

The Municipality of the County of Halifax  
Issuing Resolution

\$177,817.47

for Water - Cobequid Road - 77-4

WHEREAS the Municipality of the County of Halifax is authorized by law to borrow by the issue and sale of debentures of the Municipality a sum not exceeding Six Hundred Twenty-five Thousand Dollars (\$625,000.00) for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the municipality or any part thereof, and acquiring or purchasing materials, machinery, implements and plant deemed requisite;

AND WHEREAS pursuant to a resolution passed by the Council on the 22nd day of November, 1977, the Council postponed the issue of debentures and with the approval of the Minister of Municipal Affairs dated the 30th day of November, 1977, borrowed from a chartered bank in Canada a sum not exceeding One Million Seventy-five Thousand Dollars (\$1,075,000.00) for the purpose set out above;

AND WHEREAS pursuant to a resolution passed by the Council on the 19th day of September, 1978, and approved by the Minister of Municipal Affairs dated September 21, 1978, the Council deemed it necessary to issue and sell debentures in the total principal amount of Four Million Dollars (\$4,000,000) of which the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) was applied to the purpose set out above, establishing a balance of Six Hundred Twenty-five Thousand Dollars (\$625,000.00) still authorized to be borrowed for the purpose set out above;

AND WHEREAS it is now deemed necessary to issue and sell debentures and to repay the bank a portion of the sum so borrowed;

BE IT THEREFORE RESOLVED

THAT one (1) debenture of the Municipality for One Hundred Seventy-seven Thousand Eight Hundred Seventeen Dollars and Forty-seven Cents (\$177,817.47) be accordingly issued and sold;

THAT the debenture be numbered 79-Q-1;

THAT the debenture be dated the 1st day of March, 1979;

THAT the debenture be payable as follows:

<u>PAYMENT NO.</u>	<u>DATE DUE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
1	March 1, 1980	\$ 3,202.73	\$ 17,113.55	\$ 20,316.28
2	March 1, 1981	3,514.22	16,982.37	20,496.59
3	March 1, 1982	3,856.00	16,640.59	20,496.59
4	March 1, 1983	4,231.02	16,265.57	20,496.59
5	March 1, 1984	4,642.51	15,854.08	20,496.59
6	March 1, 1985	5,094.02	15,402.57	20,496.59
7	March 1, 1986	5,589.45	14,907.14	20,496.59
8	March 1, 1987	6,133.06	14,363.53	20,496.59
9	March 1, 1988	6,729.53	13,767.06	20,496.59
10	March 1, 1989	7,384.02	13,112.57	20,496.59
11	March 1, 1990	8,102.16	12,394.43	20,496.59
12	March 1, 1991	8,890.15	11,606.44	20,496.59
13	March 1, 1992	9,754.77	10,741.82	20,496.59
14	March 1, 1993	10,703.49	9,793.10	20,496.59
15	March 1, 1994	11,744.47	8,752.12	20,496.59
16	March 1, 1995	12,886.69	7,609.90	20,496.59
17	March 1, 1996	14,140.00	6,356.59	20,496.59
18	March 1, 1997	15,515.20	4,981.39	20,496.59
19	March 1, 1998	17,024.15	3,472.44	20,496.59
20	March 1, 1999	18,679.83	1,816.73	20,496.56
		<u>\$177,817.47</u>	<u>\$231,933.99</u>	<u>\$409,751.46</u>

THAT the principal and interest be payable at any office of the Royal Bank of Canada in Halifax, or at the principal office of the said Bank in any of the cities of Ottawa or Toronto at the option of the holder, the interest to be at the rate of Nine point Five per centum (9.5%) per annum calculated semi-annually not in advance and payable annually, the first instalment of blended principal and interest to be in the sum of Twenty Thousand Three Hundred Sixteen Dollars and Twenty-eight Cents (\$20,316.28) due and payable the first day of March, 1980, the second to nineteenth inclusive instalments of blended principal and interest to be in the sum of Twenty Thousand Four Hundred Ninety-six Dollars and Fifty-nine Cents (\$20,496.59) due and payable on the first day of March, 1981, and the twentieth or final instalment of blended principal and interest to be in the sum of Twenty Thousand Four Hundred Ninety-six Dollars and Fifty-six Cents (\$20,496.56) due and payable on the first day of March, 1999;

THAT the Warden of the Municipality do sign the debenture or have it impressed with a printed facsimile of his signature and the Clerk of the Municipality do countersign the said debenture, that they do seal the same with the corporate seal of the Municipality and that the Clerk do sign the interest coupons or if the same are lithographed either sign the same or have them impressed with a facsimile of his signature;

THAT the Clerk be the registrar of the debenture;

THAT the amount borrowed as aforesaid from the Bank be repaid to the Bank out of the proceeds of the said debenture when sold.

The Municipality of the County of Halifax  
Issuing Resolution

\$45,577.68

Hammonds Plains Road Water - 76-12

WHEREAS the Municipality of the County of Halifax is authorized by law to borrow by the issue and sale of debentures of the Municipality a sum not exceeding Forty-five Thousand Five Hundred Seventy-seven Dollars and Sixty-eight Cents (\$45,577.68) for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the municipality, or any part thereof, and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor or for maintaining such waterworks or water system;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 21st day of September 1976, the Council postponed the issue of debentures and with the approval of the Minister of Municipal Affairs on the 14th day of October, 1976, borrowed from a chartered bank in Canada a sum not exceeding One Hundred Twenty-four Thousand Dollars (\$124,000.00) for the purpose set out above;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 19th day of September, 1978, and approved by the Minister of Municipal Affairs on the 21st day of September, 1978, deemed it necessary to issue and sell debentures in the total principal amount of Four Million Dollars (\$4,000,000.00) of which the sum of One Hundred Twenty Thousand Dollars (\$120,000.00) was applied to the purpose set out above, establishing a balance of Four Thousand Dollars (\$4,000.00) still authorized to be borrowed for the aforesaid purpose;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 3rd day of April 1979, the Council postponed the issue of debentures and with the approval of the Minister of Municipal Affairs on the 9th day of April, 1979, borrowed from a chartered bank in Canada a sum not exceeding Forty-one Thousand Five Hundred Seventy-seven Dollars and Sixty-eight Cents (\$41,577.68) establishing a balance of Forty-five Thousand Five Hundred Seventy-seven Dollars and Sixty-eight Cents (\$45,577.68) still authorized to be borrowed for the purpose set out above;

AND WHEREAS the Municipal Council deems it necessary to issue and sell debentures and to repay the bank a portion of the sum so borrowed;

BE IT THEREFORE RESOLVED

THAT one (1) debenture of the Municipality for Forty-five Thousand Five Hundred Seventy-seven Dollars and Sixty-eight Cents (\$45,577.68) be accordingly issued and sold;

THAT the debenture be numbered 79-H-1;

THAT the debenture be dated the 1st day of March, 1979;

THAT the debenture be payable as follows:

<u>PAYMENT NO.</u>	<u>DATE DUE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
1	March 1, 1980	\$ 833.16	\$ 4,373.05	\$ 5,206.21
2	March 1, 1981	913.10	4,293.11	5,206.21
3	March 1, 1982	1,000.71	4,205.50	5,206.21
4	March 1, 1983	1,096.72	4,109.49	5,206.21
5	March 1, 1984	1,201.95	4,004.26	5,206.21
6	March 1, 1985	1,317.27	3,888.94	5,206.21
7	March 1, 1986	1,443.66	3,762.55	5,206.21
8	March 1, 1987	1,582.18	3,624.03	5,206.21
9	March 1, 1988	1,733.98	3,472.23	5,206.21
10	March 1, 1989	1,900.35	3,305.86	5,206.21
11	March 1, 1990	2,082.69	3,123.52	5,206.21
12	March 1, 1991	2,282.51	2,923.70	5,206.21
13	March 1, 1992	2,501.51	2,704.70	5,206.21
14	March 1, 1993	2,741.53	2,464.68	5,206.21
15	March 1, 1994	3,004.57	2,201.64	5,206.21

<u>PAYMENT NO.</u>	<u>DATE DUE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
16	March 1, 1995	\$ 3,292.85	\$ 1,913.36	\$ 5,206.21
17	March 1, 1996	3,608.79	1,597.42	5,206.21
18	March 1, 1997	3,955.04	1,251.17	5,206.21
19	March 1, 1998	4,334.52	871.69	5,206.21
20	March 1, 1999	4,750.59	455.81	5,206.40
		<u>\$45,577.68</u>	<u>\$58,546.71</u>	<u>\$104,124.39</u>

THAT the principal and interest be payable at any office of the Royal Bank of Canada in Halifax, or at the principal office of the said Bank in any of the cities of Toronto or Ottawa at the option of the holder, the interest to be at the rate of Nine point Three Seven Five Zero (9.3750%) per centum per annum calculated semi-annually not in advance and payable annually, the first to nineteenth inclusive instalments to be in the sum of Five Thousand Two Hundred Six Dollars and Twenty-one Cents (\$5,206.21) due and payable on the first day of March, 1980, and the twentieth or final instalment of blended principal and interest to be in the sum of Five Thousand Two Hundred and Six Dollars and Forty Cents (\$5,206.40) due and payable the first day of March, 1999;

THAT the Warden of the Municipality do sign the debenture or have it impressed with a printed facsimile of his signature and the Clerk of the Municipality do countersign the said debenture, that they do seal the same with the corporate seal of the Municipality and that the Clerk do sign the interest coupons or if the same are lithographed either sign the same or have them impressed with a facsimile of his signature;

THAT the Clerk be the registrar of the debenture;

THAT the amount borrowed as aforesaid from the bank be repaid to the bank out of the proceeds of the debenture when sold. "  
Motion Carried.

It was moved by Councillor Walker and seconded by Deputy Warden Gaetz:

"THAT Council approve the proposed highway agreement #6L re sidewalks in Cole Harbour with the municipal cost to be recouped by an area rate and the Warden and Clerk to sign such agreement."  
Motion Carried.

Councillor Lawrence commented on the report of February 1978 prepared by Councillor Benjamin as possible improvements to the operation of the Municipal Building and the facilities. There were 18 items on that report and 4 items have been accomplished. Councillor Lawrence added, to number 18, which specifies an entrance ramp for paraplegics. She feels it is not reasonable to have a building that is accessible if there is no accessibility to washrooms.

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

"THAT Finance and Executive add public washroom facilities for wheelchairs to number 18 on their list of items."  
Motion Carried.

Councillor Cosman spoke to number 5 which was to be dealt separately from the Report of Finance and Executive Committee. It has been suggested by Finance and Executive Committee that Council rethink its position. She feels that an Appeals Board re sewer lateral charges should be separate from the Finance and Executive Committee and that the original request should stand, that Council ask Municipal Affairs to set up an independent appeal board in the same manner as the Provincial Planning Appeals Board was set up.

Councillor Lichter added that the way it reads one can appeal only if there is a means test and he qualifies and that is objectionable. Whether a person can afford the assessment or not he should be allowed an appeal on the justice of the billing.

Councillor Deveaux brought out the fact that more footage is charged quite frequently than reads on a person's deed simply because of the way the road has been built to run past the person's property.

There was further discussion by Councillors regarding the charges and appeals by ratepayers.

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

"THAT the motion of March 20, 1979 Session of Council requesting the Government set up an appeal procedure re Central Sewer Lateral Charges be rescinded."  
Motion Carried.

Councillor Lawrence asked if Councillor Cosman would consider an appeal board something like the Municipal Building Appeal Board. A three person board appointed by Council who would be able to act as an appeal board. Would that be a solution and Councillor Cosman replied that again Council may be put in the position of being accused of making political appointments and being subjective.

Councillor asked the Solicitor if this isn't a responsibility which Council should take on and is it fair to ask the Province to take on this responsibility.

Solicitor Cragg replied that he didn't think they will entertain it. The responsibility lies with the Municipality.

It was moved by Councillor Walker and seconded by Councillor Wiseman:

"THAT Item #6 of the Finance and Executive Committee be adopted."  
(See motion to defer.)

Councillor Eisenhower stated that there is one thing in this item which he is concerned about and that is that items to be added to the Agenda at the Council Session of the third Tuesday. One of the reasons why Council wanted a second session was because they couldn't get these motions on the floor and he finds this very restrictive.

Councillor Cosman suggested that as a small number of members were in Council and a majority of those being members of the Finance and Executive Committee and she thought it would be wise to defer this until the next session of Council when there are more people present to discuss the motion.

It was moved by Councillor Cosman and seconded by Councillor Walker:

"THAT Item number 6 be deferred to April 17, 1979 session."  
Motion Carried.

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

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

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

"THAT Council approve the Designation Agreements re Senior Citizens at East Preston and Musquodoboit Harbour and that the Warden and Clerk be authorized to sign the said agreements."  
Motion Carried.

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

"THAT the Finance and Executive Committee consider the matter of relief of payment of sewer bills for any person earning less than 10 thousand dollars (\$10,000.00) per year and the shortfall of funds be made up from the trunk pollution control charge."  
Motion Carried.

It was moved by Deputy Warden Gaetz and seconded by Councillor Deveaux:

"THAT the Finance and Executive Committee consider the matter of Committee remuneration and report to Council on May 1, 1979."  
Motion Carried.

It was moved by Councillor Deveaux and seconded by Deputy Warden Gaetz:

"THAT Mrs. Judy Meisner of Cow Bay be appointed Dog Licenser."  
Motion Carried.

It was moved by Councillor Walker and seconded by Deputy Warden Gaetz:

"THAT Council adjourn."  
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF APRIL COUNCIL SESSION

Tuesday, April 17, 1979

Warden Settle opened the April 17th Session at 2:30 p.m. with the Lord's Prayer followed by Mr. Kelly calling the roll.

It was moved by Councillor McCabe and seconded by Councillor MacKenzie:

"THAT Mrs. Eileen Morres be appointed as recording secretary."  
Motion Carried.

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

"THAT the Minutes of March 20, 1979 Council Session be approved."  
Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor MacKenzie:

"THAT the Minutes of March 19, 1979 Public Hearing be approved as amended."  
Motion Carried.

Councillor Cosman noted that on the first page the motion that 'the Zoning By-Law be and is hereby amended', that should come last on that first hearing that was held. It seems to have got into the minutes in the wrong place.

It was moved by Councillor Williams and seconded by Councillor MacKenzie:

"THAT the Agenda be closed."  
Motion Defeated.

Councillors Topple and Lawrence noted that they had some items they wanted to add to the Agenda. Councillor Topple stated that one of his items in particular is pressing and he wished to add it to the Agenda. This item is to do with the Drive-in Theatre in his district. Councillor Lawrence wished to add Nuclear Power and Councillor Deveaux wished to add Regional Transit, Education Costs and Power Rates. Councillor Benjamin said he wished to add Municipal Spraying to the Agenda.

Mr. Kelly noted that Solicitor Gus Wedderburn had requested permission to address Council on behalf of the Home for Coloured Children and Councillor Lachance requested that he be permitted to speak.

It was moved by Councillor Lachance and seconded by Deputy Warden Gaetz:

"THAT the items to be added to the Agenda be approved."  
Motion Carried.

It was agreed by Council to discuss the Report of the Special Steering Committee of the Municipal Development Plan and Councillor Sutherland requested that the Chairman of the Committee, Councillor Lachance elaborate on the Report for the benefit of Council.

Councillor Lachance stated that as Council will recall the Steering Committee was set up as a result of a motion that indicated we should have at least an opportunity for some input into this type of discussion before the matter came back to Council. The Steering Committee was appointed by Warden Settle and consisted of Councillor Eisenhauer, Councillor Lichter, Councillor Topple, Councillor Fader and Himself, along with two members of Staff and he was appointed as Chairman. The Steering Committee met from 5:30 in the afternoon until roughly half past eight on Holy Thursday of last week and out of that discussion came the memo that's before you now and he thinks it embraces 2 basic thoughts: on the whole question of the Municipal Development Plan and it tries to take into account the main theme of what we learned at the first round of planning with the Municipal Development Plan and that is, that unless all members of Council are prepared to take the initiative within their own district that a Municipal Development Plan will not work and it was his personal belief, and he's not speaking for the Committee, that all members of Council did not do that the first time around and that was why the whole dirty game of Municipal Development was pushed off on the shoulders of the Planning Advisory Committee and they were left to carry the ball and he doesn't think it was a task which was possible to complete within the framework that they had. So it's absolutely necessary in our opinion, that all members of Council take a leadership role within their own district on the question of Municipal Planning. The other thing, and equally as important as that, is that the members of the public at large who are concerned and involved in the whole question of planning should be involved from the very beginning. That is at the conceptual stage where we decide what our goals

and objectives and principles are going to be. They must be involved at that point right up to the completion of the Municipal Development Plan and those then are the two basic things that the Committee felt must be incorporated into the whole approach of planning and it follows from that then and he read the whole motion, "Whereas the Municipal Development Plan Steering Committee believes that Councillors must take the leadership role in their respective districts in regard to a Municipal Development Plan and whereas the Steering Committee believes that residents are entitled to have input into a Municipal Development Plan from inception to completion, be it resolved that the Steering Committee respectfully recommends that Council sit as a Committee of the Whole to organize its approach in the development of the Municipal Development Plan and furthermore that four points be noted: That Council recognize the independent needs of the urban fringe and rural sectors of the Municipality, Council members will be responsible for bringing to Committee of the Whole input from their districts. Council shall formulate objectives from this input and confirm these to their district through public hearings or meetings before any formal position is taken and Council's position shall be reassessed after these objectives have been confirmed with the public." That is to say that the question of the Committee of the Whole sitting as the Planning Committee would be reassessed at that time but in order to ensure that all districts participate on an equal basis with one person in the district who is accountable both to the Committee of the Whole and to the ratepayers of the district, that that person be the Councillor and that member of Council sit on the Committee of the Whole and we feel that that's the only viable approach to plan in the initial stages.

It was moved by Councillor Lachance and seconded by Councillor Cosman:

"THAT the Report of the Special Steering Committee re the Municipal Development Plan Committee be approved."  
Motion Carried.

Councillor Williams questioned who is going to pay for the halls for meetings et cetera and why is this not going to be in two phases as originally planned.

Mr. Gough of the Planning Department was asked by Councillor Williams to reply to his question and he said basically what Councillor Williams has said is true. The Planning Department has some concern about the mandate that was given to them and they have some questions and would like the opportunity to ask them later and that the original concept was to be urban and rural.

Councillor Lachance said Council is being asked to look at the urban fringe and the rural sectors independently and if the Councillor feels that his district should not come under the Plan, go to the people and let them tell you. In this way they carry the burden of responsibility for the decision. If they want to remain under the Plan fine, but if they want to change the Regional Plan it must be done through an organized group.

Councillor Williams said there is no By-Law that can be set up for both rural and urban areas.

There was considerable discussion between Councillors regarding the report of the Steering Committee.

Councillor Eisenhauer said that the initial stage is not to do any detailed planning but to make sure that all problems are recognized by all people and to plan from there. Dictated goals and objectives are not desired by anyone.

Councillor Topple stated that one of the problems Council has always had is the inability of Council to convince the people of the problems which exist. Councillors should be going to the people and explaining to them the anxieties that the Municipality has with respect to the present or the past planning and asking them what problems they are experiencing in their areas so Council can help them resolve those.

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

"THAT the Planning Department be directed to report back to Council at the May 1st Session of Council with a schedule of planning meetings, both community and Committee of the Whole arranged in such a manner that Committee of the Whole meet intermittently until all districts have had a chance to have their community meetings. Also bring back, as well as the schedule of meetings, an outline of the tentative agendas for those meetings and a list of the major concerns of the citizens at the Public Hearings."  
Motion Carried.

Councillor Fader suggested that it's unfair to ask Staff to come back in 2 weeks with all that is outlined there.

Councillor Lachance said this has been cleared through the Planning Department to see whether they could meet that deadline and it was cleared with Mr. Gough, in the presence of Councillor Fader, and it was agreed that this recommendation would follow the resolution that was just passed and it's a natural conclusion to the resolution which was just passed.

Councillor Fader pointed out that there are only 9 working days until May 1st and Warden Settle asked if Council would hear Mr. Gough regarding the topic.

Mr. Gough stated that the staff worked over the weekend on it and there are a few concerns about the holiday season and an educational problem if using schools for public meetings. As far as meetings

are concerned staff would like a finer direction from Council as to whether there would be one meeting held in each district because there may be confusion caused in the rural section since they're only working on the urban one. Since the Regional Development Plan and the Planning Act are under review it might be utter chaos.

Councillor Lachance replied that the May 1st deadline was not to suggest that public meetings should be commenced but that the schedule would be back by then. Council may direct that the meetings not be scheduled until after the elections - that would be the Committee of the Whole decision. The suggestion is just that the tentative schedule come back for perusal.

Deputy Warden Gaetz stated that at least 3 meetings would have to be held in District 9 because it's too large an area to expect people to travel from one end of the district to the other in order to attend one public meeting.

Councillor Topple wondered if Council is sincere in their desire to have a Municipal Development Plan or if they want the Province to come in and make the rules.

It was moved by Councillor Margeson and seconded by Councillor Fader:

"THAT the motion be amended to read June 19, 1979 instead of May 1, 1979."  
(Not in Order)

Councillor Cosman asked if that didn't change the original intent of the original motion and Councillor Lachance agreed.

Councillor Deveaux stated that he agrees with Councillor Topple and Council should either go ahead with the planning or throw it out.

It was moved by Councillor Smith and seconded by Deputy Warden Gaetz:

"THAT the Report of the Finance and Executive Committee with respect to Council Agendas be approved."  
Motion Carried.

Councillor Topple felt that this was too restrictive and if a Councillor wishes to bring a pressing item before Council he should be allowed to do so.

Councillor Sutherland felt that by adding items to the Agenda at the last minute doesn't give Councillors the opportunity to study the problems before they are called upon to vote for or against.

Councillors Williams, Lawrence, Cosman and Deveaux agreed with Councillor Topple. Councillors Lawrence and Cosman opposed the unanimous consent by Council for hearing an urgent item.

Councillor Fader replied that a lot of items come on the floor which should be referred to the proper department rather than have Council deal with it.

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

"THAT Council could, by two-thirds majority, allow an item to be added to the Agenda and dealt with if Council deemed it so necessary and request the Solicitor to so amend By-Law 19(b)."  
Motion Carried.

It was moved by Councillor Benjamin and seconded by Deputy Warden Gaetz:

"THAT the matter be deferred to the May 1st Session of Council in order that a report may be obtained from the Municipal Solicitor."  
Motion Defeated.

It was moved by Councillor Deveaux and seconded by Councillor Lachance:

"THAT public hearings be held on dates other than regular Council Session days."  
Motion Defeated.

Mr. Kelly introduced a letter from the Riverlake Residents' Association asking for a moratorium of not less than one year against all commercial and industrial development in District 14 and also a request from Charleswood Subdivision asking that their street be zoned residential.

It was moved by Councillor Cosman and seconded by Councillor Fader:

"THAT the matter be referred to the Planning Advisory Committee."  
Motion Carried.

Councillor Sutherland stated that a delegation was present from Waverley and wished to make a presentation to Council.

Solicitor Cragg suggested that perhaps it is improper to hear from the Association at this point considering the matter is going to public hearing and Councillor Cosman wondered, if, since only one side would be heard, would it not be prejudicing a public hearing.

Councillor Topple asked if the letter could be read and it was unanimously agreed by Council.

Councillor Sutherland agreed that the letter be read and the delegation not be heard and Councillor Lawrence suggested that with that agreement she presumed that everything the delegation would say will be said in the letter so in effect Council is hearing their side. Councillor Lawrence then outlined the regular procedure that is being followed in the proposed industrial park and/or crusher operation.

Councillor Sutherland suggested that perhaps the delegation was looking for a little preliminary publicity in their plight against the park and whether or not it will jeopardize their case at the public hearing, he didn't know. Councillor Cosman inquired if they are wishing to use the Council for publicity and the delegation answered in the negative.

Mr. Kelly read the letter to Council stating that the letter is dated April 16, 1979 and that it is addressed to Mr. Bensted, Municipal Clerk and Treasurer. "We appreciate the opportunity to present to your regular Council meeting of Tuesday, April 17, 1979 the attached petition asking for a moratorium for not less than one year against all commercial and industrial development in District 14. Since 1975 the Riverlake area of District 14 has been campaigning against a proposed rock crusher operation intended for Three Mile Lake, Third Lake and Curry Lake in our District. In August of 1979," Mr. Kelly stated that he presumed this should read August 1978, "an approval in principle was given by Council to a proposed industrial park preceded by a rock crusher operation for this same area. The residents of Riverlake district are deeply concerned that this proposal is a front for a crusher operation which may be our first and last industry. We at first contemplated circulating a petition here to stop this operation only however it was decided to circulate this broader petition because of other problem areas in our district. A good indication of the concern of citizens is the enclosed separate petition from the residents of Charleswood Subdivision asking that their street be zoned residential. A recent development was an application before you for a permit to operate a salvage and junkyard in the Eagle Lake area of our district. The Riverlake Residents' Association of District 14, which covers the Cobequid Road from LeGay Plastics, around the lakes, through Windsor Junction and Fall River to Miller Lake Subdivision has a very active Area Development and Planning Committee comprised of some 25 very concerned citizens dedicated to planned growth. We fully realize the many problems you are faced with as Councillors endeavouring to properly plan Halifax County. We are at your service and will help you to properly plan if you will give us this breathing spell to enable us to work towards a common goal. A Public Meeting called by you at the earliest moment would be greatly appreciated. Yours sincerely, Mrs. Nancy Haley, President, Riverlake Residents' Association."

Councillor Lawrence pointed out that Council has not approved, in principle, this particular development. Planning Advisory Committee has referred this development to the Staff for negotiation on a Planned Unit Development Agreement. Council has not approved the development.

Councillor Benjamin stated he had grave misgivings in the delegation that they chose to bypass their Councillor. He stated he would not make any decision until he heard both sides and he hoped that this could be run now through the proper procedure by going to a public hearing, where the facts could be presented, and then a proper decision be made.

It was moved by Councillor Smith and seconded by Deputy Warden Gaetz:

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

Councillor Deveaux stated that he didn't know all the details about the proposed CP coming into the area. He isn't against any airline coming into Halifax but he is concerned about what's going to happen to EPA.

Warden Settle stated that some three years ago there was a meeting set up by the three airlines, Air Canada, Canadian Pacific Air and Eastern Pacific Air and they came to a common agreement that EPA would have a run from Halifax to Montreal, they agreed that Canadian Pacific would have a flight from Toronto to Halifax. Air Canada said that they could live with those suggestions but during the intervening period there was a change of ownership of Eastern Provincial and the new owners did not agree with this common agreement.

Councillor Topple said that Council supported the application of CP Air on the basis that CP are an international airline and would perhaps give residents an option of getting back home in case of an air strike against Air Canada. He stated that there is new management of EPA and apparently Quebec Air is making a bid to take over EPA and the local business may become an outside business, becoming a very large airline at that time.

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

"THAT a letter be sent to Eastern Provincial Airways with respect to their position regarding the application of Canadian Pacific Airlines to add air service to



Halifax and request a reply by May 1st, 1979."  
Motion Carried.

It was moved by Councillor Walker and seconded by Deputy Warden Gaetz:

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

It was moved by Councillor Walker and seconded by Councillor Topple:

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

It was moved by Councillor Walker and seconded by Councillor Baker:

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

Councillor Smith noted that a public hearing was scheduled for the 15th of the month and wondered if it couldn't be put forward to the 1st of the month. Councillor Sutherland said that it appeared there was some difficulty in the time frame for advertising. That apparently was the earliest it could be advertised and a hearing be held.

Councillor Deveaux said that this just came before Planning Committee that morning and he wasn't aware of it. He said he still had quite a lot to look into and could it be deferred to another date.

It was moved by Councillor Deveaux and seconded by Councillor Margeson:

"THAT the public hearing on application No. 6-79 be deferred until June 5, 1979 Council Session."  
Motion Carried.

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

"THAT the public hearings re No. 3-79 and No. 4-79 be held Tuesday, May 15 at 7 p.m."  
Motion Defeated.

Councillor Lichter said that at a number of Council meetings for the past month and a half, several members of Council failed to return after supper. At this rate a third meeting a month will have to be scheduled in order to keep on top of the business.

It was moved by Councillor Cosman and seconded by Councillor Fader:

"THAT the public hearings #3-79 and #4-79 be held on Monday evening, May 14th at 7 p.m."  
Motion Carried.

Councillor Lawrence reminded Council that it had been decided, by majority decision, that public hearings would be heard on the first session of each month. That was decided by a majority vote, barring some other extreme circumstances.

Councillor Deveaux said that Council went to two evenings to try to complete the Agenda. By overcrowding it with public hearings it was defeating the purpose of going to two monthly meetings.

Councillors had discussion regarding dates of public hearings and it was decided that the majority vote regarding public hearings would prevail.

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

"THAT Council approve accepting title to a lot of land and walkway at Gordon Park, Sackville, subject to the Solicitors' confirming the title and the district being responsible for future maintenance and improvement."  
Motion Carried.

It was moved by Councillor Baker and seconded by Deputy Warden Gaetz:

"THAT Council approve accepting title to a lot of land, parcel K, Stephen Murphy, at Harrietsfield, subject to the Solicitors' confirming the title and the district being responsible for future maintenance and improvement."  
Motion Carried.

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

"THAT Council approve accepting title to a lot of land at Shoreview Heights, Bedford (Tot Lot), subject to the Solicitors' confirming the title and the district being responsible for future maintenance and improvement."  
Motion Carried.

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

"THAT Council approve accepting title to a lot of land at Highland Park, Hammonds Plains (Lot G42AX) subject to the Solicitor confirming the title and the district being responsible for future maintenance and improvement."  
Motion Carried.

It was moved by Councillor Lachance and seconded by Deputy Warden Gaetz:

"THAT the Municipal School Board Budget be received and referred to the Finance and Executive Committee for consideration."  
Motion Carried.

Councillor Fader stated that the Committee was aware that the Municipal School Board Budget would be presented today to Council and through the recommendation of the Chairman of the Municipal School Board that it be referred to Finance. He wished at that time, that when Finance and Executive Committee deal with it he would like to have Mr. Langley, Mr. Gillis and the Chairman of the Municipal School Board attend the Finance and Executive Committee meeting.

It was moved by Councillor Lachance and seconded by Deputy Warden Gaetz:

"THAT the Capital portion of the Municipal School Board be referred to Finance and Executive Committee and the School Capital Building Committee."  
Motion Carried.

It was moved by Deputy Warden Gaetz and seconded by Councillor Deveaux:

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

Councillor Cosman noted that in the Minutes of the School Capital from April 3rd that they were going to call tenders for caretaker equipment for various schools which would normally be done by the School Board and wondered why.

Councillors Fader and Lachance explained that this was for new construction and replacements only.

Councillor Lachance noted that in the Gaetz Brook Junior High School there are a number of problems and the School Capital Building Committee is working on it but moving rather slowly. He noted several faults in the work shops, new tables which are split and bent and came without vises. In the metal workshop there is no ventilation.

Deputy Warden Gaetz stated that he had been in the school three times since it opened and nothing had been brought to his attention.

Councillor Cosman noted that the Bell Park Academic Centre contract is complete except for deficiencies. She inquired if a piece of equipment built into the school was deemed a hazard to the welfare of the students and the School Capital Program Committee were made aware of it, is the Municipality responsible for any accident which may occur and Solicitor Cragg replied that the Municipality would be, if after having been advised, reasonable precautions had not been taken.

Councillor Lachance advised that the matter had been brought to the attention of the School Board and the Board has referred it to the School Capital Building Committee and it would appear that nothing has been done to rectify the situation. Councillor Fader said this had been dealt with last week and the School Capital Committee will make a visit to the school and review the situation.

Councillor Margeson suggested that a safety officer be taken with the School Capital Committee when they visit Bell Park Academic Centre.

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

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

Councillor Light requested that items 5 and 9 be dealt with separately. Agreed to by Council.

Councillor Lawrence noted that with respect to item 3 she had asked that this item be referred to the Fire Advisory Committee and did not see any mention of this in the report.

Councillor Benjamin said at the last Council meeting he referred to this item. This is an ad hoc committee, set up to negotiate with the fire chiefs. It is not given any authority, it is not a bona fide committee yet. It is hoped that it will have representatives of the fire chiefs and of the Council. When that Committee is formed it will take on these matters and others pertaining to the voluntary firefighters in the County. Councillor Lawrence asked when this committee was going to be formed and Councillor Fader explained that only recently have the fire chiefs reorganized so in the near future something should come of the committee.

Councillor Lichter noted that it wasn't too long ago when this Council debated whether or not this Municipality could afford 150 dollar tax exemption for a certain category of people and it was a heavy debate. It was fortunately approved and it was only a 50 per cent increase in exemption for people who badly needed it. In item 5 there is a recommendation to have the per meeting stipend increased by 33 per cent. He stated that he doesn't feel comfortable that without any debate it could go through Council. He wanted to know the reasons behind it.

Deputy Warden Gaetz said he was the mover of the item and he feels he earns it with the number of miles he travels in order to attend meetings. He feels that it is a justified increase.

Councillor Tople stated that after supporting the anti-inflation program, Council should not ask for 33 per cent increase in the stipend for meetings attended by Committees. Perhaps it would be more in order to recommend that the Councillors' pay be increased to \$25,000 per year.

Councillor Benjamin suggested that it was a fair and just recommendation made by Finance and Executive. In order to attend a meeting some Councillors ruin an entire day and it is not unjust to suggest that such an increase is in order.

Councillor Eisenhower felt the increase should be deferred until a new Council had been elected.

There was further debate on the subject.

It was moved by Councillor Tople and seconded by Councillor Lawrence:

"THAT remuneration of Committee members remain the same."  
Motion Defeated.

Councillor Lawrence requested that the vote be recorded. For - Districts 1, 3, 5, 7A, 8, 11, 13, 18, and 19. Against - Districts 2, 6, 7, 9, 10, 14, 15, 16, 17, 20.

It was moved by Deputy Warden Gaetz and seconded by Councillor Fader:

"THAT remuneration of Committee members be increased from 30 dollars to 40 dollars per meeting and 5 dollars extra for Committee Chairmen."  
Motion Carried.

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

"THAT Council adjourn for supper."  
Motion Carried.

Council reconvened at 6 p.m. and Mr. Kelly called the roll.

Councillor Lichter asked Councillor Fader to explain what prompted such a drastic move as provided for in item 9.

Councillor Fader replied that at the last meeting of Finance the decision was finally made on this after much discussion in previous meetings. Councillor Fader suggested that it was felt that some Councillors might abuse this privilege for electioneering purposes. He also stated that the clerk suggested a typographical error on the part of a typist could cause a lot of trouble for a Councillor.

Councillor Lichter said that only three Councillors have sent out Newsletters and he is one of them. He said that the people appreciate receiving news of the Municipality. He stated he is willing to pay for the paper but he is not willing to go to a commercial printer and wait a month for stale news. He asked if this Committee has the right to instruct the Municipal Clerk to cease providing this service.

It was moved by Councillor Cosman and seconded by Councillor Lichter:

"THAT the Municipal Clerk continue to act as he has in the past on individual requests to send out Newsletters, provided that the Councillor concerned pay for the expense of the paper and postage."  
Motion Carried as amended.

Councillor Cosman stated she is one of the people who send out Newsletters and she does it at her own expense. Once a year she puts out a yearly report, i.e. Year One Report, Year Two Report. This report was done by the Municipality at a cost of 12 dollars worth of paper. If she should go to a printer it would cost 400 dollars. Councillor Cosman said she feels it is a right for Councillors to be able to have a stencil run off because the taxpayers appreciate hearing what is going on in their district. Her last annual letter covered what happened to the Municipal Development Plan in Halifax County because 2 or 3 hundred people had phoned her to find out what has happened.

Councillors Wiseman, Poirier and Lawrence each said they put out Newsletters and wished it to come before Council so that they could get some direction.

There was a great deal of discussion with respect to the Municipality providing the service if not the funding.

It was moved by Councillor MacKenzie and seconded by Councillor Poirier:

"THAT this be referred to the Finance Committee for further study."  
Motion Defeated.

Councillor Cosman inquired whether a Committee can instruct a Clerk to act accordingly and Solicitor Cragg stated that Council can only debate the motion to refer to Committee.

Councillor Lawrence made an amendment to the motion and Councillor Lichter seconded the amendment:

"...Provided that the Councillor concerned pay the expenses of such Newsletters - paper and postage."  
Amendment carried.

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

"THAT Council adjourn session to the public hearing."  
Motion Carried.

Following the public hearing regarding application number 3-78, Council resumed the Regular Session.

Councillor Topple introduced his item of additional business to the Agenda. He advised Council that the matter had to do with a Drive-in Theatre proposal in his district at Westphal. Councillor Topple made note of many people in the gallery who were interested in the situation. He stated that there was an application for a building permit through the Building Inspector of the Municipality which was turned down. Subsequently there was an appeal made and the Appeal Board stood behind the Building Inspector. One of the points made by the Board was that the applicant did not have all the permits required. Subsequently the applicant reapplied for another building permit and this time he received all the permits but the Chief Building Inspector again refused to issue a permit. There was a second appeal and at this time two of the members of the Board supported the appeal and a building permit was issued. The people in the community are opposed to the area in which it is proposed and feel that there are other areas in the community in which it could be located.

Councillor Topple pointed out on a map where it was proposed that the Drive-in Theatre be located. It was pointed out that the screen would be seen from the Home for Coloured Children and would be a grave disruption to that establishment. As well, this theatre would pose a very serious traffic problem.

It was moved by Councillor Topple and seconded by Councillor Lachance:

"THAT a letter be sent to the Minister of Municipal Affairs with copies to the MLA's representing the affected areas, and they are Mr. David Nantes and Mr. Thomas McGinnis, the Minister of Highways and to the Premier of Nova Scotia, requesting that a Regional development Permit be refused to the applicant for a drive-in theatre on the Broom Road in Westphal on the grounds that: a) it constitutes a nuisance problem to the Nova Scotia Home for Coloured Children in that it would create a control problem with the children; b) it constitutes a nuisance problem to the residents of Number 7 Highway, the Broom Road, Forest Hills Development, Sunset Acres, particularly late at night when a thousand vehicles would be exiting from the theatre site. They would take the path of least resistance.; c) the proposed use is not compatible with existing or proposed development which is Residential first priority; d) the potential impact from traffic generated by the proposed development on the arterial and regional transportation network would create a traffic and safety problem; e) the use would destroy the natural process of the area; f) the access and considerable portion of the site is inside the Regional Development Boundary and is not serviced with Municipal water and sewer systems. And further that the law, which is the Planning Act and Order-in-Council #75-442A, which is this Regional Development Plan, provides that no Regional Development Permit shall be issued for any development on lands within the development boundary where the above referred could exist.  
Motion Carried.

Councillor Lachance pointed out that the decision of the Appeal Board is in direct contravention of the Regional Development Plan. It is, in effect, breaking the law. The Board reversed the decision of a few months ago with no apparent significant change in the situation and without apparent logic. The decision to permit this facility ignores the fundamental truth and basic principle in Municipal planning that Council have learned through the Municipal Development Plan at a cost of nearly three quarters of a million dollars and that is that it is the wishes of the residents that must play a significant role in the development of their community and the residents of this area have demonstrated that they do not wish this facility in their community.

Solicitor Gus Wedderburn had requested permission of Council to speak against the proposed endeavour and it was agreed by Council that they would hear him. Mr. Wedderburn spoke at length in opposition to the issuing of a permit for a drive-in theatre in the area in which it was proposed and thanked Council members for listening to him.

Councillor Fader suggested that as one side had been heard on this topic perhaps there was someone from the other side who would like to be heard and that he should have the opportunity to speak if he wished.

Solicitor Kenneth MacInnis came before Council and stated that he just found out about this that afternoon and no notice had been given to him about a public hearing and that this, in effect, has turned into a public hearing. He stated that no notice had been given to his client and, in all fairness, if there is going to be a decision made it should be deferred until they have had a notice and had a chance to appear before Council. Mr. MacInnis replied that he is a parent as are most others present and he doesn't dispute the things said by Mr. Wedderburn but he felt that tack taken was unfair in the suggestion that discrimination was involved in issuing the permit. He said that he was simply calling in at the time and was not present to answer any allegations as there was no proper notice and it was not a properly constituted hearing. Mr. MacInnis did want to have one thing on record - to say that the Municipal Building Board made a decision which was inconsistent with its earlier decision is an untruth. They said in the first hearing that the question of nuisance was not proven. They said the only problem with the application in the first hearing was that the developer didn't have the Highways permit or the Health permit. The clients went away and got the permits and again the Board said that the question of nuisance wasn't proven. He stated that Council passed a Building By-Law which constituted a Municipal Building Board which is the appeal that you take after a building permit is issued.

Councillor Topple advised that he didn't bring this here for a public hearing. The Nova Scotia Home for Coloured Children wished to be heard and asked for that privilege and were granted that privilege. He had no idea what they were going to bring forward. His presentation dealt strictly with the Regional Development Plan. He made reference to the hearings that were held and did not make any reference to the fact that Council could overturn them or that Council had any further recourse under the Municipal Building Board. He is simply asking the support of Council in his resolution.

There was considerable discussion by Councillors regarding the proposed development.

Warden Settle called for a short recess.

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

"THAT a report be brought in on the status of the Municipal Building Board, its term of office and that this come back for the next Session of Council."  
Motion Carried.

Councillor Topple said that as far as the Appeal Board is concerned he thinks they acted properly. The problem was that there were two hearings on the same thing and he felt that there should not be more than one appeal.

The following Councillors were nominated to attend the Federation of Canadian Municipalities Conference in Quebec:

Councillor Fader, Councillor Sutherland, Councillor Walker, Councillor Wiseman, Councillor Poirier, Councillor Benjamin.

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

"THAT nominations cease."  
Motion Carried.

It was agreed that six names would be voted upon and the Councillor who received the least votes would not attend.

A vote was taken to elect two voting delegates at the Conference.

Councillor Sutherland and Councillor Fader were elected to be the two voting delegates along with the Warden.

A further vote was taken to elect three alternate delegates to attend the Conference.

Councillors Poirier, Walker and Wiseman were elected by Council and Warden Settle declared that those three alternates would attend.

It was moved by Councillor Lachance and seconded by Councillor Eisenhauer:

"THAT Council approve the following temporary borrowing resolution of 9 million dollars for school construction:

Municipality of the County of Halifax  
Temporary Borrowing Resolution

\$9,000,000

for Schools - 79-1  
Harry Giles Elem. School - \$1,600,000  
Cole Harbour Senior High - \$4,300,000  
A.J. Smeltzer Jr. High - \$3,100,000

WHEREAS the Municipal Affairs Act provides that the Municipality of the County of Halifax may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for public schools, garages and other buildings for school purposes; namely, for the provision of schools in the Municipality;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the Municipality of the County of Halifax borrow a sum or sums not exceeding Nine Million Dollars (\$9,000,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Municipal Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 147 of the Municipal Act and that the Municipality borrow from time to time a sum or sums not exceeding Nine Million Dollars (\$9,000,000) in total from any chartered bank in Canada;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon, and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold."

Motion Carried.

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

"THAT Council approve the following temporary borrowing resolution of 100 thousand dollars for sewer relocation Bedford - Sackville interchange:

Municipality of the County of Halifax  
Temporary Borrowing

\$100,000

Sewer - Bedford - Sackville Interchange 79-2  
County Job No: 175-W-79

WHEREAS the Municipal Affairs Act provides that the Municipality of the County of Halifax may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, altering, extending and improving public sewers or drains for the municipality, or any part thereof, and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor or for maintaining such public sewers or drains; namely, for the installation of sewer at the Bedford - Sackville interchange;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the Municipality of the County of Halifax borrow a sum or sums not exceeding One Hundred Thousand Dollars (\$100,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Municipal Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 147 of the Municipal Act and that the Municipality borrow from time to time a sum or sums not exceeding One Hundred Thousand Dollars (\$100,000) in total from any chartered Bank in Canada;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold."

Motion Carried.

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

"THAT the Nova Scotia Police Commission be requested to appoint Lawrence Wayne Norman as a Special Constable whilst employed with Evidence Research Associates as a security officer within the Municipality of the County of Halifax."

Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Fader:

"THAT the Nova Scotia Police Commission be requested to appoint certain persons as law enforcement officers whilst employed by the Municipality of the County of Halifax.

Edward A. Brine, Thomas E. Burke, Charles A. Mitchell, Gordon R. Snow, George Mountain."

Motion Carried.

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

"THAT a By-Law to amend the Building By-Law re building permits be approved."

Motion Carried.

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

"THAT a public hearing be held re the By-Law to amend the Zoning By-Law re Industrial Use Zone."

Motion Carried.

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

"THAT the public hearing be held on May 28th at 7 p.m. re district zoning."

Motion Carried.

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

"THAT the Renewal Agreement CUPE Union Local 1083 and the Municipality of the County of Halifax be deferred until next Session of Council to allow Council to obtain more information."

Motion Carried.

It was moved by Councillor Williams and seconded by Councillor Fader:

"THAT Council adjourn."

Motion Carried.

MINUTES & REPORTS

of the

THIRD YEAR MEETINGS

of the

THIRTY - NINTH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

MAY COUNCIL SESSION

TUESDAY, MAY 1st, and MAY 15th, 1979

SPECIAL COUNCIL SESSIONS MAY 1st, 14th, & 28th, 1979.



THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING

Tuesday, May 1, 1979

Deputy Warden Gaetz opened the meeting at 7:00 p.m. and Mr. Kelly called the roll.

Councillors present were: Councillors Baker, Benjamin, Cosman, Deveaux, Eisenhauer, Lachance, Lawrence, Lichter, MacKenzie, Margeson, McCabe, Poirier, Smith, Sutherland, Topple, Walker, Williams, Wiseman and Deputy Warden Gaetz.

Deputy Warden Gaetz requested Mr. Gough, Director of Planning, address Council with regard to the application for a switching station, Harrietsfield, by Maritime Telegraph and Telephone Company Limited.

Mr. Gough stated that there is an application made by Maritime Tel and Tel to use Section 72(a) of the Zoning By-Law of the Municipality and this section is explained to Council in the small report which the Planning Department had provided to Councillors. This land is presently zoned R-2 and the Zoning By-Law technically is not amended but it does permit the construction of what could be known as a switching station or some equipment from Maritime Tel and Tel to hopefully improve their system in the Harrietsfield area. This application was advertised in the same manner as a zoning amendment would be. There were two insertions in the newspaper, there has been a poster placed on the lot. There have been no written objections received on the proposed use of the land.

Councillor Baker noted that that is in his district and he had heard of no opposition. As a matter of fact, six years ago he tried to get this station in the area and is happy to hear the service is finally to be installed.

Steve March, Supervising Engineer with Maritime Tel and Tel responded to a call of Deputy Warden Gaetz to come forward and speak in favour of the resolution. He stated that the object of the resolution, as Mr. Gough outlined, is so that we can provide what we call a remote station or a facility whereby we can serve the Harrietsfield district at what we feel is a better rate of service and, for us and for future technology, a less costly way of doing things. He stated that he believed Council had all received a letter which had originated from himself last week. In that letter he had indicated that the building which M T & T had in mind at this point is something in the range of six or seven meters, which converts back to twenty-three feet. He stated that M T & T are, at this point in time, in preliminary design only and since they are not intending to build this facility until 1981 or 1982 depending somewhat on the growth rate, they haven't finalized design as yet. It is their intention, and has been their intention recently, to build facilities which are in harmony with their surroundings, to put together what he would say would be a nice little building. It's not, obviously, a large building and isn't something which is going to stick out and be terribly obvious. The building itself is essentially an unmanned facility. There is to be no personnel stationed there. There will be people in and out from time to time as service requires and obviously there will be people there working during the initial installation phase of the equipment which will go in the facility. He stated that he didn't know that he could say a great deal more about it. The application as presented, is in fact what M T & T are looking for. Use of the land under Section 72(a) of the Zoning By-Laws which does not rezone the property. It leaves it as an R-2 zone but gives M T & T permission to use it for the specific purposes which they have outlined here. Mr. March had a couple of pictures which he showed to the Councillors and stated that the type of building which M T & T are apt to build could very well look like those in the pictures. He stated that this is a type of building which they have built a great many of around the province in the last six or seven months. It's a community dial office. The building they are looking at is slightly smaller than this. They have an architect doing some preliminary work for them and he had come up with this as a possible appearance for this particular building. This is a slightly smaller looking building than this and this was made to the dimensions of approximately six by seven meters. As he said, though, they have not as yet gone into final design stages and the actual appearance and the actual size will depend on technology requirements at that point in time.

The Councillors asked Mr. March several questions and Mr. March replied.

Deputy Warden Gaetz called for further speakers in favour of the application and there was no response.

Deputy Warden Gaetz called for anyone from the gallery who wished to speak in opposition to the application. There was no response.

It was moved by Councillor Baker and seconded by Councillor Topple:

"THAT the Municipal Council allow the application of Maritime Telegraph and Telephone Company to permit the construction of a switching station on Lot 3B, Old Sambro Road, Harrietsfield in an R-2 (Residential Two Family Dwelling Zone) pursuant to Section 72(a) of the Zoning By-Law."  
Motion Carried.

End of Public Hearing.

May 14th, 1979 - Monday

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING

Warden Settle opened the meeting at 7:00 p.m. with the Lord's Prayer and the roll was called by Mr. Kelly.

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

"THAT Mrs. Cashen be appointed as recording secretary." Motion carried.

Warden Settle explained the format of a Public Hearing to the public in the gallery.

Application 3-79 - request to rezone Lot R-4 lands of Ram Corporation Limited, Highway No. 2, Bedford from C-1 (Commercial Local Business Zone) and R-4 (Residential General Zone) to C-2 (Commercial General Business Zone). District 17.

Miss Smith, Planning Department: This application has been advertised as prescribed under the Planning Act and we have not received any correspondence either in favour or opposed to the application. The property is located on Highway #2 which is also referred to as the Waverley Road just west of Duke Street. The front portion of the property is zoned C-1 (Commercial Local Business Zone) as is the strip along Duke Street. There's also R-4 zoning at the rear of the property which extends over and up Highway #2. There is C-2 zoning further up which is a trailer sales and on the east side of Duke Street there is some industrial zoning. Land use in the area, as shown on the sketch, is basically mixed residential to the west of the property with Centennial Mobile Homes Sales being the major commercial use there. On the lot in front of Lot "R" there's East Coast Building Supplies. Further down the street are some single family uses as well as an auto wrecker. The property on the east side of Duke St. has several industrial uses and there's a high school located just off Duke St. The Planning Dept. are recommending that this application be approved. It is owned by Ram Corporation Limited who are leasing the lot to J. L. Nichols Contracting Limited. The intention of the applicant is to erect a shed to accommodate their construction equipment and materials. Construction has commenced on this shed and consequently the Building Inspector requested that this construction cease and the Building Inspector requested that the appropriate zoning be sought through the County. The application was presented to the Dept. of Public Works who suggested that as opposed to requesting the entire lot to be zoned C-1 (Commercial Local Business Zone) which would permit density that might exceed the sewer in the area that the property be zoned as C2 which would not permit apartment uses and hence would not exceed the sewer density. The Planning Dept. are recommending approval of this application for the following reasons: We feel that the application should be considered an extension to the existing commercial zone, the front portion of Lot "R". The applicant is requesting that this commercial zone be set back an additional two hundred feet to accommodate the rear portion of the property where the shed is supposed to be constructed; therefore, rather than being a spot rezoning this application would merely be an extension to the existing zone. We also feel that the character of the area where this property is located is no longer a secure residential area and it is inundated with various commercial and industrial uses which have therefore changed the character of the area.

Councillor Cosman : Dorothy, how are we going to have two buildings on the same lot?

Miss Smith: There are not actually two buildings on the same lot.

Councillor Cosman: According to this report, it would appear that this building in the front corner is on the same lot. There is nothing in front of that lot?

Miss Smith: No, it's used as a parking lot right now.

Councillor Sutherland asked about the dimensions of the so-called shed to be constructed. Miss Smith answered that she did not know.

Warden Settle asked if anyone in the gallery wished to speak in favour of this proposed rezoning to come down to the microphone and give his or her name and address.

John MacDonald: I am an executive officer of Ram Corporation. The report was made about as thorough as could be. As to the beginning of construction before the permit was issued, I'm afraid that it is an error on our part. My partner and I were in Europe when the construction began, as we had requested them to do but they were also requested to apply for the permit and when we got back we realized it hadn't been applied for at that time. I did apply for a permit and this was when the construction was halted and this was when we realized that the zoning was not the correct zoning for the use for which we intended.

Councillor Cosman asked Mr. MacDonald as to the size of the building he intends to construct.

Mr. MacDonald: The Building, I think, is twenty-eight feet by thirty-two feet.

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Councillor Sutherland asked Mr. MacDonald as to the purpose of the shed and what he intends to store.

Mr. MacDonald: In the wintertime, we have cement mixers and lumber for plywood, compactors, compressors and they are taken in a shop which is now on the adjoining lot and they are repaired.

Councillor Wiseman: Mr. MacDonald, is the company located in front of you, namely East Coast Building Supplies, is this what you are talking about when you refer to storing supplies for.

Mr. MacDonald answered negatively. He said that this was a separate corporation, Nichols Contracting.

Warden Settle called on anyone wishing to speak in favour of the application to come forward. There was no response.

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

"THAT application No. 3-79 to rezone Lot "R", lands of Ram Corporation Limited, located on Highway #2, Waverley Road at Bedford, from C-1 (Commercial Local Business Zone) and R-4 (Residential General Zone) to C-2 (Commercial General Business Zone) be approved."  
Motion carried.

Warden Settle: Application 4-79 request to rezone Lot H1 land of Ocean Holdings Ltd., Old Cobequid Road, Windsor Junction from C-2 (Commercial General Business Zone) to SD (Salvage Yard & Dump Zone) District 14.

Miss Smith, Planning Department. You will note in the report there is an addendum attached dated May 4th, 1979. The application has been duly advertised under the terms of the Planning Act. No correspondence had been received although number of phone calls had been received from people who live in the area. The zoning of the lot in question is predominately C-2. Property along the Cobequid Road is zoned R1 (Residential Single Family) to a depth of about 600 feet. The properties located further back from that are in an unzoned area. You will see from the land use that the properties located north of the Old Cobequid Road and the Windsor Jnct. Road are predominantly single family uses and that includes single family lots along the Eagle Point Road as well as the Windsor Junction Road. There is a non-conforming salvage yard located at the corner of Windsor Jnct. Rd. and the Old Cobequid Rd. and also a vacant saw mill property. Across the street from the salvage yard is an industrial use known as Precision Homes and next to that is a warehouse which is located next to the property in question. The lot in question is approximately 87,120 sq. ft. in area or roughly 2 acres. The Planning Dept. recommends approval of this application by County Council. Ocean Holdings Ltd. at Windsor Jnct has applied to have the property rezoned on behalf of J. W. MacDonald & Company Ltd. who have optioned the property or are in the process of purchasing the property from Ocean Holdings. The Board of Public Utilities were contacted regarding this application and they have informed us that this use will not require a Salvage Yard License from the Board because the proposed use which is that of a recycling depot for scrap material and bottles will be conducted inside the building. If the operation expanded to the outside or to the lot in question, a Salvage Yard License from the Board would be necessary.

It was pointed out that collected material is deposited in the building and not directly on the lot.

Miss Smith: The area is generally bounded and overlaid with several major transportation systems, including a CNR rail line and Bicentennial Highway. Industries located in the area at present have done so due to the transportation node. The structure located on the lot has been in existence for several years and the previous use of the adjacent lands was for the storage of damaged shipping containers which were repaired within the structure. Although the present use of the site in general is commercial in nature, this newer use will not drastically change the character of the neighbourhood.

Miss Smith discussed the addendum and gave a brief history of the zoning of the property in question. She said that it should be noted that the applicant could have continued to operate on this site under the existing zoning if the nature of the business had not expanded from a bottle exchange (permissible under C-2 zoning) to include used batteries and scrap metals. It was ascertained by the Municipal Solicitor that this change required a rezoning to Salvage and Dump Yard. Some mention of contract zoning had been raised with respect to the property in question and unfortunately the property being only two acres is not large enough to qualify for which you could use a contract. The Dept. of Environment advised the planning dept. that the runoff from this property would not be running into Three Mile Lake which is across the street because of the ditch system that runs along the Old Cobequid Road. They've also advised that the quality of water in that particular lake is suitable for drinking.

Councillor Cosman expressed concern about acid from batteries and oil on the land and asked if the entire block is owned by one or two businesses.

Miss Smith pointed out on the map the two strips of land which belonged to Ocean Holdings Ltd.

Miss Smith pointed out that access to that lot would be from the property adjacent which has the warehouse on it.

Miss Smith pointed out that the smaller building has nothing to do with the application.

Miss Smith pointed out that the four lots that run on the left had side of the page are lots that are referred to as being R-1 and adjacent to the Old Cobequid Road to a depth of 600 feet along the Old Cobequid Road. Therefore the four lots are R-1 and the large parcel of land is commercial and general business zone.

It was pointed out that the Public Utilities Board requires a Public Hearing if they apply for a license if at a point in future they go outside their premises.

Solicitor Cragg: Well at the present time, Warden, the property, I feel is not one which will allow the operation as contemplated by J. W. MacDonald & Co. Ltd. The definition of salvage yard precludes that their type of operation even under the definition of the By-law, even though they plan at the present time to carry on an operation totally within the confines of the building. If we give them the zoning they require, they can do that. If they wish to expand their operation outside the doors, they'll have to have a subsequent hearing held under the auspices of PUB. So the reason why they have to have the zoning changed from C-1 to SD is simply because of the definition contained in the by-law.

Warden Settle asked for anyone in the gallery who wished to speak in favour of this proposed rezoning to come down.

The Solicitor for J. W. MacDonald & Co. Ltd., Mr. Bruce MacIntosh, stepped forward. Mr. MacIntosh pointed out that the facts had been well set out in the report of the planning dept. He went on to explain about the company and the operation. He elaborated on the point raised by one of the Councillors with respect to oil and batteries. Mr. MacIntosh brought with him two officers of the company who could answer questions by the Councillors. He pointed out that batteries were shipped directly to the Pictou County Plant. He pointed out that J. W. MacDonald did carry on a similar operation in Lr. Sackville. J. W. MacDonald has an agreement of purchase and sale subject to this rezoning application.

Warden Settle called on anyone else in the gallery wishing to speak in favour of this application.

Ms. Patricia Gilhooley of our Planning Advisory Committee spoke in favour of this application. She said this area is suitable for industrial growth and future use considers the area to be so. She pointed out that if this application is refused, then the application will likely be forced to move to yet another location. However, she did point out opposition from home owners on Eagle Point. She pointed out that residential subdivision were clearly an intrusion on the existing industrial and commercial nature of the area and not vice versa. She supported the Windsor Junction area to be developed commercially and industrially due to transportation systems available. She said that by rejecting this application, Council would be initiating the breakup of a needed industrial area, its cash contribution and its jobs.

Warden Settle called upon anyone else in the gallery who wished to speak in favour of the application. Hearing no response, he called for any speaker against the application to come forward.

Mr. Graham Thomas of Eagle Point Road came forward. He asked if the slide could be put up again showing the single dwelling section. He spoke about the access to the property and pointed out that the Bicentennial Drive does run along the back of the property, however, there is no access to the property. He pointed out that the building on the lot was not there 3 years ago when he built his home. Mr. Thomas then explained what was in the area. He pointed out that 28 out of the 34 homeowners are against the application. He pointed out that the lake is used for swimming in the summer, it is drinkable water at the present time, and the businesses at the present time were out of sight of homes. He pointed out that the present junk yard dealer in the area does not use fencing or screening for any salvage outside the building for storage. He pointed out that 90% of the area is now residential and therefore not a big industrial area as mentioned previously. We are concerned and I would like to give this petition because it has 58 names on it of residents in a local area and these people that have signed this all live from this area where you have basically three commercial businesses. What we are recommending in the petition is that we are against the junk yard and we feel it should stay as is.

Councillor Lichter asked Mr. Thomas if he was aware of the commercial character in the area.

Mr. Thomas answered negatively and pointed out that the building which is present now was not there 3 years ago. The area was considered to be a green belt area so that we could put in a nice recreation park and have a nice beach for children to swim in and everything else.

Councillor Fader: Mr. Thomas, could you answer a couple of questions I have. In respect to, you pointed out some properties here but you didn't point out Redden Brothers there, I believe.

Mr. Thomas pointed out Redden Bros. and said that there is nothing there now, and that the property is zoned c-2. There is no work going on there now.

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Councillor Fader: You mentioned about cars, what were you trying to put across there in respect to cars on the site of J. W. MacDonald"

Mr. Thomas pointed out that if a license for salvage yard is approved, he can put anything he wants in there and all he has to do is put a fence around the premises.

The Solicitor pointed out that the present operation must be carried on within the premises. If they wish to expand, they've got to make the appropriate application with the Provincial Authorities and PUB who would then hold a public hearing to rule on it.

Councillor Fader: Getting back to cars again, I'm trying to recall what you said about these cars. There's no cars in that area now?

Mr. Thomas said that there was a junk yard full of cars.

Councillor Fader pointed out that the junk yard was across the tracks and not at MacDonalds.

Councillor Cosman asked how the petition was worded and the process upon which he received the signatures. He read the wording of the petition to Councillor Cosman, and Mr. Thomas pointed out the reasons why the area should remain as is.

Councillor Cosman: So you would sit here to night and attest to the fact that each of the signees of the petition were fully aware and read the zoning by-law as far as the SD zone goes.

Mr. Thomas: No. They did not completely read these.

Mr. Thomas explained the water sampling they did with respect to depths, clarity, acid tests etc.

Councillor Cosman pointed out that Mr. Thomas mentioned that there was no arsenic contained in the water, however, the water never had an arsenic test. Although, the Health Department stated that that water would probably be more safe than well water.

Councillor Poirier asked as to the age of the subdivision and if the subdivision is fully developed size of the lots bordering on the lake.

Mr. Thomas said that the first house built was about 6-7 years ago and that there is one house to be built and the lots are large ones. He also pointed out that there are no services out there.

Councillor Poirier pointed out that the drainage from the homes from sewage disposal systems would be more dangerous than oil on the ground from the lot in question.

Councillor Margeson pointed out the history of the land area as he understood it. Councillor Margeson asked if the business should relocate near the big landfill site or "dump it on somebody up the road". Councillor Margeson pointed out to Mr. Thomas that it was quite a battle to have the area zoned SD at one time.

Councillor Sutherland pointed out that if Council doesn't rezone the land tonight, business continues as it is.

Councillor Fader pointed out that it was his belief by the gentlemen present who's representing this company to say that they had the option to buy this property subject to it getting the proper rezoning. Therefore, if the land is sold, how could the business continue on.

Solicitor Cragg: The business being carried out there now was their repair depot really. They were bringing things in, fixing them up and taking them out. What's proposed now is to, not necessarily bring things in, fix them up and move them out but bring things in and store and shuffle them around and it comes under the definition of a salvage yard.

Warden Settle asked if it would come under that if it was totally contained within the building.

Solicitor Cragg; Yes, that's the problem. As I said before, its a very thin line but the definition is there. As far as we are concerned, if it stays within the boundaries, within the walls of the building, that's all they need is a rezoning. If they want to expand outside, then they'll have to go to another Public Hearing.

Councillor Benjamin asked for clarification of the matter.

Solicitor Cragg explained the definition of a salvage yard.

Councillor Benjamin pointed out that poor planning went into the original zoning of this particular area. He said that we have a C2 in which there'd be more residential and a residential area where we have Precision Homes and a junk yard existing at the railway intersection. They cannot enlarge their structure in the future, but they'll always be there as long as they don't have a fire or something which would ruin their building. He said that there is pollution danger and a "bad planning nightmare."

Mr. Thomas pointed out that the building would be approximately 300-400' away from the lake, and that he was concerned about the material which could be left outside the building may collect near the lake and thereby causing a pollution problem. It was not fear from the septic field, but rather the cars and oil and things.

Solicitor Cragg: That's subject to an application of a public hearing.

Councillor Benjamin pointed out that if rezoning was approved, then it does not mean that they can store automobiles on their property immediately. He said that it was a poor location for a scrap yard and agreed with the residents. On the other hand, he said it was a poor location for residents, building there by a rail way track with a number of trains going by. He said that a clean cut industry would be better suited to that location in what is now marked C2 or commercial which he feels should really have been residential and feels that in the past that poor planning had been established. He didn't feel that the area was a good recreational swimming area.

Mr. Thomas felt that the swimming area should be supervised due to its use. He also felt there should be a park and recreational area. He also agreed with Councillor Benjamin in that cars would use the road for car washing which would pollute the lake.

Councillor Lawrence asked for clarification of the dates of the MAPC maps; which are dated 1971, 1972 and that there is no written report obtained from the Dept. of Public Health re: Water Testing.

Mr. Thomas told Councillor Lawrence that although no written results were obtained from the tests, he was told that if pollution was found that the dept of health would be out there in full force.

Warden Settle asked if anyone else in the gallery wished to speak against the application.

Dave MacLean stepped forward. He pointed out that industry is not proper planning for that particular area. He said that groups of people help plan the land use for the county and that the Riverlake Area Residents Association will support the petition. He said that the number of taxpayers of homeowners far exceeds the amount of revenue from one small business and that the people of the area will voice their opinion against this rezoning application being approved.

Mr. MacLean told Councillor Cosman that each Councillor was working for his or her own particular area and industry was coming into districts "helter skelter" and that the Councillors have not really sat down and planned together where industry should be developed. He said that it is the Councillors who should have the knowledge of where industry should be developed.

Councillor Cosman asked again where Mr. MacLean felt industry should be developed and he felt it should not be developed in the Windsor Junction area at all. He suggested the Beaverbank Road or somewhere away from lakes.

Councillor Cosman clarified that the Municipal Development Plan was not totally objectionable to the association but Mr. MacLean felt that there wasn't enough input from the people. She asked what he would like to see happen to the land and also with respect to the fear of what could take place exterior to the building.

Mr. MacLean expressed concern over what might happen outside the building and pointed out that the people didn't know that the area was an industrial area when they moved out there and that at the present time it is not zoned an industrial area. He said that Councillor Benjamin pointed out that it may be an ideal industrial area due to the railway but that the residents don't share this view. Again, he said, it is lack of planning.

Councillor Cosman again tried to establish whether his concern was what's happening in this proposal within that building, or if the concern is what could happen on the exterior of that building because it is an SD zone.

Mr. MacLean stated that the people don't want industry in the area. Councillor Cosman pointed out that the residential zone came after the industrial zone and people don't check what they are buying in regard to zoning.

Mr. MacLean didn't agree with Councillor Cosman in that the people who lived there for 30 years and signed the petition were there first.

Councillor Cosman was referring to the Point residents in particular.

There was discussion with respect to the understanding of the Salvage Act and application to Public Utilities Board and Public Hearing if the business was to expand outside the premises. Mr. MacLean was concerned with respect to the fact of who would police the area and make sure things don't get out of hand.

Councillor Eisenhower clarified dates of the zoning and pointed out that the application is for the C2 zone to change to salvage yard. Even with the C2 zone, service stations can be built and retail outlets can be built. He stated that regardless of the previous zoning, the people are there now and are opposing a change from the present structure. He was in support of Mr. MacLean's subject.

Warden Settle called on anyone else in the gallery to come forward and speak against the application.

Nancy Halley, Chairman of the River Lake Residents' Association came forward. She did not agree with Ms. Gilhooley statements in that residents intruded on industrial. She said that it is now basically a residential area and doesn't want a town or city to sprout up. The people want to preserve it as a residential area and people don't want commercial development and this is what the people are trying to stop.

Councillor Sutherland pointed out to Ms. Halley is that if this business does not get a rezoning, then the business essentially will go out of business, even from their present operation.

Ms. Halley is completely opposed to industrial use in the area and the residents would like to make the whole area residential.

Councillor Wiseman expressed concern about the amount of traffic generated by this business.

Mr. Bill Edwards spoke up with respect to the amount of traffic increasing in the last year.

Councillor Wiseman was concerned about the traffic due to the children swimming in that lake. If traffic increases, then there is danger of pollution.

Warden Settle asked if anyone else in the gallery would like to come down and speak against the application.

Ms. Burke came forward and pointed out that the business that was operating there has gone out of business. They want to stop the business of a salvage yard which has not been established yet. She wanted to know how many people we are talking for; if it is one family business, if it's people who are going to be gainfully employed in that business or whether it is going to employ 60 people etc.

Councillor Eisenhower pointed out that right now it is C2 and therefore no residential housing is permitted whatsoever today. He pointed out the procedure of the public hearing.

Ms. Burke is of the opinion, as is the residents of the area, that they have to start somewhere to make the area a residential zone and that by stopping further industries it is a step in that direction.

Councillor Cosman tried to figure out in her own mind which was worse; the salvage and dump or the possible building of greasy garages.

Councillor Cosman and Ms. Burke discussed the advertisement of the Public Hearing.

Warden Settle pointed out that an appeal may be made with the Provincial Planning Appeal Board. The Council's decision may not be the final decision.

Warden Settle called on anyone else in the gallery to come down and speak against the application.

Mr. Tony Hunter came forward. He voiced his opinion on keeping the land residential in the area and probably throwing a business out if they could. He pointed out that the business is operating under an option to buy for a few months. He said that the residents' time has been spent fighting back rather than planning for the area. He pointed out that the posters put up don't remain up very long and it may be difficult for the people to know.

Warden Settle called on anyone else in the gallery to come down and speak against the application.

Mr. Carr came forward. He said that outside of seashore and the ports around our coast, Windsor Junction is one of the most historical places in N.S. and he would like to keep it in the traditional way of life that it has had before zoning came in. He did not agree with this area being a prime commercial development area and would like to keep it in the traditional way. He felt he didn't want industrialization in an area which is a lake area.

Warden Settle called on anyone else in the gallery to come down and speak against the application. There was no response.

Councillor Benjamin said he listened to the wishes of the residents concerned, the former owner, the prospective owner and the pitch of whether or not they could blend residential with commercial. He said he didn't receive any phone calls, either for or against the application before tonight. He pointed out that the new owner, subject to this application being approved, had certainly cleaned up the property from what it was prior to J. W. MacDonald taking it over. He expressed concern about what would happen down the road. He didn't agree that this area was entirely industrial.

