the busses are already owned by the Board and performing other conveyances beyond 2 1/4 mile, if they are available". (Motion carried).

Mr. Hattie said that a similar resolution had been passed at the last session and the matter is presently under study.

Councillor Giles pointed out that by Mr. Perry's own admission the details of this were not made when the matter was presented to the Provincial Government and he believed if it had been presented as it should have been they would have looked at it in a different light.

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

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

"THAT the Warden be appointed to name the three man Committee to look into the operation of School Busses". (Motion carried).

Councillor McCabe asked whether other Municipal School Boards in other Municipalities make their minutes available to their Municipalities? Warden Settle agreed to get this answer for Councillor McCabe.

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

"THAT the Temporary Borrowings for School purposes be deferred until the next meeting of Council". (Motion carried).

Warden Settle named Councillor Giles, Councillor Tonks and Councillor Daye to act as a committee regarding school busses and to name their own chairman at their first meeting.

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 approved". (Motion carried).

In reply to Councillor Hudson, Deputy Warden Nicholson said that the Capital Program Committee would like to meet with Mr. Perry and with the Housing Commission before anything further was done re the new school, but he thought the feeling was that they would have to abandon plans for adding onto old schools and go to a new one.

The Clerk read the Report of the County Planning Board.

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

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

Councillor Street understands that the Planning Board approved another 20 lots of Mr. Butler and felt this was very unfortunate because the people of that area are concerned because there is no exit provided and the streets are becoming more congested as houses go up in that area and it is taxing the sewer systems and also crowding the schools.

In reply to question, Mr. Gough said this was correct, Mr. Butler did appear before the Planning Board.

Councillor P. Baker said that at the present time considering the accute shortage of homes for people, it is too bad it was not 2,000 lots instead of 20. He said that people are being kicked out of their present homes and have nowhere to go, and some of them are even living in school busses and Council it not even interested in them. He said that several applications had been received at Ocean View for elderly people who just have nowhere else to go to live.

Deputy Warden Nicholson said that these are the lots that were approved a year ago tentatively and this was just the final approval.

Councillor Daye said that there are people on the radio and TV all the time looking desperately for some place to live and they cannot even get a place to park their mobile homes because the County is making it so difficult for them.

Councillor P. Baker said that the County is discouraging people from building accomodations in Halifax County and these are good people (not welfare people, who many criticize) but the middle income families who the County has refused to help to get homes built. He said it was no wonder that there are the Hitlers and communism with the type of housing that people are forced to live in. He said the County is not saving money by not providing homes because as a result of lack of homes families are broken up and forced to separate and some of them have to go on welfare and that costs the County plenty.

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

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lot S of the Harry M. Romans property, Hammonds Plains, from General Building (G) to Mobile Home Park Zone (T)". (Motion carried).

The Clerk read the second supplementary Report of the County Planning Board.

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

"THAT the second supplementary Report of the Planning Board be approved". (Motion carried).

Councillor Street said that since these properties were to be annexed, he believed the matter should be turned over to the City; also, that Council has not heard anything of the report on the sewer study.

Mr. Hattie said that the committee has had a look at the study but has not made any recommendation as yet.

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

AMENDMENT:

"THAT this report be deferred".
(Amendment defeated).

Deputy Warden Nicholson pointed out that just because these properties are to be annexed is all the more reason for this Council to deal with them. He said that the sewer study was given to these people as an excuse for a decision long enough, that the City of Halifax had had this report to study and it had been out since last August and pointed out that the County had paid for the study. He suggested that the whole report should be packaged up together with the bill and sent along to the City of Halifax. He felt this Council was obliged to give these people their day in court.

Solicitor Cox, in reply to Councillor Tonks, ruled that deferrals were not debatable in this instance and read the exceptions from the bylaws. He said they could debate the procedure of the motion but not its court.

Councillor Giles observed that when a matter comes up dealing with the part of the County to be annexed, the Councillors in the area to be annexed feel it should be turned over to the City of Halifax while at the same time they feel perfectly free to speak and vote on matters affecting the rest of the County. He suggested that if this was their feeling, that they should not vote on matters pertaining to the rest of the County.

Councillor Hussey said that this motion was contradictory to the original motion and he felt it was not right.

On the motion to defer, Councillor Hussey and Councillor P. Baker asked for a recorded vote.

In a recorded vote 7 for and 11 against, the Warden declared the motion defeated.

FOR: Districts - 14, 13, 12, 6, 3, 4, 1 - 7

AGAINST: Districts - 21, 20, 18, 17, 16, 15, 11, 10, 8, 5, 2 - 11

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Randall Park Limited, Fairview, from R1 to R4".
(Motion carried).

Councillor Street asked what the cost would be for these public hearings. Mr. Mattie suggested that this was an "exercise in futility" and would probably take four days to hear these submissions.

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Randall Park Limited, Fairview, from R2 to T Zone".
(Motion carried).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Pine Haven Estates, Armdale, from R1 and R2 to R4". (Motion carried).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Tower Realty, Rockingham, from R2 to R4".
(Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Cowie Hill Park, Armdale, from R1 to R2-R2-R4".
(Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Gregory Lambros and R.L. Kaizer, Armdale, from R2 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Allen J. Silverman, Armdale, from R1 to R4".
(Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Central Builders, Fairview, from R1 to R2". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of F. E. Anthony, Fairview, from R2 to C1". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Blunden Supplies Limited, Spryfield, from R2 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of J. W. Tremblay, Fairview, from R2 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Robert Moorhouse, Armdale, from R1 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Miriam C. Winters, Armdale, from R2 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of J. Walker, Jollimore, from R4 to C1". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of R. Peso, Armdale, from R1 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of R. H. James, Jollimore, from R1 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Dr. J.A. Aquino and John F. Fry, Rockingham, from R2 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Eastside Holdings Limited, Rockingham, from R1 to R4". (Motion defeated).

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

"THAT re-consideration be given to the first three votes re notices of intention to rezone". (Motion defeated).

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

"THAT Council adjourn until 7:00 p.m.". (Motion defeated).

The Clerk read the Report of the Public Works Committee.

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

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

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)
)
)
)
)
)

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.

A Commissioner of the Supreme Court
of Nova Scotia.

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

"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 Ketch Harbour;

AND WHEREAS the Council is of the opinion that no agreement can be made of 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 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."

EXPROPRIATION FOR ROAD PURPOSES

LIGHTHOUSE ROAD, KETCH HARBOUR

ALL that certain lot, piece or parcel of land situate, lying and being at Ketch Harbour in the County of Halifax, Province of Nova Scotia, said lot being shown on a plan entitled "Existing Road, Lighthouse Road, Ketch Harbour, Halifax County, Nova Scotia" prepared by J. F. Thompson, N.S.L.S. dated the 4th day of October A.D. 1968. Said lot being more particularly described as follows;

BEGINNING at the southwest corner of a wood fence on the lands of Mrs. Unice Flemming;

THENCE by the magnet of the year 1968 south forty-three degrees twenty-five minutes east ($S43^{\circ}25'E$) a distance of seventy-eight feet ($78\pm'$) more or less to a point;

THENCE south eight degrees zero zero minutes east ($S08^{\circ}00'E$) a distance of one hundred and five feet more or less ($105\pm'$) to a point;

THENCE south twenty-one degrees forty-seven minutes west ($S21^{\circ}47'W$) a distance of two hundred fifty-eight feet more or less ($258\pm'$) to a point;

THENCE along a circular curve to the right, said curve having a radius of fifty feet ($50'$) a distance of two hundred seven and three tenths feet more or less ($207.3\pm'$) to end of curve;

THENCE along a circular curve to the left, said curve having a radius of fifty feet ($50'$) a distance of fifty and two tenths feet more or less ($50.2\pm'$) to end of curve;

THENCE north twenty-one degrees forty-seven minutes east
(N21°47'E) a distance of one hundred fifty-eight feet more or less
(158'±) to a point;

THENCE north eight degrees zero zero minutes west (N08°00'W)
a distance of seventy-six feet more or less (76'±) to a point;

THENCE north forty-three degrees twenty-five minutes west
(N43°25'W) a distance of thirty-six feet more or less (36'±) to a point;

THENCE north nineteen degrees five minutes east (N19°05'E)
a distance of fifty-six feet more or less (56'±) to the PLACE OF BEGINNING.
(Motion carried).

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

RIGHT-OF-WAY FROM THE COUNTY OF HALIFAX

IN FAVOUR OF E. L. RAFUSE

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

BEGINNING at the northwest corner of a lot of land now or formerly owned by one Earle L. and Evelyn R. Rafuse.

THENCE south seventy-eight degrees, zero minutes west (78°00'W) a distance of fifteen feet (15').

AND THENCE north twelve degrees, zero minutes west (12°00'W) a distance of one hundred seventy-two and two-tenths feet (172.2') to the south boundary of an existing sixty foot (60') right-of-way now or formerly called Vimy Avenue.

THENCE north seventy-eight degrees, forty-six minutes east (78°46'E) along the south boundary of the above-mentioned Vimy Avenue, a distance of fifteen feet (15').

THENCE south twelve degrees, zero minutes east (12°00'E) along the west boundary of a lot of land now or formerly owned by one George Boston and a prolongation thereof, a distance of one hundred and seventy-two feet (172') to the place of beginning.

ALL of the above description, lot, piece or parcel of land being more particularly shown outlined in red on a plan drawn by D. V. Purcell, N.S.L.S. and dated October 4, 1968

Councillor Bell said that this gentleman owned a right-of-way until the Parks Committee came in and they have not been able to look into the matter and study it. He felt that before this park was created this man had a license to get over to Vimy Avenue and the whole matter should be gone into before a decision is made because it might well upset the whole park arrangements in that area if it was done too soon.

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

"THAT this motion be deferred until the December Session of Council". (Motion carried).

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

Municipality of the County of Halifax,
Temporary Borrowing,
Sackville Sewer - \$19,000.00

"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 constructing, altering, extending or improving public sewers or drains and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor;

AND WHEREAS by Section 8 of the said The Municipal Affairs Act it is enacted among other 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 Nineteen Thousand Dollars (\$19,000.00) for the purpose of constructing, altering, extending or improving public sewers or drains and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor;

AND WHEREAS by the Municipal Affairs Act such sum shall 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 Nineteen Thousand Dollars (\$19,000.00) 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 Nineteen Thousand Dollars (\$19,000.00) 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 Nineteen Thousand Dollars (\$19,000.00) 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 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).

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

Municipality of the County of Halifax,
Temporary Borrowing - \$14,000.00 - Water,
Main Highway, Lower Sackville

"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 constructing, altering, extending or improving water lines;

AND WHEREAS by Section 8 of the said The Municipal Affairs Act it is enacted among other 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 Fourteen Thousand Dollars (\$14,000.00) for the purpose of constructing, altering, extending or improving water lines;

AND WHEREAS by the Municipal Affairs Act such sum shall 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 Fourteen Thousand Dollars (\$14,000.00) 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 Fourteen Thousand Dollars (\$14,000.00) 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 Fourteen Thousand Dollars (\$14,000.00) 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 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).

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

Municipality of the County of Halifax,
Temporary Borrowing \$14,000.00 - Sewer,
Main Highway, Lower Sackville

"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 constructing, altering, extending or improving public sewers or drains and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor;

AND WHEREAS by Section 8 of the said The Municipal Affairs Act it is enacted among other 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 Fourteen Thousand Dollars (\$14,000.00) for the purpose of constructing, altering, extending or improving public sewers or drains and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor;

AND WHEREAS by the Municipal Affairs Act such sum shall 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 Fourteen Thousand Dollars (\$14,000.00) 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 Fourteen Thousand Dollars (\$14,000.00) 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 Fourteen Thousand Dollars (\$14,000.00) 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 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).

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

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

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

In reply to Councillor Butler, Councillor Allen said there had been no price set for the property for recreational purposes in Eastern Passage.

In reply to question, Mr. Hattie said that there are about seven (7) acres in this lot.

Councillor Tonks said that the County had received \$4,300.00 fire insurance from the building which had burned down and this would probably pay for the land, besides which the people of Eastern Passage had done a lot of work on the recreational area.

Deputy Warden Nicholson said that if the fire insurance money was to be the rule of thumb to measure the price for the seven (7) acres of land, then he would withdraw his support to the move because this was not his understanding.

Councillor Butler pointed out that the County of Halifax is paying insurance on the Centennial rink but this does not mean it will be returned to the people in Rockingham.

Councillor Allen repeated that no negotiations on price had taken place as yet.

Councillor Tonks said that under the Parks and Recreation Act it is necessary to have a piece of land to be deeded over to the Municipality and that this is the only suitable piece of land in his district for this purpose and he expected it would be handled the way it was as the former Councillor had designated this property for recreational purposes.

Councillor Giles did not see the need of deeding the property to the people in Eastern Passage as they would have to turn around and deed it back to the County of Halifax to be eligible for the grant. He said in his district they paid \$5,000.00 for the piece of property to be deeded over to the County so they could come under the grant scheme, that of the five (5) parks in his district, only two (2) qualify for grants, the others are financed by the Lion's Club.

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

The Clerk introduced the Halifax-Dartmouth and County Regional Planning Report to Council for their information.

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

"THAT Special Constables be appointed to act as night watchmen at the Halifax County Hospital, Cole Harbour: Donald Faulkner, 166 Windmill Road, Dartmouth, Nova Scotia, and, James Slaunwhite, Conrad's Road, East Lawrencetown, Halifax County, Nova Scotia". (Motion carried).

Councillor Street gave notice of intention to put a motion before the next session re reading of reports.

Councillor P. Baker advised Council that he would make the motion, intended at this session, at the next Council session after some further study.

In reply to Councillor Tonks re the old buildings at Ocean View which were to go out on tender, Mr. Hattie said they have not been advertised as yet and there have been no offers.

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

"THAT the first three notices re rezoning:
(1) Randall Park Limited, (2) Randall Park Limited, (3) Pine Haven Estate, be re-considered".
(Motion defeated).

Councillor Mussey and Councillor Daye asked for a recorded vote.

FOR: Districts - 3, 4, 6, 7, 13, 14, 19, 20 ----- 8
AGAINST: Districts - 1, 2, 5, 8, 10, 11, 15, 16, 17, 18, 21 --- 11

The Warden declared the motion defeated.

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

"THAT the other items - 3 to 17, inclusive - be re-considered". (Motion carried).

Councillor P. Baker and Councillor Giles requested a recorded vote.

FOR: Districts - 21, 18, 17, 16, 15, 11, 10, 8, 5, 2 ----- 10
AGAINST: Districts - 20, 19, 14, 13, 7, 6, 4, 3, 1 ----- 9

The Warden declared the motion carried.

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Tower Realty, Rockingham, from R2 to R4".
(Motion carried).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Cowie Hill Park, Armdale, from R1 to R2-R2-R4".
(Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Gregory Lambros and R. L. Kaizer, Armdale, from R2 to R4". (Motion defeated).

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

"THAT be it resolved that notice be given in the usual manner of intention to amend the zoning bylaw by rezoning lands of Allen J. Silverman, Armdale, from R1 to R4".
(Motion defeated).

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

"THAT Council adjourn".
(Motion carried).

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

M I N U T E S

of the

S E C O N D 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

DECEMBER COUNCIL SESSION
TUESDAY, DECEMBER 17, 1968

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MINUTES OF THE DECEMBER SESSION OF THE SECOND
YEAR COUNCIL OF THE THIRTY-SIXTH COUNCIL OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX.

The monthly session of the Council of the Municipality of the County of Halifax convened on Tuesday, December 17, 1968, at 10:00 a.m., with Warden Settle presiding.

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

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

The Clerk introduced the Public Hearing re the Harry M. Romans property, advising that this hearing had been duly advertised according to the requirements of the Town Planning Act and no written communications had been received. Mr. Gough illustrated the property with a large scale skematic drawing and a section of the County Planning Board Report dealing with this Public Hearing was read to Council.

Warden Settle invited submissions from the public.

One of the three partners involved in the application for rezoning for the purpose of building a seasonal Trailer Park, advised that it would be called Halfway Lake Trailer Park and would have hydro, water from wells, privy houses, boat rentals, fishing, swimming and play areas for children, and in the future, canteen facilities; there is a garage and grocery store nearby and the first year the cost will be \$1.50 and it will go up later as improvements are made, and their season will be from May 26th. to September 26th. this year.

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

"THAT be it resolved that the zoning bylaw be and the same is hereby amended by rezoning the Harry M. Romans property at Hammonds Plains from a General Building zone (G) to Mobile Home Park zone (T)". (Motion carried).

The Clerk introduced the Public Hearing of the Randall Park Development Limited Property in Fairview, that it had been duly advertised and the only communications received had been a copy of an extract from the Minutes sent from the City of Halifax dealing with this and he read the communication to Council and also the section of the County Planning Board Report dealing with this matter. Mr. Gough illustrated the property to Council.

Warden Settle asked for submissions from the public present.

Mr. Blois representing the developer appeared before Council saying that he had appeared before this Council on this same matter before, explaining in detail the intention of his client, that the first application was made in the spring of 1967 and there was no objections from this Council but it was held over pending a sewer survey and in September of 1967 this Council passed the application but the Minister of Municipal Affairs would not approve it because it had been held over too long so a new application had to be submitted and he felt it was only fair to his client that a decision be made on it now despite the fact that the area will be annexed soon. He noted the great need for high density housing, the type which his client has exhibited the ability to provide and urged Council's favourable consideration.

Miss Sandra Oxner, Assistant Solicitor of the City of Halifax, said they were not against the application but asked Council to consider tabling the application because in three weeks this property would be in the City and the City could make a better decision because this was a very complex situation.

Asked for a ruling on the matter, Mr. Mann, associate County Solicitor, said it was his opinion that Council could not table this under the act but is required to make a decision.

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

"THAT be it resolved that the zoning bylaw be and the same is hereby amended by rezoning a part of the Randall Park Development Limited Property at Fairview from R1 to R4". (Motion carried).

Councillor Moser said he did not like the remark that the City of Halifax was better able to make a decision than the County of Halifax and he favoured an immediate decision.

Councillor Street said that since Council deferred this earlier because of the sewage study and since he still did not have the results of that study, he would have to vote against the motion for this reason.

Councillor Hussey said that Council hired a firm of engineers and the study came in and was to be discussed between the Planning Board and the Public Works Committee but it was not received by the Planning Board and they decided that the people concerned and involved had the right to a Public Hearing. After long and hard discussion, he said, they felt that the developer should be allowed his "day in court" because they have taken the steps required by them and gone to financial involvement and also there is nothing available to show that the sewage is inadequate.

Councillor Bell said he seconded this motion because this has been passed twice by this Council and because of legal complications it had to be reapplied for and he believed this Council should deal with it.

Councillor Tonks felt that the Minister in his wisdom had not approved this a year ago and believed that it would not receive approval from the Minister now and that it should be tabled.

Councillor Moser said it was up to this Council to make the decision one way or another and not leave the City to do it.

Warden Settle said on Solicitor Manns' advise he would not entertain a motion to table.

Deputy Warden Nicholson felt that "we could discuss this all week and it would not change anything".

Councillor Allen said he was very disappointed that this came before this Council at all, that all year when other matters came up which would involve the City, schools, sewer, public works, etc., these were referred to the City of Halifax for approval. He said that the sewer report came back and was sent by the Public Works Committee, following the general line that had been followed, submitted to the

City of Halifax because it would be the City that was responsible for these matters. He believed that the Planning Board should not have been insistent in bringing this before Council since it primarily involved the City.

Councillor Daye pointed out that this Council did not ask for annexation and was perfectly capable of making these decisions concerning its ratepayers.

Councillor Mussey said he was glad to hear Councillor Allen admit that he was one of the group who circumvented County Council to have the matter discussed between the Planning Board and the Public Works Committee.

Councillor Allen said he did not know what Councillor Mussey had in mind, "we took the action we felt was justified and I do not hide behind any decisions of the Board".

Councillor Mussey said it was the duty of this Council to see that the Report be made available to the Planning Board.

Councillor Tonks read from the bylaws re tabling a motion and said that if the County is going to pay a lawyer, they should be given better advice.

Councillor P. Baker said that Councillor Tonks keeps talking about this and when changes are made in Council next year, maybe he would like to displace the Solicitor and be elevated to that position himself.

Solicitor Mann said that regardless of whether this Public Hearing should have been held or not, these people here today are under the Town Planning Act and the Council is required to make a decision after the hearings are heard.

Mr. Hattie read the resolution again.

In a standing vote, Warden Settle declared the motion carried.

The Clerk introduced the Public Hearing for proposed rezoning of Randall Park Development Limited property in Fairview saying that it was duly advertised and no written objections had been received, he read the section of the County Planning Board Report dealing with it.

Warden Settle invited submissions from the public.

Mr. Blois appeared before Council representing Randall Park Development Limited. He said that application had first been made in 1967 and the matter had come before this Council in May of that year and deferred pending a sewer study and like the other application, this one had to be resubmitted. He explained that this lot is next to a well run trailer court for some years where there are 132 lots on 14 acres and this application is to add an adjacent five (5) acres to this and develop it similarly, the property has its own sewer system and is gravity fed and he urged Council to give favourable consideration to this application.

Mr. Havill said that he was very familiar with this because he is in the mobile home business and knows the desperate difficulty people are having trying to get a lot for their mobile home, people from all other parts of Nova Scotia and this would provide homes for 40 or 50 more families and give them an opportunity to live where they want to.

Mr. Caldwell, representing Clayton Park Developments, said that there is presently a trailer park in the area and his objection was in the extension of the present one. He said that his clients own property adjacent to this property and there was very serious doubt with the changes in the area since the initial application for this rezoning as to the present suitability of this type of development. He said that there are other solutions to the problem of gravity flow sewage system. He submitted that better use would be made of this property by higher density type of development and he suggested that this rezoning not be approved.

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

"THAT this motion be tabled".
(Motion defeated).

Solicitor Mann ruled that the Bylaw in this incidence is overruled by the Town Planning Act.

Warden Settle put the motion and declared it defeated.

Councillor Tonks asked if this motion was in order, why was not the other one in order?

Solicitor Mann said that in this instance the Bylaw has no validity, a motion to table in the midst of other motions is acceptable but in this case, the legislation did not provide for it.

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

"THAT be it resolved that the zoning bylaw be and the same is hereby amended by rezoning the Randall Park Development Limited Property at Fairview from R2 to T zone". (Motion carried).

Councillor Hudson said she thought this was an exercise in futility because the Minister would not approve of this and this is just a lot of foolishness.

Councillor Moser said that if the Minister does not approve of this Council's recommendation he should be "fired out too".

Councillor Bell said that this Trailer Court is a good facility and accomodates first class people and there is a great need for such provision for mobile homes so that the people do not have to go "way out in the sticks" and travel many miles to work.

Mr. Hattie read the resolution.

In a standing vote, the Warden declared the resolution carried.

The Clerk introduced the Public Hearing on the Pinehaven Estates property in Armdale saying that it had been duly advertised and read a letter of objection to the proposed rezoning by Mr. Arthur Levin, of 102 Purcell's Cove Road; also, letters of objection from Mrs. Joy A. Belland and Mr. W. P. Martin, of 133 Purcell's Cove Road.

Warden Settle asked for submissions from the public.

Solicitor Rhude and Solicitor George Piercey, on behalf of the Developers, presented a graphic plan to Council.

Mr. Rhude said he represented Community Developments Limited who own five (5) of the 12 acres of the property in question and the boundary runs down Pinehaven Avenue and they requested rezoning in order to create a development which would house 400 rental units, Apartment A would include 84 units, Apartment B, 106 units, and remainder would be in town houses. It would include a playground, indoor and outdoor swimming pools, marinas, retention of as many trees as possible to retain more of the natural beauty of the property. He said they did not envision any internal commercial development and parking was provided for all tenants which was mostly under cover. He said that because of the steep slope of this property his clients believed that this kind of development was more suited than to R1 development and would be for people of moderate means who would like to live on the North West Arm, where up to now only the privileged few have been able to live. He pointed out that application was made for this rezoning in January 1967 and the developers had been working on the plans for a year and a half or two years before that and had it not been for the sewer study it would have been dealt with long ago. He believed that any development of the North West Arm is the business of the County as well as the City and this Council could quite reasonably exercise their jurisdiction over this matter.

Mr. Piercey said he represented Mr. Raymond W. Ferguson, the prime mover in Genera Sales and Land Development Limited, which owned the other seven (7) acres of this property and planned in conjunction with Community Development Limited to develop this property which is very strikingly beautiful to tourists who come into Halifax and the Architects and planners, he said, have left no stones unturned to make this the best and most attractive development which as Angus L. MacDonald said is the "Silver finger of the Sea". He said his client is not a johnny-come-lately, that he had been building homes in the areas for many years and owned this property before there was any County rezoning which subsequently rezoned part of the property R2. He said that the Regional Planning Commission had questioned the density part of the development but had reported back that they had no objections, that the Halifax representative was there and voiced no objections and his client had certainly not contemplated a delay of two (2) years and make no apologies for coming to Council again requesting this rezoning because the delay was no fault of the developer. He said that there was a small but very vocal group against any development of the Arm and a more selfish attitude is hard to find that a few privileged people should be so fortunate as to live on the Arm all their lives and deprive many others of this benefit. He said there is a strip of shoreline designated for public perpetuity and also that the Department of Highways were aware of the plans and offer no objections. He asked Council for an overwhelming vote for this proposal so that it would receive favourable consideration from the Minister of Municipal Affairs.

Mr. Levin said he was against this development because he had lived in this subdivision for 18 years and is a professor at Dalhousie University. He said that the people he is representing and concerned about are those who live in the area and they have covenants attached to their deeds to protect them in private development. He said that the ten (10) persons he had contacted in this category they were very concerned about traffic problems which are desperate now and could not realize what would happen with 1,500 more people moving in the area and he did not feel that the resident's positions should be jeopardized which would happen if this development is allowed.

The City Planner said he was not against this development but asking that the rezoning be tabled. He said that the side effects could be costly and there are

many details like sewage problems, pumping station, roads, North West Arm, etc., he felt should be developed on a long range plan to insure that everybody could enjoy the beauty of this area.

Mr. Andy Balland said that he owns Lot 71 in this area and is aware of the plans as stated which would involve a tremendous amount of children and "we are having problems now with schooling". This development he said would hurt him because he had worked so that he now had a very nice home and if apartment buildings were erected all around him he would have to move. He said that his lot has frontage on the North West Arm and one of the lots there was purchased by Mr. Ferguson three (3) years ago and another property is owned by John Jay and he believed they were all in this together with just "a few of us trying to protect our properties".

Mr. Simpson said he lived in this area and endorsed very strongly Mr. Levin's feelings and objected to the timing with respect to sewer problem, road and conveyance problem, school facilities and the immediate coming of annexation and he felt that this matter should be dealt with by the City of Halifax which would encompass both sides of the North West Arm on long-range planning.

Mrs. Hopkins said she was opposite this property to be rezoned and has a right-of-way down the original Pinehaven Road and would not like to have that taken away from her. She said that there was only a 12" sewer which she did not think was adequate and there was already a traffic problem there.

Mr. Ferguson said that it was not his intention to take away anyone's right-of-way and would guarantee that these would be protected, besides the fact that they could not be taken away legally, he would not do it anyway.

Councillor Hussey said he knew the principals involved and knew they would not be a party to taking away the rights of residents.

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

"THAT be it resolved that the zoning bylaw be and the same is hereby amended by rezoning the Pinehaven Estates property at Arndale or a portion thereof from R1 and R2 to R4 zone". (Motion carried).

Councillor Tonks agreed that we do have an obligation to the people of Halifax County but also an obligation to the City of Halifax and regardless of what is done here today the Minister will not approve of the rezoning with only two weeks before annexation, and the Minister is certainly not going to ignore Mr. Lubka's recommendation in this regard.

Councillor Daye thought that this Council has the right and obligation to deal with these matters because they came up before this Council some time ago.

Mr. Hattie read the resolution.

In a standing vote, the Warden declared the motion carried.

The Clerk introduced the Public Hearing on the Tower Realty Property in Rockingham and Mr. Gough illustrated the property with a large scale map.

Warden Settle asked for submissions from the public.

Mr. Hare, Solicitor for the property owners, said that application was made for this in August or September 1967 and likened the situation to those others heard here this morning. He said if it was tabled now they would have to start making application all over again to the City of Halifax at additional time and expense and it is hard to say how long it would take to get a decision going through the machinery of the City of Halifax, and the City will still "have a crack at it" because they can make representations to the Minister and he did not feel his client should be penalized any further because the City did not have the time to study the matter. He pointed out that part of this property was R2 and the rest Commercial but was changed after the rezoning came in. He said that they only economical use was that of higher density development because of the topography of the land.

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

"THAT be it resolved that the zoning bylaw be and the same is hereby amended by rezoning the Tower Realty Property at Rockingham and a portion thereof from R2 to R4". (Motion carried).

Councillor Tonks said that Councillor Daye felt that the Council could not be swayed, if this is so, "we are wasting a lot of money on Public Hearings".

Councillor Daye said that no matter how many solicitors and lawyers come in here, he would not be swayed.

Mr. Hattie read the motion.

In a standing vote, the Warden declared the resolution carried.

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

"THAT the Nominating Committee be appointed by the Warden". (Motion carried).

The Warden said he would draw up a list of the Nominating Committee at noon time.

The Clerk announced that there would be meetings of the Public Works and Finance Committees and the School Conveyance Committee at noon time.

Councillor Moser felt that Councillors should be present when tenders are opened for garbage disposal so that there would not need to be a meeting at noon time.

Councillor Giles said that when the garbage collection tenders were opened, there were two from his area and he recommended one of them. He said he subsequently found that this tenderer was not giving the service he might and since garbage service was one thing that came back on the local Councillors he felt it was fitting that they be represented when the decisions are made.

Councillor Baker said there would be a meeting of the Welfare Committee at noon.

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

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

AFTERNOON SESSION

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

Mr. Bensted, Assistant Municipal Clerk, called the Roll.

Mr. Bensted read the Warden's Report to Council.

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

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

In reply to Councillor C. Baker, Warden Settle said he did not think that his district was purposely left out, it was just that in the telephone conversation this is the way the area was described.

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

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

"THAT the Nominating Committee retire". (Motion withdrawn).

Deputy Warden Nicholson felt that these Councillors should be present for the Report of the Municipal School Board.

Councillor Daye and Councillor Smeltzer withdrew their motion.

Councillor P. Baker asked about a report re the "missing link" which was submitted to the Department of Highways for a reply.

Warden Settle said he had a verbal report that they were working on it and when it is clarified they would bring it before Council and he would attempt to get such a report before the next session of Council.

The Clerk read the Report of the Municipal School Board.

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

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

Councillor Tonks said he believed Councillor McCabe had asked at the last session for a report on whether other Municipal School Boards made their minutes available to the various Councils.

Warden Settle said he had no information on this but agreed to look into it as soon as possible.

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

The Clerk read the Supplementary Report of the Municipal School Board.

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

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

Deputy Warden Nicholson said that the Capital Program Committee was in the process of looking into these facilities.

Councillor Daye said that some school busses did not have snow tires on them and he felt it was a very dangerous situation. He thought it ridiculous that the busses did not have snow tires on them at this time of year. He said also that there are children who have to travel 12-18 miles to school by bus and have to walk over a mile to meet the bus and it was his understanding that children living over the limit were to be picked up.

Councillor Snair said that the Municipal School Board know that there were no snow tires for the busses. There was a delay in calling for tenders and a delay in delivery after tenders had been called, and they have since been supplied and the busses should all be equipped by now. He said it was a mistake that should not have happened and would not happen again.

Councillor Giles said he was not prepared to bring in a report now but he did not think the lack of snow tires was all that much of a problem, at least it was easily solved by contacting the Board.

Councillor P. Baker said he believed it was worth noting that this was the first time the School Board has admitted making a mistake. He said this was a "first for the Municipal School Board!".

Councillor Moser said that this Committee has to have a formal report to bring back to this Council and not one that takes years to present.

Councillor P. Baker said there had been a lot of criticism of the School Board and especially by himself but he felt they should have credit where credit was due. He expressed his appreciation and that of the people of Terence Bay for the School Board's consideration for a request for transportation from Terence Bay to Ocean View for children who went there to provide a Christmas program and treats for the patients.

Councillor Snair asked what the position was re the School Board sending in requests for various things and the reports being received?

Deputy Warden Nicholson explained that this is a recommendation of the Municipal School Board and there are no figures involved, the School Capital Program Committee will look into it fully and report to Council and that is when the dollars are recommended.

Councillor McCabe was concerned as to why they needed a hoist to take a wheel off a dual wheel vehicle as from his experience with dual wheel vehicles, this was not done.

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

Councillor Hudson asked that the Council hear from Mr. Hugh Noble from the Department of Education at this time.