

and was informed that Council was not aware of any revision, but the Department of Agriculture might be able to supply information on the point.

Moved by Councillor McCabe, seconded by Councillor Gaetz:

"THAT a letter be sent to the Dept. of Agriculture & Department of Municipal Affairs asking that the Fence Viewers Act be reviewed in regard to the fees paid to Fence Viewers."  
Motion carried.

In regards to the deferred motion from the December Session that a levy of \$400.00 per residential unit on new construction in Halifax County be considered, Councillor Hudson felt there was some merit in this but it was unfair to pay \$400.00 to build a new house. Councillor Moser agreed and said people who had land for along time and wished to make a gift of it to their children should not be required to pay \$400.00 bounty. Councillor Williams agreed. Councillor Snair believed that people were beginning to move into other Municipalities in order to avoid high taxes. Mr. Cox stated that the special legislation could be drawn up and passed, if the Provincial Legislature were in favor of it. Deputy Warden Nicholson stated that he had gone into the matter in some detail and had arrived at the conclusion that it was the small income person who was being hit with this legislation and this person could not afford it.

Moved by Councillor Slauenwhite, seconded by Councillor Jennex:

"THAT Council consider a capital contribution levy of \$400.00 per residential unit on new construction in Halifax County." Defeated.

Councillor Hudson moved an amendment to the motion, seconded by Councillor McCabe:

"THAT the Municipal Clerk be instructed to obtain information on such a proposed tax in other municipalities." Defeated.

Following a vote on the resolution, the resolution was defeated by a count of six to ten.

Councillor Jennex moved a second amendment to the motion, seconded by Councillor Hudson:

"THAT the words 'of a certain density' be inserted in the motion after the word 'construction'."

Following a vote on the resolution, the resolution was defeated by a count of four to twelve.

Moved by Deputy Warden Nicholson, seconded by Councillor Moser:

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

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

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

Moved by Councillor Hudson, seconded by Councillor Gaetz:

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

Moved by Councillor Hudson, seconded by Councillor Baker:

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

Item 12 on the Agenda was not covered by the Supplementary Report and was not dealt with at this time.

Moved by Councillor Slauenwhite, seconded by Councillor Moser:

"THAT the Zoning By-Law be, and the same is, hereby amended by re-zoning lands of Comfort-Air Limited, Lower Sackville, from R-1 (Single Family Residential Dwelling Zone) to C-1 (Commercial Local Business Zone) "  
Motion carried.

Moved by Councillor Hudson, seconded by Councillor Baker:

"THAT Council give notice of its intention in the usual manner to approve under the 1966 legislation Lot #2 of Mrs. Stella Brown Subdivision, Windsor Junction."  
Motion carried.

Moved by Councillor Baker, seconded by Councillor Slauenwhite:

"THAT the report of the Public Works Committee be adopted."  
Motion carried.

Moved by Councillor Baker, seconded by Councillor Slauenwhite:

"WHEREAS the Council of the Municipality of the County of Halifax (the "Council") is of the opinion that the land hereinafter described is required for the purpose of laying out, opening, constructing, repairing, improving, and maintaining of streets, curbs, gutters or sidewalks at West Pennant, Halifax County;

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

THEREFORE BE IT RESOLVED that the Council expropriate the land hereinafter described for the purpose of laying out, opening, constructing, repairing, improving and maintaining of streets, curbs, gutters or sidewalks and that the compensation for the said land be;

BE IT RESOLVED FURTHER that the land to be expropriated is:"

CHARLES GRAY ROAD  
WEST PENNANT, HALIFAX COUNTY (EXP. 73-1)

ALL that certain lot, piece or parcel of land situate, lying and being at West Pennant, Halifax County, in the Province of Nova Scotia, as shown on a plan outlined in red prepared by W. B. Millar, N.S.L.S., and dated January 5th, 1973, and more particularly described as follows:

BEGINNING at a point being the southern corner of Lot A and Lot A-1, being also on the northern boundary of the West Pennant Road;

THENCE North thirty-nine degrees thirty-eight minutes East ( $N39^{\circ}38'E$ ) a distance of one hundred fifty-four and eighty-five one hundredths feet ( $154.85'$ ) to an iron pin marking the southwestern corner of Lot B;

THENCE South eighty-nine degrees zero minutes East ( $S89^{\circ}00'E$ ) a distance of two hundred seventy feet ( $270'$ ) along the southern boundary of Lot B, Lot C, Lot D, Lot E and a portion of Lot F to a point;

THENCE South one degree zero minutes West ( $S01^{\circ}00'W$ ) a distance of fifty feet ( $50'$ ) to a point;

THENCE North eighty-nine degrees zero minutes West ( $N89^{\circ}00'W$ ) a distance of two hundred forty-six feet ( $246'$ ) over lands of Tom Gray and Charles Gray to a point;

THENCE South thirty-nine degrees thirty-eight minutes West ( $S39^{\circ}38'W$ ) a distance of one hundred fifty-nine feet more or less ( $159'_{\pm}$ ) over lands of Charles Gray to a point on the northern boundary of West Pennant Road;

THENCE northwesterly a distance of fifty feet more or less ( $50'_{\pm}$ ) along the northern boundary of the West Pennant Road to the Place of Beginning.

ALL bearings are magnetic of the year 1962.

Motion carried.

Moved by Councillor Williams, seconded by Councillor Deveaux"

With regard to Expropriation #73-2, Councillor Baker mentioned that the name "Joy" appearing in the description should read "Ivy".

"WHEREAS the Council of the Municipality of the County of Halifax (the "Council") is of the opinion that the land hereinafter described is required for the purpose of laying out, constructing, repairing, improving, and maintaining of streets, curbs, gutters or sidewalks at Terence Bay, Halifax County;

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

THEREFORE BE IT RESOLVED that the Council expropriate the land hereinafter described for the purpose of laying out, opening, constructing, repairing, improving, and maintaining of streets, curbs, gutters or sidewalks and that the compensation for the said lands be

BE IT RESOLVED FURTHER that the land to be expropriated is:"

SANDY COVE ROAD  
TERENCE BAY, HALIFAX COUNTY (EXP. 73-2)

ALL that certain piece and parcel of land lying, being and situate at Terence Bay, County of Halifax, Province of Nova Scotia, and shown outlined in red on a plan, prepared by Don Gillis and revised by W. B. Millar, N.S.L.S, to show boundaries for a fifty foot (50') roadway, dated January 10, 1973, and more particularly described as follows:

BEGINNING at a point on the prolongation of a fence marking the northern boundary line of Lot B of the Mac Jollimore Subdivision;

THENCE South sixteen degrees thirty minutes East (S16°30'E) a distance of one hundred twenty-two feet more or less (122'±) along lands of A. W. Thomas and lands of Mrs. Colin Baker to a point;

THENCE South seven degrees five minutes West (S07°05'W) a distance of one hundred thirty-eight and five tenths feet (138.5') along lands of Mrs. Colin Baker to a point;

THENCE southerly along a circular curve to the left, having a radius of one hundred twelve feet (112'), an arc distance of sixty-eight and two tenths feet (68.2') along lands of Mrs. Colin Baker, and lands of Mac Jollimore to a point;

THENCE South twenty-seven degrees fifty minutes East (S27°50'E) a distance of one hundred ninety-five and seven tenths feet (195.7') along lands of Mac Jollimore and Ivy M. Baker to a point;

THENCE South seventeen degrees five minutes East (S17°05'E) a distance of one hundred twenty-seven and seven tenths feet (127.7') along lands of Ivy M. Baker to a point;

THENCE southerly along a circular curve to the left, having a radius of one hundred ninety-five feet (195'), and arc distance of one hundred fifty-four and zero tenths feet (154.0') along lands of Ivy M. Baker and lands of George B. Grant to a point;

THENCE South sixty-two degrees twenty minutes East (S62°20'E) a distance of one hundred seventeen feet (117') along lands of George B. Grant to a point;

THENCE North twenty-seven degrees forty minutes East (N27°40'E) a distance of thirty feet (30') to a point;

THENCE South sixty-two degrees twenty minutes East (S62°20'E) a distance of forty feet (40') to a point;

...2

-2-

SANDY COVE ROAD  
TERENCE BAY, HALIFAX COUNTY

THENCE South twenty-seven degrees forty minutes West ( $S27^{\circ}40'W$ ) a distance of eighty feet (80') along lands of John Hezron Jollimore and lands of Colin Baker to a point;

THENCE North sixty-two degrees twenty minutes West ( $N62^{\circ}20'W$ ) a distance of one hundred fifty-seven feet (157') along lands of Colin Baker and lands of George B. Grant to a point;

THENCE Northerly along a circular curve to the right, having a radius of two hundred forty-five feet (245'), an arc distance of one hundred ninety-three and five tenths feet (193.5') along lands of George B. Grant and lands of Ivy M. Baker to a point;

THENCE North seventeen degrees five minutes West ( $N17^{\circ}05'W$ ) a distance of one hundred twenty-three feet (123') along lands of Ivy M. Baker to a point;

THENCE North twenty-seven degrees fifty minutes West ( $N27^{\circ}50'W$ ) a distance of one hundred ninety-one feet (191') along lands of Ivy M. Baker and lands of Mac Jollimore to a point;

THENCE northerly along a circular curve to the right, having a radius of one hundred sixty-two feet (162'), an arc distance of ninety-eight and seven tenths feet (98.7') along lands of Mac Jollimore to a point;

THENCE North seven degrees five minutes East ( $N07^{\circ}05'E$ ) a distance of one hundred twenty-eight feet (128') along lands of Mac Jollimore, and along Lot A of the Mac Jollimore Subdivision to a point also being on the common boundary line of Lot A and Lot B of the Mac Jollimore Subdivision;

THENCE North sixteen degrees thirty minutes West ( $N16^{\circ}30'W$ ) a distance of ninety-eight feet more or less ( $98'_{\pm}$ ) along Lot B of the Mac Jollimore Subdivision to a point on the northern boundary line of said lot;

THENCE North fifty-seven degrees thirty minutes East ( $N57^{\circ}30'E$ ) a distance of fifty-two feet more or less ( $52'_{\pm}$ ) along the southern limit of the existing public road at Sandy Cove to the place of beginning.

Together with three fifteen foot (15') drainage easements more particularly shown on said plan.

ALL bearings are magnetic of the year 1973.

Motion carried.

Moved by Councillor Gaetz, seconded by Councillor Snair:

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

Moved by Councillor Snair, seconded by Councillor Gaetz:

"THAT the Quarterly Report of the Regional Library Board be received."  
Motion carried.

In regard to Item #18, it was agreed that the budget of the Regional Library Board should be referred to the Finance and Executive Committee for Budget consideration.

The Municipal Clerk read the report from the Special Advisory Committee re Co-ordinating Recreation Development. Copy of a letter of December 22nd from A. R. Clark, Recreation Consultant, was distributed to members of Council.

Moved by Councillor Hudson, seconded by Councillor Jennex:

"THAT the Report of the Special Advisory Committee re Co-ordinating Recreation Development be received."

Deputy Warden Nicholson stated he objected to setting up a Recreation Committee, as requested. Warden Settle stated that the Executive of the Union had met on January 11th and the general opinion had been that they lacked communication with the Provincial Government. Hon. Garnet Brown stated he would be prepared to meet during the week of January 29th with a delegation of four people in the preparation of a new bill before it goes to the Legislature. Mr. Cox would have an opportunity to give more information on the matter in another month. Deputy Warden Nicholson then suggested that any action should be deferred for one month.

Councillor Hudson referred to Item #1 of the Mr. Clark's letter and stated that this appeared to indicate that, unless a Municipality had a Recreation Committee, it would not be eligible for a grant, and felt that this was unfair to local Recreation Committees - an opinion with which Councillor Jennex agreed. Councillor Dunbar felt, however, that recreation was purely a district matter and the County should not get involved, and that too much money was already being paid for taxes. A public meeting which had been held in District #8 had turned down a recommendation for a rink by taxes, very definitely. He personally felt that the matter could "snowball" very easily and he saw no necessity for the Committee. Councillor Deveaux agreed, stating that it would be a repetition of what is already being supplied by the Province. Deputy Warden Nicholson again expressed an opinion against the formation of such a Committee. Councillor Slaunwhite considered that a Committee should be set up as the cost would not be high and a decided advantage in dollars might occur. Liaison between Federal, Provincial and Municipal Governments required a Committee.  
Motion carried.

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT the report of the Welfare Committee be approved."  
Motion carried.

Moved by Councillor Jennex, seconded by Councillor Snair:

"THAT the report of the Finance & Executive Committee be adopted."

Deputy Warden Nicholson said he was concerned about Page 4 of the proposed legislation, items (a) to (d) inclusive, but particularly item (a). He pointed out that the Provincial Government was the biggest offender, in some cases. Councillor Baker stated that people were becoming alarmed because lakes were being polluted. Councillor McCabe was opposed to the creation of any more By-Laws, especially those that would have little or no value, and Councillor Snair agreed. It was pointed out that in all probability some sort of control should be exercised over snowmobiles. Mr. Cox agreed that there were Provincial laws controlling the use of snowmobiles, but not to this extent.  
Motion carried.

In regard to the Resolution to amend the Deed Transfer Tax By-Law, Mr. Cox pointed out that the only change was to increase the tax on properties being sold from 3/4% to 1%. Councillor Slaunwhite

questioned the position of the Municipality in sales of companies; where company ownership was involved there was no Deed Transfer Tax. Mr. Cox replied that it referred only to the sale of real estate by Deed, not shares in the Company, but if selling, for instance, 50 acres, that would be a different matter.

Moved by Deputy Warden Nicholson, seconded by Councillor Baker:

"BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a By-Law of the Municipality of the County of Halifax, when and if the same has received the approval of the Minister of Municipal Affairs, and that the Municipal Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

1973

SESSION

A BY-LAW TO AMEND THE DEED TRANSFER  
TAX BY-LAW

1 Section 3 of the Deed Transfer Tax By-Law is amended by deleting the words "three-quarters of" where they occur in the third line thereof." Motion carried.

In regard to Item 23, Mr. Cox explained that the proposed legislation for 1973 consisted of eleven sections, with Section 1 defining meanings. Section 2 broadened the use to which the Municipality could put surplus sales money, making it available for any capital expenditure such as schools, fire stations, etc. This evoked some discussion, but Mr. Cox held to his original statement that the proposed new legislation merely extended the use of the money from "parks only" to any other area where Councillors might chose to spend the money.

Section 2 was agreed to by Council.

Section 3 was agreed to by Council.

In Section 4, Mr. Cox explained that the suggested changes here would give to Council the power to make By-Laws on the six items listed, and any By-Law so made should apply to part or all of the Municipalities.

Deputy Warden Nicholson had previously objected to the inclusion of items (a) to (d) inclusive - (see Page 8).

Moved by Deputy Warden Nicholson, seconded by Councillor Gaetz:

"THAT sub-section (a) of Section 4 be deleted."  
Tie Vote, Motion Defeated.

Deputy Warden Nicholson gave notice of re-consideration. (Withdrawn)

Moved by Deputy Warden Nicholson, seconded by Councillor Moser:

"THAT sub-section (b) of Section 4 be deleted."

The resolution was defeated by a count of seven to nine.

It was unanimously agreed that Council go on record as supporting Sections 4 to 7 inclusive.

Sections 8, 9 & 10 dealt with the exemption of trailers under a certain value from assessment. Councillor Dunbar registered his objection to the assessment of trailers at all claiming that it was double taxation and that the legislation should be changed accordingly as the Motor Vehicle Act was specific in its definition of a trailer.

It was agreed that Council go on record as supporting Sections 8 to 10 inclusive. Mr. Cox explained that Section II enabled Council to take the necessary steps to have the bill introduced to the House of Assembly.

Moved by Councillor Hudson, seconded by Councillor Dunbar:

"THAT the solicitor be, and he is hereby instructed, to take the necessary steps to have the attached bills introduced at the 1973 Session of the House of Assembly."  
Motion carried.

Councillor Deveaux brought forward the situation with regard to residents of MacNab's Island, claiming that prisoners working on the Island were receiving preferential treatment in the matter of transportation. It was agreed by Warden Settle and Councillor Slauenwhite to again place this matter before the Regional Authority.

Moved by Councillor Moser, seconded by Councillor Snair:

"THAT the Council of the Municipality of the County of Halifax request Maritime Telegraph & Telephone Company Limited to extend its service in the St. Margaret's Bay area so that subscribers in the area from and including Dover to and including Hubbards Cove, may enjoy the privilege of direct dial service to Halifax. "  
Motion carried.

Councillor Cleveland brought up the matter of the necessity for cleaning Council Chambers.

Moved by Councillor Gaetz, seconded by Deputy Warden Nicholson:

"THAT Council go on record of supporting the proposed Denturists Bill."  
Motion carried.

Moved by Deputy Warden Nicholson, seconded by Councillor Gaetz:

"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

T H I R D 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

FEBRUARY COUNCIL SESSION

Tuesday - February 20th., 1973

Agriculture, Minister of - John Hawkins re letter - motion -----	1
Annual Conference (36th.) - Charlottetown, P. E. I. re Finance & Executive Committee - Motion-----	2
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Adjournment - motion -----	8
Bolton, Mrs. Margaret, appointment re recording secretary - motion -----	1
Brown, Stella - approval Lot #2 Windsor Junction - motion -----	1
Brief - re District #13 & 14 Ratepayers Association - Mr. Topple -----	1
District No. 13 & 14 - Mr. Topple Representative Ratepayers Association -----	1
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Industrial Commission - statement re Lakeside Industrial park - motion -----	8
Letter - re Ratepayers Association of District Numbers 13 & 14 - Finance & Executive Committee - motion -----	1
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Lakeside Industrial Park - Dominion Stores Limited re fixed tax rate - motion -----	8
Lakeside Industrial Park - Acadian Wholesaler re fixed tax rate - motion -----	8
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Motion - appointment, Mrs. Margaret Bolton recording Secretary -----	1
Motion - Approval Lot #2, Stella Brown, Windsor Junction -----	1
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Motion - Letter re District 14 Ratepayers Association re Planning Board -----	1
Motion - Letter re John Hawkins, Minister of Agriculture -----	1
Motion - information re 36th. Annual Conference at Charlottetown, P. E. I. re Finance & Executive Committee -----	2
Motion - Approval minutes of January 16, 1973 -----	2
Motion - Approval Report of Warden -----	2
Motion - Approval Report of Director of Planning and Development -----	2
Motion - Approval of Report re Planning Advisory Committee-----	2
Motion - Approval of rezoning lands of Redden Brothers Development, Lower Sackville - motion----	2
Motion - Approval of Supplementary Report of Planning Advisory Committee -----	2
Motion - Notice to approve Lot B Muriel Pottie, Indian Harbour -----	2
Motion - Nova Scotia Power Commission re Henneberry property at Waverley -----	3
Motion - Deposit re Herring Cove Residents re Rezoning -----	3
Motion - Approval report re Public Works Committee -----	3
Motion - Approval Supplementary report re Public Works Committee -----	4
Motion - Press Release re sewer costs -----	4
Motion - Approval of School Board report -----	5
Motion - Approval of School Capital Program Committee Report -----	5
Motion - Deed re Walkway re Cobequid Road and Hillside School re Nova Scotia Housing Commission--	5
Motion - Approval of Report re Board of Management of Ocean View Manor -----	6
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Motion - Approval set-up of MAPC2 -----	6
Motion - Solicitor re Deed Transfer Tax Act re House of Assembly -----	6
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Motion - School Capital Budget, approved re submission to Department of Education-----	7

Motion - fixed tax rate re Dominion Stores Limited Lakeside Industrial Park-----	8
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Motion - statement re Industrial Commission re Lakeside Industrial Park -----	8
Motion - letter to Premier and Cabinet re Funds in Federal Budget -----	8
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Nova Scotia Power Commission - Henneberry property at Waverley - motion -----	3
Nova Scotia Housing Commission - Deed re walkway re Cobequid Road & Hillside School - motion-----	5
Ocean View Manor - approval of report re Board of Management - motion -----	6
Ocean View Manor - re visiting hours resolution -----	6
Planning Board - letter re Ratepayers Association District #14 - motion -----	1
Planning and Development - approval report re Director - motion -----	2
Planning Advisory Committee - approval of report - motion -----	2
Planning Advisory Committee - Approval report re Supplementary Report - motion -----	2
Pottie, Muriel - Notice to approve Lot B re Indian Harbour - motion-----	2
Public Works Committee - approval report - motion -----	3
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Press Release - re sewer costs - motion -----	4
Ratepayers Association - District No. 13 & 14 letter re Finance & Executive Committee - motion ---	1
Ratepayers Association - District No. 14 letter re Planning Board - motion -----	1
Redden Brothers Development - Approval rezoning lands re Lower Sackville - motion-----	2
Resolution - loan re sewer installation Sackville Downs, Lower Sackville -----	4 & 5
Resolution - re visiting hours re Ocean View Manor -----	6
Resolution - Re Senior Citizen's Housing Sackville- Beaverbank - Bedford Area -----	7
Sackville (Lower) - Approval of rezoning lands re Redden Brothers Deveopment - motion-----	2
Sewer Costs - Press Release - motion -----	4
Sackville Downs - Loan re sewer installation resolution -----	4 & 5
School Board - Approval report - motion -----	5
School Capital Program Committee - Approval of report - motion -----	5
Sackville Heights Junior High School - Discussion re Sewer & Water re DREE-----	5
Solicitor - Deed Transfer Tax Act re House of Assembly -----	6
Senior Citizens Housing - Sackville, Beaverbank Bedford Area - Resolution -----	7
School Capital Budget - approved re submission to Department of Education -----	7
Topple - Representative District Numbers 13 & 14 Ratepayers Association - re Brief-----	1
Terence Bay School - busing re children of Lower Prospect - discussion -----	5
Windsor Junction - Approval Lot #2, Stella Brown - motion -----	1
Warden's Report - approval - motion -----	2

MINUTES OF THE FEBRUARY SESSION OF COUNCIL  
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL  
OF THE MUNICIPALITY OF THE COUNTY  
OF HALIFAX

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The monthly Session of the Council of the Municipality of the County of Halifax convened at 10:00 a. m. Tuesday, February 20th, 1973, with Warden Settle presiding.

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

The Clerk pointed out that Mr. Jamieson would not be able to act as Recording Secretary in the future .

Moved by Deputy Warden Nicholson, seconded by Councillor Snair:

"THAT Mrs. Margaret Bolton would be appointed as Recording Secretary for this Session."  
Motion carried.

The Warden advised that the next item would be the Public Hearing as advertised. The Clerk advised that no written objections had been received. There were no objections from the gallery.

Moved by Deputy Warden Nicholson, seconded by Councillor Baker:

"THAT Lot #2, Stella Brown, lands at Windsor Junction, be and the same is hereby approved under the 1966 Legislation.  
Motion carried.

The clerk read a letter from Mr. R. W. Topple, Secretary Ratepayers Groups, Districts 13 & 14.

Moved by Deputy Warden Nicholson, Seconded by Councillor Williams.

"THAT The letter from the Ratepayers Association of District #14 & 13 be received and referred to the Finance & Executive Committee."  
Motion carried.

Mr. Topple, the Secretary, was present and Council agreed to have him make representation and read the Brief in question. Deputy Warden Nicholson felt that the points raised were basically sensible and that a reduction of 25% in the Tax Rate was desirable and he felt that the Finance & Executive Committee would budget to the best of their ability. Mr. Topple complained about the uneconomical planning where some schools were overcrowded and other left vacant. In some instances there is an excess of Administrative staff, on the Municipal School Board. Also, the changes of new numbering for the individual districts would create unnecessary confusion and expense to the ratepayers re the Fire Department will have to change its uniforms, building signs, vehicle markings and stationery etc. These items were discussed at some length by members of Council with Mr. Topple. Following this discussion, Mr. Topple thanked Council for hearing him and left the Council meeting.

The Clerk read a letter from the Secretary District #14 Ratepayers Association, with regard to Zoning.

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT the letter from the Secretary of District 14 Ratepayers Association be referred to the Planning Board for their consideration and study."  
Motion carried.

The Clerk read a letter from the Honourable Minister of Agriculture, with regard to the Fence Viewers Act.

Moved by Councillor Slauenwhite, seconded by Councillor Gaetz:

"THAT the letter from the Minister of Agriculture, John Hawkins, be received."  
Motion carried.

Councillor Gaetz wanted to know when was the deadline for Legislation. Solicitor Cox replied that Legislation could be produced at any time but that there was a penalty of \$40.00 after 21 sitting days.

The Clerk read a communication from the Federation of Mayors & Municipalities RE the 36th, Annual Conference at Charlottetown, June 3 to 7, 1973.

Moved by Deputy Warden Nicholson, seconded by Councillor Gaetz:

"THAT the 36th Annual Conference at Charlottetown, P. E. I. be received as information and referred to the Finance & Executive Committee.  
Motion carried.

Deputy Warden Nicholson said that no money was allocated except for the Warden and that if anyone wished to attend it would be at their own expense.

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT the minutes of the January 16th, 1973, meeting be approved as amended."  
Motion carried.

Moved by Deputy Warden Nicholson, seconded by Councillor Baker:

"THAT the report of the Warden be received."  
Motion carried.

Moved by Councillor Dunbar, seconded by Councillor Hudson:

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

Moved by Deputy Warden Nicholson, seconded by Councillor Baker:

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

Item 1 dealt with the applications, Re, undersized lot which had already been approved 2 and 3 regarding rezoning - Redden Brothers Development Limited and Carl B. Potter Limited. Items 4, 5, 6, 7, & 8 dealt with set backs etc.

Moved by Councillor Gaetz, seconded by Councillor Slauenwhite:

"THAT the Zoning By-Law be used the same is hereby amended by rezoning lands of Redden Brothers Development Limited, Lower Sackville, from C2 (Commercial General Business Zone) to R2 (Residential Two-Family Dwelling Zone).  
Motion carried.

The Clerk read a supplementary Report of the Planning Advisory Committee.

Moved by Councillor Moser seconded by Deputy Warden Nicholson:

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

The Solicitor advised that Council would have to adjourn this item if the report from the Health Department were not received at that time.

Moved by Deputy Warden Nicholson, seconded by Councillor Moser:

"THAT Council give notice of its intention in the usual manner to approve Lot B of Muriel Pottie, Indian Harbour, under the 1966 Legislation."  
Motion carried.

Councillor Hudson at this point referred to a building being constructed on Highway 18 without permission and Health approval. Apparently they have been taken to Court but are still going ahead with the building. Councillor Hudson said that the Power Commission was giving them service and asked that Council write to the Commission stopping the service.

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT the N. S. Power Commission be requested not to connect power to the Henneberry property at Waverley due to non-approval by the Health Department."  
Motion carried.

Moved by Councillor Hudson, seconded by Councillor Baker:

"THAT the Deposit of the Residents of Herring Cove with regard to proposed Rezoning be refunded to the Residents if the two applications for rezoning become integrated."  
Motion carried.

Moved by Councillor Slauenwhite, seconded by Councillor Snair:

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

The Clerk read the supplementary Report of the Public Works Committee.

Moved by Co-ncillor Slauenwhite, seconded by Councillor Gaetz:

"THAT the Public Works Committee Meeting Supplementary Report be adopted.  
Motion carried.

Councillor Moser read a press release regarding sewer costs which he said was false Councillor Snair said that a correction should be made in the form of a Press Release.

Moved by Councillor Moser, seconded by Councillor Snair:

"THAT a Press Release be made in regards to a report in the Daily Paper,  
with regards to sewer costs."  
Motion carried.

Municipality of the County of Halifax  
Temporary Borrowing Resolution  
\$105,000 - Sewer Installation -  
Sackville Downs, Lower Sackville

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

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act 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, sewer installation to serve Sackville Downs, Lower Sackville, 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 One Hundred and Five Thousand Dollars (\$105,000) for the purpose of constructing, altering, extending or improving sewer installation to serve Sackville Downs, Lower Sackville 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 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 One Hundred and Five Thousand Dollars (\$105,000) 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 One Hundred and Five Thousand Dollars (\$105,000) 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 One Hundred and Five Thousand Dollars (\$105,000) from the Royal Bank of Canada at Halifax, Nova Scotia.

THAT such sum or sums be borrowed from said Bank for the period not exceeding twelve months with interest thereon to be paid said Bank at the rate of seven percentum per annum (7%) and that the amount so borrowed be repaid the said Bank from the proceeds of the said debentures when sold."

Moved by Deputy Warden Nicholson, seconded by Councillor Hudson:

"THAT the Report of the Municipal School Board be received and referred to the Finance & Executive Committee and Capital Building Committee."  
Motion carried.

Deputy Warden Nicholson said the situation at Eastern Passage and Harrietsfield was valid and getting critical. A definite decision should be given if DREE approval was not received. The question of chimney stacks at Sycamore Lane Elementary School, Lower Sackville, was also felt valid by Deputy Warden Nicholson. He concurred with them 100% and said that the feeling of his committee was that repairs should not be made again and that the money spent on repairing it in the first place should be refunded. Councillor McCabe brought up the question of enlarging the Principal's office and staff room at Musquodoboit Rural High School. He felt it needs enlargement and Councillor Nicholson said the committee would inspect it.

Moved by Deputy Warden Nicholson, seconded by Councillor Cleveland:

"THAT the Report of the School Capital Programme Committee be adopted."

Moved by Councillor Slauenwhite, seconded by Deputy Warden Nicholson:

"THAT the Municipality accept a Deed of a six foot walkway between Cobequid Road and Hillside School lands dated the 12th day of July, 1972, and executed by the Nova Scotia Housing Commission."  
Motion carried.

Councillor Hudson wanted to know if there was no other access to Hillside Park School. Mr. Bensted said that the children were trespassing on private property in order to take a short cut. Councillor Slauenwhite made the point that the children from the new housing development travelling Cobequid Road would have to travel another 700 feet and as this walkway could not be used for dwelling purposes, the Nova Scotia Housing Commission have given permission that this land can be used. Councillor Slauenwhite referred to the recommendations made for the safety of students in the new High School. He felt that something should be done as it was not in a safe condition. Parents have expressed their concern regarding the number of students in this school. Mr. Bensted said that before a decision could be made final, Provincial & Federal approval would have to be obtained.

Councillor Deveaux referred to the proposed sewer and water for the Junior High School. Mr. Bensted said that it could not be approved because of Disposal problems due to the high water table and clay content in the area. Councillor Deveaux then asked why it could not be piped in on the existing system. Mr. Bensted replied that the Health Authorities would not let anything else be piped in on the present system. A treatment plant would be necessary. Once approval was obtained under the DREE programme, with regards to water & sewer, the school could proceed. Councillor Deveaux wanted to know if approval could be obtained without sewer and water. Mr. Bensted said not with the present conditions.

Councillor Williams referred to the predicament re busing of children from Lower Prospect to Terrance Bay School. They had always been bussed to and from in the past but now the order has changed and the children have to walk. He feels that this is not only a dangerous and lonely walk for the children, with the ocean on one side and only two other houses between their homes and the school, but it is 1 3/4 miles. He felt strongly that primary children should not be expected to face this long walk and that the parents, justifiably, were concerned. Councillor Baker agreed with Councillor Williams. Deputy Warden Nicholson said that application had been made to the Provincial Government to change the minimum mileage of 2 1/2 miles without any result.



Moved by Councillor Moser, seconded by Councillor Jennex:

"THAT the Report of the Board of Management of Ocean View Manor be adopted."

Councillor Gaetz brought up the question of a buzzer system for certain handicapped patients. Councillor Jennex remarked that apparently wiring for such a system could not be installed because it was residential. He also felt that there was no neglect on the part of the staff and that the one case mentioned by Councillor Gaetz was an exception and that everything that could be done was being done for her. Councillor Hudson referred to a Mr. Allan having an agreement with the County that his wife would be maintained at Ocean View Manor at a cost of \$12.50 per day for the rest of her life. Mr. Bensted said he was not aware of this but would look up the files and clarify this point.

Moved by Councillor Jennex, seconded by Councillor Moser

"THAT be it resolved that the following be and the same is hereby adopted and enacted as a By-Law of the Municipality of the County of Halifax when and if the same has received the approval of the Minister of Municipal Affairs and the Minister of Public Welfare, and that the Municipal Clerk be and he is hereby instructed to forward the same to the said Ministers and request their approval hereof - 1973 February Session - A By-Law to amend the Ocean View Manor By-Law Subsection (1) of Section 25 of the Ocean View Manor By-law is repealed and the following substituted therefor:

(1) Visitors may visit residents every day at such times as may be set down by the Board of Management."

Motion carried.

Moved by Councillor Slauenwhite, seconded by Councillor Isenor:

"THAT the report of the Finance and Executive Committee be adopted."

Motion carried.

Councillor Gaetz brought up the question re the article published in the MOVE magazine. He felt that the City of Halifax should have stepped in to make it residential rather than a high rise apartment. Councillor Williams said that since the magazine is operated by L. I. P. grants they are doing a disservice to the people and the Catholic Church. The question of faiths should not enter the issue, grants are given to do a job and using this money for anything else is wrong. He felt that the Council should take a stand and support the City of Dartmouth by looking into the funds and seeing what they are being used for.

Moved by Deputy Warden Nicholson, seconded by Councillor Jennex:

"THAT Council approve the set up of MAPC2 on the basis that this approval is for a period of the year and with the understanding that the Municipality's representatives on MAPC2 cannot commit the Municipality financially over and above the proposed operating budget without coming back to the Municipal Council for its approval."  
Motion carried.

Councillor Deveaux wanted to know who the representatives to MAPC2 were. And was advised they were Warden Settle and Deputy Warden Nicholson. Councillor Dunbar wanted to know which of the two bodies MAPC2 and CORE was the superior. Mr. Bensted informed him that MAPC2 was the elected body and CORE the Tri Level Group. The latter would make recommendations to MAPC2. Councillor Slauenwhite wanted it clarified that it should be reviewed by Council after a trial period of one year.

Moved by Councillor Cleveland, seconded by Councillor Moser:

"THAT the Solicitor be and he is hereby instructed to take the necessary steps to obtain the introduction and passage of a B-11 to amend the Deed Transfer Tax Act, a copy of which is attached to this Resolution at the current session of the House of Assembly."

Motion carried

Deputy Warden Nicholson said that Ocean View Manor was costing money. He felt that the Provincial Government should take it over. If a Senior Citizen Project were started then more would follow in other areas. If the Council want to get into this, then money would have to be allocated in the Budget. If it is decided that we are not entering into this project, then other Feasibility Studies are not necessary. Deputy Warden Nicholson felt that a lot was being done at Ocean View Manor and that Council was doing it with education and Welfare, why start something new.

Moved By Councillor Cleveland & Councillor Slauenwhite

RESOLUTION RE SENIOR CITIZENS' HOUSING

SACKVILLE-BEAVERBANK-BEDFORD AREA

"WHEREAS under the amendments to the Housing Development Act of the Revised Statutes of Nova Scotia 1976, the Nova Scotia Housing Commission may enter into agreement with the Government of Canada, through the Central Mortgage and Housing Corporation, for the purpose of public housing construction and undertake jointly with a municipality projects for the acquisition and development of land and construction thereon of rental housing projects.

AND WHEREAS the Provincial Minister may, pursuant to the Housing Development Act, make an agreement with a Municipality and the Government of Canada respecting projects referred to under the various sections of the National Housing Act.

NOW, THEREFORE, the Council of the Municipality of the County of Halifax enacts as follows:

1. There is an acute shortage of rental housing accommodation in the Municipality.
2. That an application be made to the Provincial Government requesting that the Province participate with the Municipal Government in an investigation regarding public housing and if feasible, to acquire certain lands and to construct rental housing.
3. That evidence of need and demand available to Council in support of paragraph number one and two above will be submitted.
4. A. That, if investigations reveal the feasibility of a project, the Province request Central Mortgage and Housing Corporation to participate, or to provide a loan.  
B. That the terms of financing be defined and agreed to by Council prior to project implementation.  
C. That the sharing of operating costs be defined and agreed to by Council prior to project implementation.

Moved by Councillor Slauenwhite, seconded by Deputy Warden Nicholson:

"THAT the Feasibility Study be deferred until the Sheet Harbour proposal was dealt with.  
Motion carried.

Moved by Councillor Gaetz, seconded by Deputy Warden Nicholson:

"THAT the School Capital Budget for 1973 as attached be approved for submission to the Department of Education for consideration and approval."  
Motion carried.

Councillor Deveaux wanted to know if the figures were the total price. Mr. Bensted said they were found figures and that a Temporary Borrowing would have to be approved at a later date for each item as it was approved. Councillor Gaetz brought up the question of Library books. He said that his District had not received any and wanted to know if the 1972 Report\* from School Board would be covering these items.

Municipal Council Session - 1973  
February 20, 1973

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Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT Council fix a tax rate of #3.25 per \$100 of assessment for a 10-year period on the real property of Dominion Stores Limited, located in the Lakeside Industrial Park and that the personal property assessment of this Company be fixed at 50% of the real property assessment.  
Motion carried.

Moved by Councillor Slaunwhite seconded by Councillor Moser:

"THAT Council fix a rate of \$3.10 per \$100 of assessment for the first five (5) years and \$3.25 per \$100 of assessment for the second five (5) year-period of a total 10-year period on the real property of Acadian Wholesalers Limited located in the Lakeside Industrial Park and that the personal property assessment of this Company be fixed at 50% of the real property assessment."  
Motion carried.

Councillor Hudson made the point that Halifax County was losing a great deal of industry because of the present method of assessment on personal property. Councillor Hudson requested a report on cost of the Lakeside Industrial Park and Development, also a report on revenue, etc..

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT Halifax County, Industrial commission be requested to submit an overall statement with regards to Lakeside Industrial Park at the March Session of Council.

Moved by Deputy Warden Nicholson seconded by Councillor Williams:

"THAT a letter be sent to the Premier and Cabinet requesting that the additional funds made available to the Province of Nova Scotia by the new Federal Budget be made available to the Municipality 100% for relief of property taxpayers."  
Motion carried.

Moved by Councillor Hudson, seconded by Councillor Snair:

"THAT Council Adjourn."  
Motion carried.

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

MINUTES & REPORTS

of the

THIRD YEAR MEETINGS

of the

THIRTY-SEVENTH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

ANNUAL COUNCIL SESSION

March 20, 1973

April 17, 1973

May 1, 1973

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MINUTES OF THE MARCH SESSION OF COUNCIL  
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL  
OF THE MUNICIPALITY OF THE COUNTY  
OF HALIFAX

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The monthly session of the Council of the Municipality of the County of Halifax convened at 10:00 a.m., Tuesday, March 20th, 1973, with Warden Settle presiding.

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

The Clerk advised that Virginia Spare was present this morning to act as Recording Secretary.

Moved by Councillor Nicholson, seconded by Councillor Cleveland:

"THAT Virginia Spare would be appointed as Recording Secretary."

Motion carried.

The Clerk advised Council that as this was the annual session of Council, it would be necessary for Council to review the appointment of a new solicitor. The Clerk referred to a report of the Finance Executive Committee in regards to this appointment.

Moved by Councillor Nicholson, seconded by Councillor Gaetz.

"THAT A. Wm. Cox be appointed as Municipal Solicitor."

Motion carried.

The Clerk read a letter from Mr. Gilbert Matthews, Secretary District 14 Service Commission in regard to funds available to the Province of Nova Scotia from the Federal Government and recommended any money received by the Municipality of the County of Halifax from this special grant be used to reduce the real property tax rate. A copy of this letter also being forwarded to the Hon. Gerald Regan, Premier of the Province of Nova Scotia.

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson.

"THAT this letter be received."

Motion carried.

The Clerk read a letter from the Administrative of the Halifax County Hospital inviting the Municipal Council to visit the Hospital during the annual Council session and having lunch at the Hospital.

Moved by Councillor Gaetz, seconded by Councillor Cleveland.

"THAT this visitation be included in the Agenda when Council resumes business at the annual session."

The Clerk read a letter from the Department of Agriculture in regard to a Weed Inspector's Meeting being held in Truro, March 20th, 21st and 22nd. The Clerk advised Council that the recommendation was contained in the Finance & Executive Committee report covering this appointment and suggested that Council deal with this item at this time.

Moved by Councillor Gaetz, seconded by Councillor Jennex.

"THAT Mr. James Fred Turner of Musquodoboit be nominated as Weed Inspector."

Moved by Councillor McCabe, seconded by Councillor Isenor.

"THAT Mr. Murray Killen of Elderbank be nominated as Weed Inspector."

Moved by Councillor Gaetz, seconded by Deputy Warden Nicholson.

"THAT nominations cease."



Following a ballot, the Warden declared Mr. Murray Killen duly elected as Weed Inspector.

The Clerk read a letter from the Secretary, Board of Trustees, Lakeview Consolidated School, addressed to Councillor Gaetz in regard to library books for the library at the Lakeview Consolidated School.

Moved by Deputy Warden Nicholson, seconded by Councillor Mosher:

"THAT this letter be received"

Deputy Warden Nicholson advised Council that this item was included in the report of the Finance & Executive Committee.

Moved by Deputy Warden Nicholson, seconded by Councillor Gaetz:

"THAT the minutes of February 20,1973 be approved!"

Motion carried.

Councillor Slauenwhite brought to the attention of Council that Mr. Howard Daye of Jeddore, former Councillor, was in the gallery. Warden Settle welcomed Mr. Daye on behalf of Council.

It was agreed by Council to deal with the Public Hearing in regards to the proposed undersized lot. The Lot B of Muriel Pottie of Indian Harbour. The Clerk read the section of the Planning Advisory Committee report covering this item and also a letter from the Secretary from the County Board of Health.

Moved by Councillor Mosher, seconded by Councillor Williams:

"THAT Lot B of Muriel Pottie, Indian Harbour, be and the same is hereby approved as an undersized lot, under the terms of the 1966 legislation."

Following discussion by Council, it was moved by Councillor Hudson, seconded by Councillor Deveaux:

"THAT this item be deferred to next session of Council."

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

Moved by Deputy Warden Nicholson, seconded by Councillor Hudson:

"THAT the report of the Warden be received."

Motion carried.

Councillor Jennex requested permission of Council to introduce a resolution and Council agreed:

Moved by Councillor Jennex, seconded by Councillor Gaetz:

"THAT whereas the Eastern Shore Recreation Commission is desirous of proceeding with the construction of a rink and recreation facility to serve the Eastern Shore

And whereas the Municipality wishes to encourage the development of such facilities

And whereas the revelant legislation does not contain authority for a tax exemption for Municipal Taxes

Be It Resolved that Council support legislation at this session of the Legislature to provide a tax exemption for such facility."

Councillor Nicholson questioned whether or not Council would be setting a precedent by granting such an exemption and particularly in regard to a request recently by the Union of Muncipiipalities of Nova Scotia to the Province suggesting that all properties excepting Churches should be subject to taxation.

Following general discussion by Council, the Warden called for a vote on the motion. Motion carried.

Moved by Councillor Hudson, seconded by Deputy Warden Nicholson:

"THAT the report of the Director of Planning and Development be received."

Motion carried.

Moved by Deputy Warden Nicholson, seconded by Councillor Gaetz:

"THAT the Report of the Planning Advisory Committee be approved."

Motion carried.

Moved by Councillor Mosher, seconded by Councillor Dunbar:

"THAT the zoning by-law be and the same is hereby amended by rezoning lands of James F Snell, Shore Drive, Bedford from R-2 to R-4 Residential General."

Motion carried.

Moved by Councillor Isenor, seconded by Councillor Slauenwhite:

"THAT the Council give notice of its intention in the usual manner to approve a lot owned by Ronald W Hartlen, Lantz, under the 1966 Legislation."

Motion carried.

The Clerk advised Council that a supplementary report of the Planning & Advisory Committee had been received and it was agreed by Council to deal with this item.

Moved by Councillor Dunbar, seconded by Councillor Baker:

"THAT the supplementary report of the Planning & Advisory Committee be approved."

Motion carried.

Moved by Deputy Warden Nicholson, seconded by Councillor Baker:

"THAT the annual report of the Planning Advisory Committee be received."

Motion carried.

Moved by Councillor McCabe, seconded by Councillor Hudson:

"THAT the report of the Public Works Committee be approved."

Motion carried.

Moved by Councillor Gaetz, seconded by Deputy Warden Nicholson:

"THAT

"WHEREAS the Council of the Municipality of the County of Halifax (the "Council") is of the opinion that the land hereinafter described is required for the purpose of laying out, opening, constructing, repairing, improving and maintaining of streets, curbs, gutters or sidewalks at East Chezzetcook, Halifax County, Nova Scotia;

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

THEREFORE BE IT RESOLVED that the Council expropriate the land hereinafter described for the purpose of laying out, opening, constructing, repairing, improving, and maintaining of streets, curbs, gutters, or sidewalks and that the compensation for the said land be

BE IT RESOLVED FURTHER that the land to be expropriated is:"

DESCRIPTION OF PLAN SHOWING PETTIPAS LANE,  
EAST CHEZZETCOOK, HALIFAX COUNTY, NOVA SCOTIA

Exp. No. 73-6

ALL that certain piece and parcel of land lying, being and situate in East Chezzetcook, County of Halifax, Province of Nova Scotia shown outlined in red on a plan by T. S. Foster dated September 2, 1971 and revised by W. B. Millar, N.S.L.S., to show road boundaries on February 28, 1973, and more particularly described as follows:

BEGINNING at a point on the eastern boundary of the East Chezzetcook Road adjacent to lands of Clifford Pettipas;

THENCE south seventy-five degrees ten minutes east ( $S75^{\circ}10'E$ ) a distance of three hundred thirty-six feet more or less ( $336'_{\pm}$ ) along lands of Clifford Pettipas, Mrs. Ostrum and Ephriam Pettipas to a point on the prolongation of the western boundary of lands of Winston Lunn;

THENCE south fourteen degrees zero minutes west ( $S14^{\circ}00'W$ ) a distance of two hundred eleven feet more or less ( $211'_{\pm}$ ) along the lands of Ephriam Pettipas and along the western boundary of lands of Winston Lunn to a point;

THENCE Due south a distance of one hundred seventeen feet more or less ( $117'_{\pm}$ ) along the western boundary of lands of Bernie Pettipas to a point;

THENCE southerly along a circular curve to the left of radius sixty feet ( $60'$ ) an arc distance of forty-one and three tenths feet ( $41.3'$ ) to a point;

THENCE southerly along a circular curve to the right of radius fifty feet ( $50'$ ) an arc distance of two hundred twenty-six and seven tenths feet ( $226.7'$ ) to a point;

THENCE northerly along a circular curve to the left of radius sixty feet ( $60'$ ) an arc distance of forty-one and three tenths feet ( $41.3'$ ) to a point;

THENCE Due north a distance of one hundred twenty-two feet more or less ( $122'_{\pm}$ ) along lands of the Municipality of the County of Halifax to a point;

THENCE north fourteen degrees zero minutes east ( $N14^{\circ}00'E$ ) a distance of one hundred sixty-eight feet more or less ( $168'_{\pm}$ ) along lands of the Municipality of the County of Halifax to a point;

THENCE north seventy-five degrees ten minutes west ( $N75^{\circ}10'W$ ) a distance of three hundred six feet more or less ( $306'_{\pm}$ ) along lands of the Municipality of the County of Halifax to a point on the Eastern boundary of the East Chezzetcook Road;

THENCE north-easterly a distance of fifty-three feet more or less ( $53'_{\pm}$ ) along the eastern boundary of the East Chezzetcook Road to the Place of Beginning;

ALL bearings are magnetic of the year 1971.

Motion carried.

MARCH COUNCIL SESSION,  
TUESDAY, MARCH 20, 1973.

Moved by Councillor Dunbar, seconded by Councillor Cleveland:

"THAT

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

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

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits in, under and upon the said lands and of keeping and maintaining the same at all times in good condition and repair, and for every such purpose, the Municipality of the County of Halifax 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

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

PLAN SHOWING EASEMENT REQUIRED OVER ROADWAY KNOWN AS  
FORT SACKVILLE ROAD, BEDFORD, HALIFAX COUNTY

Exp. 73-7

ALL that certain piece and parcel of land lying being and situate in Bedford, County of Halifax, Province of Nova Scotia, shown outlined in red on a plan by W. Bruce Millar, N.S.L.S. dated March 14, 1973 and more particularly described as follows:

BEGINNING at the northwestern corner of an easement shown on a plan by T. S. Foster, N.S.L.S. dated September 16, 1972;

THENCE south fourteen degrees forty-eight minutes east ( $S14^{\circ}48'E$ ) a distance of thirty feet (30') along the western boundary to the southwestern corner of aforesaid easement;

THENCE south fifty-eight degrees fifty-five minutes east ( $S58^{\circ}55'E$ ) a distance of two hundred thirty-one feet more or less ( $231'_{\pm}$ ) to a point on the prolongation of the eastern boundary of Perth Street;

THENCE north nineteen degrees forty-five minutes west ( $N19^{\circ}45'W$ ) a distance of thirty and one tenths feet ( $30.1'$ ) along the prolongation of the eastern boundary of Perth Street to a point;

THENCE north fifty-eight degrees fifty-five minutes west ( $N58^{\circ}55'W$ ) a distance of two hundred thirty-four feet more or less ( $234'_{\pm}$ ) to the Place of Beginning.

ALL bearings refer to magnetic north.

Motion carried.

MARCH COUNCIL SESSION  
TUESDAY, MARCH 20, 1973

Moved by Councillor Slauenwhite, seconded by Councillor McCabe:

"THAT

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

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

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits in, under and upon the said lands and of keeping and maintaining the same at all times in good condition and repair, and for every such purpose, the Municipality of the County of Halifax 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

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

EASEMENT REQUIRED FOR SEWER PURPOSES OVER LANDS OF SACKVILLE DOWNS AND AREA  
LOWER SACKVILLE, HALIFAX COUNTY (EXP. 73-5)

ALL that certain piece and parcel of land lying, being and situate in Lower Sackville, Halifax County, Province of Nova Scotia, shown outlined in red on a plan by W. B. Millar, dated January 24, 1973, and more particularly described as follows:

BEGINNING at a point on the eastern boundary of the Beaverbank Connector Road;

THENCE North eighty-nine degrees twenty-two minutes East ( $N89^{\circ}22'E$ ) a distance of eighteen feet more or less ( $18'+$ ) to a point on the common boundary line of lands of Food City Limited and lands of Sam C. Walker being forty-one and thirty-seven one hundredths feet ( $41.37'$ ) from an iron pin marking said boundary line and being also on the eastern boundary of the Beaverbank Connector Road;

THENCE North eighty-nine degrees twenty-two minutes East ( $N89^{\circ}22'E$ ) a distance of one hundred ninety-nine and two tenths feet ( $199.2'$ ) over lands of Sam C. Walker and over lands of Food City Limited to an iron bolt;

THENCE South forty-five degrees zero minutes East ( $S45^{\circ}00'E$ ) a distance of three hundred six and six tenths feet ( $306.6'$ ) over lands of Food City Limited and over lands of Sackville Downs Raceway to an iron bolt;

THENCE South forty-seven degrees thirty-seven minutes East ( $S47^{\circ}37'E$ ) a distance of five hundred thirty-four and one tenth feet ( $534.1'$ ) over lands of Sackville Downs Raceway to a nail set in pavement;

THENCE South fifty-two degrees thirteen minutes East ( $S52^{\circ}13'E$ ) a distance of seven hundred seventy-two and two tenths feet ( $772.2'$ ) over lands of Sackville Downs Raceway to the center of a manhole located in an existing easement shown on a plan by Thompson and Purcell Surveying Company dated August 14, 1970;

Describing or intending to describe the centerline of a thirty foot ( $30'$ ) easement;

Saving and excepting the encroachments of the ticket booth, track fence, and the portion of an existing easement described on said plan by Thompson and Purcell Surveying Company.

All bearings are grid North.

Motion carried.

The Clerk advised that in order to open and proceed with tenders in regard to water and sewer projects at Eastern Passage, that temporary borrowing resolutions would be required.

Moved by Councillor Deveaux, seconded by Councillor Slauenwhite:

"THAT temporary borrowing in the amount of \$750,000.00 be and the same is hereby approved to cover the costs of a trunk sewerage system in Eastern Passage."

Municipality of the County of Halifax  
Temporary Borrowing Resolution  
\$750,000.00 - Trunk Sewage System-  
Eastern Passage.

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act 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 covering the costs of installing a trunk sewerage system Eastern Passage.

AND WHEREAS by Section 8 of said 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 the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Seven Hundred Fifty Thousand Dollars (~~\$750,000.00~~) for the purpose of covering the costs of installing a ~~trunk sewerage system~~.

~~AND WHEREAS by the Municipal Affairs Act such sum shall be 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 debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;~~

BE IT THEREFORE RESOLVED that under and by virtue of said Municipal Affairs Act, the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding ~~\$750,000.00~~ for the purpose aforesaid;

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

THAT the issue of such debenture be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding \$750,000.00, from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from the said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs with interest thereon to be paid said bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold."

Motion carried.

Moved by Councillor Gaetz, seconded by Councillor Deveaux:

"THAT temporary borrowing in the amount of \$850,000.00 be and the same is hereby approved to cover the costs of installing a water transmission system in Eastern Passage."

Municipality of the County of Halifax  
Temporary Borrowing Resolution  
\$850,000.00-Water Transmission System-  
Eastern Passage

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, that subject to the provisions of Section 8 of said Act 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 covering the costs of installing a water transmission system in Eastern Passage.

AND WHEREAS by Section 8 of 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 the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Eight Hundred Fifty Thousand Dollars (\$850,000.00) for the purpose of covering the costs of installing a water transmission system in Eastern Passage.

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 debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding \$850,000.00 for the purpose aforesaid;

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

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding \$850,000.00, from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from the said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold."

Motion carried.

Moved by Councillor Hudson, seconded by Councillor Nicholson:

"THAT the report of the Municipal School Board be received."

Motion carried.

Moved by Deputy Warden Nicholson, seconded by Councillor Moser:

"THAT the report of the School Capital Program Committee be approved."

Motion carried.

The Clerk advised that out of this report there should be a resolution in the amount of Twelve Hundred Dollars (\$1,200.00) such to be added to the Capital Program for 1973.

Moved by Deputy Warden Nicholson, seconded by Councillor Dunbar:

"THAT the Clerk be authorized to add the sum of Twelve Hundred Dollars (\$1,200.00) to the School Capital Program for 1973 and this request be submitted to the Provincial Department of Education for approval."

Motion carried.

Moved by Councillor Jennex, seconded by Councillor Gaetz:

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

Motion carried.

The Clerk advised that as a result of the Finance and Executive Committee's recommendation re the proposed Senior Citizen's project at Sheet Harbour and Council adopting the report that it will be necessary for Council to deal with the resolution deferred from the February session of Council.

Moved by Councillor Cleveland seconded by Councillor Slauenwhite:

RESOLUTION RE SENIOR CITIZENS' HOUSING

SACKVILLE-BEAVERBANK- BEDFORD AREA

"WHEREAS under the amendments to the Housing Development Act of the Revised Statutes of Nova Scotia 1966, the Nova Scotia Housing Commission may enter into agreement with the Government of Canada, through the Central Mortgage and Housing Corporation, for the purpose of public housing construction and undertake jointly with a municipality projects for the acquisition and development of land and construction thereon of rental housing projects.

AND WHEREAS the Provincial Minister may, pursuant to the Housing Development Act, make an agreement with a Municipality and the Government of Canada respecting projects referred to under the various sections of the National Housing Act.

NOW, THEREFORE, the Council of the Municipality of the County of Halifax enacts as follows:

1. There is an acute shortage of rental housing accommodation in the Municipality.
2. That an application be made to the Provincial Government requesting that the Province participate with the Municipal Government in an investigation regarding public housing and if feasible, to acquire certain lands and to construct rental housing.
3. That evidence of need and demand available to Council in support of paragraph number one and two above will be submitted.



4. A. That, if investigations reveal the feasibility of a project the Province request Central Mortgage and Housing Corporation to participate, or to provide a loan.
  - B. That the terms of financing be defined and agreed to by Council prior to project implementation.
  - C. That the sharing of operating costs be defined and agreed to by Council prior to project implementation."
- Motion defeated.

The Clerk advised that also coming out of the Finance & Executive Committee Report should be a resolution by Council in regard to monies available from the Province of Nova Scotia re Special Equalization Payments from the Federal Government.

Moved by Councillor Cleveland, seconded by Councillor Slauenwhite:

"THAT Council approves the action of the Finance & Executive Committee in recommending that the additional monies available to the Province of Nova Scotia from the Federal Government through additional equalization payments should not be made available directly to the individual taxpayer but the Provincial Government by means of a direct payment to the individual, neither should these additional funds be used to finance new or additional programs which could eventually mean greater costs to the individual municipality, but rather that the monies should be made available to individual municipalities in order to assist the municipalities in regard to existing cost re educational programs in order to assist municipalities in setting a tax rate which will give relief to the individual tax payer."

Motion carried.

Mr. Bensted advised that the next item would be a resolution in regard to the debentures which were destroyed by fire.

Moved by Councillor Jennex, seconded by Councillor Hudson:

Municipality of the County of Halifax  
Debenture Replacement  
68 - A - 0905 - Destroyed by Fire

WHEREAS pursuant to a resolution passed by the Municipal Council of the Municipality of the County of Halifax on the 19th day of March A.D., 1968 and approved by the Minister of Municipal Affairs on the 22nd day of March A.D., 1968, the said Council issued and sold debentures in the total principal amount of Two Million Dollars (\$2,000,000.00) for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for schools, garages and other buildings for school purposes and acquiring or purchasing or improving land for such buildings;

AND WHEREAS by paragraph Twenty-one (21) of said resolution the said Municipal Council resolved that Two Thousand (2,000) debentures for One Thousand Dollars (\$1,000.00) each be accordingly issued and sold;

AND WHEREAS by paragraph Twenty-two (22) of said resolution the said Municipal Council resolved that the said debentures be numbered consecutively 68 - A - 0001 to 68 - A - 2000 inclusive, be dated the 15th day of April A.D., 1968 and be payable as follows:

Debenture Numbers:

68 - A - 0001 to 68 - A - 0100 incl. in one year from date thereof;  
68 - A - 0101 to 68 - A - 0200 incl. in two years from date thereof;  
68 - A - 0201 to 68 - A - 0300 incl. in three years from date thereof;  
68 - A - 0301 to 68 - A - 0400 incl. in four years from date thereof;  
68 - A - 0401 to 68 - A - 0500 incl. in five years from date thereof;  
68 - A - 0501 to 68 - A - 0600 incl. in six years from date thereof;  
68 - A - 0601 to 68 - A - 0700 incl. in seven years from date thereof;  
68 - A - 0701 to 68 - A - 0800 incl. in eight years from date thereof;