

EXPLANATORY NOTE

The attached Bill deals with matters respecting the Municipality of the County of Halifax.

Section 1 contains definitions which are required by other sections of the Bill.

Section 2 is designed to enable the Municipality to recover its costs of doing things ordered to be done by the Board of Health pursuant to the Public Health Act where the person so ordered to do such things have defaulted and the Municipality has gone in and done the necessary work. At the present time these costs can be recovered in an ordinary suit. They do not constitute a lien upon the property involved. The concept of a lien for such expenses is not new in provincial legislation and in fact is contained in such Acts as the Weed Control Act.

Section 3 is designed to give the Municipality additional authority to deal with serious problems caused by dogs running at large in the Municipality. Clause (a) would give the Municipality the right to fix penalties without regard to the present restrictions contained in the Sheep Protection and Dog Regulation Act. Clause (b) is designed to overcome the difficulty raised in a recent decision of Judge O'Hearn and would make it easier for the Municipality to more effectively enforce the control of dogs within the County.

Section 4 is a tidying up clause, designed to correct an error which occurred in the amendment of the legislation in 1974.

Section 5 would increase the fee payable for a Tax Deed from the present Ten Dollars which was fixed in 1968 to Fifteen Dollars.

The proposed amendments to Section 9 of Chapter 72 of the Acts of 1953 do not change the intent or effect of the Section. They are merely "housekeeping" amendments to substitute the current descriptions for the individual and committee involved.

Section 7 is simply a routine section making the provisions of the Municipal Act applicable to any by-law passed under this Act.

Councillor Smith asked what happened to the Dangerous and Unsightly Premises Act which he has requested be looked into.

The Warden advised, that this is being considered by the Planning Advisory Committee. He stated, that we have the authority to collect by way of lien under the old Sanitary Inspection By-law, if we have the property cleaned up. There is reluctance by the Provincial Government for us to exercise this power, but we do have it under the old Act.

Councillor Smith commented, that that was the purpose of his motion at the last Session, and stated that if we take someone to Court and he only pays a fine of \$25.00, whereas it costs the County \$200.00 to take him to Court, the additional monies could not be recovered.

Councillor McCabe asked if five acres would be the minimum size lot, and was advised by the Solicitor that this is a minimum for a submission under the Planned Unit Agreement.

Councillor Williams referred back to the matter of unsightly premises, stating that he had been trying to get something done for three years. He stated, that these people will not take any action. He stated that other people who are trying to keep their properties up, desire some protection in keeping their property in a clean and proper condition. He stated, that it was not proper to have these unsightly properties, and commented that we used to place a notice on the house whereby the people would have to vacate after fourteen days if no action had been taken.

The Municipal Solicitor advised, that there was nothing at all wrong with the legislation we have with regard to unsightly premises - just the cost of enforcing it. He did not see

where anything would be gained by adding amendments to the By-law. The law is there and just has to be enforced.

Councillor Williams stated, that he just wanted to know why we could not get any action. He stated, that we go to the Planning Board and Mr. Hefler writes a letter. This has little or no effect, and he felt that there was no one in this Council who would stand up and state he was unwilling to spend money to get unsightly premises cleaned up.

Councillor Fader stated, that this had been discussed at the Planning Advisory meeting and a date set to discuss it with Mr. Cox. He said he understood that we had a person at one time who looked after this, but who left, and he felt that if we had someone to carry out this, the provisions of this By-law, that something could be done.

Councillor Deveaux stated, that he had had a problem in his area for two years. He stated the Planning Board had been over and taken pictures but that nothing had been done about it.

Councillor inquired what legislation we have to stand on, if any District sent out a truck and cleaned up a property, and he was advised by the Solicitor that the property must be proven unsightly in a legal sense.

Councillor Hudson said she hoped we would get a report from the Planning Advisory Committee on the results of their meeting.

Councillor Hudson commented, that it had been suggested when the proposed landfill site is open that it would be only certain hours. The Councillor suggested that the site be open on Saturdays, so that people could get a truck, clear up their property etc., and take garbage out to the landfill site.

The Municipal Clerk advised, that this was the intention and that hopefully these situations would be taken care of.

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

"THAT the Mobile Home By-law be adopted."
Motion carried.

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

"THAT the Warden and Clerk by and are hereby authorized to sign an agreement with the Department of National Defence re use of the Water Pollution Control Plant at Eastern Passage by Shearwater Base." Motion carried.

The next item to be considered was the appointment of a new member to the Assessment Appeal Court.

Councillor Fader nominated JOHN D. MacINTYRE of Waverley. This nomination was seconded by Councillor MacKenzie.

Councillor Moser nominated VINCENT PEACH of Timberlea. This nomination was seconded by Councillor Williams.

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

"THAT nominations cease." Motion carried.

Voting on these two nominations was done by ballot, with result - ten (10) votes for Mr. Peach; six (6) votes for Mr. MacIntyre. The Warden declared Mr. Vincent Peach duly elected as a member of the Assessment Appeal Court.

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

"THAT WHEREAS the documents and records of the Municipality of the County of Halifax as set out in the affidavit of H. G. Bensted, the Municipal Clerk, sworn to on the 21st., day of January, A.D., 1975, are no longer required;

AND WHEREAS according to the said affidavit the said documents and records have been personally examined by the said Clerk and he has determined that there is nothing of value therein and that the said documents and records do not include any documents or records which are exempt from destruction pursuant to Section 4 of the Destruction of Documents By-law;

BE IT THEREFORE RESOLVED that the said documents and records as set out in the said affidavit of the said Clerk be forthwith removed and destroyed." Motion carried.

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

Municipality of the County of Halifax
Temporary Borrowing Resolution
\$225,000.00 - Job No. 122-W-73-
Sewer - Sackville Area - North of
Beaverbank Road.

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 sewer in the Sackville Area, North of Beaverbank Road;

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 Two hundred and Twenty-five Thousand Dollars (\$225,000.00) for the purpose of installing a sewer in the Sackville Area, North of Beaverbank Road;

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 installments 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 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 Two Hundred and Twenty-Five Thousand Dollars (\$255,000.00) 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 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 Two Hundred and Twenty-five Thousand Dollars (\$255,000.00) from the Royal Bank of Canada at Halifax;

THAT such sum or sums be borrowed from 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.

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

Municipality of the County of Halifax
Temporary Borrowing Resolution
\$10,000.00 - Job No. 153-W-73
Pumping Unit, Second Lake

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 pumping unit at Second Lake;

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 Ten Thousand Dollars (\$10,000.00) for the purpose of covering the cost of installing a pumping unit at Second Lake;

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 installments 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 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 Ten Thousand Dollars (\$10,000.00) 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 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 Ten Thousand Dollars (\$10,000.00) from the Royal Bank of Canada at Halifax;

THAT such sum or sums be borrowed from 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.

It was moved by Councillor Deveaux, seconded by Councillor Smith:

Municipality of the County of Halifax
Temporary Borrowing Resolution
\$265,000.00 - Job No. 134-AE-74
Water Transmission, Eastern Passage -
Belmont Road to Hines Road

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 cost of installing water transmission at Eastern Passage from Belmont Road to Hines Road;

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 Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Two Hundred and Sixty-five Thousand Dollars (\$265,000.00) for the purpose of covering the cost of installing water transmission at Eastern Passage from Belmont Road to Hines Road;

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 installments 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 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 Two Hundred and Sixty-five Thousand Dollars (\$265,000.00) for the purpose of 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 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 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 Two Hundred and Sixty-five Thousand Dollars (\$265,000.00) from the Royal Bank of Canada at Halifax;

THAT such sum or sums be borrowed from 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.

The Municipal Solicitor advised, that attempts were being made to get an easement for a sewer line over lands of MicMac Indian Reservation at Cole Harbour. We now have the Resolution authorizing the Band Council to grant that easement. It was moved by Councillor Anderson, seconded by Councillor Hudson:

"THAT the Warden and the Clerk be and they are hereby authorized to execute on behalf of the Municipality all documents necessary to acquire a sewer easement over lands at Cole Harbour Indian Reserve No. 30 in accordance with the Band Council Resolution dated 14th January, 1975." Motion carried.

Councillor Hudson read a report, that she had received on the Water Authority Intergration Dilemma and Member of MAPC.

Councillor Killam commented, that recently the Press have been giving very good coverage and referred to comments in the previous day's paper, that he thought worthy of consideration - that is - a Committee-of-the-Whole to meet once a month to discuss items such as some of the things brought up in the meeting today. He stated that many had requested and received joint Committee Group meetings - such as School Capital Program Committee with the Municipal School Board and the Finance and Executive Committee which had recently met, and it was a good meeting. This, he felt, was an excellent idea. In this way it might not be necessary to have as many single Committee meetings. It was moved by Councillor Killam, seconded by Councillor Gaetz:

"THAT we hold a Committee-of-the-Whole meeting monthly at least ten (10) days prior to the meeting of the Council Session."

Councillor Gaetz stated, that he considered the Finance and Executive Committee the most important Committee, and remarked that the Planning Committee seem to be "catching it" today. He remarked, that, for the most part, those Councillors not on Finance and Executive know nothing about what is going on. The Minutes are very meagre, and one does not know how much discussion takes place.

Councillor Streach commented, that before he would vote on the motion, he would like to suggest that Council make full use of the day that we are here.

The Municipal Clerk wanted some clarification, as to just what the Committee-of-the-Whole would do.

Councillor Killam remarked, that there was a time when Council met once a year. However, County business has got to the point where Councillors could get together and bring in problems from their District. We could streamline other Committees, and cut down on some of the meetings and discuss things together for the good of the Municipality. He stated it was not the "power of the group, it is the communication" to teach, advise and assist those who have not been on some Committee with what the other Committees are doing. He felt this was far overdue and was good thinking.

Deputy Warden Nicholson asked, if this would just be an "open forum". He commented that a Special Meeting of Council could be called at any time.

Councillor Hudson recommended that Council set aside an hour at the next Council Session for the Chairmen of the Committees to make a report. She proceeded, as Chairman of the Library Board, to report on a meeting held with the Department of Education. She remarked that their letters seemed to mean quite a number of things, and this left the Library at the sad stage of being very over-crowded downstairs. She stated, that if we did not get a branch library in the Sackville Area, we will have to look at buying another bookmobile.

Councillor Streach said, that Councillor Hudson had brought out a good point. He felt that the Chairmen of the various Committees should be under fire, and the Chairman of any Committee should be on top of most of what is going on. In that light, he felt that if we did a bit more thinking along these lines, he would make an amendment to Councillor Killam's motion:

"THAT we defer this motion to be dealt with at the February Session of Council."

The amendment was seconded by Deputy Warden Nicholson.

Councillor MacKenzie remarked that six years ago we always had the Department Heads sitting at the back of the Council Chamber, and questions could be directed to them. He stated, that we had strayed from this procedure and wondered why this had changed.

The Municipal Clerk stated, that Department Heads are always in the building and it would seem very unsatisfactory to have them sit here for a whole day if they were not needed.

Councillor Smith stated, that as Chairman of the Management Board of Ocean View Manor, he was very proud of the Accreditation from the Canadian Hospital Association, and he had brought along the framed certificate today for all to see. He said everything was going along very well at the Manor, and this accreditation was brought about by the Administrator that we have, Mr. Kevin McNamara, who is very conscientious about his duties.

Deputy Warden Nicholson moved a vote of thanks to the Administrator from the County as a whole. This was unanimous.

Councillor Streach commented re the Land Use Plan issued under Planning. He remarked that he was impressed with the discussion. He felt it was time that we in Halifax County sat down to consider land use plan. If we were to have a Board set up within the Council, he suggested that this Committee be a Committee-of-the-Whole. It was moved by Councillor Streach, seconded by Councillor Hudson:

"THAT Council request that the Planning Act be amended to allow Council to appoint a Board to allow Council to develop a Land Use Plan." Motion referred to Planning Advisory Committee.

Mr. Cox stated that the responsibility was there now.

Councillor Anderson said he was glad that Councillor Streach had brought this up, and stated that he had intended to request Council, as he had done previously, for specific terms of reference under which the Planning Advisory Committee functions. They have specific terms of reference even to appointing Committees. We do not have a development plan, and the plan has not been adopted.

Mr. Cox replied, that this is actually the function of the Planning Advisory Committee under the Planning Act. The only reason the report of the Planning Advisory Committee is brought to Council, is to keep Council informed. County Planning does not approve the plans of subdivisions. There is nothing wrong with the Act now.

Councillor Streach said that this was important. He was not discrediting the Planning Advisory Committee. If this is their responsibility, he would have to support the criticism. He did not feel we were getting what we should be getting. He felt that we, as a Council, should be discussing what is happening.

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

"THAT the motion be referred to the Planning Advisory Committee for their consideration." Motion carried.

A standing vote was taken with the result twelve (12) for, three (3) against. Motion carried.

Councillor Johnson asked what the trouble was in this regard - did we not have enough staff?

Councillor Fader complimented the Press on the editorial, and said he felt that Council should meet twice a month - that the County was big business - and he hoped this would be given consideration.

Councillor Fader commented, that he was quite surprised at the appointment of a new chairman for the Finance & Executive Committee, and expressed the opinion that Councillor Killam had done an excellent job, and that he should be given a vote of thanks.

With regard to the Redistribution Committee, Councillor Fader remarked that a lot of these Districts have certainly increased in population and value as far as assessment is concerned. He felt there should be more representation, and stated that in the case of himself and Councillor Slauenwhite they had a full work load, and thought that some of the other Councillors were probably experiencing the same conditions. It was moved by Councillor Fader, seconded by Councillor Killam:

"THAT the Redistribution Committee meet between now and the February Session of Council and start preparing for a submission to the Board of Public Utilities and report back to Council at the February Session." Motion carried.

Councillor Streach commented, that some areas may not be growing in the same ratio as the Sackvilles'.

Councillor Gaetz felt this was a hard decision to make, when you take population into consideration.

Councillor MacKenzie felt, that there were only one or two Districts out of line, as far as assessment figures were concerned.

Councillor Gaetz asked, if a By-law should be made up with regard to snow-mobiles, and commented that some of them are injuring farm lands.

Councillor Gaetz also commented, that he was very surprised to learn that we do not make a contribution to the S.P.C., and wondered if the Finance and Executive Committee could come up with a donation to this worthy cause.

Councillor Hudson requested a short meeting of the Finance and Executive Committee after adjournment.

It was moved by Councillor Hudson:

"THAT Council adjourn." Motion carried.

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MINUTES OF A SPECIAL SESSION
OF THE SECOND YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

A Special Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 10:00 a.m. Monday, February 3rd., 1975, with Warden Ira S. Settle presiding.

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

It was moved by Councillor MacKenzie, seconded by Councillor Anderson:

"THAT Miss Doris Leonard be appointed
Recording Secretary for this Special
Session of Council." Motion carried.

Councillor Fader said he would like to thank the Councillors and spectators for attending this Special Session of Council. He stated he realized, that a Special Session had to be called, but felt that it was very necessary. He stated that everyone there appreciated the necessity of disposing of garbage. His objection is to the location of the land and area proposed by MAPC. Councillor Fader spoke in detail, with regard to the brochure issued by MAPC, outlining the various areas and commenting on the beautiful photographs in the brochure. However, he stated that in the case of the Sanitary Landfill Operation, he stated that here we had a peice of usable real estate - undeveloped area. He stated that this location employs people and pays taxes. He commented that not only is an industry operating on this land, but that there is a Mobile Home Park nearby with about four hundred mobile homes, and there are about one hundred additional lots that could go into the Mobile Home Court.

Councillor Fader also stated, that L. E. Black presented a plan of development that they wished to promote in future. Planning Advisory accepted this, - about 1,370 units - a big development for about 8,000 people, which would mean an assessment of about thirty-five to fifty million dollars to be added to the County's assessment.

Councillor Fader added, that if everyone had read the paper about a week ago they would have read where he, Councillor Slauenwhite, George Doucet and others had a meeting with the Minister of Municipal Affairs. He said they were looking for incorporation, but the Minister advised them they had no tax base. Councillor Fader felt, that if garbage is hauled in there, there surely would be no value to this. He added, that when the Pockwock System goes through, the Nova Scotia Housing Commission will be approaching the County for the go-ahead with more development. He commented that Beaverbank, Windsor Junction, Fall River - are all undergoing substantial growth. What would happen if the Landfill Site went ahead - we hear that Beaver Brook is polluted now. He stated that he had had a call from East Hants. They are concerned, as apparently Enfield draws from Grand Lake, also the community of Lantz. He felt he could not emphasize too strongly the new residential developments.

This situation, he felt, would cause people already there to want to leave. There is the matter of rats, debris, pollution to cause concern - then there would be the trucks driving through Sunnyside, which is already a bottleneck. There would be about sixty trucks of raw garbage passing through Sunnyside per day. He wondered why the original zoning was approved.

Councillor Fader felt, that we had never had time to properly assess the situation. We now know that the money from DREE may not disappear the 1st of March, and this will give us some time to assess the situation. He stated he had two other alternative sites to present to Council today.

It was moved by Councillor Fader, seconded by Councillor Killam:

"THAT BE IS RESOLVED that the "best interests of the Municipality" as referred to in a Resolution of this Council passed at the December 17th., 1974, Session will be best served by opposing the rezoning of lands at Sackville which would permit the establishment and operation of a solid waste management and disposal scheme and that the Solicitor and Director of Planning and Development are accordingly instructed to oppose this rezoning at any hearing held by the Provincial Planning Appeal Board or any other proceedings that may arise in respect of such rezoning resolution."

Councillor Anderson commented on the fact that someone had mentioned, that Hon. Mr. McCleave was in the gallery and would like a ruling as to whether or not it was permissible to have Mr. McCleave speak to the Council. He was advised by the Solicitor, that this was a Special Session of Council, not a Public Hearing, and the same ruling applies as to any Council Session.

Councillor Streach stated, that he was the mover of the original motion at which time he made the comment, that he felt quite sincerely that in the best interests of the Municipality, that we should make sure that we were making the appropriate decision and request the Solicitor to represent us on these grounds. He stated that on going over the material, that he felt that we, as a Council, have not made the decision as to how to instruct our Solicitor. Since that particular motion, there has been no decision by Council to re-affirm the decision of Council or to take the negative side.

Councillor Streach said that Councillor Fader had brought out a number of good points. He said he would question what individual research had been done on the proposed site. He stated we were taking an area in a fast-growing area. If the land in that particular site is appropriate for Sanitary Waste Disposal or Dump, surely there must be some other areas in the vicinity just as suitable. People who are living in the area should be taken into consideration, and it was his opinion that perhaps in this case this was not done.

Councillor Streach stated, that in October he asked for a deferral of rezoning for one month. Had that deferral been given at that time, we might have avoided this Special Session and avoided going to the Provincial Planning Appeal Board. He stated, that he was not against Sanitary Waste Disposal for the County, but could not see that we have to make an overnight decision and live with it to put this in the Sackville area, which would be surrounded by highly residential area.

Councillor Streach said, that he had hoped that today we would be positive in taking steps to make a postponement, and MAPC be requested to look at alternative sites, and Ottawa be approached to make sure that monies would be available. He felt we were not carrying out our responsibilities as Councillors, if this is not done today.

Councillor Killam stated there were many reasons why this area was not suitable. It has been recommended by authorities that this area be recommended for a large residential development such as the Bedford and Cole Harbour Areas. He proceeded to read a portion from the Report by MAPC. He felt that a deferral of the motion was bad, and said he doubted if any of the Councillors would be agreeable to having 800 acres of prime recreational land in their Districts developed as a Sanitary Waste Disposal operation.

Councillor Killam also commented, that it was evident that the money from DREE may be available after April 1st., 1975. He said that it certainly followed that the Federal and Provincial Governments have been the power behind the drive to make the Metropolitan Area of Halifax "the Metropolitan Centre of the Maritimes!" These are plans of the Federal and Provincial Governments. Industries are being promoted. He felt sure that Mr. Jamieson and the Federal Authorities would be reasonable about this project. He stated that we are all aware that we need this Sanitary Landfill but there are many more areas that could be looked at. What about the thousands of acres that are owned by Crown land?

Councillor Killam also stated, that there are other more suitable areas available - in fact one such area of about one thousand acres, that owners are willing to supply. With regard to the site of the Barrett Land, he stated that this is about the best site of planned growth and timber in the County, and the owners were unwilling to part with it. He felt it had certainly been shown that many of the residents of the area are concerned about the choice of site, as was proven by the fact that Councillor Fader had a petition with about seven thousand names on it.

Councillor Killam stated, that there was no error on the part of the Municipal Clerk - that he always levels with the Councillors. He stated that we now have fourteen months, not two, to dispose of our garbage - therefore we now have a year and two months to take steps. He felt that the day might come when each Councillor would have to look after the garbage for his own District. He requested the Solicitor to give his legal expression that this Council could today have the decision reversed with regard to having this site rezoned. He felt that this Council could reverse its decision and that the Planning Advisory Committee could be so advised.

The Municipal Solicitor replied, that he had given his opinion to Council before and he did not think that a formal motion of reconsideration was in order at this time. The procedure to be followed at this stage was to appeal to the Provincial Planning Appeal Board. He thought it was quite competent to pass a Resolution such as Councillors Fader and Killam had moved, but he did not think it was competent for the County at this time to reverse its decision.

Councillor Slauenwhite stated, that he had always been concerned about the taking over of the land of the Barret Lumber Company. He stated this was a political decision, that MAPC had told us what we should do and how we should do it, and now it was up to the politicians to make the decision as to where it should go. He said he was not questioning that this was the best site for MAPC, but that we should look to alternate sites - that there were large acres of Crown land that might be used.

Councillor Deveaux said he was not against a landfill operation. He stated that there had been a lot of concern about the DREE funds, and the deadline and felt that if enough concern was made known to the "powers that be" in Ottawa that they would reconsider the deadline. He said he did not feel that the concern of the people had been considered and felt, as an elected representative of the County, that these concerns should be taken into consideration. He noted that Councillor Fader had made surveys of other areas that could be made available. He commented on the third item of "Points to be considered," and said that this might well be an emotional type of opposition. He also commented on No. 8, and stated that no consideration had been taken into thought, that this is a residential area. Surely there must be some place away from residential areas.

Deputy Warden Nicholson stated, that the site was not what he would have desired, nor did he like the method. He preferred the shredder - however, he said it seems to be the "only game in town". He reiterated that this was not a "dump" but a land fill operation and stated again that he had championed the shredder but that this is the only thing that is being considered.

Deputy Warden Nicholson said he could understand the feeling of the people of Sackville. He said he did not think that anyone wanted the landfill site. We were handed the facts and we had to make a decision. He said there was no way he would want a district disposal established in his District. A Regional Disposal is the only answer. This is a service to the people. In a Public Hearing a decision is made and we accept it.

Councillor Dunbar stated, that they had had an incinerator in Bedford for some fifteen years. This had to be discontinued because of over-loading; it could not keep up with its capacity. As far as the Housing Commission is concerned, Councillor Dunbar felt that this growth was far too fast. As far as the landfill operation is concerned, it depends on what promise you want to accept in the first place. Under these circumstances, if you go along with Councillor Fader's Resolution, this would mean that the Solicitor would then be required to reverse his stand.

The Municipal Solicitor said, that this was basically correct, that the resolution instructs him to oppose the resolution which would be a complete change of attitude of Council. MAPC would presumably still be proceeding with this recommendation.

Councillor Dunbar said he had strong feelings, but this was not the time for him to give them. He stated that a decision had been made and there was every opportunity to go to the Planning Appeal Board, and under these circumstances he felt he could not vote for this Resolution, and felt it should go to the Board and "let the chips fall where they may."

Councillor Anderson stated, that he was the mover of the motion at the Planning Advisory meeting. He accepted information given to the Committee, and at a further meeting the Board's decision was made. The Municipal Clerk appeared and stated, that there was some information he was in possession of. He is "on top" of everything and advised us at that time that the City of Halifax was considering stopping the services of the County as of "X" date.

Councillor Anderson said he found that "wisdom was acquired by installments". People have to have a place to put their garbage. He stated he had had previous experience with zoning, and felt that the normal procedure was to make a resolution to Council.

Councillor Deveaux asked, if there had been any extension of time. He was advised by the Municipal Clerk, that there was no extension of time by the City of Halifax - that the only communication he had had was the letter from the City Manager. He understood she was taking this to the City Council for their information.

Councillor Williams stated, that he was sympathetic towards the people of Sackville, but we have to remember one fact - that considerable survey had been done as to where a site should be suitable. He commented that it would be impossible to have a landfill site in his area (Terence Bay to West Dover) as he doubted you could go down six feet on account of rock. He commented that the Beechville-Five Island Lake area was Public Service Commission area. He stated that there has to be a landfill operation somewhere, and Councillor Fader was only doing what his people had asked him to do. Unfortunately the Government, through MAPC, has offered to put 2.4 million dollars into this operation. Where does this leave the County and the two Cities if this money is withdrawn? We have a statement that it could be extended, but we have no assurance that it will help. He stated that Councillor Killam could not show in his District where he could get fifteen feet for a landfill operation - it just cannot be done, and there has to be considerable study if this landfill operation is to be in operation.

Councillor Williams said, that we had been assured that the only thing visible would be two or three bulldozers, and did not think that the Barrett Timberlands would be harmed in any way - but he declared he had an open mind. If our deadline is what the City has stated, he commented, we had to take this matter very seriously.

Councillor Williams commented, that some of the Councillors not having a garbage problem were not offering any lands in their District. He stated, that we must remember we have no recreational facilities and this is one way of getting them. He felt the key word was "sanitary landfill - not like the dump on the Bedford highway - sanitary means just what it says. He stated he had done this personally in his own District, and said he trusted that the Planning Appeal Board the next day would use discretion and come up with the satisfactory solution to the whole mess.

Councillor Streach expressed the opinion, that if there was any information that could be made available to Councillors when they are faced with making a decision, whether it be from the gallery or the press, that it should be forthcoming. He stated, that today we have a resolution before us. We are basically asking Council to reverse its decision. He stated that we, in Halifax County, bear the burden of disposing of garbage for Halifax County, Halifax City and the City of Dartmouth. If we are going to have good planning in the metro area, we cannot expect the City to dispose of garbage. He said he was not totally sold that landfill operation is the best, but at the present time, it seems to be the best we have.

He stated he was concerned that MAPC figured that this one site was the only one available, and suggested that perhaps one of the spur lines could be used for transporting garbage and this would take the traffic off the road. He felt that the proposed site had many things against it and that the County should take a serious look at re-location. He asked if MAPC had every thought of using the box cars for transporting garbage.

Mr. Bensted advised the Councillor that this had been considered by MAPC.

Deputy Warden Nicholson said, that consultants had found this was not feasible - that the present incinerator sites are going to be maintained as a transfer station, and the Dartmouth incinerator will be kept open for pathological disposal.

Councillor MacKenzie wanted to congratulate Councillor Fader on bringing this matter to Council, and stated that he had done a lot of work on this. He felt that Council should take the petition bearing seven thousand names into consideration, that it was indicative of the concern of the people in the area that they do not want this landfill operation in the area. He stated, that this was prime land - that residential development is approaching very quickly to this site. He felt that alternate sites should be looked at, before any hasty decision was made, and stated he would make a plea to Council to consider Councillor Fader's motion to try to locate this landfill operation in another area. He felt there were other sites to be found without each District looking after their own garbage.

Councillor Gaetz wanted to assure everyone, that he would not want it in his District, and felt that the decision was a matter of grave concern. He stated, that some time ago we made a decision with regard to rezoning in the Herring Cove Area, and the Planning Appeal Board made a decision and they directed us to go along with their decision. He said he could not see an appointed body dictating to an elected body. He stated that the new highway was going to destroy some of the woodland - that whenever development takes place, someone is bound to get hurt. He stated, that we had to have a place for the operation and we had been assured that there would be no odor that everything would be in order.

Councillor Deveaux felt that the eight "Points to be Considered" were out of order.

Councillor Fader agreed with Councillor Deveaux. He felt that these points should have been mailed out, that it was improper to present them this morning. He stated, that there had been a Public Hearing on a Tuesday, and Councillor Dunbar had been asked after the meeting if a decision was going to be made. He said he felt there was a great lack of information. He referred to the Agenda for a Special Meeting of the Planning Advisory Committee, and said little did he know that it was going to be to make a decision on this landfill operation. He stated that everyone knew that MAPC did not give us any information. He stated he had two alternate sites which he would like to present. He spoke of the traffic at Sunnyside which he said was a "bottleneck" now.

Councillor Stretch commented, that we zoned lands that did not belong to MAPC - lands of private enterprise. Let MAPC go and buy land - and let us make sure that people are paid for their land.

Councillor Fader felt, that all Agendas should go out prior to meetings held, so that Councillors would have a chance to study them and know what was going to be discussed, so that they could bring some input to the meeting.

Referring to the eight "Points to be Considered" Councillor Fader commented, that there had been no full discussion and that they had never had any answers from MAPC. He said he had been informed that no elected representatives had been subpoenaed to appear to present any arguments.

The Municipal Solicitor advised, that any person who could show himself to be an interested person could attend. He said that no subpoenas had been issued for elected persons. He said, that it was the policy of Mr. Blois, the Chairman of the Planning Appeal Board, that no elected representatives of a County should be subpoenaed.

Councillor Fader stated, that he had telephoned Mr. Blois re the procedure, and that he was still waiting for a return call from him. He said he also wrote to him but as yet had had no reply, as to whether he would be heard or not. With regard to no one showing any new evidence to indicate the Zoning is not good planning, Councillor Fader asked what they thought he had been doing since last October - speaking against the zoning.

With regard to Unsightly Premises, Councillor Fader stated, that at a meeting last Friday, the Municipal Solicitor had advised them that they had the teeth to do the job but were not carrying it out.

Councillor Fader said it would never come to the point of each District having to look after their own garbage. He said he felt that the Councillors would always work together.

With regard to the proposed site meeting all the requirements, Councillor Fader asked how they knew this. He stated, that the Department of Environment were one hundred percent in favour of this site, but he would like to remind the Councillors that they did not have the approval of the Department of Health, and he said he was trusting the Councillors to support his motion. He stated, that he was not against landfill operation, just against the site that MAPC has put before us. He said that MAPC had lots of time to look at the site in the Fall of 1973, they were asked to do a proper public relations job, and this was not done - and once again he said he was appealing to the Councillors to support his motion.

Deputy Warden Nicholson and Councillor Gaetz, requested that the vote be a recorded vote. This vote was taken with the following result:

<u>FOR:</u>	Districts 1, 6, 10, 11, 13, 15, 16	=	7
<u>AGAINST:</u>	Districts 2, 3, 4, 5, 7, 8, 9, 17	=	8

The Warden declared the motion defeated.

It was moved by Councillor Fader, seconded by Councillor MacKenzie:

"THAT the vote be reconsidered."

Councillor Killam reminded Councillors of the oath they took when they became Councillors, and urged them to vote on a neutral basis, not to take long friendships into consideration, but to vote what would be best for the County.

Councillor Streach commented that the Councillor for District No. 12 had returned to the Chambers and could vote.

Deputy Warden Nicholson and Councillor Williams again asked for a recorded vote. This vote was taken with the following result:

<u>FOR:</u>	Districts 1, 6, 10, 11, 12, 13, 15, 16	=	8
<u>AGAINST:</u>	Districts 2, 3, 4, 5, 7, 8, 9, 17	=	8

The Warden declared this tie vote a lost vote.

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

"THAT Council Adjourn." Motion carried.

M I N U T E S & R E P O R T S

of the

S E C O N D Y E A R M E E T I N G S

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T H I R T Y - E I G H T H C O U N C I L

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

The Monthly Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 10:00 a.m., Tuesday, February 18th., 1975, with Warden Ira S. Settle presiding.

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

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

"THAT Miss Doris Leonard be appointed as
Recording Secretary." Motion carried.

Councillor Killam remarked, that something had happened this past week, and expressed on behalf of our fellow Councillors their deep concern over the tragedy and great loss suffered by Councillor Streach, and wanted to assure Councillor Streach that they would be glad to offer assistance in any way. This was unanimously agreed to by all Councillors.

The Municipal Clerk read a letter from K. W. Robb objecting to the implementation of the Planned Unit Development Zone for this area, stating that the twenty-two persons per gross acre provision was misleading.

Warden Settle announced, that the first item to be considered was a Public Hearing, and advised that Mr. Glen Hubley and Mr. Ernest Clarke of the Nova Scotia Housing Commission were present in the gallery. The Warden asked, if there was anyone who would like to speak in support of this Application - No. 75-1 - Planned Unit Development - Forest Hills.

Mr. Hubley of the Nova Scotia Housing Commission stated, that it was the intention of the Commission to submit a description and explanation of the Planned Unit Development known as Forest Hills, and to submit some of the basic implications, so as to permit the development to proceed in accordance with the Master Plan, which was introduced almost a year ago. This was submitted to all Departments involved for their comments. Mr. Hubley called on Mr. Clarke to speak to the Council.

Mr. Clarke stated, that the planning and development contract applied to the area scheduled on the map and in the report. He stated, that the approximate area of the land assembly is just under one thousand acres, and is bounded by Cole Harbour Road, the No. 7 Highway, the City of Dartmouth limits and Broom Road, and that the Housing Commission plans to develop this over a period of eight years. He advised, that there are 250 homes completed in Phase 1 - close to the Cole Harbour Road. When completed Forest Hills will have 5,500 homes for families of all incomes. These will be all low density or medium density - they do not contemplate any high density.

Councillor Hudson questioned Mr. Clarke, as to how he defined high rise.

Mr. Clarke stated, that high rise was anything that required an elevator, and that they were not proposing any high rise. He stated, that the development would be predominately single family houses or walk-up apartments.

Mr. Clarke stated, that because this was a large area, space could be provided for parkland for recreation use; school sites could be reserved in best locations for safe and easy access for children. He stated, that residential neighbourhoods could be planned so that people will know what is going to be planned in their area - underground services could be designed and installed on the basis of overall plan rather than in piece meal plan.

Mr. Clarke stated, that they were here today to apply for this approval. He commented, that in Forest Hills the overall density is approximately twenty-two persons per gross acre, which is a normal subdivision density.

Councillor Killam commented on Mr. Clarke's remarks, that space would be provided for park-land and recreation purposes, and stated that something of this magnitude may be above normal, and asked what the plans were for definite pieces of land for recreational purposes.

Mr. Clarke advised, that approximately fourteen percent of the land would be granted for recreational use. He stated it was one thing to commit land and another to say 150 acres. He stated, that they thought that in the plan, the location of the park was very important for different types of recreation. There are natural out-door locations. He stated they had removed development from both lakes, which reduced the problem of pollution and induces natural types of recreation. This exceeds the normal percents for subdivisions.

Councillor Deveaux asked, if the parks would be run by the Province, and Mr. Clarke said that according to the Agreement the park would be subject to approval by the County and subject to take-over by the Municipality.

Councillor Deveaux commented on the statement, that there was no intention of any high rise, and asked about the possibility of any being there in the future, to which Mr. Clarke replied, that they could not predict what would happen in eight years time, but none was contemplated, that they were talking about average types of subdivisions.

Councillor Deveaux asked, if there was any possibility of this land being given to the County.

Mr. Clarke advised, that the policy was noted in the Agreement that the Housing Commission would sell school sites to the County at cost of developing or at \$7,500.00 which ever is the lesser figure.

The Warden commented, that the \$7,500.00 is really the cost of servicing the land.

Councillor Killam asked, if this type of planning was the same as Sackville.

Mr. Clarke stated, that in the preparation of the Master Plan there was reference made to explain what the Housing Commission did in Sackville. We feel this is a better way to implement the plan and a better way to implement services and control development in the community. A buyer knows where the park, the school etc., will be, and if he likes it he can buy - if he does not like it he will not buy.

Councillor Anderson asked, if the property remained taxable to the Housing Commission.

Mr. Clarke advised, that under the Agreement it is proposed that the public parkland will be conveyed to the County. Facilities would be constructed at cost to the Housing Commission. Operation of these facilities would be the responsibility of the County or local recreation association.

Councillor Hudson asked, if a building over thirty feet were required to have sprinkler systems? Mr. Clarke advised, that they would be bound with respect to the use of sprinklers, to whatever the Building Code required. This development does not exclude any building code.

The Municipal Solicitor stated, that the conditions of the Building By-law were varied. He said he did not anticipate any difficulty in the development of the Planned Unit Development. It would be very easy to put in a height restriction of say 35 feet and it could easily come back to Council.

Councillor Slauenwhite commented, that the National Building Code does not cover height restrictions or sprinklers, and he would like to see the addition of these to the agreement with the Nova Scotia Housing Commission.

The Municipal Solicitor advised, that under the amendments to the Housing Commission legislation which have been introduced to the Legislature, the powers of the Commission are broadened and will include the construction operation and maintenance of recreational facilities, commercial facilities etc.

Deputy Warden Nicholson commented, that even if this legislation were passed we still have to have an Agreement between the Municipality and the Housing Commission, and any of these additions could be put into the agreement.

Councillor Anderson asked what the starting date for this development was and the possible completion date and was advised by Mr. Clarke that it would take approximately eight years.

The Municipal Solicitor advised, that this is to be done in phases and the proposal is that no phase will be proceeded with until approved under the Agreement. Mr. Cox stated, that we are being asked to approve the development and to instruct the Warden and Municipal Clerk to enter into an agreement with such instructions as you may wish to give.

Councillor Hudson asked how long agreements are in effect, and was advised by Mr. Cox that agreements are in effect until they are either revoked or amended.

Councillor Dunbar asked, with regard to the installation of underground pipes for water and sewer purposes, if inspections by the County during the installation would be permitted. He stated, that there have been quite a few problems in the Sackville area, and as the County is going to have to take over this water and sewer system the thought it would only be in order to be involved in inspections of the installation progress.

Mr. Clarke advised, that the agreement includes inspection by the County and also includes County approval and County inspection of the installation.

The Municipal Solicitor advised, that it includes approval of installation and inspection and also the right to stop work if not proceeding to their satisfaction.

Councillor Killam asked, if it would guarantee sufficient services and was advised by Mr. Clarke that it was geared to capacity.

Councillor Dunbar said there was a problem with regard to planning - requests coming in for lesser frontages. He said he would appreciate the necessity of this in cul-de-sacs, but when a plan comes in and it has curves in the road he disagrees. He asked what provisions were being made in the agreement to obviate speed etc.

Mr. Clarke advised, that these were undersized lots within the Municipal By-law. All lots would be submitted under the Planning Development By-law, and if the lots are approved under this, they would not come before the Planning Advisory Committee.

Councillor Streach commented, that in his opinion this type of agreement is the type of thing that we, as Councillors, want to see, and felt that with the exception of some fundamental items, that it would be quite in order to approve this.

Deputy Warden Nicholson commented, that unlike Sackville there were only about ten cul-de-sacs in this development.

Councillor MacKenzie remarked, that it was very good to see such a development, and asked what assurance the Municipality has with regard to highways in and out of the City, and asked if this had been considered.

Mr. Clarke stated, that this had been considered as part of the Master Plan. He said, that this development of twenty thousand people has been checked out with the Department of Highways. With regard to this, the up-grading of Highway No. 7 and the Cole Harbour Road is actually under-way now. Future streets in the proposed development would be designed to fit in with the Department of Highways over-all plan.

Councillor MacKenzie expressed hope that Highway No. 7 would be up-graded before this development takes place.

Mr. Gallagher, Director of Public Works, advised that the sewer system had been planned for this density. He said, that on two occasions they had been exposed to this plan.

Councillor Deveaux asked what would happen if problems arose with the Treatment Plant, and was advised by Mr. Gallagher that there is land to extend the Treatment Plant. As the development is taking place all these things will be taken into account.

Councillor Williams asked what the percentage was for schools and churches. He stated he had problems in his own District, and was interested to know what schools were anticipated.

Mr. Clarke advised, that the school requirements are calculated by population. They anticipated six elementary schools, two junior high schools and one senior high school for the land assembly. Those are the requirements for the land assembly and private subdivisions immediately surrounding Forest Hills.

Councillor Slauenwhite spoke about the apartments, and asked Mr. Clarke if he knew what height they were to be.

Mr. Clarke stated, that it will be a condition of sale and development of these sites, that the height should be such and such and the number of units such and such. He stated, that they have total site planning control on all residential sites in the land assembly. He stated, that they would be setting the conditions on how the land is used. He stated, that the density could be less than 20,000, but according to the agreement could not be more than that. It may be that there will be a lesser number of apartments and this would mean that the number of single family dwellings would be greater.

Councillor Slauenwhite commented, that the matter of density is very important with regard to fire protection services.

Councillor Dunbar asked, if the twelve month period would be a reasonable period of time for the installation of this public works system.

Mr. Gallagher, Director of Public Works, stated, that based on past experience, we could probably use something in excess of twelve months. He said he felt in some instances it could be more, as development does not always go ahead as fast on some land. He advised, that there was an inspector at all installations. He said that we probably should have a resident engineer to be there at all times, this is the case with the City of Dartmouth. He said he could not advise as to the legal aspects. He stated, that in the final analysis the person who pays the bill has the control.

Councillor Smith asked how long it would be before the road would be linked up with the No. 7 Highway, and in what way would it be linked up. He was advised by Mr. Clarke, that a portion of the highway would be paved and opened up this summer.

Councillor Killam commented, that assemblies like this do not create a revenue for the County. We must bear in mind that our expenses are going up and tax-payers in all Districts are going to have to pay more money because of this type of assembly. We would want the Housing Commission and the Government to know that these assemblies are a cost to the municipality.

Councillor Hudson asked what criteria was used when designating sites for schools. She also asked, if any consideration had been given to Day Care Centres and Libraries.

Mr. Clarke advised, that the criteria changed all the time - it is taken from the School Board Staff, population of school children etc. He stated the location is devised from Planning criteria and also advised that they had sites set aside for Day Care Centre and Library.

Mr. Clarke pointed out in the map just what is already done and what is to be done.

A great deal of discussion followed with regard to the corridor entering into the No. 7 Highway. The situation was described by Councillors as "a real bottleneck".

At this point Mr. Clarke left the dais and was thanked by Warden Settle for his appearance before the Municipal Council, relative to the Planned Unit Development known as Forest Hills at Cole Harbour.

Warden Settle then asked, if there was anyone who wished to speak against this Agreement with the Nova Scotia Housing Commission.

There being no one who wished to speak with regard to this Agreement, it was moved by Councillor Anderson, seconded by Deputy Warden Nicholson:

"THAT WHEREAS the Council of the Municipality of the County of Halifax has caused to be passed a Planned Unit Development By-law;

AND WHEREAS application has been made by the Nova Scotia Housing Commission under the said By-law for approval of a development scheme for land situate at Cole Harbour and Westphal in the County of Halifax known as Forest Hills;

AND WHEREAS Council held a public hearing on the said development scheme, its approval, amendment or rejection at the Municipal Administration Building, Dutch Village Road, Halifax on Tuesday, the 18th day of February, 1975, at which time all written objections and other representations were duly considered and heard;

BE IT RESOLVED that Council approve the said development scheme in principle subject to the said Nova Scotia Housing Commission entering into an agreement with the Municipality in terms similar to the agreement attached to this resolution;

AND BE IT FURTHER RESOLVED that the Warden and Clerk be and they are hereby instructed and authorized to negotiate and enter into such agreement." Motion carried.

It was felt by all Councillors that the entrance to Highway No. 7 should be given very serious consideration, and Warden Settle said that he felt that the Department of Highways were fully cognisant of this situation.

The next item to be considered was the approval of the Minutes and it was decided to deal with the January 21st., and February 3rd., Special Session separately.

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

"THAT the Minutes of the Council Session of January 21st., 1975 be approved as amended." Motion carried.

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

"THAT the Minutes of the Special Session of Council held on February 3rd., 1975, be approved." Motion carried.

Mr. Bensted, Municipal Clerk, brought up the matter of a motion from the January Session of Council, with regard to the Council meeting as a Committee-of-the-Whole, ten days before the regular Council Session. He stated, that this matter had been discussed at the Finance & Executive Committee, and the Committee was not recommending approval of that motion.

The motion, moved by Councillor Killam and seconded by Councillor Gaetz, which had been referred to this Session, read as follows:

"THAT a Committee-of-the-Whole meeting be held monthly at least ten (10) days prior to the meeting of the Council Session." Motion deferred.

Councillor Killam advised, that there had been quite a discussion on this matter. He said he always felt it was good to support a Committee and he still favoured getting together on items. He stated, that there are so many areas to the County - surely a meeting of the seventeen Councillors to discuss important matters would be of benefit to all. He said this was why he suggested that Councillors meet another day, so that Councillors would be fully aware with what was going on.

Councillor Anderson said, that he felt that his services to the Municipality plus his services as Councillor had given him a different prospective than that previously held. He commented, that he felt Municipal Affairs had become a little archaic, and he felt it was time for us to change. He felt that there was no reason why this Council could not hold two (2) Sessions per month - the 1st Tuesday and the 4th Tuesday and regular Sessions would be specifically set up particularly for hearing applications for spot zoning etc. He said he was suggesting that the Planning Advisory had a use. He was using the Planning Advisory as a model of holding small meetings where they file applications as necessary. He stated, that there are conditions arising within the Planning Advisory that he thought the Council, as a whole, had every right to know about and should be fully informed on matters of planning and zoning.

Councillor Anderson said he felt we were still under the old system, and a second meeting of Councillors with a proper distribution of what had happened within those Committees would be of much more benefit than the single meeting which we now hold. He said he agreed one hundred percent with a different set up in this manner. He said he felt quite strongly that Councillors are poorly paid in comparison with other municipalities. Committee meetings should be obligatory and if a Councillor does not attend he should be fined. He felt that Councillors should receive \$6,000.00 and eliminate all the single cheques every week.

Councillor Deveaux remarked, that he comes to Council and often something comes before Council that he has had no opportunity to look into. One particular instance was the landfill operation in Sackville. He stated he could not be two places at once and he felt that the Question and Answer Period would not answer that problem. He said he would like to see some sort of Committee-of-the-Whole before Council.

Councillor Gaetz said he had had this in mind for some time. He felt that we pushed County work too fast. He stated, that any Councillor who takes on this job should be prepared to spend the day. He wondered if the Question and Answer Period may not take on that, providing we did not try to get away by twelve o'clock. He said he was in favour of the Question and Answer Period to see how it works out.

Councillor Streach said he was very much disturbed with the "hurry" of Council Sessions. He said he supported Councillor Gaetz in that when he comes in to Council he expects to stay until Council work is done. We should make the practice of breaking for lunch and coming back to an afternoon session. He stated, that he had supported the Question and Answer period, and any time that anything of importance comes up we can always give notice of a Special Session. He felt that Councillor Anderson had brought out a number of items which made a lot of sense and gave food for thought. He said he would like to think that we are people who have the qualities, where to be truly involved is to be exposed to all the information. He said he supported the Finance and Executive recommendation that we have a regular Question and Answer period and that we duly put in a full day at Council. He said he was not in favour of the Committee-of-the-Whole motion.

Deputy Warden Nicholson said he felt it was his duty to attend Council Sessions - no matter how many there were. He also said he was not interested in seeing Staff sitting in the gallery when they could be otherwise occupied.

Councillor Hudson stated, that when she first came into Council there was a morning and afternoon session. She felt that it was a credit to the present Council that they could deal with matters so quickly.

Councillor McCabe said it gave him pleasure to concur with Councillor Hudson.

Councillor Fader said he felt that all Councillors should be more involved with the mechanics of the County - the County is big business, and we are more involved. He stated that Councillor Deveaux had mentioned the landfill operation and said that Council should have been involved, as a whole, right from the start. He felt that Councillor Anderson had some good points, also Councillor Gaetz, but felt that there was a fair amount of work involved to calling a special meeting of Council.

Councillor Deveaux felt that it was good to have a Question and Answer Period, but thought it should be before the Council Session not at the end of it.

Councillor Streach said, that the point he was trying to make was "Let us make use of the day we have." He said he did not want to see Councillors come in once a month and get through the business in time to get home for lunch.

Councillor Gaetz said he felt that matters of Council were rushed. He said he agreed with Councillor Streach - "If it takes a whole day - let us stay."

Mr. Cox explained, that the Resolution called for a Committee-of-the-Whole could not pass matters. It would simply be an information period.

Mr. Bensted, Municipal Clerk, once again read the original motion and the result of a standing vote was five (5) for; twelve (12) against. The Warden declared the motion defeated.

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

"THAT Council adjourn until 1:30 p.m." Motion carried.

Council re-convened at 1:30 p.m. The Municipal Clerk called the roll.

The Report of the Warden was dealt with and it was moved by Deputy Warden Nicholson, seconded by Councillor Moser:

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

The next item was the Report of the Director of Planning and Development and it was moved by Councillor Slauenwhite, seconded by Councillor Gaetz:

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

With regard to the report of the Director of Planning and Development, Councillor Killam noted that under "Plans Rejected" was one in the name of Baden Conrad of Hubbards. He stated, that Mr. Conrad had been in touch with the Department of Highways, who advised Mr. Conrad, that they had not rejected his plan, that is was ninety-five percent approved but just needed a little ditching. Councillor Killam felt it would be better not to use the word rejected - but was advised that the Director of Planning had used the word "rejected" as he had not received an O.K. from the Department of Highways. The Director advised that Mr. Conrad was going to re-apply for approval.

The Report of the Planning Advisory Committee was then considered. It was moved by Councillor Gaetz, seconded by Councillor Slauenwhite:

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

With regard to unsightly premises, Councillor Williams asked if money would be put aside to take care of this situation. He was advised by the Municipal Clerk that such a move had been recommended by the Committee.

Councillor Williams said he was quite disturbed about a few of the properties in his area. He said he would not judge a person living in an unsightly property - what bothers him is that some of these properties have been brought before the Planning Director - these people have already moved out of the property and he felt that we should not have to wait two years for something to be done. He said, that people had actually abandoned the property and left the unsightly properties in his District. He said it was not so much the car bodies in his District, this was buildings and he had sent in pictures.

Councillor Killam questioned the Solicitor, if these people are being assessed on these properties, can the Planning Department recommend that the property, in their judgment, should have something done to it and charge it on their tax bill or put a lien on it.

Mr. Cox advised, that we have done this in some instances and we are asking that it be included in our legislation, that this be made available to the Board of Health as well. He advised, that we have asked for lien privileges. He said he did not want to hold out any false hope but we are trying again.

Mr. Bensted advised, that even if we have the authority we are going to have to satisfy ourselves before we spend any money.

Councillor Deveaux said there was one building in particular in his District that had been unsightly for over a year.

Councillor Anderson said, after going through Councillor Williams District, he was very much in sympathy with him.

Councillor Williams said he realized that Planning had done all they could. They write very polite letters which state that something has to be done within fourteen days - but still there in nothing done.

Mr. Bensted advised, that if we are going to try to clear up these properties, we are going to have to have dollars to do it. This is why the Planning Advisory Committee have recommended funds be allotted to do this.

Councillor Williams stated, that these people are given fourteen days to clean up their property before action is taken. What action has been or can be taken against these people. If a man is assessed for property and it is unsightly, the Assessment Department has the value, and he said that no one could convince him that a lien cannot be placed on the property.

The Municipal Solicitor stated, that we have two methods of dealing with unsightly properties (1) Under the Municipal Act, we have the right to take action against unsightly properties and to order the owner to rectify the situation. If the owner does not do this, then we have the authority to do the necessary work ourselves, and recover the amount through ordinary debt, and we may or may not collect the money. He stated, that the difficulty in that situation is that unsightly is not something of where you, yourself deem it. Unsightly is up to the Court to determine it so. It is not your opinion that counts, it is whether or not the Court believes it to be unsightly; (2) the other method is under our own 1953 Legislation which gives the Municipality the right to take action on unsightly premises, and the official that enforces it is the Sanitary Inspector. We do have a lien under this. We must be sure the legal owner is notified. If he does not comply, then the County can go in and do the work and recover the funds or place a lien. He stated, that the Courts of this Province are very sympathetic towards the property owners, and you have to be very sure that you are on safe ground. We should have an inspector who has the time to really prepare for things of this nature, before they are brought to Court.

Councillor MacKenzie asked, if there were any car body crushers in this area. Mr. Bensted advised, that there was one in the area at the present time, and he had written to them, but as yet had had no reply.

Councillor MacKenzie said there was an organization in his area that had about one hundred cars, and he was hoping something could be done about them. Mr. Bensted advised the Councillor to give the information to Mr. Gough, as we are trying to arrange a meeting with the company who owns the crusher.

Councillor Williams said he was not being critical of Planning Advisory, but he had provided them with a petition and pictures of the properties in his District. He said there was no one living in them, they are vacant. He said that Planning Advisory made a decision that those property owners should be sent a letter to clean up these properties, or else. The letters were sent, but this is a long time ago. He said that people in that subdivision call him about twenty times a month, and he was at a loss for answers. He said he sympathized with people living alongside these properties, and said he would like to ask the Chairman of the Planning Board, if possible, to take his Committee out and see these properties. He asked why the Building Inspector should not say whether a building is fit to be reported as unsightly. He also stated that we do not have to hire extra help - that the Building Inspector in his area drives by these properties every day. He felt it was a shame that people had their assessment raised, and then have to appeal. They cannot sell their houses because of the unsightly properties next to them, and that devaluates their property.

The Municipal Clerk advised, that we cannot do the job unless we have the bodies to do the necessary detail.

The motion to approve the Report of the Planning Advisory Committee was approved.

The next item to be considered was the Supplementary Report of the Planning Advisory Committee. It was moved by Deputy Warden Nicholson, seconded by Councillor Slauenwhite:

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

After some discussion, it was moved by Councillor Slauenwhite, seconded by Councillor Fader:

"THAT BE IT RESOLVED that the Zoning By-law be and the same is hereby amended by rezoning lands of Dr. G. Bruce Cameron at Sackville from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone)." Application No. 3-75. Motion carried. (Vote of 14 for; 1 against.)

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

"THAT BE IT RESOLVED that the Zoning By-law be and the same is hereby amended by rezoning lands of Three Star Development Limited at Sackville from R-1 (Residential Single Family Dwelling Zone) to TH (Town House Zone)." Application No. 4-75. Motion carried.

The Report of the Municipal School Board was then considered. It was moved by Councillor McCabe, seconded by Councillor Hudson:

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

Councillor McCabe commented, that he felt the School Board was very concerned with regard to the garage for the school busses. He stated that it was economical to have busses in good repair. Commenting about recent press releases with regard to the strike by School Bus Drivers, Janitors and Auto Body men, he said that it was his opinion that the School Board had negotiated in a proper and responsible manner, and that the Board had been very generous. He felt that this was going to cause hardship for families who have children, and said he believed that the boys wanted to go out on strike and felt they should be given "the chance to enjoy it."

Councillor MacKenzie said he was concerned about the students, and what effect it would have on the education of the children. He felt there had been sufficient time to negotiate a contract and not be faced with the situation we have today. He hoped that every effort would be made to get the bus drivers back on the road, as he said many of the children were unable to make arrangements to get to school, and every effort should be made to get them back in the classroom.

Councillor MacKenzie referred to the Fire Marshal's report on a number of our schools in the County, and wondered what position we were in as a County at this time. He stated, that they were becoming quite concerned over the situation at the Sheet Harbour Elementary School, also the Duncan MacMillam School, with regard to the water situation. He said he brought along a sample and would defy anyone to have to use it in their homes or in any of the other schools, and felt an effort should be made to clear it up.

Councillor Streach said that prior to receiving the Press Release we have today, his interpretation of what had been taking place was not the same as what actually had been taking place. He said he had always felt that some people in our system - and bus drivers were in that category - were grossly underpaid. He commented, that there was a great amount of responsibility placed on the bus drivers, and felt that we have neglected this in the past. It stated, it appeared to him from the press release, that the School Board had negotiated in good faith. He said he commended the School Board in the approach they had taken and hoped that the strike would be settled very shortly.

Councillor McCabe commented, that there were nineteen other articles that have not been agreed upon - fringe benefits etc., items that were very expensive and would come into the area of \$1.2 million dollars over what they are getting now.

Councillor Deveaux asked if the Bus Drivers have a pension fund.

The Municipal Solicitor commented, that he was not quite sure just how much he should discuss the matter at this time, as the negotiations were with the Municipal School Board - not with the County, but he believed a pension scheme was offered.

Councillor Gaetz said he realized they were having a time negotiating. Councillors would also like an increase this year. He said that a couple of bus drivers had spoken to him. Councillor Gaetz was wondering how Mr. Doucet was getting time off. He said he was asked if Mr. Doucet was going to get his pay as well, when he gets the time off to go to England.

Councillor McCabe advised Councillor Gaetz, that Mr. Doucet is "going without pay".

Councillor Streach commented, that this issue had come up- here, he stated, we have a case that in the school year this particular man was hired as principle - now he is given time off for Government sittings and now he is being given time off to go to England.

Councillor McCabe assured Councillor Streach that this was the Board's decision NOT McCabe's decision.

Councillor Hudson stated, that teachers are paid for the ten day March break. This other break will be ten other days. She felt our School Board and the Department of Education should be reprimanded for allowing anyone to go to England to look over their schools. She felt there must be something wrong for the School Board to allow this.

Councillor McCabe advised Council, that the Contract re Tallahassee School was signed last week.

Councillor Killam said he understood that funds are now available to have the school repairs carried out as recommended by the Fire Marshal's Report. He asked if a report could be expected from the School Board, as to what action would take place.

Councillor McCabe assured him that they would make every effort.

The Municipal Clerk advised that funds were not available yet. The Program has been submitted to the Department of Education for their approval, and as yet we do not have their approval back. Funds will be available, when we have their approval. We have verbal approval in principle, but the budget has not yet been approved.

Councillor Fader said he would like to see a report next month on what it is costing the County to operate the school bus system and what is shared by the Province. What is the percentage of cost sharing.

It was moved by Councillor Fader, seconded by Councillor Deveaux:

"THAT the Municipal School Board be requested to provide the Municipal Council a detailed report at the March 1975 Session as to the cost of operating the School Bus system for the year 1974, and the Provincial Sharing, as well as the possible cost of the proposed School Bus Garage for Bedford-Sackville, as well as to the cost of janitors for schools for 1974."
Motion carried.

Councillor Hudson stated, that this information was contained in the Annual Report of the Municipal School Board. At the present time cost sharing is based on loaded miles at approximately \$0.87 per mile. However, a full report can be brought in.

The Report of the School Capital Program Committee was then considered. It was moved by Councillor Gaetz, seconded by Councillor Moser:

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

Councillor Hudson asked to what extent investigations have been carried out, with regard to school bus garages.

Councillor Slauenwhite advised, that investigations included the most logical area in the Bedford-Sackville area - water, sewer location etc.

Councillor Gaetz asked what headway is being made for the Junior High School on the No. 7 Highway - stating that the school was very much overcrowded.