

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

"That the lesser setback be approved by Council."
Motion carried.

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

"THAT Council adjourn for a Special Session of Council to April 22nd, 1980 to deal with the balance of the agenda and the item of the SPCA contract."
Motion carried.

COUNCIL ADJOURNED.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF ADJOURNED COUNCIL SESSION

Tuesday, April 22, 1980

Warden Lawrence called the Council Session to order at 7 p.m. and opened with the Lord's Prayer. Mr. Kelly called the roll.

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

"THAT Mrs. Hiltz be appointed as recording secretary."

Motion carried.

Warden Lawrence advised the Councillors that Mrs. MacLean of the SPC is in attendance to speak to Council and answer any questions which may be put forward by Councillors. Council agreed to hear Mrs. MacLean at this time. Mrs. MacLean advised that she has submitted a proposal and has worked hard at trying to keep the budget down to a minimum.

Several questions were directed to Mrs. MacLean by Councillors and several Councillors noted complaints which had been received by them in their areas. Councillor Margeson noted that the problem of dogs running at large is more of a people problem than a dog problem and perhaps some PR through the media would be of assistance to both the County and the SPCA.

Councillor Deveaux asked the Solicitor if there would be a clause in the contract wherein if an agreement could not be reached at the end of the first year that the contract would be null and void and the Solicitor suggested that a set price for the first year together with a percentage increase for the second and third year and then have a termination clause either side could give 6 months notice to the other to terminate the contract if it could not be agreed upon.

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

"THAT Council accept the SPC proposal for a 3 year contract subject to the Solicitor bringing back a draft of the contract which would be approved by Council."

Motion carried.

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

"THAT the previous motion be amended to read a 1 year contract."

Motion defeated.

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

"THAT the Minutes of March 24th, 1980 Public Hearing be approved."

Motion carried.

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

"THAT the Supplementary Report of the Management Committee be received."

Motion carried.

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

"THAT Council approve that the Municipality enter into agreement with the Cobequid Multi-Service Center for rental of the space for a Social Services office in that building at an estimated annual rental of two thousand dollars (\$2,000.00)."
Motion carried.

Councillor Deveaux maintained that if any services of this type are going to expand from the base in the Municipal building it would be more appropriate if they were set up in more outlying areas such as Sheet Harbour, along the Eastern Shore or Hubbards where people have to travel a lot further than coming from Sackville, Cole Harbour or Eastern Passage. A precedent would be set if this were approved and many more services would be demanded in these urban areas in the near future.

Councillor Eisenhower noted that the first one has been established in the Sheet Harbour area and it saves a lot of travel for personnel trying to serve the area.

Several Councillors voiced the opinion that, as space is a problem in the Municipal building satellite offices of this type would be of benefit.

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

"THAT Council approve the adjustments to the sewer lateral charges of three properties at 74, 102 and 104 Dartmouth Road."
Motion carried.

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

"THAT the Rules of Order be suspended to deal with the issues which Deputy Warden Poirier wishes to discuss."
Motion carried.

Deputy Warden Poirier commented upon the manner in which the new Director of Planning was hired and the fact that the Management Committee Report recommendation had been disregarded and several Councillors voiced their opinions pro and con.

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

"THAT Council move a Motion of Confidence in Mr. Gough as a senior member of the Staff of the County."
Motion carried.

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

"THAT Policy Committee review the County's position wherein training programs be developed to ensure that present staff will be able to compete with anyone on the outside for a senior position on staff."
Motion carried.

It was moved by Deputy Warden Poirier and seconded by Councillor Margeson:

"That Council give a Vote of Confidence to the Warden."
Motion carried.

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

"THAT Council write a letter to CTC and the Prime Minister with copies to the Nova Scotia Cabinet Minister showing the County's displeasure for the lack of concern in not considering EPA on their application to carry passengers between Halifax and Toronto."

Motion carried.

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

"THAT the following parcels of land being donated to the Municipality for recreational use be accepted by Council - (1) Big Acres Subdivision, Harrietsfield, District 5, Lot P-1 - approximately 77,440 square feet. (2) Afton Waters Subdivision at Springfield Lake, District 18. (3) Fall River Estates Subdivision, District 14."

Motion carried.

Mr. Meech reminded Council of the Committee of the Whole meeting Friday morning, April 25th, 1980.

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

"THAT Council adjourn the Agenda to the end of the Council of the Whole meeting on Friday morning."

Motion carried.

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

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M A Y C O U N C I L S E S S I O N

Tuesday, May 6 and 20, 1980

Public Works
SPECIAL COUNCIL SESSION May 26, 1980

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING MINUTES

Monday, May 26, 1980

Present Were:	Deputy Warden Poirier	Councillor Smith
	Warden Lawrence	Councillor MacKenzie
	Councillor Williams	Councillor McCabe
	Councillor Baker	Councillor Lichter
	Councillor Deveaux	Councillor Margeson
	Councillor Stewart	Councillor MacKay
	Councillor Topple	Councillor Eisenhauer
	Councillor Adams	Councillor MacDonald
	Councillor Gaetz	Councillor Wiseman

Warden Lawrence opened the Public Hearing at 7 p.m. with the Lord's Prayer followed by Mr. Kelly calling the roll.

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

"That Estelle Hiltz be appointed recording secretary."
Motion carried.

Application No. 1-80: Request to rezone Lot R-117, lands of Harold Burton Hart, located at the intersection of the Old Sambro Road and the Pennant Road at Sambro from R-2 (Residential Two Family Dwelling Zone) to G (General Building Zone) District 5. Zone).

Warden Lawrence asked Miss Smith, of the Planning Department, to outline the background information on this rezoning application.

MISS SMITH: Thank you Warden. This is Rezoning Application number 1-80 and it's for Lot R-117, the lands of Harold Burton Hart located at the intersection of the Old Sambro Road. The area with the small v's on it denotes R-2 (Residential Two Family Dwelling Zone). The remainder of the area is zoned G (General Building Zone) or of an unzoned status and those two categories mean the same thing. I'll just briefly look at the survey plan of the property and the property is approximately 32,000 square feet in area. The Planning Department is recommending this application be approved - I'll go into some background information. Mr. Hart has requested this General zoning category to permit the construction of a canteen and grocery store on the property in question. Mr. Hart's application was accompanied by a petition containing 343 names supporting his application. Mr. Hart has applied to rezone another property just located up the road a few hundred yards on 2 previous occasions, once in 1976 and once in 1979 but both attempts were unsuccessful. Basically the first application was dealt with under a contract, which was determined not to be legal. The second application was not approved largely due to local residents and their protests regarding litter and fears of noise and associated problems with a canteen. The property in question is located somewhat removed from any residential development other than the mobile home, although there are several single family dwellings located just down the Pennant Road from the property in question. As I said previously the property is roughly 32,000 square feet in area. The back of the lot consists of a rocky hillock and the part closest to the Pennant Road is rather low lying. There has been extensive excavation occurring on the property recently and it appears as though it's being filled in. The

MISS SMITH (cont'd) Department of Public Health have basically said that the lot in question was inspected on January 31st, 1980 and visual inspection revealed that a portion of the lot consisted of a large hill of granite, bedrock and boulders. Excavation has recently been carried out on the balance of the lot and soil and boulders have been placed in the lower area of the lot. Percolation tests or test pits have not been carried out recently, which provide information as to the depth and permeability of the soil, bedrock formations or the water table. It should also be noted that this Department has not received any plans from the Applicant regarding the proposed grocery store and canteen. Of course that would not be done until the time that this application was decided upon and Mr. Hart knew whether he had gotten his zoning and therefore could apply for his building permit. The required soil tests and specific information regarding the proposed development are essential before any final decision can be made and of course it is understood that this information can be provided at the time of the building permit application. The Planning Department is recommending approval of this application for the following reasons: We feel that the location at this intersection for a grocery store and canteen appears to be a suitable site for commercial use. In fact we feel that such a use on this particular site may, in fact, be an asset to the Village of Sambro which, at the present time, as we understand it, has only one such facility. It would also be a convenient stopover for Summer visitors who are going to nearby Crystal Crescent Beach, which is located just down the Pennant Road. Proposed commercial use should not have a negative impact on the area as the other two applications were reputed to do because, in fact, the site is somewhat removed from residential development and is situated behind a rocky bluff which sort of separates it from the mobile home on the adjacent lot. The fears of increased noise, litter and environmental degradation expressed by residents with regards to Mr. Hart's rezoning attempts, we feel, would not apply to this new site due to its distance from housing development. Although it is generally the policy of the Planning Department not to recommend the approval of spot rezonings we feel that this is not a typical case. We feel that the lot in question is at the very end of a strip of R-2 zoning and lies outside the Village of Sambro proper. Adjacent property in the area, in fact the property just across the street from this lot, is zoned General and would permit the location of exactly the same kind of use so I guess basically what we're saying is that Mr. Hart's proposed canteen and store could go anywhere within the area within several hundred feet and to not to approve this would seem rather futile given that a typical or similar use could go within a couple of hundred feet of this location. It is also the understanding of the Planning Department that this intersection has not traditionally been a problem insofar as the Department of Highways has indicated and therefore it is unlikely that there would be any major traffic problems. There would have to be a 50 percent area given over to parking and we feel that the size of the lot could adequately handle any proposed parking areas. Thank you.

COUNCILLOR WISEMAN: Who carried out the recent excavation on the land and why was it carried out?

MISS SMITH: I believe Mr. Hart carried out that excavation in an attempt to level it off and make it suitable for the construction of a building.

COUNCILLOR WISEMAN: With the idea in mind that he would be applying for this permit and have so much of the work done?

MISS SMITH: Yes.

COUNCILLOR WISEMAN: You mentioned that a couple of people called you with concerns, what are their basic concerns?

MISS SMITH: The one lady who called me on the phone is Mrs. Hart's neighbour who lives in the mobile home, that would be the closest resident. She had heard rumours to the effect that Mr. Hart was proposing to put gas pumps on the property. I explained to her that certainly we had no knowledge of that and his Application did not indicate that at all and that maybe she should speak with Mr. Hart. The only other person I spoke to was a lady who lived in a house or intends to live in a property just down the Pennant Road and she was rather concerned about the proposed use.

Miss Smith advised Council that gas pumps would be permissible in a General Zone. She informed Council that the Lot is an approved building lot but it was approved in 1970 and therefore it's been a considerable time and the Department of Health may wish to do perc. tests again once the building permit application has been applied for.

Councillor Baker told Council that he knows the property and is satisfied with the approval of the location.

Warden Lawrence explained the Public Hearing portion to the Gallery and called for anyone who wished to speak to come forward and speak.

MR. HART: My name is Mr. Hart and I'm the one that's got this Application in tonight and I'd like to first point out a few things that I've heard from the residents. One is about the zoning, that if this zoning goes through that everybody on the road is going to want their land rezoned, which I think is kind of stupid because I don't think anybody's going to fight for 4 and a half years like I've done to get a piece of land rezoned and if they do people's got the same chance to object to it as they did to mine, that's my feeling about that. And as it was stated it's the last lot in the zone, it's all General Business around there and you got a 7 mile stretch of road there from Harrietsfield to Sambro, no stores, roughly 20 to 30 houses going up there every year. Sooner or later somebody's going to want to put in a store so there's going to be a rezoning at some time regardless, I don't know who it will be but there's going to be one sooner or later, there's got to be a first in that big an area with no store and there'll be no increase in traffic. The only traffic will be cars that's going through there already and the local people, you know, just a convenience store. Also there's a lot of people spoke about it would decrease the value of their property, well I don't plan on putting up anything that's going to decrease the property value, it's going to be a decent building, same as the piece I put on the other property - it's a pretty nice looking building - and the way I look at it too is if it's so wrong, this rezoning, how come roughly 98 percent of the people on the road have signed that petition. There's only about 2 percent of the people that haven't signed it in favour so they must know - if the rezoning is so wrong I don't know why such a big majority of the people would sign the petition in favour, that's the way I look at it. The two nearest neighbours there have also signed it and also there was a worry that the canteen might generate noise at night but I don't plan on keeping it open all night, it'll be kept open at a decent hour and that will be it. As far as squealing of wheels and all that kind of stuff you can hear that down there now and there's no canteen there. And as far as the need for the store, we've got one store down there, it's closed practically all day Saturday, all day Sunday and it closes 7 to 8 o'clock in the night. You drive 3 miles and you've got to turn around and go back home, there's just nothing down there so I feel there's good need for a store in that area. I guess that sums it up.

Councillors Williams and Stewart asked questions of Mr. Hart to which he responded.

Warden Lawrence called for any other speakers in favour of the Application to come forward and speak.

JAMES J. D'ARCY SR.: Madam Chairman and Members of the County Council - my name is James J. D'Arcy Senior. I am the owner of Lot 3 on this Grand Lake and am a neighbour of Harold Hart. Now I feel that there's a great need for a store, a grocery store and also a canteen for that district down there and I feel that the lot that they have in mind there is perfect for that setup and I feel, knowing Harold Hart for the last 20 odd years and he's been my neighbour for the 18 and I've had no troubles of any kind with him, I cannot see why he is not allowed and his Application is not approved. I thank you.

WALTER PICCOTT: My name is Walter Piccott and I live about 3 miles up the road from where Mr. Hart wants to put the canteen and like somebody already said the store that's already in Sambro - I've gone down there on a number of occasions on Saturday evening or Sunday through the day and there's just no store open, you have to drive either back to Harrietsfield, which may be another 8 or 10 miles, or to Spryfield, there's just no other place to go so I think you could really use a place down there.

HARVEY ANSTEY: My name is Harvey Anstey, I live approximately 3 miles up the road from where he's going to build the canteen and for 12 years now every time I go home I usually have to get a pack of cigarettes or some milk or something I've got to turn around and drive all the way up to Harrietsfield to get it, which is 5 miles. With the gas the way it is and energy I think we need something down there.

KEVIN CHINN: My name is Kevin Chinn and I live approximately about 2 miles up from the proposed site on Acres Road. I'm in favour of the canteen at this spot because of more or less what everybody said. The store that's in Sambro at the present, the hours are very unreliable and the way gas and everything is a pain just hates driving down 3 miles and find that the store's closed and has to drive back home or drive into Spryfield to get anything from the store.

ELLIOT ROBERTSON: My name is Elliot Robertson, President of C. & E. Robertson Land Development Association. I don't want to feel sort of disloyal to the Harrietsfield/Grand Lake Planning Association because when I wanted to get Moody Park Subdivision zoned a few years ago they asked me, being as you're doing this, why not get zoning all along that road, so we applied for it and, for convenience, we went right through to the Pennant Road. Now I wasn't particularly concerned right down as far as that intersection so seeing Mr. Hart's struggles to get his place before and when he asked if we wanted to sell this corner we had always thought well, this might be a good commercial corner and we figured that then it would be up to the person that bought to go to the County and we left it with that understanding, so when Mr. Hart called me I had to see the other two members of our company and, owning the land for almost half a mile back, of course we get some money for selling the lot but we also have to take into consideration whether it would be detrimental to the sale of anything else we would have in that area and we intend to have and we have commitments for lots further back up the Harrietsfield Road and we also, if we ever can get the chance to put a road into Sambro Basin and put lots along there, so we want that area kept pretty good - but at the time we couldn't see where, down at this corner, would be detrimental to that so, taking that into consideration, we decided to sell Mr. Hart the lot and we felt where he had been held up so long before and not hurting anything we thought we'd sell so we're in favour of it, or I'm in favour of it, to that extent. Thank you very much.

Warden Lawrence asked 3 times for other speakers in favour of the Application and there was no response. She then called for speakers who opposed the Application.

DAWN LARSEN: First of all I'd like to state that my name's Dawn Larsen and I circulated a petition around our area and I had about 21 names of people who are in objection to this.

We feel that we need a store but we don't need a canteen, we don't need the crowd that goes with it and we don't need the garbage. Insofar as there being noise there now why should we put more noise there. There's a few things in this report that just don't seem right to me. I live in the third house over there and I do plan on owning land up here. When I committed myself to buy the land I had thought that it was going to be a residential area. I lived in the City, I've lived in a lot of parts of the world and my idea of a home where there is no confusion - if I wanted all the hustle and bustle of a store and a canteen and that I would have chose a lot in the city. First of all I'd like to state that there's another house right here, he had first put his name on Mr. Hart's petition and then he had put his name on mine but due to a reason - he felt that, he was related somehow by marriage and that there would be problems that way so he took it off. There's a lot of people expressed what you might call fear of a certain person. There's also a house here and in the report it said that there were only 2 stores in Sambro and they were closed. There is one that is open - I must admit their hours aren't very regular but most of us are in the city every day, get our groceries from the city. As far as traffic goes on that corner there has been one accident I know up there. The stop sign that's there, there may as well be a rubber boot hanging on that, no one ever stops there. There's two stores presently in Sambro that aren't in use, I mean they could be filled. There's lot of areas around that are General that he could build a store, I don't see why he has to choose our area.

Miss Larsen answered questions of the Warden.

DAWN LARSEN: There's a lot of wells in the area, they run dry quite often. Like my mother's, hers has run dry twice, the lady in the trailer, hers has ran dry several year in a row. I guess that's all I have to say.

Warden Lawrence read the covering letter of the Petition referred to by Dawn Larsen and noted that there are 22 signatures on the Petition.

Several Councillors asked questions of Miss Larsen.

JACK STONE: Warden Lawrence and Councillors my name is Jack Stone and I'm a resident of the Moody Lake area and I represent the Harrietsfield/Grand Lake Community Association. I'm its President and one of its Directors. I've come at this time - I don't think you have a category for me. I'm not necessarily opposed but when I spoke with the Directors about Mr. Hart's Application they had some questions that they wanted to ask of Council, actually 1 question in particular, before they gave their opinion about the issue that's being considered here. They feel that this is perhaps a good compromise with Mr. Hart. Our Association has opposed Mr. Hart in his previous 2 Applications and we've been here before but the location that he's selected this time does seem a much better one than the previous one. It is at the end of the R-2 Zoning that our Association, or at least it's predecessor worked to get and it was Mr. Robertson who, I think, footed the bill for that but he was working with people in the area and he was one of the members that formed that Association and he just spoke with you previously in favour of Mr. Hart's Application. The question that our Directors have is just to what extent does this become a precedent as far as erosion of the R-2 zoned area. Does the Council consider whether there have been other changes in R-2 zoning when it considers these matters. Now that's 2 parts to the same question but I wonder if I might, Warden, direct that to the Council or to you, could I get an answer?

WARDEN LAWRENCE: I think if I could just summarize, my understanding of the Staff position

Is that although it is a change in Zone it is in an area at the extremity of a restrictively residentially zoned area and it is surrounded by the very zone which is being applied for and therefore they do not regard it as a spot rezoning in the classic sense. If there was a General Zone being applied for right in the middle of that stretch of road from Harrietsfield to the Sambro Intersection there that would very definitely be a spot rezoning, I think, or moreso. This is a small, I suppose, intrusion in an area where the two mix.

JACK STONE: May I suggest a hypothetical situation then? Should someone come here with an application for a spot rezoning farther along Old Sambro Road, in the middle of the area that's zoned R-2, would their argument, if they had this argument - if they said you've granted Mr. Hart his Application then you must grant me my Application. Is that an argument that carries any weight with this Council?

Councillor Deveaux replied to Mr. Stone and he stated that you have to look at each situation on its own merits.

Warden Lawrence called 3 times for further speakers in opposition to this Application and there was no response.

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

"THAT Council approve Application No. 1-80, Request to Rezone Lot R117, Lands of Harold Burton Hart located at the Intersection of The Old Sambro Road and the Pennant Road, Sambro, District 5 from R-2 (Residential Two Family Dwelling Zone) to C-2 (Commercial Business Zone)."
Motion carried.

Application No. 7-80: Request to rezone Lots B-1 and C-1 of the Ralph and Edith Daniels Subdivision, Lands of Crotters Developments Limited located on Shore Drive at Bedford from R-1 (Residential Single Family Dwelling Zone) to R-2 (Residential Two Family Dwelling Zone) in District 17, Bedford.

Warden Lawrence asked Miss Smith to outline the details for the Rezoning Application.

MISS SMITH: This is an Application by Crotters Developments Limited to rezone Lots B-1 and C-1, the Ralph and Edith Daniels Subdivision, lands of Crotters Developments Limited located on Shore Drive in Bedford from R-1 (Residential Single Family Dwelling Zone) to R-2 (Residential Two Family Dwelling Zone). This application has been advertised as prescribed under the terms of the Planning Act and I've received a number of telephone calls. I have also spoken with several people regarding their objections to this Application. We have also received two letters. The first letter is from a Mr. Alan P. Boudreau on behalf of a number of residents who live on Shore Drive and the surrounding area. They are expressing their objections to this Application. The other letter is from a Robert Lugar, who also lives on Shore Drive and is also expressing his objection. I believe all the Councillors have copies of these letters so I won't bother to read them. The property under investigation, as previously noted, is two lots owned by Crotters Developments. They are located between Shore Road and Shipyard Road in Bedford, as you can see on the map. The largest of the lots is B-1 and the smaller lot, C-1, is merely a sewer access to the property. Land use in the immediate area can be seen from this map. It's generally a mixture on Shore Drive. There are single family dwellings in the immediate area of the property in question, as can be noted from the S's on the map. There are a number of duplexes and apartments on Shore Drive as well as the Bedford Yacht Club. Along the Bedford Highway there are a number of commercial uses. Existing in the

area is a mixture of Residential zones as well as the Commercial zoning designation on either side of the Bedford Highway. The property, again, in the immediate area of the lot in question is zoned R-1 (Residential Single Family Dwelling Zone). As you go further out along Shore Drive it's quite a mixture of R-2 and R-4 zoning. This is a survey plan of the property showing Lots B-1 and C-1. Lot B-1 is roughly about 6,000 square feet in area and the access, or Lot C-1, is about 700 square feet in area. The Planning Department is recommending that this Application be approved. The Application, as previously stated, is from Croppers Developments Limited and the stated intent of this Application is to construct a duplex on the site containing 2 units of not more than 1600 square feet per unit. The Applicant has also submitted a Petition bearing the signatures of 8 area residents who support this Application. It is the opinion of the Applicant that the rezoning of these properties should be approved because the R-2 zoning of this property would not detract from the character of the rest of the area. Further a duplex on this property would suit the neighbourhood. The Public Works Department have no objection to this Application and I guess basically the Planning Department's views are that we do not feel that an R-2 or Duplex dwelling on this property would detract from the general area. Because of the mixed residential character of the area it contains a number of duplexes. Some of the adjacent properties have 2 families living in them although they are zoned R-1 and the location of a duplex on this property, we do not feel from a Planning standpoint would detract from the neighbourhood.

Councillor MacKay inquired as to the nature of the phone calls received and Miss Smith replied it was questioning the proposed use and just generally not being in favour of the Application.

Miss Smith said that the Town of Bedford had been made aware of the Application.

Warden Lawrence called for speakers in favour of the Application to come forward and state their views.

ALEX WATTERS: My name is Alex Waters and I live in Rockingham right now.

DUNCAN CROSS: My name is Duncan Cross and I'm a resident, presently, of Sheildrake Lake, Halifax County. Alex and I are brothers-in-law and we formed this firm of Croppers Development on the advice of our accountant and lawyer for the sole purpose of owning and building this proposed duplex on this property. It's our intention to live in this duplex once it's constructed. The lot that we're proposing to have rezoned is not the most desirable lot on that Shore Drive area because it's immediately across from the railway tracks and we have engaged a local architect to build the house specifically for that lot. David Forsythe has designed a number of houses in Bedford and specifically has designed the house immediately adjacent to the land where we are proposing to build this house. The house has been designed for the lot to give the best view of the basin, to be solar efficient and to fit into the rest of the neighbourhood. David's also designed Yachtside which is an R-4 complex 4 properties away from this property. As I said he designed the house immediately next door and he's also designed the Yacht Club which is 6 properties down on the Basin. We purchased this piece of property in October, I believe, from a Mr Paul Daniels and immediately we petitioned the neighbourhood to see if there was any objection to us rezoning the property. There was 8 people who signed it who are residents and land-owners and homeowners in the area and when we did petition the neighbourhood, and we did this on several occasions, there was no objection to us having the property rezoned at that time. Since then we've found out there is some opposition. Not everybody who we called on at the time signed our petition for various reasons. I guess one of the objections, perhaps, to us having this rezoned is that of traffic and parking problems. Well we don't feel that's a valid argument because it's only going to require, perhaps, or 2 extra cars than a single family dwelling, thus we don't feel that it's a problem.

ALEX WATTERS: No, structural provision has been made in the drawings by David Forsythe just for that purpose, so that traffic will be broken off, part on Shipyard Road and part

on Shore Drive so it's just not a problem, period.

DUNCAN CROSS: It's only going to be a maximum of 2 cars more. We have discussed the proposed rezoning with Tom Innes, who's the Deputy Mayor of Bedford I believe, and although he took no position he didn't seem to object to our rezoning Application. I think that Alex just wanted to discuss a few of the properties immediately adjacent to and across from ours.

ALEX WATTERS: You have drawings of the house - if you just look at the drawings you can see, well the back side, which is a Shore Drive elevation which is a little bland but nonetheless still attractive - it was done that way because the railroad tracks are right there.

DUNCAN CROSS: It's not only the track, it's the train crossing.

ALEX WATTERS: Yes, exactly, the crossing and it's quite noisy so that is done with, obviously when you're living inside you don't want to have the feeling a train is coming through your living room. The other side, as Duncan pointed out, is to take advantage of the view and you can see by the house, even though it's a preliminary drawing, this is not a five thousand dollar effort. This is going to be a large, expensive and well built home and it's, I think, a good addition to the neighbourhood. The same thing should be pointed out on the zoning map. A lot of these houses that show S are a little more than S but the lot directly across the street from ours is R-2, on the other side where the crossing is there's an S there, which is a rented home, apartments right next door, R-4, you know, just within spitting distance on both sides. The non-conforming on the corner. In fact one of the reasons we got involved was I lived in that house for 2 years, in the basement apartment. The whole area is a hodge-podge and all we're proposing is to build a house that is going to fit in and be equally as nice as anything that's there now. I think that's it.

There were questions asked by several Councillors of Mr. Cross and Mr. Waters.

Warden Lawrence asked 3 times for speakers in favour of the Application and there was no response.

ALLAN BOUDREAU: Warden Lawrence, Councillors, my name is Allan Boudreau and I represent approximately 20 members of Shore Drive community, residents in that area of Shore Drive and their opposition to this Application. Now in order to save time I will speak on their behalf and not ask them to come and repeat the things that I've said but I'd like to introduce the people present tonight who are opposing this rezoning application and I'll start with the gentlemen on the right which is Charles Gass and his wife is also opposing the Application but she's not here tonight. Mr. Gass, if you'd look at page 5 of the report, owns the property to the right looking at the plan, which is an R-1 property, a single family home. The writing C-1 is actually on his lot but points to the narrow strip. He owns that single family home there. Adjacent to Mr. Gass is Mr. James O'Hegan. Mr. O'Hegan owns an R-1 property which would be to the right of the Ralph Daniels lot indicated on the plan. You cannot see his property, it's beyond that lot. The next person is Avril Van Leeuwen and she owns an R-1 property - her and her husband are opposing the Application. He's unfortunately in Sydney tonight. They own an R-1 property which would be the first R-1 property after the Mrs. George Joudrey land. That would be according to this plan, to the east of that lot. Next is Mrs. George Archibald - she is opposing the Application and owns an R-1 lot which is further to the left of the picture again which would be further along Shore Drive. It would be R-1 properties removed from the lot in question, 2 properties from the Joudrey lot. Next to her is Mrs. Joudrey, I believe, and

she owns the lot adjacent to the lot in question, marked Mrs. George Joudrey and she's opposing the application as well. Next is a Miss Edna Brooking, she owns an R-1 property on Shore Drive and she's opposing the Application. Her lot is 33 Shore Drive, an R-1 property there. Next is Mr. and Mrs. Ken and Rosemarie Giffin, they own an R-1 property on Shore Drive. They are between the Mrs. Archibald property and the VanLeeuwen property which would be the second R-1 property after the Joudrey property on Shore Drive. Next is a Doctor MacMurdo and she's opposing the Application. They own an R-1 property still further along Shore Drive to the left of the picture that we have on page 5. Next I have Mr. and Mrs. Peter and Joan Christie, they live on Shore Drive, they own an R-1 property again which would be beyond the Joudrey and the other properties I've mentioned along Shore Drive. Ross Christie, in behind Peter Christie also owns an R-1 property on Shipyard Road, which is just the lane at the bottom of the picture fronting on the lot in question - he's opposing the Application. Mr. Allan McMillan lives at 17 Shore Drive, owns an R-1 property and is also opposing the Application. Now there are numbers of people who have asked me to represent them who are not present tonight, Mr. and Mrs. Christopher Eyrum, they own an R-1 property again to the left of this one. Mr. and Mrs. Beresford-Green own an R-1 property to the north of the property in question. Mrs. Starr Shaw, she owns the property which is directly abutting on the lot in question. She could not be here tonight but she's retained me to oppose the Application and also Mr. and Mrs. Robert Lugar, who's written a letter to Council lives, it would be directly across the road on Shipyard Road from the Gass property, which would be just below the lot in question, just to clarify where he lives. All the properties along Shore Drive in the direction that I was naming should be to the east and to the left are all single family residential properties with the exception of the one on the very end which I believe used to be an old wooden shipbuilding yard ages and ages ago and is probably still zoned as such, it was there when zoning came into existence. Of course there's no shipbuilding there now but it was that kind of a property, but all the other properties along that end of Shore Drive are R-1 properties. Now beyond this I also had a telephone conversation with Doctor Bosko Loncaravic, Chairman of the Bedford Planning Committee who opposes the Application. Unfortunately he could not be here tonight because Bedford is having its budget meeting tonight starting at 8 o'clock. They phoned here to try to see when our hearing would be but it was the second one and he could not be here for the second one and I've also spoken to Mayor-elect Francene Cosman who indicated that she supported our position but could not be here and regular Council had not had the Report in time to make a formal ruling on this, we were just able to contact individuals because they received our communications last week and of course the first Council meeting was tonight, they were not able to get a formal motion but the two people that I spoke to was the Chairman of the Planning Advisory Committee and Mayor-elect Cosman and they vote in support for our position. In that respect it should be noted that there was a comment made on the last paragraph of the Staff Report in the County which reads as follows: "The Planning Department has requested that the Applicant make the Town of Bedford aware of this Application and he has agreed to do the same." Well both my conversations with Mayor Cosman and Doctor Loncaravic of the the Planning Committee indicated that there had been no contact with the Applicants on a formal basis to Bedford Town Council. Perhaps they did talk to Mr. Innes but there was no formal Application or support requested from them. Now I've circulated the letter, which I presume you all have, and outlined the points and I'll just briefly mention them, not to repeat what's in the letter entirely but the first opposition comes from Mr. Gass who owns the property at 57 Shore Drive and that's an R-1 property, a single family home, very expensive single family home and we feel that that is not a proper location for this particular development. Now in recent years there's been a severe pressure in the area to rezone R-1 properties to higher density zones and thereby effecting a serious threat to the character and appearance of that section of Shore Drive. I noted the Staff Report indicated that there were some other properties on Shore Drive and that's true. There are R-4 properties and R-2 properties which would be to the right of the picture that we were

looking at before and by the Yacht Club. This is the first attempt to expand the R-2 and higher density zones beyond those developments and which have taken place some years ago. This is a jump over some R-1 properties into an exclusively R-1 section. The location and size of the lot, as indicated on the Application as being more suited to this type of development - well the lot is a minimum size lot of only 6,000 square feet. The building proposed to be put on it is fairly large and contrary to those representations we feel that it is not a suitable development for that lot, that a single family residence would be more in character with the abutting properties and with the size of the lot as well. I've noted the comments in the Report of Public Works indicating some concern for sewer design capacity and certainly if there's any pressure for higher density rezonings along Shore Drive, this one included, it's going to put a strain on those services and there's a concern, while not a strict prohibition on that point there is a concern expressed in the report. Again the topic of traffic and parking was mentioned - while it's difficult to pinpoint just one of these that will be totally disturbed by higher density redevelopment it should be noted there are no sidewalks on that area of Shore Drive and any higher density rezonings in that area will create unbearable demands, really, on the traffic situation and on schools and play grounds and other services, including the sewer that I mentioned. One point, which is 7 in our letter, was that there were other R-2 zoned properties available in the area for development. To the right of this property and beyond the boat club that is mentioned is a row of R-2 lots that have been zoned R-2 that are available for development and have been available for some time and they are there. We feel that this is not a question of absolutely having to have this lot to build an R-2 property on it. As I mentioned in our point 8, which I'd like to stress again, this is the first attempt to extend the R-2 zoning into the strictly R-1 zones and beyond the 64-67 Shore Drive which is described a Tynemara and Yachtside. Those are both condominium properties. In talking to Doctor Loncaravic today he stressed the principle of spot rezoning, and we believe that this is a spot rezoning - it is entirely surrounded by R-1 except a little wedge of land across the street which you can't build on anyway and it's been R-2 for a long time, but except for that all the properties surrounding it are R-1 and, you know, the Chairman of the Planning Committee for Bedford feels that this is an undesirable spot rezoning. It's unfortunate we have to impose this on County Council since it's just a short time before Bedford is able to take control of these matters itself but it's necessary and we have to be here. One thing I'd like to point out is the petition that was presented. While it was admitted that these people live in Bedford they are not the R-1 surrounding neighbours and while they are good neighbours, some of these people, there's no question that they are not the R-1 residents and approximately 50 percent are not part of the incorporation but are tenants and those are all the signatures that are on the petition are so and it seems to be a factor taken into account in the Staff Report recommending that the Application be granted. It was mentioned by Mr. Cross and Mr. Watters that there was no objection as such noted but the way the petition is designed it said that if you had no objection you signed and the only way to signify objection was to abstain from signing and at least 4 people that are here tonight abstained from signing and were canvassed. The others were not canvassed, those were the R-1 properties to the left of the picture that we were looking at before and extending all the way down Shore Drive. We feel that those people should have also been canvassed but they were not and they're here tonight to oppose the Application. I agree with Councillor Deveaux that it's not very significant whether these people live in it or not, there's no guarantee that they will or won't. On the question of the design of the structure I have attempted to obtain designs of what the structure might look like but according to my information the design stage has not progressed beyond the schematic drawing that has been passed around tonight, there are no plans, to my knowledge as yet. It's important to know that Mr. Ralph Daniels, who is marked as an abutting landowner, whose son sold the land, also refused to sign the petition, to my information. There was a question of access to Shipyard Road mentioned tonight but it is my understanding that there can be no access on

that narrow strip in view of the grade and the very, very limited access. It's very narrow in places. I don't believe, it's not even 9 feet in some places and there'd be no question that you would have to have access from Shore Drive. With respect to the Staff Report, this is the last paragraph on Page 9 of the Planning Department, there are certain things there which we feel are not exactly accurate. This is the first part of the second paragraph saying that it's consistent with the existing land use in the area. There are R-2 land uses but not in this immediate area. It's further down the street and this is an intrusion into an R-1 zone. And again the same goes for the middle part of that paragraph, it's not strictly compatible with the other properties, especially the abutting properties. They're R-1 and fairly nice single family homes. That is all the comments that I have and in the opinion of the people that I represent the proposed rezoning should not be granted because it's not compatible with the surrounding property, especially the abutting properties which are the most important and feel that it will adversely affect the character of the R-1 properties located in the immediate vicinity. On behalf of the local residents we would respectfully request that the application not be granted.

Councillor Williams inquired if Council should be dealing with this Application for rezoning in Bedford as it will either be incorporated in 34 days or it will not be and perhaps it should wait until then and go before Bedford Council however the Solicitor replied that any application which came before Council must be dealt with.

Mr. Boudreau was questioned at length by Councillors.

Warden Lawrence stated that the Town of Bedford officials were sent a rezoning report as soon as it had gone to Planning Advisory Committee and been approved for a Public Hearing. The Planning Staff sent a copy of the Staff Report to the Mayor of the Town of Bedford. Miss Smith advised that 10 copies had been sent, 1 to each Councillor, 2 weeks ago. They may not have had a Council meeting to come to a Council opinion but they have certainly had reasonable notice of the Staff Report and the recommendation and the information which this Council had before the Hearing began.

Councillor MacDonald inquired of Mr. Boudreau when the last rezoning had taken place and Mr. Boudreau replied that it was 2, 3 or 4 years ago. Miss Smith stated that there had been no spot rezoning in that area since she joined the Planning Department 6 years ago.

Councillor Lichter felt that the type of duplex displayed would not detract at all from the neighbourhood in any way and there is no insurance that the vacant lot adjacent to this property will not be rezoned in future for a high density building.

JOAN CHRISTIE: My name is Joan Christie and I came with no indication at all of speaking but I do want to speak now because I'm worried. I live in an R-1 zone which you people say is far down the street and has nothing to do with it. You're looking at diagrams and you're saying they're R-4. When it was proposed that they were made R-4 we said oh, it's just 1, it won't matter. The next one comes along, it's just 1, it won't matter. The next one comes along, it's just R-2, it won't matter. They're right down to our doorstep practically now and you people are sitting here saying it's all R-4 and they all got to be R-4 by petitions from people that came and said I'm building a very attractive unit, it won't affect the view plane and it is affecting the view plane. It's doing all those things to our neighbourhood which nobody at the time thought was going to matter. It's now the nearest R-2 zoning to my house. I'm not in that little pie-shaped corner but some of those people are and who's going to say, when it gets down to my little pie-shaped corner that you're not going to say well, it's R-2 right down to her why should we worry you know, when are you going to stop. The people that are proposing that are fine people, I have no doubt. They're building a beautiful building, I have noted. The building, by

my estimation, the lot is basically 102 x 59. Now they've already said they have a setback, I don't know what they call it, but they don't have to have a full setback of 30 feet and I thought that was law. They've said they've got an objection, or whatever, that they can set back only 25. Okay, if they set back 30 feet they're going to have to build a building that's 21 feet wide by 88 feet or thereabouts. I mean I think that they're going to be 8 feet from the boundaries all the way around and that is too dense. I know they're going to build a beautiful building but on 6000 square feet put 2 families, and they're going to have to put 3 bedroom homes because it's just too nice an area to put a 1 bedroom home. They're going to have to play in the playground which is fine 'cause the playground's right next door but basically we haven't seen that drawing and it looks beautiful but are you guys aware that they're 8 feet from the lines probably on both sides. Maybe they aren't, I don't know, but they're going to put 3,200 square feet of house on a lot that only has 6,000 square feet. Now you take off your 8 feet in each direction and your 30 feet in the front and you've only got about 1,600 feet left in the middle and that worries me. Two families are going to be living there and I think it would make a nice one family lot. Now you're already saying, and Mr. Boudreau was saying that, you're saying - 'but it's all R-4'. When Snell started to do Yachtside there was no R-4 there except the old Lewis house, and the old Lewis house was a big old mansion and it had to be subdivided R-4 else it would have to be torn down, so nobody objected. Then Yachtside came along and she told everybody that they were going to be beautiful and they weren't going to affect the view and they were going to be this, that and the other thing so they built 9 units and everybody said well, you know, Snells aren't going to do anything bad to us. Nobody can see the water from the road anymore. You used to be able to but you can't anymore, and they're beautiful. They have lovely people living in them and they're owned individually by and large, that's very fine. Tynemara across the street, I don't know what it was, it may have been zoned R-4 'cause it was part - probably was because it was subdivided off part of the land of the old mansion, but it's R-4 and they put 6 units and it's beautiful and everyone thinks it's grand. Now one of these apartments, they're saying, has an R-2 basement was Jamie O'Hagen. He bought this big old mansion and he went around to all the neighbours and said look, I can't afford to live in this big house unless I have a basement apartment, won't you please let me put a basement apartment and all the neighbours said poor Jamie, really should have a basement apartment, it's a big house, he can't live in it all by himself and it's just coming down the street, one property after another, and you guys are sitting here saying it's all R-4 but it all had a story and it was all these nice people. Now it's into the R-1, pretty soon it's going to be in my R-1 and you're telling me I shouldn't worry. You were listening to guys in the last petition that was 3 miles down the road and they were saying we really need a grocery store, and you're telling me I shouldn't worry when you're coming into my R-1. Now that's all I have to say.

Several Councillors questioned Mrs. Christie and stated their views.

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

"THAT the Zoning of R-1 be retained on Lots B-1 and C-1, Ralph and Edith Daniels Subdivision, Lands of Croppers Developments Limited located on Shore Drive, Bedford District 17."

Motion carried.

It was moved by Councillor Eisenhower:

"THAT Council adjourn."

Motion carried.

May Council Session - 1980

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COUNCIL SESSION

Tuesday, May 6, 1980

Warden Lawrence called Council to Order at 2 p.m. and opened with the Lord's Prayer. Mr. Kelly called the roll.

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

"THAT Mrs. Hiltz be appointed recording secretary."
Motion carried.

Warden Lawrence advised Council that a presentation would be made by the Sir John A. MacDonald High school students and she welcomed the students, members of the School Board and Staff. The Warden welcomed Mr. Carrigan, the Assistant Superintendent, who gave an introduction for the students.

Mr. Carrigan advised Council that, as part of the Halifax County Centennial Project, a group of high school students were present to give a presentation in light of a demographic study with reference to population trends and social and economic conditions within the Western area. He then requested Mr. McLeave to introduce the students who would then take over the project. Three students presented the brief, Blaine Downey, Craig Cavicchi and Julie Foster.

There were questions posed by Councillors to which the students responded.

Warden Lawrence, on behalf of Council, thanked the students who were actively involved in the presentation and who did all the backup work in circulating of questionnaires and Mr. McCleave for coordinating and initiating the project and all of those who supported and assisted.

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

"THAT the Minutes of April 14 and April 15 Council Sessions be approved."
Motion carried.

LETTERS AND CORRESPONDENCE:

The correspondence was outlined by Mr. Meech.

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

"THAT the correspondence be received."
Motion carried.

It was moved by Councillor Curren and seconded by Councillor Stewart:

"THAT the issue of the Status of Regional Parks be referred to the Planning Advisory Committee and Planning Staff."
Motion carried.

There was a great deal of discussion by Councillors concerning the ability of MAPC, without funding, to do anything constructive in this regard.

Solicitor Cragg reviewed the letter from the Departmental Solicitor for the Department of Municipal Affairs re the amendment to Committee and Boards By-law.

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

"THAT the Solicitor investigate alternatives to the amendment of Section 10 of By-law No. 3 and that non-paying committee memberships be studied by the Solicitor."

Motion carried.

Councillor MacKenzie noted that he supports the letter from the Solicitor of the Department of Municipal Affairs and Councillor MacKay said that he is quite willing to attend meetings once or twice a year for his District without receiving pay for such attendance.

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

"THAT Council rescind its support of the petition circulated in Upper Musquodoboit and circulated by Mr. Reagh Canning with respect to the removal of the CN express agent in Upper Musquodoboit."

See Motion to Defer.

Warden Lawrence read aloud the letter sent by Mr. Kelly to CN Rail enclosing the petition from the residents of Upper Musquodoboit.

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

"THAT the previous motion be deferred pending clarification of the petition and the exact state of the Intended cutback in service."

Motion carried.

Warden Lawrence read a letter from Mr. Mullally, dated May 1st, which stated that the Minister of Municipal Affairs has amended the order establishing the Metropolitan Area Planning Commission of Halifax, Dartmouth and Halifax County reducing the number of members from 8 to 7 and providing for one member to be appointed by him. Mr. Maurice Lloyd has been appointed by the Minister to serve as a member of the Commission.

Warden Lawrence read a letter from Dalhousie University School of Business Administration. A research project funded by the Certified General Accountants to determine the types of financial information Members of Council were receiving as well as their evaluation of their usefulness and the importance of this information. They suggested that they would like to pre-test the questionnaires with 3 or 4 Council Members of Council. The Warden asked if 3 or 4 Councillors would care to volunteer.

Councillor Wiseman suggested that members of Management and Policy committees be chosen to partake of these tests.

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

"THAT this request be referred to the Management Committee."

Motion defeated.

Warden Lawrence, Councillor Eisenhauer, Councillor Wiseman and Councillor Margeson volunteered to take part in the tests.

Warden Lawrence read a letter received from a Mr. Floyd Day of Tangier in which he stated that he will not support an increase in the area rate in order to support a fire department and before he will pay such an increase he will refuse to pay it.

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

"THAT the letter be filed."

Motion carried.

It was moved by Councillor Smith and seconded by Councillor Stewart:

"THAT the Warden's Report be received."

Motion carried.

Councillor Toppie noted that he is concerned with the position Bedford had taken and that he is concerned with the way it might affect the tax rate in Halifax County. He said he's not opposed to building the schools but would like to know the amount of tax dollars they are talking. He feels the Provincial Government are not going to pay the Municipality what they should be paying while creating the problem. Most of the costs of schools in Halifax County are related to housing developments over which Council had no control. The Planned Unit Developments were approved but that was only a matter of formality. A few years ago the Province said they were going to take over a hundred percent of the cost of providing education. Although the public interpreted that to mean they were going to take over all the costs it actually meant the shareable costs and he feels that they aren't even doing that.

Councillors from the Sackville area stressed the need for the schools in the Sackville area and felt these should go ahead without delay.

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

"THAT any action on these schools, be held in abeyance, that were recently released from the Moratorium until the Provincial Government answers our request as to whether they can provide additional funding to keep the costs down for the taxpayers of Halifax County. Also that we look for a response within one month and in addition that we refer these schools to the School Board to verify their priority situation."

Motion carried.

Councillor MacDonald felt that these schools should not be held up at all because with the use of 28 portables at the moment it is clear that the schools are desperately needed.

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

"THAT Management Committee review all the things discussed this afternoon in connection with proceeding with the schools that were lifted from the moratorium, such as lower costs and recycling plans."

Motion carried.

Warden Lawrence advised Council that Mr. Gallagher was present, at Councillor Stewart's request, in order to discuss the Graham Creighton water issue, part of the School Board Report.

Councillor Stewart noted that Graham Creighton has had a severe water problem for some

time and it's a pretty difficult process to try to resolve the matter. The School Board has requested the Municipality consider providing water to the Graham Creighton Junior High School in Westphal.

It was moved by Councillor Toppie and seconded by Councillor Adams:

"THAT Council suspend the rules to deal with this particular item now."
Motion carried.

Mr. Gallagher spoke to Council and outlined the problems with water and the costs of providing water to that area.

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

"THAT the request for a water supply to the Graham Creighton School be referred to the Management Committee."
Motion carried.

It was moved by Deputy Warden Poirier and seconded by Councillor Margeson:

"THAT subject to the approval of the Minister of Municipal Affairs the Municipality of the County of Halifax guarantee the principal and interest of the issuance and selling of one Debenture in the amount of One Million Two Hundred and Sixty-five Thousand Five Hundred and Fifteen Dollars and fourteen Cents (\$1,265,515.14) in the proportions established by Section 10 of Chapter 9 of the Acts of 1978; THAT the guarantee be in the form Attached as Schedule A; THAT the Warden and Clerk are authorized to do all things and execute all documents necessary to give effect to this resolution."
Motion carried.

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

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

There was discussion by Councillors concerning the printing and distribution of this brochure and Councillor Toppie expressed concern that the County may be performing some of the Provincial Government's responsibilities and Councillor Wiseman noted that the County must compete for tourist dollars.

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

"THAT the Report of the Policy Committee be received."
Motion carried.

Mr. Meech outlined the items in the Report of the Policy Committee.

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

"THAT Mr. R.G. Cragg be re-appointed Municipal Solicitor for one year at the regular fee plus eight percent (8%) cost of living increase."
Motion carried.

It was moved by Councillor MacKay and seconded by Councillor Curren:

"THAT Council approve that the Municipality enter into an agreement with the Town of Bedford for dog control service for a 3 year period on the basis of ratio assessment in Bedford to the Municipality as a whole."
Motion carried.

Councillor Williams stated that Bedford should be standing on its own feet when it is incorporated instead of buying all the services from the County and Councillor Topple suggested that the County should be helping them out in their infancy.

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

"THAT all Members of Council be permitted to attend and register for the F.C.M. Annual Conference."
Motion carried.

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

"THAT the Warden appoint three voting delegates and three alternates for the F.C.M. Conference."
Motion carried.

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

"THAT the Warden be one of the voting delegates at the F.C.M. Annual Conference."
Motion carried.

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

"THAT Council approve the recommendation of the Policy Committee on the addition of items to the Agenda as amended."
Motion carried.

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

"THAT the motion be amended to read items be added to the Agenda at each Council Session."
Motion carried.

Warden Lawrence noted that in the last paragraph of the Supplementary Report of the Policy Committee the words 'by unanimous consent' should read two thirds of Council.

It was moved by Councillor MacKay and seconded by Councillor Adams:

"THAT the policy re addition of items to the Agenda be referred to Policy Committee."
Motion defeated.

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

"THAT an item be added to the end of the Agenda at the regular Council Sessions, said item to read 'Question Period'.
(See motion to refer)

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

"THAT the motion referring to Question Period be referred to Policy Committee."
Motion carried.

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

"THAT the maximum expenditure be Five Hundred Dollars (\$500.00) for the construction of a Centennial float."
Motion defeated.

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

"THAT a maximum expenditure of Five Thousand Dollars (\$5000.00) for construction of a Centennial Float be approved."
Motion carried.

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

"THAT the Report of the Planning Advisory Committee be approved re approval of undersized lots."
Motion carried.

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

"THAT Council send a letter to the Department of Municipal Affairs requesting a change in policy when dealing with the Glengarry Subdivision since there is a commitment that the Municipality will take over the services at a later date."
Motion carried.

It was moved by Deputy Warden Poirier and seconded by Councillor Eisenhower:

"THAT any action on the Glengarry Subdivision be deferred until the commitment of of the Province on the Lakeside/Timberlea area is assured."
Motion defeated.

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

"THAT a Public Hearing be held on May 26th, 1980 at 7 p.m. to hear the Request to Rezone Lot R117, Lands of Harold Burton Hart, Rezoning Application No. 1-80."
Motion carried.

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

"THAT Rezoning Application No. 4-80, request to rezone property located at civic No. 43, Dartmouth Road at Bedford, lands of Viola Stallard from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone). District 17. be rejected and that no public hearing be held."
Motion carried.

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

"THAT a Public Hearing be held on May 26th, 1980 at 7 p.m. to hear the request to Rezone Lands of Crotters Development Limited, Rezoning Application No. 7-80."
Motion carried.

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

"THAT the County write to the Departments of Transportation and Municipal Affairs urging them to 'open up lines of communication' with the Municipality when considering improvements to highways or new highway construction located within the County. It is also suggested that the Ministers of the above mentioned departments be requested to consider improving transit in lieu of large expenditures on highway improvements before final decisions are reached."
Motion carried.

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

"THAT the Report of the Chief Building Inspector on Lesser Setbacks be approved."
Motion carried.

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

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

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

"THAT the request of the School Board that Council look into the matter of acquiring available additional property for turning buses at the Bell Park Academic Center be referred to Management Committee."
Motion carried.

It was moved by Councillor Curren and seconded by Councillor MacKay:

"THAT request for additional furniture and equipment for Bedford Schools for 1980 be approved."
Motion carried.

Councillor Lichter was concerned about the costs of some items of furniture and equipment on the list of additions and Councillor Margeson requested that the School Board be cautioned to watch the need and monies expended.

Warden Lawrence advised Council that the first list of furniture and equipment had gone through the Management Committee but this latest one had not.

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

"THAT the matter of the fencing of Ocean View School in Eastern Passage be referred back to the Management Committee for immediate action."
Motion carried.

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

"THAT Council approve the amount of Eight Thousand Dollars (8000.00) for repaneling the gym and storage area ceilings at the Sheet Harbour Primary School with Tectum as per the Fire Marshall's Department report."
Motion carried.

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

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

Mr. Meech advised Councillor Stewart of where matters stand with regard to rezoning of Rehab Centre Lands, recreational lands and sidewalk maintenance, which were items added to the Agenda.

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

"THAT a vote of thanks be given Mr. Meech for ordering name tags for the employee of the Municipality."
Motion carried.

Councillor MacKay brought to the attention of Council the letter which he received from the Planning Advisory Committee advising that they were awaiting a report from the Building Inspector and requesting that Mr. Dalrymple apply for rezoning. They also note that they have requested an opinion from the Municipal Solicitor.

Solicitor Cragg stated that he had submitted a report to the Planning Advisory Committee quite some time ago.

It was moved by Councillor MacKay and seconded by Deputy Warden Poirier:

"THAT the fee of Three Hundred Dollars (300.00) be waived in the case of the request to rezone by Mr. Dalrymple."
Motion carried.

Councillor Benjamin expressed his concern that a roller skating rink had applied for a building permit adjacent to the Charles P. Allen School and felt that this would be detrimental to the area. The fact that two parking lots, one for the rink and one for the school, will be abutting each other and could interfere with the school operation if the rink operated during school hours.

Mr. Meech advised Councillor Adams that the information concerning the Rodent Control Officer has now been received and it will be going back to Policy Committee.

Mr. Meech advised Councillor Deveaux that a request has gone to the School Board for an answer to Mr. DeYoung's problem of hooking into the sewer system of the school.

It was moved by Councillor Margeson:

"THAT Council adjourn."
Motion carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COUNCIL SESSION

Tuesday, May 20, 1980

Warden Lawrence called the Council Session to order at 2 p.m. and opened with the Lord's Prayer. Mr. Kelly called the roll.

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

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

Warden Lawrence introduced to Council Margaret Campbell, Executive Director of the South Shore Tourist Association. Ms. Campbell showed slides of historic and beauty points on the South Shore and enumerated to Councillors the dollars which tourists spend in the area and responded to questions posed by Councillors.

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

"THAT the Minutes of April 22, 1980 - Regular Session and the Minutes of April 25 1980 - Committee of the Whole be approved."
Motion carried.

LETTERS AND CORRESPONDENCE

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

"THAT the correspondence be received."
Motion carried.

Mr. Kelly outlined the letters contained in the Agenda.

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

"THAT discussion of the letter from Claman, Dietrich, Clark, Bright & MacInnis re Planned Unit Development Agreement - Industrial Machinery Company Limited be deferred until the PAC Report was dealt with."
Motion carried.

Councillor Margeson inquired whether the Weed Inspector for the County of Halifax is paid by the 2 districts that he's working in or by a general tax rate and Mr. Kelly responded that he is paid by the general tax rate and shared by the Provincial Government.

Councillor MacKenzie noted that several residents in his area are still greatly concerned about the bear problem in the County and he feels that, although the bear population should be protected the public also needs to be protected from the bears.

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

"THAT Council write a letter to the Department of Lands and Forests thanking them for their information and ask them if they are willing to compensate people for any damage associated with the conservation of bears."
Motion defeated.

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

"THAT the letters from Industrial Machinery and Mr. Hayman be dealt with together with the Planning Advisory Committee's Report."

Motion carried.

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

"THAT the Report of the Management Committee be received."

Motion carried.

It was moved by Councillor Stewart and seconded by Councillor Gaetz:

"THAT the first item of the Management Committee Report be deferred until next Council Session."

Motion carried.

Mr. Kelly outlined the second item of the Management Committee Report.

It was moved by Councillor MacKay and seconded by Councillor Stewart:

"THAT a contribution of \$750.00 to the Atlantic Canada Section, American Water Works Association be approved."

Motion carried.

Councillor Topple questioned the responsibility of the taxpayer to fund meetings of this type. So much servicing is required in the County that it doesn't seem reasonable that the taxpayer should pay for this type of conference.

Warden Lawrence noted that if contributions were not made the fees for attendance would undoubtedly be increased and therefore the Municipality would be contributing more in fees for those who will be attending the conference.

Warden Lawrence asked Council if a Supplementary Report of the Policy Committee could be dealt with at this time as a courtesy to Mr. Thorpe from the Department of Development. Mr. Thorpe agreed to come before Council with a presentation concerning a Cleanup Program, District 8 and Main Street Project, Sackville.

Councillor Wiseman introduced the subject to Council and Mr. Thorpe gave a slide presentation, explained these programs and responded to questions posed by Councillors.

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

"THAT Council approve the construction of a new access road into Sackville High School."

(See motion to amend)

Councillor Deveaux stated that he is opposed to the motion and would rather have the present road upgraded at a cost of \$25,000. He does not feel that a new access road will solve the problems but could compound them.

Warden Lawrence requested Mr. Fawson to speak to Council regarding the cost of a new access road to the Sackville High School and stated that the cost would be \$75,000 plus and the only cost shareable portion would be the paving of the road.

Councillor Eisenhower said that it is his understanding that the existing road is owned by the Nova Scotia Housing Commission and they let the County use it until another road was developed.

It was moved by Councillor Stewart and seconded by Councillor Gaetz:

"THAT any approval for construction of an alternate road to the Sackville High School be amended to read 'subject to the usual cost sharing'."
Motion carried.

A recorded vote was requested by Councillors Margeson and MacDonald.

RECORDED VOTE ON THE AMENDMENT TO THE MOTION:

<u>IN FAVOUR</u>	<u>AGAINST</u>
District 1	District 2
3	6
4	7A
5	10
7	11
8	12
9	
13	
14	
15	
16	
17	
18	
19	
20	

Councillor MacKay stated that all he is asking for is a commitment.

RECORDED VOTE ON THE MOTION AS AMENDED:

<u>IN FAVOUR</u>	<u>AGAINST</u>
District 1	District 2
3	4
5	6
7	7A
9	8
10	11
12	
13	
14	
15	
16	
17	
18	
19	
20	

It was moved by Deputy Warden Poirier and seconded by Councillor Lichter:

"THAT Council approve a Temporary Borrowing for the Schools - Hillside Park in the amount of \$1,200,000. and Dutch Settlement \$1,000,000."
Motion carried.

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

"THAT the recommendations of the Management Committee of the appointments (a) Deputy Municipal Clerk and Secretary to the Board of Health - Gerard J. Kelly. (b) Director of Finance and Deputy Treasurer - Kenneth S. Wilson. (c) Assistant Director of Engineering and Works - Edward Wdowiak."
Motion carried.

Warden Lawrence defined the appointments and advised Council that these appointments would be effective June 1st, 1980.

It was moved by Councillor Walker:

"THAT Council adjourn for supper."
Motion carried.

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

"THAT the Report of the Building Inspector be approved."
Motion carried.

It was moved by Councillor Curren and seconded by Councillor MacDonald:

"THAT the Report of the Policy Committee be received."
Motion carried.

Warden Lawrence read to Council her Report on Meeting held April 23rd, 1980 at the Department of Municipal Affairs.

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

"THAT a special Committee be created composed of urban and interested Councillors to develop terms of reference for review of administration of services by the Municipality of the urban areas of the County with the Committee to report back to Policy Committee by the end of June and also that the Warden be named as Chairman of the Committee and that an early meeting of the Committee be called."
Motion carried.

Councillor Topple felt that Council should be talking of 2 studies. The concern was raised by Councillor Stewart and the initial meetings were held with the Minister regarding the eastern side of Halifax Harbour and he felt that this should proceed as a Committee looking into the possibilities and the problems in that area. It would be too large and encompassing for one Committee.

Councillor Wiseman felt that the problems were common and they should be worked on at the Special Committee level to deal with all of the problems and then from their divide that into more specific areas.

Councillor Lichter suggested that rural Councillors should not be excluded from this Committee as their constituents have much farther to travel than those people in the urban districts and Councillor MacKay replied that it was certainly the intent of the Motion that interested rural Councillors should also be on the Committee.

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

"THAT the Motion to create a Special Committee for review of administration of services be deferred until July 15th, 1980."
Motion defeated.

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

"THAT Council approve the appointment of the Unsightly Premises Inspector as Rodent Control Officer on a 1 year trial basis."
Motion carried.

Councillor Adams asked if staff could look into the item of the dump removal from his district.

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

"THAT the County enter into an agreement for the co-ordination of recreational activity and administration of the Sheet Harbour Swimming Pool Complex so that the District Recreation Association may receive a grant in the amount of \$75,000.00 from the Provincial Recreational Department."
Motion carried.

There was a great deal of discussion regarding the indenture between the Municipality of the County of Halifax and the Sheet Harbour and District Recreation Association with regard to whether the County would be picking up operating losses in the future.

It was moved by Councillor Toppie and seconded by Councillor Stewart:

"THAT the Agreement be referred back to the Policy Committee for changes and corrections on the advice of the Solicitor."
Motion defeated.

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

"THAT Council approve the procedure, as explained in Mr. Wilson's memo, for the issuing of the 1980 tax bills for District 17 and the Town of Bedford if the Town of Bedford attains incorporation during the year 1980."
Motion carried.

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

"THAT the Supplementary Report of the Policy Committee be received."
Motion carried.

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

"THAT Item 1 be deferred until Item 2 is dealt with."
Motion defeated.

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

"THAT Council advise Metropolitan Authority that the garbage be accepted at the Landfill site."
Motion carried.

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

"THAT Council approve the application by Sackville Community for the Main Street Project and that the Municipality guarantee up to an amount of \$1,000. of the amount raised by the Sackville Community for this project."
Motion carried.

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

"THAT Council approve the thousand dollars providing that a guarantee is given that the Municipality will be reimbursed by the Districts involved."
Motion defeated.

Councillor Gaetz asked to go on record as voting against the main Motion.

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

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

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

"THAT a Public Hearing be held June 23, 1980 on Request to Rezone Lot B, Lands of Jim-Jer Investments Limited located on Highway No. 1, Lower Sackville, Halifax County from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial General Business Zone) and P (Parks and Institutional Zone).
Motion carried.

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

"THAT a Public Hearing be held June 23, 1980 on Request to Rezone Block B-1, Land of Bedford Village Properties Limited, Moirs Mill Road and Millrun Crescent from R-1 (Residential Single Family Dwelling Zone) to R-4 (Residential General Zone).
Motion carried.

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

"THAT the Municipal Solicitor be directed to represent the best interests of the Municipality at the appeal hearing of Hillyard and Freda Shaffer to be held at Citadel Inn, Halifax on June 9th, 1980 at 10 o'clock a.m."
Motion carried.

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

"THAT Council hold a Committee of the Whole Meeting to discuss serviceable boundaries within the Municipality on June 2, 1980 at 7 o'clock p.m."
Motion Carried.

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