

MINUTES OF THE APRIL COUNCIL SESSION
OF THE
FIRST YEAR COUNCIL OF THE THIRTY-SEVENTY COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

The April Session of Council of the Municipality of the County of Halifax convened at 10:00 a.m. Tuesday, April 20th., 1971, with the Warden in the Chair.

The Municipal Clerk called the Roll.

The Municipal Clerk advised that there were no letters or communications or business arising from the Minutes.

The Clerk read the Report of the Director of Planning and Development.

It was moved by Councillor Tonks; seconded by Councillor Dunbar:-

"THAT the Report of the Director of Planning and Development be adopted."
Motion carried.

The Clerk read the report of the Planning Advisory Committee.

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

"THAT the Report of the Planning and Advisory Committee be adopted." Motion carried.

Councillor Tonks referred to the Minutes of the Planning Advisory Committee of April 13th., 1971, with regards to Maritime Waste Oil storage tank. Councillor Tonks stated that he had submitted information to the Planning staff in form of colored pictures taken at the dump showing dumping of garbage and the burning of garbage and had also submitted information with regards to the times of trucks visiting the site as prepared by a neighbouring property owner.

Mr. Gough advised that this material had been forwarded today to the Solicitor's Office.

Mr. Mann advised that he would check with the Office to see what action is being taken on the basis of this new information.

Councillor Tonks questioned as to whether or not an order to desist might be obtained and Mr. Mann said he would check this out, although he had some doubts as to whether such an order could be obtained.

On the vote , motion carried.

The Clerk advised the next item would be the Report of the Director of Planning and Development re zoning at the Halifax International Airport.

It was moved by Councillor Hudson; seconded by Deputy Warden Nicholson:-

"THAT the Report of the Planning Staff re Zoning at the Halifax International Airport be deferred until the May Session of Council."
Motion carried.

Councillor Hudson indicated that she would like to have this matter referred to the next Session of Council in order that she would be better able speak on this matter.

On the vote on the motion - motion carried.

Councillor Tonks questioned action being taken with regards to a building on the top of Hornes Road which had been gutted by fire. He stated that according to the Minutes of the Planning Advisory Committee that this matter was being referred to the Municipal Clerk for reference to the Solicitor.

Mr. Hattie advised that the necessary papers had been submitted to the Solicitor's Office and the Solicitors were preparing the orders required.

Councillor P. Baker inquired as to what action is being taken with regards to a proposed amendment of the mobile home bylaw and also what action is being taken with regards to the cost of individuals advertising proposed rezoning for a mobile home.

Mr. Gough advised that he had been instructed by the Planning Advisory Committee to gather material as to what was being done in other areas. It was also suggested that a number of applications for rezoning be dealt with at the one time so as to save cost with regards to advertising.

Councillor Hudson stated that she felt that there were a number of people interested in such proposed rezonings but they were not being properly advised as to how such an application can be made.

Councillor P. Baker confirmed this and felt that the Staff were not giving the people sufficient information or advice.

Deputy Warden Nicholson stated that all members of the Planning Advisory Committee were concerned with this matter, and also the matter of cost for advertising such proposed changes in zoning or rezoning.

Mr. Gough stated that the problem is how do you control where mobile homes are to be placed without giving discretionary powers.

It was moved by Councillor P. Baker; seconded by Councillor Johnson:-

"THAT the Planning Advisory Committee be requested to bring in proposed amendments to the Mobile Home Bylaw at the May Session of Council." Motion carried.

Councillor P. Baker questioned the lack of action by a proposed developer in his area where the land had been rezoned to a T Zone and the developer indicated the urgency of this matter, and now after nearly a year no action had been taken whatsoever.

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

"THAT the Planning Advisory Committee meet with Mr. Zinck the developer of this proposed mobile home court to see if he is going to proceed with the development of this proposed mobile home park and also if necessary, to consider the possibility of rezoning of this property from T Zone to General Building District."
Motion carried.

Councillor Tonks questioned the ruling by the Solicitor that such a recommendation should come from the Planning Advisory Committee. He felt that Council had the power to do this. Councillor Tonks also questioned the lack of action by Council on our own proposed mobile home park and the lack of action by other developers.

It was moved by Councillor Tonks; seconded by Councillor Slauenwhite
an Amendment:-

"THAT the Planning Advisory Committee take similar action with regards to all other applications for mobile home parks which were made within the last twelve months." Amendment defeated.

Councillor Colin Baker questioned as to what would be the situation if the property in question which had been rezoned was in the process of being sold.

The Warden called for a vote on the amendment which was defeated.

Councillor Tonks questioned how we could single out one case and not deal with the others.

Deputy Warden Nicholson stated that any such cases should be named and be dealt with rather than being dealt with in a general motion.

Warden called for a vote on the motion which was carried.

The Clerk read the Supplementary Report of the Director of Planning and Development.

It was moved by Councillor Hudson; seconded by Councillor C. Baker:-

"THAT the Supplementary Report of the Director of Planning and Development be received."
Motion carried.

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

"THAT Council adjourn until 2:00 P.M."

Motion carried.

AFTERNOON SESSION

Council reconvened at 2:00 P.M. with Warden Settle in the Chair.
The Clerk read the Report of the Public Works Committee.

It was moved by Councillor Slauenwhite; seconded by Deputy Warden Nicholson:-

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

A resolution was moved by Councillor Tonks; seconded by Councillor Slauenwhite:-

"THAT the Warden and Clerk be and they are hereby
authorized and directed to execute on behalf of
the Municipality an agreement with Central Mortgage
and Housing Corporation relative to a loan of \$142,500.
at 8 1/4% for DREE project 11 - 3,350 lineal feet of
30" diameter collector sewer - Little Sackville River Trunk."
Motion carried.

The Clerk read the Report of the Municipal School Board.

It was moved by Councillor Johnson; seconded by Councillor Snair:-

"THAT the Report of the Municipal School Board dated
April 20th., 1971 be received so that the Municipal
School Board may enter into an agreement with Local 1025
of C.U.P.E. " Motion carried.

It was questioned by a number of Councillors as to the effect of approving
this report. Whether the Council were binding themselves to a fixed
number of dollars.

Mr. Mann, the Solicitor advised Council that what the Council was actually
doing was ratifying the agreement, agreeing to pay the members of the Union
certain hourly rates, and that the figures as indicated in the Municipal
School Board Report was based on an estimate by the Municipal School Board
based on the number of bus drivers, janitors, etc. presently on the pay roll.

Council indicated concern that if in the event that the Municipal School Board
should be able to make some adjustments with regards to bus schedules, etc.
and if a number of bus routes were changed and if there was a decrease in the
number of bus drivers required, whether the Municipality would still be committed
to a certain amount of dollars.

Mr. Mann suggested to Council that the best approach by Council would be to receive the Municipal School Board Report and to deal with a separate resolution ratfying the agreement as entered into by the Municipal School Board and the Union.

The Warden called for a vote on the motion to receive the Municipal School Board Report. Motion carried.

It was moved by Councillor Tonks; seconded by Deputy Warden Nicholson:-

"THAT the Collective Agreement between the Municipal School Board and Local 1025 C.U.P.E. be ratified with the hourly rates as contained in the agreement."
Motion carried.

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

It was moved by Deputy Warden Nicholson; seconded by Councillor Moser :

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

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

It was moved by Councillor Tonks; seconded by Councillor P. Baker:-

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

It was moved by Councillor Isenor; seconded by Councillor Slauenwhite:-

MUNICIPALITY OF THE COUNTY OF HALIFAX
Temporary Borrowing Resolution
Meagher's Grant Fire Station
Temporary Borrowing - \$35,000

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 credit of the Municipality such sum or sums as the Council thereof deems necessary for the purpose of building a fire station at Meagher's Grant Fire Station and acquiring or purchasing materials, machinery, implements, etc. 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 seemed necessary by the Municipal Council of the Municipality of the County of Halifax to borrow a sum not exceeding thirty-five thousand dollars (\$35,000) for the purpose of building a fire station at Meagher's Grant.

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 thirty-five thousand dollars (\$35,000) as may be necessary for the purpose aforesaid from the Royal Bank of Canada at Halifax, 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 thirty-five thousand dollars (\$35,000) for the purpose 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 the Acts 1955, the Municipal Act and subject to the approval of the Minister of Municipal Affairs borrow a sum or sums of money not exceeding thirty-five thousand dollars (\$35,000) from the Royal Bank of Canada at Halifax, 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 8 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.

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

It was moved by Deputy Warden Nicholson; seconded by Councillor Moser:-

"THAT the Supplementary Report of the Finance and Executive Committee be approved." Motion carried.

It was moved by Deputy Warden Nicholson; seconded by Councillor Johnson:-

MUNICIPALITY OF THE COUNTY OF HALIFAX
Temporary Borrowing Resolution
Lawrencetown Fire Department
Temporary Borrowing - \$9,000

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 credit of the Municipality such sum or sums as the Council thereof deems necessary for the purpose of purchasing a truck chassis and a tank and acquiring or purchasing materials, machinery, implements, etc. deemed requisite or advisable therefore;

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 nine thousand dollars (\$9,000) for the purpose of purchasing a truck chassis and a tank for the Lawrencetown Fire Department.

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 nine thousand dollars (\$9000) as may be necessary for the purpose aforesaid from the Royal Bank of Canada at Halifax 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 nine thousand dollars (\$9000) for the purpose 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 the Acts 1955, the Municipal Act and subject to the approval of the Minister of Municipal Affairs borrow a sum or sums of money not exceeding nine thousand dollars (\$9000) from the Royal Bank of Canada at Halifax, Nova Scotia.

THAT such sums or sum be borrowed from said Bank for a period not exceeding twelve months with interest thereon to be paid said Bank at the rate of 8 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.

Municipality of the County of Halifax
Guarantee of Debentures
\$3,000,000 - Court House Replacement

WHEREAS by subsection (1) of Section 10 of the Statutes of Nova Scotia, 1961, An Act to Amend and Consolidate the Acts Relating to the Court House at Halifax as that Section is enacted by Section 1 of Chapter 95 of the Statutes of Nova Scotia, 1970, the Halifax Court House Commission is authorized to borrow and raise from time to time by way of loan or loans a sum or sums sufficient to pay the cost of replacement of the Court House;

AND WHEREAS by subsection (2) of Section 10 of said Act any loan or loans may be secured by debentures issued by the Commission which shall be a charge upon the property of the Commission and upon all property in the Municipality of the County of Halifax, the City of Halifax and the City of Dartmouth subject to taxation;

AND WHEREAS by subsection (5) of Section 10 of said Act the Municipalities in the County of Halifax are empowered to and may guarantee the repayment of any such loan or loans and the payment of any such debentures as to both principal and interest;

AND WHEREAS pursuant to a resolution passed by the said Commission on the 18th day of December A.D., 1969 and approved by the Minister of Municipal Affairs on the 5th day of January A.D., 1970, the Commission postponed the issue and sale of debentures and did borrow from the Royal Bank of Canada at Halifax a sum not exceeding Three Million Dollars (\$3,000,000) for the purpose of repaying the cost of replacement of the Court House;

AND WHEREAS pursuant to a resolution passed by the said Commission on the 22nd day of April A.D., 1971, the said Commission issued and sold debentures in the total principal amount of Three Million Dollars (\$3,000,000) to repay the said Bank the amount borrowed pursuant to the resolution set forth in the next preceding paragraph;

AND WHEREAS the said debentures were numbered 71-A-0001 to 71 - A - 1520 inclusive, dated the fifteenth day of May A.D. , 1971, and payable at any office of the Royal Bank of Canada in Nova Scotia and at the principal office of the said Bank in Saint John, Charlottetown, Montreal or Toronto at the option of the holder, and debentures numbered 71-A-0001 to 71-A-0750 inclusive shall bear interest at the rate of seven and three-fourths per centum (7 3/4%) per annum, and debentures numbered 71-A-0751 to 71-A-1500 inclusive shall bear interest at the rate of eight and one-fourth per centum (8 1/4%) per annum, and debentures numbered 71-A-1501 to 71-A-1520 inclusive shall bear interest at the rate of eight and three-eighths (8 3/8) per annum payable semi-annually at any said office at the option of the holder;

Councillor Percy Baker congratulated Councillor Tonks on his energy in supporting the proposed housing for Eastern Passage and also congratulated Council on approving this agreement.

It was moved by Deputy Warden Nicholson; seconded by Councillor Tonks:-

"THAT the Warden appoint the Union Delegates to the May Conference and that Council be advised by mail." Motion carried.

The Clerk advised Council that it would be necessary to set a date for the May Session of Council due to the fact that the regular Council date of May 16th would be during the Union Conference.

Councillor Tonks stated that he felt that there was no need to change the meeting of the Council Session, that the Union should have enough respect for the Municipality to have the Conference on a date that did not interfere with the regular Council Session.

Councillor Tonks moved that:

"THAT the date of the May Session of Council be May 18th., 1971." Motion defeated.

The motion was defeated for the want of a seconder.

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

"THAT the May Session of Council be held on May 25th, 1971, at 10:00 A.M." Motion carried.

Councillor Tonks moved an amendment:

"THAT the date re May 11th., 1971."

The Solicitor advised that in his opinion this amendment was contrary to the motion, and not a proper amendment.

Councillor Tonks questioned the Solicitor's ruling and also questioned as to whether or not the resolution to change the date of the Council session was not contrary to the Municipal Act.

Mr. Mann, the Solicitor advised that Council was acting under Legislation which allowed Council to change the date of the Session.

It was moved by Councillor Tonks;

"THAT Council Adjourn."
Motion defeated.

On the motion, motion defeated.

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

Councillor P. Baker inquired as to whether there was any direct cost to the Municipality of this date with regards to cleaning up garbage which apparently had been brought out from the City of Halifax during the period of the strike by City Field Workers.

Council was advised that to date there was no direct cost involved to the Municipality.

Councillor Jennex questioned as to whether the Municipality was giving any aid to student groups that were submitting plans with regards to summer employment.

Council was advised that it was necessary for these applications to be made by the Students themselves.

Mr. Hattie tabled for consideration of Council a book containing the bylaws as recently recommended for approval by Municipal Council and the Finance and Executive Committee.

Mr. Hattie suggested to Council that Council take these books home and read them and that Council deal with them at an early session in order that these bylaws may be properly amended at the same date, and submitted to the Minister for formal approval.

Councillor Johnson questioned the policy whereby the lien law funds were not available to Districts for recreation purposes unless the property in question was deeded in the name of the Municipality. He felt that where property was being held by a local incorporated group that this provision should be waived.

Mr. Hattie explained to Councillor Johnson and Council the purpose of this policy.

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

"THAT this matter be referred to the Finance and
Executive Committee."
Motion carried.

Mr. Hattie tabled for the information of Council the proposed resolutions which were being forwarded to the Union of Nova Scotia Municipalities as a result of a Regional Meeting of Aldermen and Councillors from the two cities and the Municipality of the County of Halifax.

It was moved by Deputy Warden Nicholson; seconded by Councillor P. Baker;-

"THAT Council Adjourn."
Motion carried.

Council closed with the usual 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 E V E N T H C O U N C I L

of the

MUNICIPALITY OF THE COUNTY
OF HALIFAX

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MINUTES OF THE MAY SESSION OF COUNCIL OF THE
FIRST YEAR COUNCIL OF THE THIRTY-SEVENTH COUNCIL
OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

The regular monthly session of the Council, Municipality of the County of Halifax, convened at 10:45 A.M. Tuesday, May 25th., 1971, with Warden Settle presiding.

The Clerk called the Roll.

The Clerk read a letter from R.W.J. Cocks, Base Commander of CFB Shearwater inviting Council members to attend Armed Forces Day at the base on June 12th-, 1971.

Councillor Tonks moved; seconded by Councillor Johnson:-

"THAT this letter be acknowledged along with the thanks of Council for his co-operation."
Motion carried.

The Clerk read a letter from Councillor Sylvia Hudson re a Building Permit issued by the Chief Building Inspector, Mr. Vincent, against the advice of the County Solicitor.

It was moved by Councillor Tonks; seconded by Councillor C. Baker:-

"THAT this letter be referred to the Solicitor for his advice to Council."
Motion carried.

Councillor Gaetz said that the Planning Advisory Committee went into this matter very thoroughly and that the building that was put there met some of the building codes and he understood that this was considered and inspected.

Solicitor Mann said he was not present at the Hearing but that Solicitor Cox attended representing the County of Halifax, that Mr. Vincent was just a witness and that Solicitor Cox was the County's Solicitor, not Mr. Vincent.

Councillor Tonks summed it up that this was just a matter where an employee of this County carried out an illegal act and if this was the case, this Council should be considering the position of the employee.

Deputy Warden Nicholson said he thought the Building Inspector acts on his own and cannot be told what to do by the Committee, although he comes to them for advice frequently which is a healthy situation and in this case the Planning Advisory Committee agreed that this was a nonconforming use in the first place and the proposal for the new usage was considerable improvement over the old use but they had not counted on the legal details which were encountered.

Mr. Hattie, in reply to Councillor Tonks, said that the situation was the man applied for the permit to erect two structures in an area where there were several old buildings which had fallen into poor repair. The Planning and Advisory Committee felt that this would be a general improvement from a Planning point of view. The two buildings were a sort of mobile home and a motel which were not provided for by the existing zoning and Solicitor Cox pointed out this discrepancy, but in his enthusiasm to improve the property, Mr. Vincent issued a Building Permit.

Councillor Tonks said that if a fisherman in his district seeks approval to construct a garage behind his house in a Commercial zone, he would not get approval to do so; but this is a case of a man with lots of money that is buying a person that is being employed by the Municipality and can get preferential treatment. He asked why Council is going to revise its bylaws if it is going to continue to encourage non conforming uses. "We are doing nothing in this Council, and it should be abolished," he added.

Motion carried.

The Clerk read the Report of the Director of Planning and Development.

It was moved by Councillor Moser; seconded by Councillor Baker:-

"THAT the Report of the Director of Planning and Development be received."
Motion carried.

Councillor Gaetz questioned if these approvals made were given if any of them could be appealed.

Councillor Tonks said that in the Planned area Council approves only one lot a year for building purposes because the installation of septic tanks and disposal beds are in theory not acceptable. He felt that in the area of #7 highway this was going to cause future problems because of the extent of development going on there outside the planned area and he suggested that such areas of rapid development outside the planned area should receive very close study to eliminate future problems of water and sewage.

Mr. Gough said he was very happy to hear Councillor Tonks bring this up as they had been most concerned about it but the problem seems to be that there is no continuity of standards among the three departments concerned. The Central Mortgage and Housing, the Nova Scotia Housing Commission, and the County of Halifax requirements in this area "just do not jive". He said that as a result of advertising in the press for applications from people wanting to build new houses, the Central Mortgage and Housing Corporation received one hundred (100) applications from the Chezzetcook area alone, and the idea is to try to have development in certain areas where people want to live; for example, the people in Terence Bay wanted mortgages for housing but funds were just not available for this area but he expected something to come through in the next two weeks. Motion carried.

The Clerk read the Report of the Planning Advisory Committee.

It was moved by Councillor Gaetz; seconded by Councillor C. Baker:-

"THAT the Report of the Planning Advisory Committee be adopted. Motion carried.

Councillor Tonks took exception to the large number of applications for reduced setbacks in areas where the County has to supply schools and other services and the properties are purchased at high prices and the Housing Commission who should know the County's building requirements, keeps asking the Council to rescind its own bylaws. He said that this was the only reason that Water and Sewer services were extended in the Bedford - Sackville area, to service these houses.

Mr. Hattie pointed out that the water and sewer for that area was approved several years ago.

Deputy Warden Nicholson said that he was not particularly happy with the large number of requests for side yard clearances and setbacks although he felt that the problem was largely in quantity because Council had always approved these but it did not seem as bad when the requests came in individually. He felt that the problem was that they are building too large houses on too small lots.

An amendment was moved by Councillor Tonks:-

"THAT paragraph two of the Planning Advisory Committee report be deleted."
No Seconder.

Solicitor Mann, in reply to Councillor Gaetz, said that in these instances we are dealing with the Central Mortgage and Housing Commission which is a body corporate and in this case it is the Crown, that they are trying to co-operate with the County but in all instances they can do what they want to.

Deputy Warden Nicholson said that a thirty (30) foot side yard clearance is not a magic thing, that these approvals have been granted before and he saw no reason for Council to make motions just to flex its muscles. Motion carried 13/1.

The Clerk read the Report on Special Planning Advisory Committee meeting held on April 30th., 1971, to discuss proposed changes in the Mobile Home Bylaw.

It was moved by Councillor Moser; seconded by Deputy Warden Nicholson:-

"THAT the Report of the Special Meeting of the Planning Advisory Committee re the mobile home bylaw be adopted." Motion carried.

Councillor Slauenwhite suggested that there be something in the bylaw with a four hundred square foot minimum (400) living quarters per manufactured unit in order to avoid the very small units which add outside porches to come up to the 400 foot minimum requirement.

Councillor Dunbar said he was becoming more and more convinced that it was essential to have better descriptions of the various classifications of mobile homes, trailers, campers, tenting units, etc. which would cover all such units and he felt that this should be referred back to the Solicitor for more detailed classifications and description. He pointed out that the modern mobile homes ran from \$10,000 to \$20,000 and were not mobile but installed permanently for living quarters and defied most of the description as it stood, that these mobile homes were being built to the specifications of the State of California which had the strictest specks for Mobile Homes.

Mr. Gough advised that recent publications from the Canada Standards Association indicated that in the future there would probably have to ten or twelve (10/12) definitions rather than five (5).

Councillor Tonks felt that Council was asking the Solicitor to bring in a report without giving him the recommendations to work on: "if we want something done we should tell him what we want so that he can put it in legal terms, that is his purpose here." Councillor Tonks questioned the clauses in paragraph 4 of the report and thought the fifteen thousand (15,000) square foot requirement should be more clearly spelled out.

Warden Settle felt that these regulations should be applicable to mobile homes rather than to a group of them.

Councillor Tonks wondered what teeth the present legislation had to deal with mobile home parks which became unsightly premises and what was being done about non-conforming uses being made by mobile homes. He charged that although this Council approved the setting up of a Municipal Mobile Home Park at Clarence Park, nothing had been done about it and as far as he could find out the county no longer had an option on the property - 277 building units which were already serviced. He charged that the staff had not carried out the requests of Council in this way and questioned if they intended to do anything about the unsightly premises. He said that because of staffs disregard for Council's wishes, he felt he was spending his time here with no justification.

Deputy Warden Nicholson suggested that if Councillor Tonks did not feel that he was doing anything, he should get out, but he wants to "take the rest of us with him and I have no intention of going, because I think we are doing a necessary job." He pointed out that if we put mobile home owners off the property they are on they have nowhere to relocate and they have been made second class citizens already by saying to them that they must locate in a particular area. He said there is always the hope that by putting the mobile homes on a large enough lot, they will eventually build permanent homes.

The Deputy Warden pointed out that Council has the same power with Trailer Courts as it has anywhere and it depends on how far "we want to go" but it seemed useless to charge them fines of \$100.00 a day when they have no place to go. He called for constructive suggestions from Council in dealing with this Bylaw revision. He said that attempts had been made to reduce the distance from the road from the required 500 feet; to reduce the cost of advertising so that it would not be greater than the cost of the lot; Councillor Slauenwhite's recommendation about setting a minimum square footage for living quarters in mobile homes, and such things could be discussed.

Councillor Dunbar said that when the requirement was 2400 square feet there was a tendency for crowding until they took on somewhat of an appearance of "dogpatch" and the idea for larger lots was to give the people more breathing space and encouragement to landscapé their lots and take an interest in improving their properties. He said that the ultimate aim was to provide more housing for families by the encouragement of mobile homes and this was a preliminary step which he felt that the Planning and Advisory Committee have come up with, together with other things which have a lot of good horse sense. Motion carried.

Mr. Hattie, in reply to Councillor Tonks, said that the renewed Option Document for the Clarence Park Property which had expired on January 31st., 1971, had just been received and will be coming before Council today for approval.

Councillor Tonks asked what happened on Council's motion to purchase.

Mr. Hattie replied that there was a motion and it was approved but that was all that was done, that Council had not voted the funds either for the necessary survey of the area nor for the purchase of the property itself which would have required a Borrowing Resolution.

Asked by Councillor Tonks who exercises Council's Policies, Mr. Hattie replied that Council does by approving the necessary funds.

Councillor Tonks pointed out that when any such motions are passed by Council, the very next item on the agenda is always the appropriate Borrowing Resolution and asked why it was not done in this case. He asked that the Clerk dig out the Minutes and other references to the decisions of Council with regard to the Clarence Park property.

Councillor Tonks said that the point here is that in fact we do nothing in Council "different Councillors here are saying we have achieved this and that but I have achieved absolutely nothing in the four years I have been here and I believe the other fifteen (15) Councillors have achieved the same amount." He said he had tried to generate a little interest in Halifax County in the past four years but he might as well have been talking to the wall. Half of them were asleep half of the time. He felt that Council should decide whether it is going to develop this land and if not to open it up to private enterprise.

Deputy Warden Nicholson said that if this Council ever approved money to operate a Municipal Trailer Park at Clarence Park he would make a resolution to rescind it because "you would have all the welfare cases in the area in it." He said that there are other implications for this property that it could be developed as an industrial site with deep water harbour facilities.

Mr. Hattie advised that Central Mortgage and Housing Corporation had indicated it was interested in putting housing in there.

Mr. Gough confirmed this and said he visited the site with Central Mortgage and Housing Corporation officials and they had expressed interest and he advised them to apply to Council for approval of policy because it was beyond his jurisdiction.

Councillor Tonks said that if they were interested in developing a deep water port in that area the ideal site would be McNabb's Island and Lawlor's Islands which are not being used and where there is deep water and which should be developed for this purpose.

It was moved by Councillor Tonks; no seconder:-

"THAT a follow-up be done on the original motion re Clarence Park with the idea of selling individual lots as trailer lots.

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

"THAT we confer with the Nova Scotia Housing Commission relative to the possibility of that Commission using Clarence Park for Housing. "

Councillor Tonks said that there had been some confusion about a Housing Committee for Halifax County. He said he had been on a Committee doing some negotiation re development of housing on behalf of Council and then was told that this was not a properly constituted Committee.

Solicitor Mann said that Solicitor Cox gave the opinion that this was not a standing Committee on Housing, he understood that the Committee was set up to deal with a specific thing and once that was done the authority of that Committee ended.

Warden Settle said he believed the matter of Elkins Barracks was referred back to the Housing Committee by Council.

Mr. Hattie said that it was discussed when they were dealing with Centennial Properties but there had not been any formal consent of Council in the Minutes so if we wanted to be legal about it we should approve it today.

Deputy Warden Nicholson saw no reason to approve another Committee because he felt that as the Nominating Committee had recommended, housing should be dealt with by Planning and Advisory and by the Finance and Executive Committees.

Councillor Tonks asked whether in future meetings with Central Mortgage and Housing Corporation, would this still be a standing Committee. Mr. Hattie said he considered it a Special Committee so that it died when it submitted its report.

Councillor Tonks said that what he was trying to determine was: "if I am called in again to act on this Committee because I am in this district, can I act in good faith or will I be told that my negotiations were not in good faith and were redundant."

Warden Settle said that this was a fact finding and negotiating committee and not a decision - making Committee.

It was moved by Deputy Warden Nicholson; seconded by Councillor Gaetz:-

"THAT the matter of any future Housing be handled by the Planning Advisory Committee, in as far as the planning is concerned and Finance and Executive Committee deal with the Financial implication."
Motion carried.

It was moved by Councillor Gaetz; seconded by Councillor Moser:-

"THAT Council adjourn until 2 P.M."
Motion carried.

AFTERNOON SESSION

The afternoon session of Council convened at 2:00 P.M. with Warden Settle presiding.

The Clerk read from previous Minutes, excerpts from other Reports, motions and resolutions, dealing with the disposition of the Clarence Park property.

Councillor Tonks, referring to the morning session, said that there had been inference that certain negotiations had been taking place re this property; i.e. as a deep water container port backup, for housing etc. and he knew of no such negotiations.

Warden Settle said he knew of no negotiations going on but he understood that there had been some interest shown, for example, a car unloading Company, and he thought that the Port Commission had carried out a survey of the facility but there had been nothing official that he knew of.

Councillor Tonks said that he made a resolution a couple of years ago that any councillors should be involved in any negotiations which involved their districts. He asked whether he could advise the people in his district now that there are no negotiations to be held without their representative being involved in it.

Warden Settle said that this was why he had been called in on this Housing Project, because it involved his district.

The Clerk introduced the Report of the Director of Planning and Development re Zoning around the Halifax International Airport.

Councillor Tonks said that this report was requested by Councillor Hudson who was absent this month and was deferred on motion by Councillor Hudson so that she would have time to digest it and although he was in agreement with the report and quite prepared to deal with it now, he felt that in all fairness to Councillor Hudson it should be deferred until next month, and if she was still absent then they could deal with it.

It was moved by Councillor Tonks; seconded by Deputy Warden Nicholson:-

"THAT the Report to Council re Airport be deferred until the next Session of Council."
Motion carried.

The Clerk read the Report of the Municipal School Board.

It was moved by Councillor Gaetz; seconded by Councillor McCabe:-

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

Councillor Tonks said he was very intrigued by the last paragraph in this Report re the additional eight (8) room addition to Ross Road Elementry School. He suggested that the last paragraph would apply equally as well to the Graham Creighton High School and if they were sincere about these last two paragraphs. He said it is more justified to have a Junior or Senior High School in Eastern Passage than it was to add eight (8) rooms to a school which have five (5) vacant rooms now. He appreciated the Municipal School Board receiving a delegation from his district although he could not say the same for the Minister of Education regarding the letter he handed to him personally. He said this was an example of the kind of drivel we can expect from the Municipal School Board about 'if education' would not recognize the individuality of children and their varying needs in their educational endeavours. He charged that the Municipal School Board was not considering either the individuality of children nor their varying needs.

In reply to Councillor Tonks, Solicitor Mann said that the title of the Schools are vested in the Municipality of the County of Halifax. Mr. Hattie added that the administration of these schools is the responsibility of the Municipal School Board.

Councillor Tonks asked if the district is not satisfied with the way their schools are being administrated in the Municipality they will have to withold their taxes from Halifax County and handle the administration of their schools themselves, and is this not just exactly what they will do?

Mr. Hattie said that any district is a part of the Municipality and the administration of all the schools in the Municipality is under Municipal jurisdiction.

Councillor McCabe said that they did hear a delegation from District 13, and he suggested if they were not very happy with the administration of their schools in their area they should go to their member of Parliament, Garnet Brown and to the Minister of Education, and he asked Mr. Deveau about communications received by the group and he said they had not acknowledged the telegram so he suggested that they pursue it.

Councillor Tonks said that all the delegation was asking was for equal consideration for an eight (8) classroom school in their area as had been done by additions to Ross Road and Graham Creighton School because there is no justification for the expenditure for an eight (8) room addition to Graham Creighton. Motion carried.

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

It was moved by Deputy Warden Nicholson; seconded by Councillor McCabe;

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

Councillor C. Baker asked if there was anything further to the report on progress re the Herring Cove School. Deputy Warden Nicholson replied that they are still negotiating with the owner who has agreed with the plan that they had drawn up and he is acquiring a small piece of land from another party so that they can purchase it as one lot.

In reply to Councillor Jennex, Deputy Warden Nicholson said that the recommendation from the Nova Scotia Water Authority was instead of going to Petpeswick Inlet, they should go to Little River and they would probably use the same contractor as before. He said that the problem was that they started from Petpeswick Inlet up instead of from the school down and the engineer advises that it would cost less to leave the pipes already installed in the ground and to install new ones instead of trying to dig up the old ones.

Councillor Tonks said he believed the approvals for expenditures for school bus turning provisions had been submitted as one item. Mr. Hattie said no, that these two specific ones had been submitted separately.

Councillor Tonks asked why the Sir Robert Borden School turning point facilities had been installed but the one at Graham Creighton High School was not because of severe weather conditions because they were not that far apart.

Deputy Warden Nicholson explained that at Graham Creighton School, the work had been delayed because it would be disrupting the addition which is being built at that end of the school and they did not want to disturb it.

Motion carried 12/1.

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

It was moved by Deputy Warden Nicholson; seconded by Councillor Dunbar:-

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

Councillor Dunbar said that in the report re the Bedford Service Commission, one item should be inserted; that the borrowing was over a ten year (10) period and this would be paid for ultimately by an area rate. Motion carried.

It was moved by Councillor Dunbar; seconded by Councillor Slauenwhite:-

MUNICIPALITY OF THE COUNTY OF HALIFAX
Temporary Borrowing Resolution
\$25,000.00
Swimming Pool - Bedford Service Commission

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 credit of the Municipality such sum or sums as the Council thereof deems necessary for the purpose of building a permanent swimming pool at Bedford and acquiring or purchasing materials, machinery, implements, etc. deemed requisite or advisable therefore;

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 twenty-five thousand dollars (\$25,000.) for the purpose of purchasing a swimming pool for the Bedford Service Commission.

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 twenty-five thousand dollars (\$25,000) as may be necessary for the purpose aforesaid from the Royal Bank of Canada at Halifax, 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 twenty-five thousand dollars (\$25,000) for the purpose 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 the Acts 1955, the Municipal Act and subject to the approval of the Minister of Municipal Affairs borrow a sum or sums of money not exceeding twenty-five thousand dollars (\$25,000) from the Royal Bank of Canada, at Halifax, Nova Scotia.

THAT such sums or sum be borrowed from said Bank for a period not exceeding twelve months with interest thereon to be paid said Bank at the rate of 8 1/4% per centum per annum and that the amount so borrowed be repaid the said Bank from the proceeds of said debentures when sold."

Motion carried.

It was moved by Deputy Warden Nicholson; seconded by Councillor Isenor:-

MUNICIPALITY OF THE COUNTY OF HALIFAX
Temporary Borrowing Resolution
\$20,000.00
Fire Hall, Dist. #14- Addition

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 credit of the Municipality such sum or sums as the Council thereof deems necessary for the purpose of purchasing and building a fire hall in District #14 and acquiring or purchasing materials, machinery, implements, etc. deemed requisite or advisable therefore;

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 twenty thousand dollars (\$20,000) for the purpose of an addition to the District #14 fire hall.

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 twenty thousand dollars (\$20,000) as may be necessary for the purpose aforesaid from the Royal Bank of Canada at Halifax, 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 twenty thousand dollars (\$20,000) for the purpose 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 the Acts 1955, the Municipal Act and subject to the approval of the Minister of Municipal Affairs borrow a sum or sums of money not exceeding twenty thousand dollars (\$20,000) from the Royal Bank of Canada at Halifax, Nova Scotia.

THAT such sums or sum be borrowed from said Bank for a period not exceeding twelve months with interest thereon to be paid said Bank at the rate of 8 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.

It was moved by Councillor Gaetz; seconded by Deputy Warden Nicholson:-

"THAT the Warden and Clerk be and they are hereby authorized to execute an agreement with the Department of Highways re sidewalks in District #14 from Town Boundary Easterly."
Motion carried.

It was moved by Councillor Cleveland; seconded by Councillor Gaetz:-

"THAT the Liquor License Board be requested to hold a plebiscite in Municipal District #18 of the Municipality of the County of Halifax on the question of are you or are you not in favour of liquor being sold by the glass or previous licensed by the Liquor Licensing Board." Motion carried.

It was moved by Councillor C. Baker; seconded by Councillor Moser:-

"THAT the following person be appointed as Constable in District # 11:-
Harold Smith, Sambro."
Motion carried.

It was moved by Councillor Isenor seconded by Councillor Gaetz:-

"THAT the following be appointed sheep valuer in District #19:-
James Kent, Middle Musquodoboit
R.R. #4"
Motion carried.

It was moved by Deputy Warden Nicholson; seconded by Councillor Cleveland:-

"THAT the Warden and Clerk be authorized to execute an agreement with Central Mortgage and Housing Corporation."
Motion carried.

Council agreed to deal with approval of the proposed new bylaws submitted by Solicitor Cox.

Councillor Tonks said he had not received a copy of these bylaws yet, although they were supposed to have been circulated at the last session and he therefore did not have time to study them, make recommendations or concurrences. He did not know if it was much good revising them if they were not going to be enforced.

It was moved by Councillor Tonks; seconded by Deputy Warden Nicholson:-

"THAT the proposed revision of bylaws be referred to the Finance and Executive Committee to report back to Council starting at the June Session of Council,"
Motion carried.

It was moved by Councillor Moser; seconded by Councillor Gaetz:-

"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 E V E N T H C O U N C I L

of the

MUNICIPALITY OF THE COUNTY
OF HALIFAX
JUNE COUNCIL SESSION
TUESDAY, JUNE 15th., 1971.

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