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MINUTES OF A MEETING OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

Warden Ira Settle called the meeting to order at 7:00 p.m. with The Lord's Prayer followed by the Clerk calling the roll.

It was then moved by Councillor Eisenhauer, seconded by Councillor Cosman:

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

Councillor Cosman announced that it was the Deputy Warden's birthday upon which she moved, seconded by Councillor Streach:

"THAT Council adjourn for ten minutes in respect of Deputy Warden Williams' birthday." Motion Carried.

Councillor Cosman presented the Deputy Warden with a birthday cake. It was suggested that the cake be served with coffee later in the evening instead of adjourning at this particular time.

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

"THAT Council set a moratorium of 11:00 p.m." Motion Carried.

The Clerk referred to the correspondence contained in the agenda.

It was moved by Councillor Cosman, seconded by Councillor Eisenhauer:

"THAT a letter of congratulations go to Mr. Alan Duffus of Bedford re his recent honorary degree." Motion Carried.

At this time, Councillors then added additional items to the agenda.

Councillor Lawrence - additional county constables.

Councillor Topple - fire protection.

Councillor Benjamin - standing for public office.

Councillor Gaetz - city market.

Councillor Eisenhauer - senior citizens' units in Hammonds Plains.

Councillor Sutherland - notice of resolution re mobile homes for the May session of Council.

Councillor Baker - flooding.

It was moved by Councillor Lawrence, seconded by Councillor Benjamin:

"THAT the above items be added to the agenda and the agenda be closed." Motion Carried.

The next item was a notice of motion by Councillor Topple re hours of Council. Councillor Topple announced that he has decided to bury the hatchet, that he will be available at all times to his people and that he will withdraw his motion of reconsideration. He received a round of applause from fellow Councillors.

The next item was discussion re the proposed legislation concerning the Halifax Regional Authority and Councillor Cosman asked for Mr. Bensted's comments with respect to the Regional Authority also being the Metro Area Planning Commission.

Mr. Bensted replied that the Minister of Municipal Affairs has indicated that M.A.P.C. could be the designated authority should the legislation go through. In the past, the Halifax Regional Authority has lacked credibility with some of the Councillors of the three councils in Halifax County. There had been some joint action with MAPC re the selection of the land fill site. The Halifax Regional Authority could be doing some things that MAPC should be doing. If the Regional Authority does become involved in planning, the Halifax Regional Authority could lose any credibility they may have established. The Regional Authority should remain as an implementing body only and not a planning body.

Councillor Topple suggested that a letter be sent to the Minister stating that the County feels the Halifax Regional Authority should not have any say in planning and that this should not be included in their responsibilities.

Warden Settle gave a brief history on the matter. In other parts of the province, district planning commissions have been set up. The Minister used the body that existed. They have been successful in getting land in the past. It would seem that the two serve two separate functions and if they were to merge, something would be lost.

Councillor Streach asked if Councillor Topple meant to exclude the undertaking of certain studies in his proposed motion re the Halifax Dartmouth Regional Authority.

Councillor Topple feels that studies and planning should be separate. They would be more of a responsibility of a provincial agency.

Warden Settle stated that the MAPC had appointed S.W.A.G. to look at the disposal of solid waste. They were the catalysts for a lot of planning and they always managed to get funding. One is an implementation body and the other is the catalyst for getting things going.

Councillor Lawrence was also concerned about the study aspect of Councillor Topple's proposed motion. Such regional problems as waste disposal, transit, etc. do need to have studies carried out.

Councillor Topple replied that the Halifax Regional Authority should not be getting involved in studies. MAPC is the agency for this as they have sufficient qualified staff to do this.

At the present time one man serves as Executive Secretary on both these agencies and Mr. Bensted feels this could cause a problem in the future.

In speaking of MAPC, Councillor Eisenhower said they have a direct line to the provincial government as the minister is on the board.

Councillor Cosman agrees that the planning end of things should go through MAPC as they serve as a pipe line for provincial funding. If the Halifax Dartmouth Regional Authority were to get involved in planning, they would have to hire additional planners on staff who would not have enough work to keep them busy all year round. As with the case of the land fill, the government got themselves into a mess. The Halifax Regional Authority would be accused of empiring.

It was moved by Councillor Topple, seconded by Councillor Cosman:

"THAT Council go on record with the Minister of Municipal Affairs of not approving that portion of the proposed legislation dealing with the Halifax Dartmouth Regional Authority having the powers of a district planning commission the solicitor be instructed to oppose this at the appropriate legislature committee. Also that sections 7 and 8 be deleted." Motion Carried.

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

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

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

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

Concerning the Report of the Director of Planning and Development, Councillor Sutherland asked if a color coded map could be drawn up showing the Sackville Green Areas to be available for Councillors at a later date. Mr. Gough said this could certainly be done.

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

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

Re the Report of the Planning Advisory Committee, Councillor Gaetz noted that the staff had recommended rejection of application #24-77, lands of Norman C. Osborne whereas the Planning Advisory Committee had recommended acceptance of the application.

It was moved by Councillor Cosman, seconded by Councillor Topple:

"THAT Council set Tuesday, May 16, 1978 as the date for a public hearing under the 1966 Legislation re Undersized Lots re application # 9-78 - Lands of Margaret C. Rutherford, West River, Sheet Harbour Lot 'A'." Motion Carried.

It was moved by Councillor Eisenhower, seconded by Councillor Cosman:

"THAT the Zoning By-law be and the same is hereby amended re Application # 19-77 - Lands - Highland Park Subdivision, Hammonds Plains by rezoning said lands from G (General Building) Zone and Unzoned Status to R1 (Residential Single Family Dwelling Building) Zone." Motion Carried.

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

"THAT the Zoning By-law be and the same is hereby so amended by rezoning lands of Norman C. Osborne, Shore Road, South East Passage from R4 (Residential General) Zone to T (Mobile Home Park) Zone." Motion Carried.

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

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

The Report of the School Capital Program Committee was then dealt with. Councillor Cosman asked for an update on the status of the Bedford-Waverley-Fall River-Hammonds Plains High School. Mr. Bensted replied that the architect is working on the final plans and specs. It should be going to the Department of Education for approval in about 4 or 5 weeks and then tenders will be called. The architect is having soil tests done and then plans will be submitted to the Committee. Councillor Benjamin is also concerned about the holdup on this school and stated that nothing should delay the building of it.

Councillor Gaetz added that the Committee is pressing for urgency in the building of this school.

Councillor Topple is concerned about the Cole Harbour High School. He stated that the trustees of the schools had gotten together to discuss the problem of why the building of schools was dragging so far behind. There is much concern about overcrowding and registered letters were sent to various people including the County expressing concern over the situation in the Dartmouth East area. Action must be taken soon or they will have a problem similar to the one Councillor Benjamin experienced in his area lately with split shifts, etc. It seems that the Housing Commission holds up a lot of the school building programs.

Councillor Gaetz explained that many of the schools were held up because of the moratorium put on schools.

Councillor Eisenhower asked about the Middle Sackville school and its progress. Councillor Gaetz explained that soil tests were in the works but tests cannot be taken in the winter. Councillor Fader added that the Atlantic Health Unit are also looking at the existing system in the area for sewage.

Councillor Benjamin is also concerned with the overcrowding of county schools and feels we must keep pace with the growth.

Councillor Deveaux suggested that a letter be sent to the Minister of Education requesting that the moratorium on schools be lifted on Halifax County as they are growing so rapidly. Perhaps this would help speed up the procedure in getting schools built.

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

"THAT a letter be sent to the Minister of Education to request the release of all projects for school construction for Halifax County from the moratorium. Copies should go to the Premier, Minister of Housing and Halifax Cabinet Ministers." Motion Carried.

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

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

Councillor Streach briefly went over a few points contained in the Report of the Finance and Executive Committee. Because of the delay in getting the assessment rolls completed, it will be some time before a tax rate can be struck. The Finance and Executive Committee have recommended that the Minister of Municipal Affairs be advised of this especially since further delays could result in as much as 60 to 70 thousand dollars in carrying charges and that an appeal be made to him to obtain a special grant.

Furthermore, the Public Service Commission will owe Halifax County some one million dollars in back taxes which once collected will greatly alleviate the problems the County are now facing. This is going before the Supreme Court of Canada as another appeal and it is recommended that the Solicitor be instructed to uphold in the appeal to the Supreme Court of Canada the stand of the County in securing this outstanding account.

Councillor Topple suggested that since this is the third year this account has been arrears, the County should consider having a Sherrif's Sale to deal with the problem.

It was noted that interest will be charged on this outstanding account.

Councillor Margeson wondered if a special dispensation could be obtained re the taxes as it is not the fault of the County that the assessments are late. Forty percent of the bill could have been collected in February and the rest in August when the rate is set. Mr. Bensted said this could not be done in this way as you have to have the assessments completed before the rates can be struck.

Councillor Margeson also asked if the County paid their water bills and suggested holding back payment until the Public Service Commission pay their outstanding debt.

Councillor Gaetz was most concerned that the appointment of delegates to the Federation of Canadian Municipalities

Annual Conference was recommended by the Finance and Executive Committee instead of by the whole Council. Councillor MacKay agreed with Councillor Gaetz and asked why certain persons were selected instead of others.

Councillor Streach said that this item came before the Finance and Executive Committee and therefore it had to be dealt with. This very item will be dealt with again separately and at that time other Councillors may nominate other persons. He himself had expressed interest in going and that is why he is one of those selected.

Councillor MacKay did not agree with the procedure as he too could be interested in attending but because he is not present at the Committee meeting, his interest cannot be expressed.

Councillor Benjamin asked whether the proposal concerning water and sewer services for Waverley is going to be submitted to the Minister tomorrow and Mr. Bensted informed him it would be submitted to the Minister in a day or two at the most.

It was moved by Councillor Walker, seconded by Deputy Warden Williams:

"THAT the proposed amendment to the Retirement Pension Plan be approved and the Retirement Pension Plan be so amended." Motion Carried.

Once again, Councillor Gaetz expressed his displeasure with the procedure for selecting delegates to the Annual Conference. It is most embarrassing to present a name after the Finance and Executive Committee have already recommended certain persons.

Councillor Streach said that he would withdraw his name as one of the delegates so that Council could select whomever they wished.

Councillor Deveaux asked when Councillor Fader had been appointed as the alternate to the Warden. Warden Settle explained that he must always give the name of an alternate in case of sickness to such events and it is usually someone different each time. He also went on to say that only himself was allowed to go to the Annual Convention some years ago and it has since broadened to include three persons.

The Solicitor advised that Councillor Streach could not withdraw his name from the list of voting delegates to the Annual Convention.

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

"THAT the following be named as delegates to the Federation of Canadian Municipalities Annual Conference in Edmonton on June 4, 1978: Warden Settle, Councillor Streach and Councillor Fader." Motion Carried.

It was also moved by Councillor Sutherland, seconded by Councillor Lawrence:

"THAT in the future the Finance and Executive Committee not make recommendations as to delegates to the Federation Conference." Motion Carried.

It was moved by Councillor Margeson, seconded by Councillor MacKay:

"THAT Councillor Sutherland be appointed as an alternate to the Federation Conference in Edmonton." Motion Carried.

Councillor Margeson also suggested that at some time in the future some of the County Councillors from Halifax exchange visits with some of those in Quebec to see how each Municipality operates.

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

"THAT the Municipal Clerk be instructed to advise the Minister of Municipal Affairs of Council's concern re the late completion of the 1978 assessment rolls and the resulting increase in carrying charges because of late billing and requested special financial assistance in this respect." Motion Carried.

It was moved by Councillor Eisenhauer, seconded by Councillor Cosman:

"THAT Mr. A. W. Cox, Solicitor, be instructed to act for the Municipality of the County of Halifax in opposing the Appeal to the Supreme Court of Canada by the Public Service Commission re assessment of the Pock Wock Water System." Motion Carried.

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

"THAT Councillor Sutherland be appointed as a member to the working committee of the Annual Conference of the Union of Nova Scotia Municipalities." Motion Carried.

Mr. Bensted then read the details of the Supplementary Report of the Finance and Executive Committee.

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

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

Councillor Cosman said she wished she had received prior notice about the Finance & Executive Supplementary Report with the item Bedford Service Commission Appeal in the Trial Division of the Appeals Court, NS and the memorandum from Mr. Bensted so that she could have been more prepared. She could see no purpose in having Mr. Cox attend the hearing in a watching capacity. It is asinine to pay out all this money just to have him sit there.

Councillor Streach could understand how Councillor Cosman feels and has no objection to this recommendation being deleted.

The Solicitor, Mr. Cragg, agreed that the County is not directly involved in this particular hearing as it is not dealing with the decision of the Council.

It was then moved Councillor Streach, seconded by Councillor Topple:

"THAT the section of the report dealing with the Bedford Service Commission action in court that recommends for Mr. Cox to act in a watching capacity be deleted." Motion Carried.

Councillor MacKay brought up the fact that Council continues to undermine the new Solicitor by having Mr. Cox continually doing County business. The new Solicitor has been in office for well over a year now and the relationship with Mr. Cox should be broken off.

Councillor Streach agrees with this however, Mr. Cox has been involved in the Bedford Service Commission action prior to the new Solicitor's appointment. Mr. Cragg also feels that Mr. Cox should deal with all business that he was working on as this is in the best interests of the County. He would expect to do the same should he be terminated as well.

It was moved by Councillor Sutherland, seconded by Councillor Eisenhauer:

"THAT Council approve in principle the proposed Kinsmen Recreation Facility at First Lake and authorize the Solicitor and Clerk to prepare a lease agreement for this purpose."
Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Lawrence:

"THAT Council approve the sale of a lot of land approximately 35' x 109' as surplus lands from Boutilier's Point School Property to Mr. Mailman for \$500.00 subject to Mr. Mailman having the lot surveyed and submitted to the Director of Planning and Development for approval as an addition to Mr. Mailman's existing property." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Cosman:

"THAT Council adjourn until 9:00 p.m." Motion Carried.

Upon returning, Councillor Lawrence noted in the March 1978 edition of "Municipal Open Line" that nominations should be sent in for the nominating committee. Warden Settle said one of the first things done at the annual meeting of the Union of Nova Scotia Municipalities is to select a nominating committee.

Councillor Cosman commented that the newsletter for December did not come until March. In the newsletter it was noted that the executive had decided to scratch resolution 60. Councillor Cosman could not understand where the executive gets the authority to do this once the resolution had passed at the Union meeting.

Councillor Lawrence had also followed up on this item concerning energy saving devices and had received a reply explaining that the wording of the resolution was ambiguous. She was satisfied with the explanation. The Secretary was ill for several weeks and this is why the newsletter was so long in arriving.

Last year there was a resolution passed said Councillor Lawrence about hiring an additional County Constable to help enforce the Taxi By-law. What is the progress on this to date? Mr. Bensted informed her that someone will be hired shortly.

Councillor Lawrence also brought up an important fact concerning annual licensing of mobile home parks. It seems that for the past two years only two licenses have been issued and these have been to the same person. There are certainly many more trailer parks and it appears that this by-law is not being followed through. The issuance of a license requires an inspection by the Building Inspector to see that things are in order re the number of trailers, etc. This inspection and subsequent report ensures that situations do not get out of hand. This by-law should be enforced so as to control the quality of life in trailer parks. In some cases plans are not currently on file to confirm what the original plan or number of sites were. Starting this year there will be information to compare with. This whole situation should be referred to the Finance and Executive Committee.

It was moved by Councillor Lawrence, seconded by Councillor Sutherland:

"THAT the matter of licenses re mobile home parks be referred to the Finance and Executive Committee." Motion Carried.

Councillor Topple spoke about a resolution passed last year, moved by Councillor MacKay, seconded by Councillor Williams, re burning permits in which a letter was to go to the Department of Lands and Forests about this problem. Upon speaking to a fire chief, Councillor Topple was informed that a reply was not received. Mr. Bensted stated that the matter was referred to the Department of Lands and Forests for their consideration. Councillor Topple would like to have some answers on this matter. There should be a by-law whereby people who light fires should be charged a fine. Warden Settle assured him he would get the information for him.

Councillor Benjamin spoke out against the proposed legislation which will permit a Warden or Municipal Councillor to also hold a seat as an M.L.A. for 18 months. There should not be any duplication of persons on two levels of government. The County should go on record as being opposed to this legislation whereby one person could hold public office both in a provincial, federal or municipal level of government.

Councillor Gaetz himself did so for a short time and could see no reason why a person could not handle it.

Councillor Topple feels that such a person could not properly carry out both functions. The governments should be kept separate. Councillor Deveaux also agreed that there would be a conflict of interests and he personally feels this is a rigged piece of legislation.

Councillor Eisenhauer suggested that once a person is elected to another office while holding a municipal seat, he should resign within a 30 day period.

It was moved by Councillor Benjamin, seconded by Councillor Cosman:

"THAT Council go on record as opposing the proposed or existing legislation which will permit a Warden or Municipal Councillor to also hold a seat as an M.L.A. as well as a Municipal Councillor and suggest that a municipal elected representative should resign within 30 days of being elected to a higher level of government." Motion Carried.

Councillor Eisenhauer has noticed an increasing need for a senior citizen's complex in his area. He would like to have this need investigated and would appreciate some assistance from the Housing Corporation. This project would in no way interfere with those already in the works.

It was moved by Councillor Eisenhauer, seconded by Councillor Walker:

"THAT the Nova Scotia Housing Corporation carry out a need and demand survey re a senior citizens project at Hammonds Plains." Motion Carried.

Councillor Sutherland gave notice of placing a resolution on the agenda for next month's meeting.

Councillor Baker is concerned about flooding which is occurring on St. Paul's Avenue in Herring Cove which was taken over some years ago by the Department of Highways. There is a rock formation here and water spills over and floods the neighbouring people's homes and land. The road is going to be hard surfaced and Councillor Baker would like to see action taken before it is paved. He had a petition of some 100 names who want something done about this.

It was moved by Councillor Baker, seconded by Deputy Warden Williams:

"THAT the Department of Highways be requested to take action with respect to St. Paul's Avenue in Herring Cove re a ditch which is blocked by a rock formation." Motion Carried.

Councillor Gaetz is very concerned with the plight of the farmers' market. They were supposed to be set up in the Halifax Arena and received word yesterday from Mr. Woods of the Halifax Arena that there would be no room for them for the next three weeks as the arena was already booked. These people have nowhere else to go and are getting very discouraged. There was an article earlier this year in the paper stating that they would have a place at the arena and now this. These are people from the County trying to earn a living and the City should be helping them. He suggested that the County make a request to the City of Halifax to help find another suitable area. Possibly the arena could be approached as to an alternate site.

Councillor Streach could understand the dilemma and suggested that a delegation from the County present themselves to the administration of the City of Halifax to discuss the matter.

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

"THAT the City of Halifax and Halifax Forum be requested to take immediate action to provide an alternate for the City Market if and when the forum site is not available." Motion Carried.

It seems these people are determined to come to Halifax as it is in their heritage.

It was further moved by Councillor Streach, seconded by Councillor MacKay:

"THAT a delegation of the Warden and Councillor Gaetz along with the president of the City Market openly approach the Mayor of the City of Halifax." Motion Carried.

Councillor Eisenhower gave notice of motion re correspondence from M.L.A. George Doucet concerning a tax exemption in Sackville.

Councillor MacKenzie hopes that all fellow Councillors received an invitation to the Rehabilitation Centre open house being held on May 8 and that they will be able to attend and see what is going on.

Councillor Smith also has a problem in her area concerning the patrolling of the lakes and rivers. At one time there was a man employed throughout the summer to watch for poachers, etc. but he was dismissed until this year when they want to hire him for May and June only. The areas should be watched throughout the summer and she asks that a letter be sent to the Federal and Provincial Departments of Fisheries to have this man on patrol for six months to cover the time when the salmon are in the lakes.

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

"THAT the Federal Department of Fisheries be written re patrol officer on rivers and lakes and the time period being extended." Motion Carried.

Councillor Margeson appreciated the repairs made to the rail on the council stairway. He would like to hear from S.W.A.G. at the next meeting and have a report on the land fill operation.

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

"THAT Council adjourn." Motion Carried.

MINUTES & REPORTS

of the

SECOND YEAR MEETINGS

of the

THIRTY - NINTH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

MAY COUNCIL SESSION

TUESDAY, MAY 16th., 1978

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MAY COUNCIL SESSION

The regular May Session of Council was called to order.

The Municipal Clerk called the roll.

It was moved by Deputy Warden Williams, seconded by Councillor Smith:

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

The Warden advised the next item would be the Public Hearing with respect to the undersized lot application # F-9-78. The Clerk advised this item had been duly advertised and no letters of opposition had been received.

The Warden opened the hearing calling for speakers for the approval and none came forth. He then called for the speakers opposed. There being no speakers, the public part of the hearing was closed.

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

"THAT application No. F-9-78 re Lot A, Lands of the Estate of Margaret C. Rutherford, West River, Sheet Harbour, be approved under the 1966 Legislation re undersized lots." Motion Carried.

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

"THAT the Minutes of April 11th., 1978 be approved as amended." Motion Carried.

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

"THAT the Minutes of April 14th., 1978 be approved as amended." Motion Carried.

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

"THAT the Minutes of April 18th., 1978 be approved as amended." Motion Carried.

Councillor Cosman wanted to point out the corrections she asked to be made before approving the Minutes of April 18th., and Mr. Bensted assured her that he had received a copy of the corrections to be made and such corrections have been made. Councillor Topple also had a correction to be made and Councillor Smith queried as to the letter being sent to the Department of Fisheries and asked for a copy to go to the Hon. A. Garnet Brown.

It was moved by Councillor Baker, seconded by Deputy Warden Williams:

"THE following items be added to the Agenda and the Agenda be closed." Motion Carried.

Councillor Deveaux - Unsightly By-Law
- Damage incurred to property during sewer and water siltation
- Lot approvals on lanes in Eastern Passage

Councillor Cosman - Report on request for MAPC funding - pollution control
- Request for EMO presentation to Council
- Update on Thorne Ridell report re PUB
- Reminder to Council for Industrial Committee re lists of businesses

Councillor Margeson - Administration

Councillor MacKay - Responsibilities of Clerk

Councillor Lachance - On-site sewage disposal system
- Temporary sound system

It was moved by Councillor Sutherland, seconded by Councillor Eisenhauer:

"THAT WHEREAS municipalities should encourage developments on the grounds of exercising their basic social responsibility to provide affordable housing within their jurisdictions.

WHEREAS there has been a demonstrated need established by
(a) younger couples with families for more affordable living accomodation accompanied by lower maintenance costs
(b) older couples who have owned and sold their houses but still wish to retain ownership of a less costly home

WHEREAS all home acquisition programs have been extended to the new Z.240 single-wide mobile homes

WHEREAS a special mortgage fund comparable to conventional mortgages should be established by the Federal Government to facilitate the purchase of lots for owners of the old Z.240 single-wide mobile homes

BE IT RESOLVED

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THAT the Municipality of the County of Halifax encourage the development of mobile home subdivisions for single lot ownership, priority to be given to locating such subdivisions within existing communities;

THAT the Municipality of the County of Halifax adopt a uniform criteria list to form the base of control for these subdivisions;

THAT the uniform criteria list include, but not be limited to, the following:

- minimum lot size
- street width
- surface treatment of streets
- setbacks
- municipal services (i.e. water, sewer, street lighting, storm sewers)
- recreational space
- water and sewer facilities on unserviced lots
- gross population density

THAT existing rental parks be upgraded where practicable to improve their aesthetics to as near this uniform criteria as possible;

THAT this Resolution be placed on the Agenda for the Conference of the Union of Nova Scotia Municipalities for consideration by the delegates and return to the respective municipal councils for consideration and action."
Motion Carried.

Councillor Sutherland read to Council the Resolution. Councillor Sutherland explained the concern for owners of older mobile homes to be able to receive financing etc. He explained that older mobile homes could be upgraded to a standard for new mobile homes.

It was moved by Councillor Sutherland, seconded by Councillor Lachance:

"THAT the resolution re mobile homes subdividing be referred to the Planning Advisory Committee." Motion Carried.

There was considerable discussion as to the procedure to adopt a uniform criteria list of mobile homes' standards and what should be done to upgrade older mobile homes.

It was suggested that this should be submitted to the Planning Committee for a recommendation of what standards the list should contain.

Warden Ira Settle also suggested that the resolution come back with the regional meeting for resolutions for the union of Nova Scotia Municipalities.

Councillor McCabe questioned as to the zoning of mobile homes.

Councillor MacKay expressed his views as to young people getting trapped into mobile home problems. He does not feel that mobile home parks should be encouraged, but does not agree with people buying lots and having mobile homes on them. He feels that a mobile home park is very cramped and over crowded and does agree with people owning their own lots and possibly building in the future when the family out grows the mobile home. Councillor MacKay also expressed his views about mobile homes' depreciation.

Councillor Benjamin suggested that the Planning Advisory Committee should study this.

Councillor McCabe was in favour of mobile home owners owning their own lot and expressed views with respect to people losing their homes through mortgage payments, etc. However, mobile homes are affordable to some people.

Councillor Topple agreed with large lots with future goals of building homes on the land in which mobile homes are situated.

Councillor Cosman queried as to how we propose to upgrade existing rental parks.

Councillor Eisenhauer expressed views as to the financing of mobile homes. Councillor Poirier suggested that she think mobile homes should be kept within a designated area.

There was considerable discussion as to the spraying of Power Corporation right of ways in the County of Halifax. Councillor Margeson said that he was nervous about the spraying after seeing what the spray might do to fish and ducks. He suggested that the Nova Scotia Power Corporation should consider cutting right of ways and not spraying them.

It was moved by Councillor Margeson, seconded by Councillor Cosman:

"THAT the Nova Scotia Power Corporation be requested to consider manual or mechanical cutting on right of ways instead of spraying, which will provide much needed employment and will also eliminate any concern that persons living near the power lines may have."
Motion Carried.

Councillor Gaetz expressed his views that he is not fully informed of the harm of spraying and doesn't disagree with it if it is not harmful.

Councillor McCabe pointed out that some people are for the spraying and others are against it. He pointed out that most of our fruit are sprayed.

Councillor Topple is opposed to the spraying. He even pointed out that the sprays are made from chemicals which come from Europe which doesn't even support the Canadian Industry.

Councillor Benjamin pointed out the danger of pets eating sprayed plants. He queried as to who would be responsible or held liable if health hazards develop. He has a lot of fears over spraying in general or even spraying power lines' right of ways.

Councillor Gaetz also pointed out that inexperienced people cutting down forests could be just as harmful as spruce bud worm, etc. People who don't know what to cut or how to cut could be harmful in the woods. Councillor Margeson also agreed with this.

It was moved by Councillor Cosman, seconded by Councillor Sutherland:

"THAT a letter be written to Mr. Carroll of the Department of the Environment requesting a copy of the report on silt in Bedford Basin." Motion Carried.

Councillor Cosman expressed her views and to the status of the Bedford Basin study. She wanted to know how this now stood. Councillor Cosman stated that she had been informed by Mr. Carroll that the report exists.

It was moved by Councillor Lachance, seconded by Councillor MacKay:

"THAT the letter from the Minister in Charge of Housing be circulated to Council and dealt with at the next session of Council." Motion Carried.

Warden Settle pointed out that there are a lot of inaccuracies which have to be ironed out before discussing it in Council.

It was moved by Councillor Walker, seconded by Councillor Poirier:

"THAT the report of the Warden be approved." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Walker:

"THAT the report of the Director of Planning and Development be approved." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Cosman:

"THAT the report of the Planning Advisory Committee be approved as amended." Motion Carried.

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

"THAT Section 3 be deleted from the Planning Advisory Committee report." Motion Carried.

Councillor Benjamin was concerned about item # 3 with respect to a 100 foot limit for construction near water bodies. He raised questions as to people who have boat houses but agrees with some control for setbacks from waters.

Councillor Cosman referred to the deletion of item #3 and felt that Council were not dealing with the problems of urbanized areas when the Council agrees to delete an item from the agenda. The ratepayers of Bedford have had tremendous problems because of flood plain development and resultant pollutions and she chastized Council for refusing even to discuss this item.

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

"THAT Section 4 be deleted from the Planning Advisory Committee report. Motion Defeated.

With respect to item 2 of the report of the Planning Advisory Committee, Councillor Topple expressed concern about what Mr. Ricey had said about the County. He does not feel that the blame should rest entirely on the County and that the County is being blamed for things that it has no control or authority on.

It was moved by Councillor Fader, seconded by Deputy Warden Williams:

"THAT the Municipal Solicitor be instructed to appear at Hearings of the Provincial Planning Appeal Board as scheduled on June 13, 1978, June 27 and July 4th., 1978 and act in the best interests of the Municipality of the County of Halifax." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Benjamin:

"THAT a letter be forwarded to the Minister in Charge of Housing requesting specific information re: "Hold up" by the Municipality with respect developing housing commission lands." Motion Deferred to June Session of Council.

It was moved by Councillor Eisenhauer, seconded by Councillor Sutherland:

"THAT the Solicitor be instructed to prepare legislation giving the Municipality control over snowmobiles, machines and motor vehicles on land." Motion Carried.

Councillor Baker said that he would not support the idea of prohibiting snowmobiles on land, however, he does agree with controlling the use of snowmobiles. He also felt that these open spaces of land are recreational facilities for snowmobiles and are used as pathways for people who track.

Councillor Walker voiced his opinion with respect to snowmobiles. He asked if the Planning Advisory Committee approached any organized snowmobile clubs or associations about controlling snowmobiles.

Councillor Cosman stated that this item should be approved so that it would enable us to make a by-law in order to control these machines and also voiced her opinion as to controlling the types of buildings near water bodies.

Councillor Fader does not support the 100 foot limit for construction near water.

Councillor McCabe pointed out that we have mills on lakes and rivers. He also pointed out that he would not support the idea of someone telling him how to drive his snowmobile on his own private property. He does not support the 100 foot from water for development. He said that control could be enforced for snowmobiles on Department of Lands and Forest's property.

Councillor Fader believed that bikes should also be added to the snowmobile list.

Councillor MacKenzie does not support the 100 foot from water for development. He pointed out that fishermen usually build wharfs and a shed near the wharf so that he does not have to carry his fish a long way to be stored. He also pointed out that some cottage owners want to bring their boat in under their cottage.

Councillor Lawrence stated that she would like to see control of the snowmobiles in urban areas and as to the safety of snowmobiles on ice and farms or unmarked lands.

Councillor MacKay recalled an incident of a snowmobile on a lake striking a child. He feels that there should be some control of these vehicles also.

Councillor Topple pointed out that members of snowmobile associations are usually not the offenders of other's property and that members of these societies are usually considerate of other people. He said that it is the general public outside these associations who are a nuisance.

Councillor Baker expressed concern for men who go over ice to tend to his daily working chores. Councillor McCabe pointed out that the main bulk of trespassers is usually city dwellers and some people from the urban communities.

It was moved by Councillor Sutherland, seconded by Councillor Lawrence:

"THAT a letter be forwarded to the Minister of Recreation endorsing the request for a Grant by the Nova Scotia College of Arts and Design." Motion Carried.

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

"THAT a letter be forwarded to the Minister of Municipal Affairs with respect to proper notification to individual Municipal Units of any change to the regional development plan." Motion Carried.

It was moved by Councillor Topple, seconded by Councillor Lawrence:

"THAT a letter be forwarded to the Minister of Municipal Affairs requesting development of lands within the Regional Development Boundary and outside the planned service area boundary on the same basis as lands outside the Regional Development Boundary of one lot per year." Motion Carried.

Discussion took place as to the areas in question.

It was moved by Councillor Lawrence, seconded by Councillor Margeson:

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

Warden Settle asked Council whether or not the three Public Hearings mentioned in the Supplementary Report of the Planning Advisory Committee could all be dealt with at a Special Session on June 12, 1978 at 7 p.m. Council agreed with this.

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

"THAT Council approve the date of June 12, 1978 at 7:00 p.m. for Public Hearings re Applications #3-78 and 4-78 and P.U.D. Agreement." Motion Carried.

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There was a five minute recess from 4:15 p.m. to 4:20 p.m.

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

"THAT the report of the Chief Building Inspector re lesser setbacks and sideyard clearance be approved." Motion Carried.

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

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

Councillor Fader asked where a couple of the mentioned streets were. Mr. Gallagher said he would check on the exact location. Mr. Gallagher took the floor and answered questions re the petitions of last year for the paving program. Councillor Lachance questioned him as to Martin Drive and the difference between "A" and "B" streets. Mr. Gallagher went into detail about storm drain systems and ditches with respect to street paving.

Councillor Gaetz asked about what part does the Municipality of the County of Halifax pay for. Mr. Gallagher said that we pay for paving over and above what is supported by Provincial Highways Department.

There was discussion as to people having finished lawns and the Department of Highways digging a ditch and not finishing the ground again. If the people want it finished then it would be their expense, however, the land is still not their own. Councillor Deveaux expressed concern about unfinished highway lands and causing flooding to home owners.

Councillor Benjamin asked about paving in new subdivisions. Mr. Gallagher explained that normally they don't pave new subdivisions right away as the new roads and ground should have time to settle first. Councillor Benjamin mentioned about a street which has been paved for some time and there is still no street signs erected yet.

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

"THAT the 1978 Street Paving Program be approved as recommended." Motion Carried.

It was moved by Councillor MacKay, seconded by Councillor Margeson:

"THAT the Finance and Executive Committee be requested to look at the method charging for street paving." Motion Carried.

Councillor MacKay expressed concern for property owners who have pie shaped lots and the cost of frontage for paving.

Mr. Gallagher also explained that streets which were not completed under last year's agreement, will be completed at the earliest possible date at last year's rates.

It was moved by Councillor MacKay, seconded by Councillor Walker:

"THAT the resolution with respect to Temporary Borrowing Resolution re water - Beechville, Lakeside, Timberlea area be approved." Motion Carried.

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal 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 water, Beechville, Lakeside, Timberlea area.

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 Thirteen Thousand Five Hundred Dollars (\$13,500.00) for the purpose of water, Beechville, Lakeside, Timberlea area.

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 Thirteen Thousand Five Hundred Dollars (\$13,500.00) for the purpose aforesaid;

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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 credit of the Municipality a sum or sums of money not exceeding Thirteen Thousand Five Hundred Dollars (\$13,500.00) from the Royal Bank of Canada at Halifax.

THAT such sums 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 MacKay, seconded by Councillor Poirier:

"THAT Temporary Borrowing resolution of \$35,000.00 for sewer - Beechville, Lakeside, Timberlea be approved." Motion Carried.

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 sums or sums as the Council thereof deems necessary for the purpose of sewer - Beechville, Lakeside, Timberlea.

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 Thirty-five Thousand Dollars (\$35,000.00) for the purpose of sewer - Beechville, Lakeside, Timberlea.

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 Thirty-five Thousand Dollars (\$35,000.00) 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 not exceeding Thirty-five Thousand Dollars (\$35,000.00) 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 MacKay, seconded by Councillor Walker:

"THAT Temporary Borrowing resolution of \$18,000.00 for sewer, Cole Harbour and Eastern Passage area be approved." Motion Carried.

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 sums or sums as the Council thereof deems necessary for the purpose of sewer - Cole Harbour and Eastern Passage area.

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;

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AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Eighteen Thousand Dollars (\$18,000.00) for the purpose of sewer - Cole Harbour and Eastern Passage area.

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 Eighteen Thousand Dollars (\$18,000.00) 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 Eighteen Thousand Dollars (\$18,000.00) 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.

Councillor Deveaux expressed his views that a study should be done to extend the sewer services to Cow Bay and Cole Harbour, not just to Eastern Passage. He wanted an amendment to the motion about the feasibility to expand the service area.

Considerable discussion was made with respect to servicing the area of Cole Harbour and Cow Bay. Mr. Gallagher explained about controlling development within the serviced areas.

Motion to adjourn until 6:00 p.m.

Supper Break - 5:30 to 6:00 p.m.

Council reconvened at 6:15 p.m. following supper break.

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

"THAT Mr. Fawson be appointed as recording secretary." Motion Carried.

It was moved by Councillor MacKay, seconded by Councillor Eisenhower:

"THAT the Municipal School Board Report be received." Motion Carried.

Deputy Warden Williams stated that it was a pitiful situation when an annual School Trustees meeting was called and the attendance was very poor. For example, Sir John A. MacDonald High School recently approved a \$10,000.00 expenditure which meant a one cent rate for the people for his area and few people knew about the meeting and in fact only twelve people were there to vote on the approval of the expenditure.

He stated that many people in his area were on fixed incomes and the extra one cent rate may be a serious burden on them. He suggested that the Municipal School Board should contact the Minister of Education and request changes in the Education Act that meetings ~~that meetings~~ be on certain nights and that notices be served in time for more people to attend such a meeting. He suggested at that meeting the ratepayers could serve notice of motion that a special meeting was being called to vote on the particular issue.

Councillor Lachance stated that on behalf of the School Board, he sympathized with the problems being experienced by Deputy Warden Williams and indicated that there was a possibility in the changing of the way meetings were being called. However, in that particular case, it would appear that it was a democratic vote and that the people properly served a notice of the meeting and carried out a vote with people at the meeting. He advised that the Minister of Education has been requested by the School Board to make changes in the Education Act to increase the required quantum from three people.

Councillor Lawrence indicated that the Municipal School Board has requested the Minister of Education to approve amendments to the Act which would make it a requirement that School Trustees' meeting be held on fixed dates in the year so that the dates would be predictable. It is the intention to have the meetings at a logical time of year such as in the early fall. She also stated that the Municipal School Board intends to advertise annually the date of those meetings if they were to be set at a fixed date.

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Councillor Benjamin stated that the Municipal Council should know what special rates are required and for some Councillors to attend all the meetings and if the occasion should arise, the residents may wish to rescind a motion concerning an expenditure which had been made at a previous meeting.

Councillor Topple said he sympathized with Deputy Warden Williams that some of the levies by the School Trustees are questionable in many cases such as approvals of finances are with a very few people in attendance at the meetings. He suggested that the Act should be changed and that notices should be circulated to the taxpayers in the various districts.

Discussion followed concerning the Report of the Municipal School Board, with respect to the playing field for the Leslie Thomas Junior High School. Councillor MacKay explained the details of the School Board's decision on this going back to when the Finance and Executive Committee did not agree with having the proposed sports project because they did not want the County involved as far as funds went. The School Board has no control over funds. Letters were received from the trustees of the Leslie Thomas Junior High School asking for a playing field. The School Board then made a motion to go ahead with a small school pad. The extra money left over could be used for the sports project near by. The School Board has now decided that the school should have the regulation play field so that the students are no longer deprived of a play area.

Councillor Gaetz asked what would happen if the new proposed play field goes over the \$65,000.00 mark. Mr. Bensted said that Council would have to approve the rest of the money.

Councillor Smith asked if the School Board have set the dates for annual school meetings yet and Councillor Lawrence informed her that they were arranged for the third Monday in September.

Councillor Fader feels the primary role of the School Board is to the educational needs of the County. The students should not be deprived of an area for sports or socializing. These must be provided according to the Education Act. Letters have been received from the trustees of the school outlining their frustrations.

Councillor MacKay added that he attended a meeting last evening at which Honourable George Doucet was present and there is a possibility that the Regional Games may be coming to the area and if they do, there will be additional funding to provide for this.

Councillor Fader said he received a telephone call saying that the Lake District Committee have not had a meeting with the School Board yet. These people should be heard.

Councillor Lachance said that the School Board have obligations to meet and it is too difficult to slow down to the pace of the Council in order to get things done properly.

Councillor Margeson feels that this decision should be deferred for another month in order to think over the best way to use the playing field. The way things are being done now is typically "rubber stamping".

Councillor Lachance then suggested that the area rate as contained in the Municipal School Board Report be referred to the Finance and Executive Committee.

Deputy Warden Williams feels that it is very unfair for five or six people who attended the meeting to saddle 20,000 people with an area rate. Councillor Lawrence noted that 8 or 9 area rates have been approved recently. Considering that this is such a small portion, it does not seem so unfair.

It was moved by Councillor Lachance, seconded by Councillor Lawrence:

"THAT the area rate contained in the Municipal School Board Report be referred to the Finance and Executive Committee." Motion Carried.

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

"THAT the capital item in the Municipal School Board Report be deferred to the June Session of Council." Motion Defeated.

Councillor Fader feels this should be deferred so that another meeting can be held with the Lake District group and give them an opportunity to express their views.

Councillor MacKay suggested that it go back to the School Capital Committee for approval but Councillor Deveaux could not see the purpose in doing this. Mr. Bensted explained that the School Capital Committee would get revised estimates and approval of plans.

Councillor Deveaux added that this matter has been around long enough and the \$65,000.00 has been set aside for this purpose.

It was moved by Councillor MacKay, seconded by Councillor Lachance:

"THAT the capital item in the Municipal School Board Report be referred to the School Capital Committee." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Benjamin:

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

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

"THAT the Report of the School Capital Committee be approved as amended." Motion Carried.

Concerning the proposed school bus garage for Bedford-Waverley-Sackville, Councillor Cosman asked if any research had been done with reference to dead head miles and the proposed site in Windsor Junction. Councillor Fader replied that the recommendation had come from the Municipal School Board and he assumed they had done their homework.

Councillor Eisenhauer backed up Councillor Cosman's queries about whether the cost of miles traveled had been researched thoroughly enough. The provincial government does not pay for this mileage and therefore the most feasible location should be selected.

Councillor MacKay suggested the superintendent of the School Board should be contacted to clarify the situation.

However, Councillor Eisenhauer was still not convinced that the School Capital Committee and the School Board had done their best job in picking out the most suitable site.

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

"THAT the section re the naming of schools be deleted and dealt with as a separate item." Motion Carried.

Councillor Benjamin then made several points. He hopes that the School Capital Committee will consider the idea of having one paint shop for the school buses instead of several as this would cut down on duplication of tools, equipment and other costs. Concerning the naming of the Bedford-Waverley-Sackville School, he hopes some serious thought is given since it involves three communities. He also questioned the Ashley Jefferson play field and the completion date.

Councillor Eisenhauer again mentioned that he feels that there was not enough consideration given to the selection of the school bus garage site. He would like Council to consider contracting a consulting firm to study the matter and establish the best place for the garage.

Councillor Lawrence thought this suggestion shows a lack of confidence in the School Board staff. If this is the case, then she would like to hear the reasons as to why the Windsor Junction area is not suitable. The School Board staff are aware of expenses and dead head miles. It would be an insult to spend money on consultants when there are staff to do this.

It was moved by Councillor Eisenhauer, seconded by Councillor Cosman:

"THAT Council suggest that the School Capital Committee hire consultants to determine the proper location of the proposed school bus garage for the Bedford/Sackville area." Motion Withdrawn.

Councillor Deveaux went back to when the Eastern Shore needed a garage and he could not get any figures either. A lot of time was lost on this matter.

Councillor Lachance also agreed that this was a vote of non-confidence for the School Capital Committee and this is their job.

It was therefore moved by Councillor Eisenhauer, seconded by Councillor Cosman:

"THAT the Municipal School Board be asked to advise Council as to the reasons for proposing Windsor Junction as the location for the school bus garage for the Bedford-Sackville-Waverley area." Motion Carried.

Council then went on to deal with the section concerning the naming of schools. Councillor Topple stated that he had written a letter some time ago suggesting that the High School in Forest Hills be named the Gordon Bell High School. The reason for this was that most of the property the school is on was once owned by him. He had a farm and was put out of business when his land was expropriated. He was a typical farmer who lived in the area all his life. Councillor Topple has since seen a letter from Rosemary Eaton who wants the school named Cole Harbour Junior High School. In order to get cooperation from the two districts this school encompasses, it was felt it should not be named after a community. It should instead be named for someone who did something for the community. If this cannot be done, then Councillor Topple suggests that the Forest Hills Junior High School be named after Gordon Bell instead.

Councillor MacKenzie asked who decides the suggested names for schools and was advised that the School Capital Committee asks for recommendations from the local councillor and all other sources.

Councillor Smith noted at a recent meeting in her area that Mr. Perry, Superintendent of Schools, had informed the trustees that they could name the school.

It was moved by Councillor Topple, seconded by Councillor Lawrence:

"THAT the Forest Hills Junior High School be named "Gordon Bell Junior High School" and the Forest Hills High School be named "Cole Harbour High School". Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Walker:

"THAT the Forest Hills Elementary School be named the "Harry Giles Elementary School". Motion Carried.

Councillor Smith feels the naming of the Eastern Shore Junior High School should be dealt with at a later date so that the trustees can present some other suggestions.

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

"THAT the naming of the Eastern Shore Junior High School be referred back to the School Capital Program Committee." Motion Carried.

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

"THAT the Report of the Finance and Executive Committee be approved as amended." Motion Carried.

While discussing the Report of the Finance and Executive Committee, Councillor Cosman felt the matter about the Regional Development Plan - Beechville, Lakeside and Timberlea area, should be referred to the Planning Advisory Committee as this is a planning issue.

Councillor Poirier explained that her area has already started on their servicing project. The requirements have all been met and everything should go through as soon as possible. The project has been delayed long enough.

Councillor Cosman asked if any consideration had been given to the ramifications on the other areas of the County. There are other areas that are frozen as well.

Councillor Deveaux feels that such a move will only help the developer to start selling land.

Councillor Fader said there is enough hardship in the area and we are here to help these people. By doing it this way, the people in her area will avoid having to go through a long process.

Councillor Eisenhauer thought that a bad example was being set here.

In speaking on Councillor Poirier's request, Councillor Benjamin said there are some developers who have been waiting for some time to develop in the area. The sewer is definitely going in and this area has been held back long enough. Councillor Poirier agreed with some of these statements but is more concerned about the individual and his personal needs.

Councillor Cosman still does not agree with this and feels that the Minister will throw it back to Council and ask them to forget it. She told of a man in her district who has the lumber on his land but can not build because of the Regional Development Plan and the fact that a person cannot subdivide in an unserviced area. If this can be done in Councillor Poirier's area, then it should be allowed in other areas of the County.

It was moved by Councillor Cosman, seconded by Councillor Eisenhauer:

"THAT the section re Regional Development Plan and Beechville, Lakeside, Timberlea be deleted from the Finance and Executive Report and referred to the Planning Advisory Committee." Motion Defeated.

Councillor McCabe was concerned about the proposed amendment to the building by-law. He wondered if the Planning Advisory Committee has given enough thought on this matter.

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

"THAT Section re proposed amendment to the building by-law be deleted from the report and dealt with separately." Motion Carried.

Councillor Benjamin explained what has been happening recently with regard to the arsenic problem in Waverley. There was a ratepayers meeting last Saturday which the Premier and George Doucet also attended. The residents told of their own personal problems and the Premier seemed to be most interested. He suggested that the Pockwock system line be extended through the lands belonging to C.H.M.C. to develop and reduce the costs of water. Mr. Doucet suggested that water coolers be given to the residents with clean water. Councillor Benjamin is presently trying to find out how this will be administered. The ministers had a meeting in Ottawa which was very successful. It is hoped that the Honourable A. MacEachern will be named coordinator of the Ministers. Mr. Doucet has also agreed to go to Ottawa on behalf of the case.

Councillor Sutherland suggested that the amendment to the Regional Development Plan for Councillor Poirier's area be extended to include the rest of the County. This will be dealt with later in the meeting.

Councillor Deveaux advised that he would like to be deleted from the agreement with the S.P.C. re dog control. Mr. Bensted told him that it would probably be best for him to go with the S.P.C. as he has had trouble with his present dog catching services. Councillor Deveaux would like to discuss the matter further with his dog catcher before he agrees to the S.P.C. plan. Councillor Eisenhower would like to see all of district 18 included in the agreement.

Councillor MacKay asked if there would be any change in the negotiated price with additions. Mr. Bensted informed him that the S.P.C. was willing to take on any additions and the price would be negotiated further.

Deputy Warden Williams commented that the S.P.C. were doing a good job in his area and he has had several calls complimenting their work.

Councillor Deveaux stated that his present dog catcher wants \$25,000.00 to do the job.

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

"THAT District # 6 be deleted from the S.P.C. agreement." Motion Defeated.

It was moved by Deputy Warden Williams, seconded by Councillor Baker:

"THAT the agreement between the Municipality of the County of Halifax and the S.P.C. re dog control be approved excepting districts 14 and 17." Motion Carried.

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

"THAT renewal of temporary borrowing resolution re district #7 service commission in the amount of \$363,000.00 be approved." Motion Carried.

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

"THAT the proposed re-allocation of temporary borrowings and debenture issues re School Capital funding be approved." Motion Carried.

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

"THAT Council approve the designation agreement re senior citizens project of 26 units at Porter's Lake." Motion Carried.

Some of the Councillors then proceeded to ask Mr. Schofield of C.H.M.C. the progress on several senior citizens projects.

Councillor Gaetz asked when tenders will be called for the one in Porter's Lake. As soon as the designation agreement has been signed by the three parties, tenders will be awarded for the well. This will probably be within the next week or so as there appears to be nothing else to hold the project up.

Councillor Walker asked for an update on Hubbards. Mr. Schofield informed him the test for water should be completed this week and tenders will be going out soon. The water supply is excellent and the health permit has been obtained.

The official opening of the Eastern Passage Project is expected to be the end of June.

Councillor McCabe asked about Middle Musquodoboit and it appears the title to the land is now completed as well as negotiations for an easement to the river. The site has been purchased and tenders are scheduled for the fall.

Musquodoboit Harbour Project is still under option Mr. Schofield told Councillor Smith. The Department of Health have given their approval and subdivision approval has also been given. The site will be purchased soon.

Councillor Walker asked how the rent was determined and it is based on a percentage of the citizen's income. A sliding scale is available should any of the Councillors want one.

Councillors Margeson and Sutherland thanked Mr. Schofield for his information.

It was moved by Deputy Warden Williams, seconded by Councillor Baker:

"THAT the amendments re the Retirement Pension Plan and ad hoc adjustments be approved." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Eisenhauer:

"THAT Council approve reciprocal agreements re assessors and South Shore Regional Library." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Eisenhauer:

"THAT Council approve the formal take-over of the Hammonds Plains Trunk Sewer and Pumping Station subject to proposed financing by the Provincial Department of the Environment, Department of Municipal Affairs and Central Mortgage and Housing and obtaining the required easements." Motion Carried.

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

"THAT the Minister of Municipal Affairs be requested to amend the Regional Development Plan so as to allow development within the planned serviced area boundaries within the Regional Development Boundary be allowed to develop on the same basis of one lot per year." Motion Carried.

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

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

In reviewing the Supplementary Report of the Finance and Executive Committee, Councillor Topple was concerned about proposed studies re Lake Major Watershed area. He personally did not attend the meeting from which this information came about and therefore he is not clear on what was said. There does appear to be a difference of opinion. He wondered why both himself and Councillor Lachance were not invited. He personally feels that the community should come first and then the watershed. The County has a definite responsibility to these residents. He understands that Project Planning Consultants are going to discuss the planning for this community with the Joint Action Committee. He is not clear on the direction we are going and how this ties in with the Regional Development Plan.

Mr. Bensted stated that there would have to be coordination and cooperation between the two plans and the Regional Development Plan.

At this time, Mr. Chris of the Black United Front took the floor to explain how he understands the situation. He feels the Working Committee would be responsible for the administration of the studies. This would certainly be better than having it go through the Department of Municipal Affairs or Department of Environment. In this way a lot of communication problems would be eliminated by having it go through the Working Committee. Mr. Bensted explained that the Finance and Executive Committee have suggested that the Working Committee would still function but would be responsible to report to one of these departments.

Mr. Chris went on to say that it is very important to have parallel studies done. Since Project Planners are already involved and are doing the Regional Development Plan it would simplify matters to have them do the other studies. Mr. Bensted explained that due to circumstances Council should only recommend that Project Planners could be considered.

It was therefore moved by Councillor Topple, seconded by Councillor Walker:

"THAT Council recommend that Project Planners be seriously considered to do the proposed studies re the Lake Major Watershed Area." Motion Carried.

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

"THAT Council approve the recommendation re garden policy and Halifax County Rehabilitation Centre." Motion Carried.

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

"THAT the recommendations re Lake Major Watershed Area be approved." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Margeson:

"THAT there be a curfew of 11:30 p.m." Motion Carried.

Councillor Deveaux would like the proposed amendment to the building by-law, penalty section as contained in the Finance and Executive Committee Report referred to the Planning Advisory Committee. He cannot agree with fining a person \$100.00 especially someone who only wants to build a home for himself. It takes so long to get approval that people are forced to break the law.

Mr. Bensted noted at this time that the Minister of Health will be holding a meeting with the Board of Health on May 24 at 2:00 p.m. Councillor Deveaux's idea could be presented at this meeting.

Upon hearing this, Councillor Deveaux was more convinced that this item be deferred until at least this meeting has been held.

Councillor Sutherland explained that this fine was raised to control developers who have no respect for a mere \$25.00 fine. It is not entirely meant for the individual.

The Solicitor felt it was time to crack down on those who violate the law. The same people do it over and over again and laugh at a \$25.00 fine. They are making a mockery of the law. Also, he was inclined to think that the little fellow broke the law just as much as the developer.

Councillor MacKay thought that even \$100.00 would not scare such people and it should be \$5,000.00.

Councillor McCabe said he would support the \$100.00 fine but only if there were a guarantee that people received building approvals within thirty days. He did not think this was too much to ask.

Councillor Gaetz agreed with Mr. Cragg that these people are defiant and knows of a case in his district where a man broke the law three times.

Councillor Lawrence also agrees with the Solicitor and noted that subdivision approval takes approximately two months.

Speaking in favour of the amendment, Councillor Topple could also see Councillor Deveaux's point of view. He is in favour of a fine that will make people sit up and notice such as \$1,000.00. The developer can always get around these fines and it is the individual who will suffer because he can't afford a lawyer to find the loopholes.

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

"THAT the amendment re the building by-law, penalty section be deferred to the June Council." Motion Defeated.

It was moved by Councillor Sutherland, seconded by Councillor Walker:

"THAT the attached amendment to the building by-law be approved." Motion Carried.

Councillor Lawrence asked about a report on the number of individuals who are actually taken to court re the building by-law, penalty section. The Solicitor explained only the worst offenders are taken to court but it costs \$150.00 for the County and the fine may be only \$25.00 or less.

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

"THAT Roger Hilchey, Tangier, be a dog constable for licenses." Motion Carried.

Upon a motion to adjourn by Deputy Warden Williams, Councillor Cosman was upset that her original motion of curfew of 11:30 was misunderstood. She felt that it should have been pointed out at that time that her motion was a curfew instead of an actual adjournment for 11:30.

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

"THAT Council adjourn until June 20, 1978 at 2:00 p.m." Motion Carried.

MINUTES & REPORTS

of the

SECOND YEAR MEETINGS

of the

THIRTY - NINTH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

JUNE COUNCIL SESSION

TUESDAY, JUNE 20th, 1978

&

Special Council Session June 12th, 1978

The meeting was called to order by Warden Settle at 7:00 p.m. followed by the Lord's Prayer. Mr. Bensted called the roll.

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

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

As this special session of Council was called for the purpose of public hearings, Warden Settle then gave a brief outline of the procedures to be followed concerning such hearings.

The first Public Hearing was with respect to Application # 3-78, Lands of Leo Carli, Lot # 2, Hart Subdivision, High Street, Bedford from R 2 (Residential Two Family Dwelling) Zone to R 4 (Residential General) Zone.

Bob Gough, Director of Planning and Development stated the item had been duly advertised and that neither letters for or against this application had been received following the advertisement. A history and description of the property in question was given with the aid of slides and it was noted that High Street is basically single family homes with some R-2 zoning as well. The Bedford Highway is nearby which has a lot of commercial establishments. The Department of Public Works stated that if this application were approved it would exceed the design density of 18 persons per acre for the sewer system in the area. The lot in question is approximately 6000 square feet. Since Mr. Carli wishes to renovate a duplex into four apartments, it is even questionable as to whether a building permit could be granted. At present the duplex does not carry itself financially. Mr. Gough feels to approve this application is a misuse of rezoning as it is for monetary gain only. The Bedford Service Commission have also expressed concern for high density development in this area.

The Planning Department recommend rejection of this application because (a) it will exceed the design density as stated above, (b) the application has been made for purposes of monetary gain and will encourage others to do the same, (c) the character of a mainly single family dwelling neighbourhood will be altered and (d) traffic will increase.

Councillor Cosman asked to hear Mr. Gallagher's comments on the sewer capacity. Mr. Gallagher went into the background history of the sewer system for Bedford-Sackville saying that Canadian British Consultants were hired to do a study on it in 1964 and they designed the total sewer based on 16 to 18 persons per acre. The general tendency in North America seems to be to exceed that for which it is designed. The County should ensure that the sewage system is not overloaded as some areas of Bedford are already at their ultimate capacity.

Councillor Sutherland asked Mr. Gough to explain why he thought it was questionable that a building permit could even be issued.

Since there is already an existing building on the lot, Mr. Gough wondered whether all the criteria could be met in order to convert it into 4 units. Also, Mr. Carli would be required to supply four parking spaces and there is some question as to whether this could be done.

Mr. Hefler, the building inspector, then came forward to further explain the situation. If negative responses are received from the Department of Public Health or Public Works, then the application is usually rejected. As he sees it, this application would overload the present sewage capacity and based on the comments made tonight, it would seem that it would be rejected by the building inspector.

Warden Settle then asked to hear from those in the gallery who wished to speak in favour of the application.

Mr. Martin Smith, representing the applicant, Mr. Leo Carli, took the floor. He stated that he respected Mr. Gough's comments but all Mr. Carli wants to do is change a two unit building into a four unit one. The building was an expensive one to build and it is not economically feasible now. There is a \$60,000.00 mortgage on the property with payments of \$600.00 per month. The income from each unit is \$360.00 per month and there are taxes to pay on top of this. There are presently nine people living in the building, a family of seven and a family of two. Mr. Carli plans to spend around \$2,000.00 per unit to convert them into four apartments. The building is brick exterior and is well built. He feels the parking requirements could be met and that the additional units will not overload the sewer. The units are very large and each has its own pipe line to the sewer. There are several apartments in the area and the duplex is surrounded by them, therefore, it would not make that much difference to this particular area as far as appearance goes. Even if a lot of other applications were received, each of these would have to be judged on their own merit. This application should be given serious consideration.

Councillor Lachance asked how the four parking spaces would be provided.

Mr. Leo Carli came forward to answer some of these questions himself. He explained that the front paved driveway which accommodates two cars now and which is 12 feet wide would be enlarged by 5 feet.

Councillor Cosman asked if the set back and side yard clearances would be met if the parking was done in this fashion. She thought that perhaps this could not legally be done this way.

Mr. Hefler came forward again to give his views on this matter. The lot is approximately 60 feet wide and 100 feet in depth. The parking now takes place within the 30 feet setback. However, in order to accommodate two more cars, the law would be broken as the set back would be ignored. It is doubtful as to whether the parking could be accommodated in the rear as there is only 30 feet in the rear and the access would be difficult. The parking area must be a serviceable area as well.

Councillor Eisenhauer asked if there were a slope to the back yard and Mr. Carli said there was but that it would not pose a problem to parking.

Mr. Hefler suggested that two separate questions were being dealt with here - that of approving the application and that of whether a building permit would be issued.

In reply to Councillor Deveaux's question as to whether the outside of the building would change, Mr. Carli said no.

Councillor Cosman asked the Solicitor representing Mr. Carli if he was aware what the zoning was where the apartments are since he had made reference to neighbourhood apartments. It is zoned R-4.

Since there were no other people to speak in favour of the application, Warden Settle asked for speakers against the application.

Mr. Greg MacPherson, 72 High Street, Bedford, came forward. He lives one-half a block away from the duplex in question. This area is mainly residential with many single family dwellings. It is hardly the case that this duplex is surrounded by apartments as there are no apartment buildings on High Street. There are duplexes on each side of it. When Mr. MacPherson saw the advertisement for this rezoning he was very upset and he approached the residents in the area to get their feelings on the matter. These people are a silent majority and to date have taken no action against rezoning. High Street is basically R-1 with one or two duplexes. It is an excellent neighbourhood. In the poll that he took, 90 percent of the residents oppose the application and have signed a petition to this effect. Mr. MacPherson is defending the character of the neighbourhood. He has lived here a long time and sees the character gradually changing. He also asked the people how they would feel about changing it back to R-1 and many thought it already was. They were in favour of this as well. These people have also signed a petition to rezone this back to R-1.

Councillor Cosman asked how many people signed the petition. Mr. MacPherson replied that 54 residents of High Street had signed.

Councillor MacKay asked how long he had lived there and he replied three years. Other people in the area who have lived here much longer see gradual changes and they do not want it.

Mr. Ron MacLelland, 81 High Street, Bedford, also spoke out against the application by Mr. Carli. He lives a few lots north of Mr. Carli's duplex. He has lived here for eight years. When he bought in the area he assumed it was R-1 as High Street was a dead end then. He is expressing the opinion of many others in the area.

Councillor Deveaux asked him if he thought two more families would change the neighbourhood that much and Mr. MacLelland said that traffic would increase and it may instigate other people into making similar type applications.

Councillor Cosman added that most of the existing land use in the area is R-1. By changing it to R-4 it would allow for other commercial uses. The sewer would be overtaxed and it seems that there is a question as to whether a building permit would be issued anyway. The property is for sale at present and a new owner may think he could put something else on the lot. The application is for monetary gain only and should be rejected.

Councillor Lawrence agreed that many of the residents are concerned about zoning and that density would be increased. There is already more than adequate R-4 zoning nearby and it is not in the best interests of Bedford to change this present R-2 to R-4.

Councillor Topple feels this is another bad example of spot rezoning. Again, he stressed that the sewer would be overtaxed and that a building permit probably would not be granted. A new owner could be put in the position of putting something else here.

It was moved by Councillor Lawrence, seconded by Councillor Topple:

"THAT Application # 3-78, Lands of Leo Carli, Lot # 2, Hart Subdivision, High Street, Bedford, be not approved." Motion Carried.

The second Public Hearing was in respect to Application # 4-78, Lands of Eric Lauritsen, Lot # 33, Lewis Major Subdivision, 29 Pinehill Drive, Lower Sackville, from R 1 (Residential Single Family Dwelling) Zone to C-1 (Commercial Local Business) Zone.

Mr. Gough again explained that this item had been duly advertised and that neither correspondence for or against the application were received. Apparently, acting on a complaint, the building inspector discovered the illegal operation of a beauty salon in a single family dwelling. The County Solicitor then informed Mr. Lauritsen that legal proceedings were being taken to close down the beauty salon. The area is completely single family dwellings at present with a school located near here. The lot is 7,000 square feet and the salon is located on the lower level in a small room about 40 square feet. The Department of Public Works does not object to the application as far as water and sewage goes.

The Planning Department recommend rejection of this application because (a) the neighbourhood is strictly single family units and this would be a commercial intrusion, (b) a beauty salon would change the character of the neighbourhood with parking, traffic, noise, etc. (d) the credibility of the Zoning By-law is weakened and (e) traffic may increase which could prove hazardous to school children who walk on the road as there are no sidewalks.

Councillors Baker and Deveaux asked how the application came about. Dorothy Smith of the Planning Department explained that a complaint was registered with the building inspector. The applicant was then given the choice of either closing down or rezoning.

Councillor Lachance asked if there were any provisions made for these softer type operations, i.e. beauty salons, ceramic studios, etc. It was noted by Mr. Gough that only professionals were allowed to operate in their homes, i.e. doctors, lawyers, etc. Such home operations as a car repair garage and other undesirable businesses are prevented from opening.

It was noted that Mr. Lauritsen has operated this beauty salon for 1½ years illegally.

Mr. Lauritsen then came forward to give his views in favour of his application. He said that he had really been forced to change the zoning and did not really want to do this. The beauty salon is a very personalized one and is operated in a room that is only 5' x 8'. Customers are by appointment only. He feels that it is about time that this matter was brought out into the open. His main concern is that there are many other soft-selling businesses operating from their homes and why has he been singled out. His building has not been defaced in any way as no advertising is done. Very few products are sold and his wife is the only operator. He has with him a petition signed by people in the neighbourhood who want the business to remain open. However, these people do say that they do not want the zoning changed from R-1 to C-1. Mr. Lauritsen feels that there should be an amendment made to the present by-law which would allow people to have these softer type of businesses in their homes. He regards a hairdresser as a professional just like a doctor as they too must be certified each year. There is no noise factor involved in the business and very little

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traffic as most of the people walk to the house. There is parking for two cars in the driveway. Mr. Lauritsen named several occupations such as contractors, accountants, ambulance service, plumbers and even newspaper boys as being done from the home and wondered why they were not illegal as well.

Councillor Topple stated that the Halifax County Regional Plan will be dealing with the type of problem that Mr. Lauritsen has. People should get involved with this and state what they want in the plan such as allowing softer-type businesses in R-1 zoning.

In reply to Councillor Cosman's queries, Mr. Lauritsen said he has lived in his home for two years and operated the beauty salon for 1½ years. He was not aware that such an operation was illegal because it was so small and had only one operator. He considers this business no different than Arway, Fullerbrush or Avon dealers.

Councillor Lawrence asked if it was Mr. Lauritsen's wife who worked in the salon and he said it was. It was more convenient to stay at home and too expensive to operate from a commercial establishment.

Councillor Fader asked about the people who had signed the petition. Since most were women, this represents many of their customers. He also suggested that Mr. Lauritsen move to a commercial building.

Councillor Eisenhauer noted that there were many commercial zones in Sackville that have vacancies that would be suitable.

Since he is the Councillor for the area, Councillor Fader has a difficult decision to make and was quite concerned about the petition.

Mr. Lauritsen said some of the names are those of people from outside the area but most were from the immediate area and did not want the business to close down.

In reply to Councillor Benjamin's query about any outside signs on the house, Mr. Lauritsen said there were none and that, in fact, the house had been bettered since they bought it. There are never more than two customers at a time.

Councillor Topple feels that the petition does not really have any significance since these people are not in favour of the rezoning application which is the issue here today.

Councillor Margeson is concerned about the amount of traffic involved as there are children going to school in this area. He also feels that Council should look at the possibility of people being allowed to have such operations in their homes. Councillor Sutherland agreed that there should be an amendment that would allow people to have low-key operations in their homes.

The question of why Mr. Lauritsen had applied for C-1 instead of C-2 then came up from Councillor Lawrence. Mr. Lauritsen explained that he had first asked for contract zoning but that it did not apply in his case. He was then informed by the Planning Department staff to apply for C-1 zoning and since he does not know that much about zoning, he went ahead.

Councillor Benjamin asked where the line should be drawn in such cases. Can this be considered a business or a hobby. The solicitor was asked to give his opinion. Mr. Cragg quoted from the by-law saying that any business operating whereby even one customer paid a fee was considered illegal in R-1 zoning.

Councillor Deveaux asked why the contract zoning was turned down and Mr. Bensted replied that it would be illegal.

It was brought to the attention of Council that if Mr. Lauritsen had applied for C-2 zoning instead of C-1, he would not be allowed to live in his home.

Dorothy Smith of the Planning Department went on to say that contract zoning was not valid in this case as was explained to Mr. Lauritsen and since C-2 would not allow him to live in his home, it was recommended that he apply for C-1 zoning.

Councillor Sutherland asked the solicitor what criteria he would use to defend such a case in court. The solicitor said he would not like to defend such a case as it was pretty straight forward that any business that operated with a commercial gain was illegal.

Roy Butterworth, 27 Pinehill Drive, Sackville, also expressed his views in favour of the application. He personally did not even know of the salon's existence until recently when it was brought to his attention. Pinehill Drive is becoming a drag strip and possibly some parked cars on the road may prevent this. He also feels that the concept of the neighbourhood is drifting apart. The people are splitting apart through jealousies. He also feels that there should be more stipulations in the by-laws as to who is a professional as he considers a beauty salon operator a professional. He highly recommended Mrs. Lauritsen's work. He suggested that a four way stop sign may help traffic problems. He also thought there could be a clause added if Mr. Lauritsen's application were approved that it be retracted to R-1 should he decide to sell his property. This whole issue stems from pure jealousy. He also asked what constitutes a hard business and a soft business.

Councillor Cosman asked how long he had lived there and he replied two years in November of this year.