

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

"THAT the matter of representation to the Board be referred to Policy for study and report to Council." Motion Carried.

Councillor Wiseman voiced concern over the fact that perhaps any member being appointed to the Board would be involved in a conflict of interest. Mr. Cragg stated that as residents of the Hospital would be drawn from all Municipalities he could not see where there could be a conflict of interest.

Mr. Meech stated that he felt it would be to the benefit of the County to encourage the Province to build Homes for Special Care on the basis that this one was being built. He also stated that it was his belief that the case load for Homes for Special Care would increase if an additional facility was built.

Councillor Deveaux questioned as to what the role of Dartmouth would be in the facility. Mr. Meech stated that he could see the role of Dartmouth as no different than that of Halifax County.

Councillor Margeson stated that as far as fearing that Oceanview Manor would not be running with a full complement this was an area which could not be projected as the turnover of patients changed rapidly.

It was moved by Councillor Gaetz, seconded by Councillor Eisenhauer.

"THAT supper be ordered."
Motion Carried.

Council then recessed for five minutes.

It was moved by Councillor Benjamin, seconded By Councillor Stewart

"THAT the Management Committee Report be received."
Motion Carried.

Mr. Meech outlined the items on the Management Committee Report.

The first item included a recommendation to approve the renewal of certain temporary borrowing resolutions related to borrowings for school construction. The three identified are: Harry Giles Elementary - \$1,600,000, Cole Harbour Senior High \$4,300,000, and A. J. Smeltzer Junior High \$3,100,000.

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

"THAT the temporary borrowing resolutions be approved."
Motion Carried.

The second item relates to tenders which have been received on the Mechanical Equipment, Mill Cove Treatment Plant. The Committee recommends that Mar-Land Engineering Limited be awarded the contract.

Mr. Meech explained the procedure followed with technical equipment.

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

"THAT approval for the summary of the estimate of equipment costs and the recommendations for the award of tenders be given."
Motion Carried.

Councillor Margeson asked whether the items concerning schools which he had sent to the Management Committee had been discussed. Warden Lawrence informed that they had and has been referred to the Staff Technical Committee. Mr. Meech explained that the Staff Technical Committee had discussed this and Mr. Gillis was investigating criteria for the sites of the new schools. Councillor Margeson advised that two people had been selected from the area to make suggestions on a possible site.

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

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

Mr. Meech outlined the items in the Supplementary Management Report.

The first item dealt with property tax exemptions.

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

"THAT a tax reduction from commercial tax rate to the residential tax rate be approved for the Eastern Passage and Cow Bay Lions Club."
Motion Carried.

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

"THAT a grant of \$440.00 to cover approximately one-half of the current years' taxes on the Cathedral Church of All Saints (Anglican Youth Club, Mason's Point) property be approved."
Motion Carried

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

"THAT a tax reduction of 1980 taxes from commercial tax rate to the residential tax rate and further that a grant of \$107.00 toward the 1980 taxes on this property be approved for the East Preston Day Care Centre."
Motion Carried

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

"THAT a tax reduction from the commercial tax rate to the residential tax rate be approved for the South Shore Regional Recreational Association."
Motion Carried.

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

"THAT a grant in the amount of \$387.36 to cover the 1980 taxes on land assessed to the Black Cultural Society at Westphal be approved."

Motion Carried.

The next item referred to the 1979 Financial Statements.

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

"THAT Mr. Wilson give an assessment of the 1979 Financial Statement on the September 2, 1980 Council Session."

Motion Carried.

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

"THAT the Municipal School Board report be received."

Motion Carried.

Mr. Meech outlined the Municipal School Board report.

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

"THAT the Municipal Council request Provincial sharing, as Capital from Revenue for the previous requests made and also \$6,000 for Lakeside-Beechville Elementary and \$12,000 for Jeddore Lakevill Elementary."

Motion Carried.

Mr. Meech informed that Mr. Gillis has been advised by the Department of Education that the provisions made for the alterations to the Sidney Stephen School in order to accomodate handicapped children is not the normal procedure and that the County begin to negotiate a rental basis to use the space and that Bedford do the alterations.

Councillor Deveaux asked what progress was being made on the Charles P. Allen School. Mr. Meech replied that he intended to meet with Mr. Cragg and convey to him what we would like incorporated in the agreement. Mr. Cragg will then prepare a draft agreement. Mr. Meech stated that he had a meeting with Dan English to discuss the matter.

Mr. Meech informed the Council that a comparison report of the Building Inspector would be available at next month's Council session as previously requested.

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

"THAT the lesser setbacks in the Building Inspectors Report dated August 19, 1980 be approved."

Motion Carried.

The Social Assistance Report was for information purposes only.

Councillor MacDonald introduced the policing of Mobile Parks.

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

"THAT a letter be written to Mr. Howe asking the government to amend the legislation concerning the Policing of Mobile Home Parks."

Motion Carried.

There was some question on whether or not correspondence had been received stating that under the present legislation policing of Mobile Home Parks could be carried out. Councillor MacDonald stated that whether or not this was true an amendment was needed to force the police department to do this.

Councillor MacKay requested that the Municipal Staff ensure that the R.C.M.P. units in the Municipality were aware of the Mini-bike law. Mr. Meech stated that he would see that this was done.

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

"THAT the Nova Scotia Housing Commission be requested to do a need and demand study concerning additional Senior Citizens Housing in the Hubbards area."

Motion Carried.

Councillor Margeson introduced the matter of Council endorsing the use of fish in the Municipality. Councillor Margeson felt that fish, as a tourist attraction and as a native food, was not promoted sufficiently.

Council recessed for supper.

Councillor Margeson stated that he felt that fish rearing plants should be accessible to the public and visitors to the Province.

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

"THAT a letter be sent to the Provincial Minister of Fisheries urging him to promote increased rearing of fish within the Province making use of voluntary groups."

Motion Carried.

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

"THAT a letter be sent to the Federal Minister of Fisheries urging him to promote increased fish hatcheries within the Province making use of voluntary groups."

Motion Carried.

Councillor Margeson introduced the matter of streetlighting, and the cost to repair and install street lights.

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

"THAT the Policy Committee be requested to come up with some recommendations concerning the costs of installation and repair of street lights."
Motion Carried.

Councillor Margeson recommended that amber lights be placed at intersections.

Councillor Margeson introduced the matter of the present Post Office in Sackville. Councillor Margeson stated that as Councillor Wiseman was more familiar with the circumstances perhaps she should be the one to describe the conditions now prevailing. Councillor Wiseman did this stating that the present Post Office was too small and that parking was a problem as well as security.

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

"THAT a letter be directed to the Postmaster General, Jack Fraser, requesting that construction commence on the proposed Sackville Post Office building and that consideration be given to expanding the facility to make room for other Federal Departments such as the R.C.M.P."
Motion Carried.

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

"THAT the Taxi By-Law be amended to include District 6."
Motion Carried.

Councillor Deveaux introduced the problem of sewer charges for lots on lanes. Councillor Deveaux stated that either the Department of Highways be prodded to make a special regulation covering this or that the Municipality declare these cases exempt from sewer charges.

Councillor Deveaux introduced the problem of the odour emanating from the treatment plant in his area.

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

"THAT the Municipal Engineering Department take immediate steps to eliminate the odour emanating from the treatment plant at Eastern Passage and that a report be brought before Council next month."
Motion Carried.

Councillor MacKenzie requested that an item referred to as Salmon Stock be placed on the agenda for next Council Session.

Councillor MacKay requested that two items referred to as Fire Hydrants and Cats be placed on the agenda for next Council Session.

It was moved by Councillor Eisenhauer;

"THAT Council Adjourn."
Motion Carried.

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PUBLIC HEARING

SEPTEMBER 22, 1980

PRESENT WERE: Warden Lawrence Deputy Warden Poirier
 Councillor Williams Councillor Baker
 Councillor Deveaux Councillor Stewart
 Councillor Topple Councillor Adams
 Councillor Gaetz Councillor Smith
 Councillor MacKenzie Councillor Walker
 Councillor Lichter Councillor Benjamin
 Councillor Margeson Councillor MacKay
 Councillor Eisenhower Councillor MacDonlad
 Councillor Wiseman

Secretary: Sherryll Hussey

Warden Lawrence opened the Public Hearing with the Lord's Prayer at 7:00 p.m. and Mr. Kelly called the roll. The Public Hearing adjourned at 9:30 p.m.

Warden introduced the first Public Hearing stating that it was Rezoning Application No. 17-80, a request by George Armoyan to rezone a portion of the property located at 238 No. 1 Highway, Lower Sackville from R-1 to C-1.

Ms. Smith stated that the application had been advertised as prescribed under the terms of the Planning Act. She stated that the Planning Department recommends approval of this application. She informed the Committee that Mr. Armoyan proposed to put a 20 unit apartment building on the property in question with commercial space on the first floor. She stated that the Department of Transportation had no objection to such a use. The Department of Public Works did have one misgiving. If Mr. Armoyan should put more than a 20 unit apartment building on this property this would over tax the present sewage system. If, however, Mr. Armoyan was to follow his proposal they would have no objection. She stated that Mr. Armoyan had assured the Planning Department that he was not proposing anymore than a 20 unit building. She stated that recommendation for approval of this application was for the following reasons: 1) The area surrounding the proposed rezoning is primarily undeveloped lands and commercial use, 2) The request to rezone is in fact an extension to an existing commercial zone, and 3) In the past the Municipality has granted similiar applications.

Councillor Topple: Public Works is not opposed to this application, they are just concerned over the possibility of more units going on this lot. If you knew that there was an application for 26 units, would this change the position of the Planning Department?

Ms. Smith: No, I don't think so. We are concerned with the impact of the use in the location. I think the density problem is something that

can be sorted out at the building permit stage. There is liaison between the Department of Engineering and Works and the Department of Building Inspection.

Councillor Wiseman asked to have the driveway of the Rock Church pointed out on the map. Ms. Smith pointed out the church but was not sure where the driveway was. Councillor Wiseman noted that the Church does not extend to the highway. Ms. Smith indicated where she thought the driveway might be located.

Councillor MacDonald: Does this property run back to the Sackville River?

Ms. Smith: No. It extends back from the highway about 400 feet deep.

Councillor MacDonald: What is the front portion going to be used for?

Ms. Smith: The entire lot is going to be used for the apartment. If the back was to remain R-1 it couldn't even be used for parking.

Councillor Deveaux: Is this an already approved lot?

Ms. Smith: Yes, as far as I understand it is.

Councillor Deveaux: Does it have frontage to the highway?

Ms. Smith: There is 152 feet of frontage on the highway.

Councillor Benjamin: I am a little concerned with the zoning along there. What is the type of zoning that should be on that land? We are putting in residential type use. Why do we have C-1 and C-2 zoning all mixed up in that area.

Ms. Smith: I think it is pretty much consistent all the way along. There are just a few non-commercial uses.

Councillor Benjamin: Would you see this apartment use going downhill in the future? I don't want to see tenement use going there.

Ms. Smith: I certainly hope it doesn't become tenement use. We don't have control over the style of the building but I think this particular use we would support given its proximity to the highway which ensures easy access.

Mr. Murtha: My name is Dick Murtha, I am the solicitor for Mr. Armoyan who is with me tonight. We are pleased this evening to be before Council to speak on this application for rezoning. There are number of questions that have arisen from Councillors as a result of the presentation by Ms. Smith. We would be most happy to amplify on the answers given by the Department. Basically, it is a rezoning to extend a piece of land Mr. Armoyan now owns. He is intending to construct an apartment dwelling on this site as has been explained. In answer to Councillor Benjamin's question as to the future development of the dwelling, Mr. Armoyan presently owns and operates an apartment building

on Cobequid Road. He has 30 units there and it has been operational for approximately four years. It is in A-1 condition and there have never been any complaints. In this particular situation we have a drawing which was prepared by Mr. Armoian's architect, Mr. Keith L. Graham. Mr. Graham has been a practising architect in the City of Halifax for some time now. The building will be a two storey complex. On the ground floor, 8,144 square feet will be used for apartments, on the second floor there will be a similar amount of apartment use, for a total apartment use of 16,288 square feet. Approximately 20 units are planned. There is no intent to go any higher than 20. The final number of units would be decided after the building permits were made. There will be basement parking for this building with space available of 8,144 square feet. There will be a vestibule portion at 500 square feet. There will be a commercial use portion of 21,000 square feet. There is a health spa proposed for this building. The health spa is approximately 4200 square feet on the first floor and 6300 square feet on the second for a total of 10,500 square feet. The building area will be 37,532 square feet. The lot coverage would be 14,944 square feet. The building that I am describing has the front portion proposed as commercial use. This could be a number of things. It is not going to be a grocery store or a poolhall, or anything offensive to the uses surrounding. Behind this would be the health spa area. The main entrance to this building would be at the side and there is a glass vestibule in this area. A key is necessary to get into the apartment use area and a separate key is necessary to get into the health spa area. The plan is a very logical and interesting plan, especially so for the Sackville area which doesn't have too many uses such as this. The second floor of the building will have apartments as well above the first floor apartments and the rest will be used for the health spa. The health spa is proposed to have a lunch bar, racquet ball courts, saunas and a whirlpool. That is basically it. Mr. Graham has stated that he will be happy to appear before Council at any time. (Mr. Murtha then passed around the plan which he had been describing to the Councillors.) Mr. Armoian has been in operation operating a similar facility for the past four years. His apartment building with 30 units has been filled to capacity and he maintains a waiting list. There are a number of other apartment buildings in the Sackville area. In doing a canvas of some of them we have learned that virtually all those have full capacity. Some hold waiting lists, others do not bother. I think it can be easily established that there is such a need in Sackville for such a use. I don't believe any offensive use could happen. There is a buffer lot between the apartment building and the entrance to Rock Church. As far as traffic goes, I think it might be a very nice area to have a bus stop. Speaking to these items on an overview, I think it is a worthwhile application and it certainly deserves the full consideration of Council. If there are any further questions I would be happy to answer them.

Councillor Benjamin: I wonder if you would mind relating how much parking you are providing for this proposed apartment unit?

Mr. Murtha: I cannot answer that directly. However, in looking at the drawing this evening it was 56 parking spaces plus underground parking. This would appear to be sufficient parking.

Councillor Benjamin: My point is that you are suggesting that the developers mean to mix commercial with the apartments and I am wondering if there is an allocation for the apartment users only. I can see where the commercial use could take up all the parking lot and the apartment would be left looking for parking space.

Mr. Murtha: There are twenty-two parking spaces designated for the apartment users presently. Mr. Armoyan has pointed this out to me.

Councillor Benjamin: Do you see any traffic problems as a result of this. I mean above the normal problems. I recognize that most of the Rock Church traffic would be in the off hours. Will this mean left hand turns. Can you see this as being a problem because of the curve of the highway at this point.

Mr. Murtha: I cannot direct myself to the expertise as to whether there will be a problem. Certain requirements have to be passed before this thing could be put into use. Honestly I don't see any problem, but again my opinion does not have too much bearing.

Councillor MacDonald: Mr. Murtha, what apartments does Mr. Armoyan own now on the Cobequid Road.

Mr. Murtha: The one located at 70 Cobequid Road.

Councillor MacDonald: That is the one with the pool hall. What type of entrance were you expecting to have off the main highway.

Mr. Murtha: The entrance would have to be decided between the architect and the traffic control people.

Councillor MacDonald: I will say that Mr. Armoyan's apartments are well maintained.

Councillor MacKay: I certainly welcome commercial development in Sackville. One reservation I have is concerning the entrance to the main highway. This will be worked out with the Department of Transportation at some point in time. Another concern is the size of the apartments.

Mr. Murtha: Mostly two bedrooms.

Councillor MacKay: Apartment buildings must be welcomed in our area. I certainly like to see it spread out because apartments there would be a number of children involved. The reason for my concern is on the main highway at that point Cobequid Road, the children that live in that sector must attend the Hillside Elementary School, which means they have to transverse a four lane highway with no protection, or they must walk down Cobequid Road on that side of the Highway without sidewalks. Certain corrective steps should be carried out before the apartment building went in there. For example, sidewalks, crosswalks and/or means of transportation for school children. I think the apartment must be compatible with the area. I think in this instance

they can be. I don't know if you had the problem with sidewalks but if you haven't and this goes through we must some way come up with a solution.

Mr. Murtha: I do share your concern. There are no three bedroom apartments planned for this complex. I suppose you could say lightly that the building will be an adult building. However, this is not true. I suggest however, the requirement of sidewalks and crosswalks and other such things are not only the requirements of developers who pay taxes but also of branches of government who must find it among themselves to supply those things for certain areas. There are many places in the County where things are less than adequate concerning children crossing roads. In this particular situation, Mr. Armoyan did not address himself to that, but I really don't think that concern should rest solely on the shoulders of the developer. I think it should be solved with the cooperation of the developer and the government offices involved.

Councillor MacKay: Keeping this in mind, this type of thing takes a great deal of time.

Warden Lawrence called three times of further speakers in favour, three times for speakers in opposition with no response.

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

"THAT the Application No. 17-80, request by George Armoyan to rezone a portion of the property located at 238 No. 1 Highway, Lower Sackville, from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial General Zone) be approved."
Motion Carried.

Councillor Margeson: Is a health spa in a C-1 zone a permissible use?

Ms. Smith: Yes it is.

Warden Lawrence introduced the second Public Hearing for the evening. She stated that this Hearing dealt with proposed amendments to the Municipality's Zoning By-Law on Day Care facilities.

Warden Lawrence asked staff to outline the proposed amendments to the Zoning By-Law.

Ms. Spencer: The proposed amendments to the Zoning By-Law respecting the provision of Day Care facilities in Residential Zones has been advertised as per the provisions of the Planning Act. We have not received any correspondence either in favor of or against the proposed amendments. As the Warden outlined this has been in the works for some time. Council may, therefore, be aware these amendments would not be the only regulations which would approach the subject of Day Care in Residential Zones. The Provincial Department of Social Services currently licenses Day Care facilities under the Day Care Act. In that Act there are provisions respecting the amount of outdoor and indoor play space required, medical and nutritional requirements, and there

are also requirements as regards to pupil-teacher ratio. In your report you will notice a substantial number of amendments, most of these are to work the proposed amendments into the By-Law. The substance of changes which we are interested in are on Page 2 of the report. This outlines changes in three zones. The R-1 (Single Family), the R-2 (Two Family), and the R-4 (Residential General Zone). In the R-1 zone if these amendments are approved Day Care facilities will be permitted in single family dwellings in which the operator of the Day Care is a resident. A fenced play area must be provided under the Day Care Act, however, in the R-1 zone this would not be permitted in the front of the lot. Signs are comparable to those permitted any professional person who is operating a business in an R-1 zone. In the R-1 zone no two Day Care facilities may be located within 300 feet of each other. Similarly in the R-2 (Two Family) dwelling zone Day Care facilities may be permitted in two family dwellings in which the operator is a resident. The fenced play area must not be located in the front of the lot. In the Residential General Zone where there is much higher density and commercial uses are permitted our restrictions are not so stringent. Day Care facilities are permitted in dwellings, but the operator need not live in the dwelling. The signs are in accordance with the zone as it stands right now. There is no limit to the number of Day Care uses which could locate in any one area.

Councillor Eisenhauer: Can you describe to me what signs are permitted in the R-1 zone now.

Ms. Spencer: We permit one sign board, not to exceed 6 square feet and that is pertaining to the rental or sale of a property. We also permit a non-illuminated No Trespassing, Safety, or Caution sign that can't be larger than one square foot in size. One sign not exceeding one square foot in size indicating the name and profession of a professional person who would have an office in their home. A bulletin board for a church and there is an all encompassing clause one sign of reasonable proportions for a non-residential park or playground which has to be approved by Council. The signs are basically transient in nature, the only one that would be permanent would be the professional person sign. Signs as regard to day care are exactly the same as for the professional person.

Councillor MacKay: I would think that the general population in which I reside would certainly welcome this as a much needed facility. It is a funny thing in the way which human nature works, everyone agrees that it is needed but only if it is down the street. How much feedback have you had from the public if any? This would be the most crucial part of it. For instance, if we adopted this and someone wished to put it in his home and all the other residents on the street thought it was a great idea except those who lived adjacent to the applicant. I would probably suggest that this would be the only hindrance involved.

Ms. Spencer: We have received just about any comment you can imagine. Regarding the Cities of Halifax and Dartmouth we have had no comment

from them of any kind. Our amendments are closest to the Dartmouth regulations.

Councillor MacDonald: Is there any thought as to how many Day Care centres you would have on one street.

Ms. Spencer: In the R-1 or R-2 zone we are suggesting that they be about 300 feet apart. That figure was come upon arbitrarily by looking at what we considered to be one Day Care for every 20 or so homes. In the R-4 zone there is no limit. I would imagine this would be governed on the need for them. They are a service and a business. Whether it is economical for five people living side by side to start Day Care is not known.

Councillor Wiseman: There was some talk awhile ago that included in a request for a permit that a canvas of the immediate area or having the approval of the people in the adjacent homes at least in order to get that permit. Has that been considered.

Ms Spencer: Our Zoning By-Law right now is prohibitive to the extent that we must specify what is and what isn't permitted within the zone. Whether or not we could write into the zone some kind of a mechanism whereby people would be canvassed, I think that would be a question for the Solicitor.

Councillor Topple: That is one concern I have always had and I will not accept Day Care centres in all zones. I feel that the very fact that you mention in the report the restrictions in R-1 zones it is obvious that you consider the R-1 zone to be a more restrictive zone. I feel that we must provide some type of protection to the residents there. I would like to ask the Solicitor if we could put a clause like that in the By-Law. I would like to see that all residents within 1000 feet of the proposed Day Care centre approve it before it is established.

Mr. Cragg: That is a possiblity.

Councillor Topple: What would happen if one person owned five homes on a block, what protection would the rest of the residents have.

Ms. Spencer: In the R-1 and R-2 zone there is a 300 foot division between any two uses. Presently in our Commercial Zone Day Care is permitted. I suppose, therefore, if one person owned five homes in the area, could get the licenses, the facility was needed, and the residents supported the use, he could go ahead and use his homes in that way.

Councillor Deveuax: Do I understand that these establishments are going to be limited to 14 children.

Ms. Spencer; Yes, sir.

Councillor Deveaux: Who is going to police that?

Ms. Spencer: Under the Day Care Act in order for someone to get a license to run a Day Care facility they have to prove that they have conformed with the Municipal requirements or else they can be prosecuted by the County. Therefore, the Provincial Government are being made aware that our requirements state 14 children as a maximum. Anything above that is a violation of our Zoning By-Law and if we received a complaint and didn't define that there were more than 14 children we would be within our right to prosecute.

Councillor Deveaux: What is the prosecution? Is that part of our By-Law? How much can we fine them?

Ms. Spencer: I am not quite sure to the exact figure. Perhaps the Solicitor is aware of the fines that are levied.

Mr. Cragg: There is provision in other Provincial Legislation for violation of any Municipal By-Laws. It provides for minimum fines and maximum fines which would cover such violation of our By-Law without having to have it spelled out in the By-Law.

Councillor Deveaux: You do not know off hand what the minimum and maximum are?

Mr. Cragg: That would be \$100.

Councillor Deveaux: That's minimum?

Mr. Cragg: Unless otherwise specified.

Councillor Benjamin: I'm not quite sure of the term being used here to define Day Care centre. Day Care centre infers to me a much wider use than a Day Nursery. There are other things in the Province in which a mother can have three or four children in her home. This would lead me to believe that Day Care is declining.

Ms. Spencer: Under the Day Care Act the Province licenses a facility having more than three children. Anything up to three would be babysitting or some other special use. Day Cares are referred to as Day Nurseries, Nursery School, Kindergarten, or Play Schools. There are several names, which are included under the definition on Page 2 of the report.

Councillor Benjamin: The signs would be on the property and not on the Highway.

Ms. Spencer: Yes.

Councillor MacDonald: People working in these Day Care centres do they have to have special qualifications.

Ms. Spencer: There are qualifications called for under the Day Care Act as to knowledge of first aid, knowledge of nutrition, learning. It is not specific within the Act whether or not there has to be a medical doctor on the premises but I know in the licensing procedures and in

the regulations that were made pursuant to the Act the things mentioned previously are included.

Councillor MacDonald: That comes under a permit.

Ms. Spencer: Yes, that is enforced by a yearly license.

Councillor Eisenhauer: Have we considered what demand is going to be on the facilities of sewer and water. If a house is designed for a single family operation how do I know it was designed to handle 14 or 15 youngsters throughout the day.

Ms. Spencer: The answer to that question would be that the Department of Health would consider a man and wife having 14 children as being a health hazard. The way that the approvals work in the Department of Health, I would assume that a lot is safe if it is so stated. How the Health Department evaluates the number of flushings per day I don't know.

Councillor Eisenhauer: If we allow these things to happen it is not going to be long before the Department of Health is going to say that the minimum requirements are not great enough. I don't have any problem with the Day Care being in a residential zone but the numbers do concern me.

Ms. Spencer: I don't know what part the Department of Health would play in the licensing, but it seems to me that a Day Care licensed by Social Services would have to have Health approval.

Warden Lawrence then asked Ms. Spencer how many children could a Day Care accommodate in the standard size lot and home under the Provincial regulations.

Ms. Spencer: That is almost impossible to answer. The Provincial regulations call for a certain number of square feet of indoor and outdoor space per child. This has to be unobstructed area.

Warden Lawrence stated that perhaps 14 was an unrealistically high number.

Ms. Spencer: With 30 square feet of unobstructed indoor play area and 60 outdoor in the back yard you would be looking at a lot with over 900 square feet in the rear. The 14 ratio would permit two teachers and their parking. It would have to permit something under 500 square feet that was completely unobstructed, probably on the ground floor. Whether or not that would reduce the number of homes eligible I wouldn't know.

Deputy Warden Poirier: Wouldn't that mean that in an urban area there would be no possibility of such a Day Care facility.

Ms. Spencer: The regulations of the Provincial government are I assume based on something close to a realistic figure. If you think of it as 14 as a maximum enrollment but not necessarily 14. This number may be

an oddity, but even so there are a number of lots large enough to accomodate this.

Deputy Warden Poirier: The point I'm trying to make is that is this going to be a By-Law for mainly rural or fringe areas.

Ms. Spencer: This is very hard to say. These are Provincial regulations. Whether or not we amend our zoning By-Law these regulations are not going to change.

Councillor Deveaux: I presume except for the zoning regulations anyone applying would have to abide by the Provincial regulations.

Ms. Spencer: Yes, and in order for the license to be issued there should be proof that the County is aware of this and that is in conformity.

Ms. Spencer stated that under the Act the following had to be abided by: 'Every facility shall comply with the regulation, order or direction of the appropriate authority respecting fire, safety, health and sanitary requirements and any Municipal By-Law respecting such facilities.

Councillor MacKenzie: Is there any part of those regulations which would apply in areas which no zoning is in place.

Ms. Spencer: Under our Zoning By-Law Day Care facilities are permitted in unzoned and General Building Zone areas. These have to be licensed by the Provincial Government for more than three children.

Councillor MacKay: I had the opportunity to sit down with an operating Day Care facility and going through those regulations. If you look at this in a home in which a person must reside in an R-1 area besides that 30 square feet indoors and 60 square feet outdoors, I believe you also are required to have a certain amount of sleeping area and a bed provided for each child, a washroom for a certain amount of children, I believe 10, and they have to have a certain standard of kitchen facility. This operator surmised that if you took an average sized home, that the maximum you probably could accomodate would be eight. Are we realistic in surmising this.

Ms. Spencer: Much of the footage that you are speaking of could be duplicated. For instance the play area could be turned into the sleeping area. The washroom facilities are provided at the rate of one for every ten children and they have to be immediately accessible. They have to provide a supervised quiet space for children that are ill. The kitchen space could not be the place where the children played. Generally I believe that most of the space could be accomodated readily in a residential home.

Councillor Smith: Is there a limitation to the age.

Ms. Spencer: We assume that children go to school between the ages of 5 and 6. Under the Day Care Act there are certain provisions for pupil

- teacher ratios based on the age. There are also provisions as to the layout of the facility in connection with age. We are basically talking about children under 5.

Councillor Smith: Is there any provision for vacation time.

Ms. Spencer: There are no provisions under the Day Care Act as far as I understand that speak to the number of days which this would operate. The operation of a day care facility would be up to the individual operator.

Warden Lawrence then asked for any speakers in favor of the Amendment to the Zoning By-Law.

Mrs. Lynn Rextoll: My name is Lynn Rextoll and I live at 245 Stokil Drive in Lower Sackville. It seems to me that we have been talking a lot in hypothetical situations where something is really needed. I can see it in my area. I am sure there is a need in your area as well. Mrs. Rextoll introduced Mrs. Joyce Boudrey. She explained that Mrs. Boudrey was involved in the new Day Care Program in Sackville called Family Day Care. Three children are placed in a home. It is unfortunate that Day Care and Day Nurseries are not separated. Myself, I am in favor of Day Nurseries and Mrs. Boudrey favors Day Care Centres. Mrs. Boudrey has told me that private Day Cares can lower their rate for a second child whereas with her operation you pay the same rate no matter how many children you have. This operation is subsidized. This is fine for the lower income parents but not all of us are in the lower income bracket. I am sure that a lot of wives and husbands both work. These people are in need of day care facilities, but you don't qualify for a low rate and if you have more than one child you would have to pay the going rate for each child. This can be an expensive means of child care. The alternative is a private day care centre, which in most cases have a family rate. There are a lot of day cares in operation without licenses because of the need. In my area there are a large number of young children. The babysitting services are not up to par. Children going to school for the first time are expected to know much more than they used to. Often parents do not have the time or perhaps the patience to give them the hand they need. At a day nursery the operator is usually very interested in children and has the time and opportunity to aid children in learning. I believe that day cares offer this while babysitters may not spend this time with the child. I hope this amendment does go through, because there are a lot of places running in our area which I don't really believe are running up to standard.

Mrs. Joyce Boudrey: I do support Lynn, and I do feel that the children are our primary concern and if there were changes to the Zoning By-Law to allow licensed Day Cares in residential areas it would be the children who would benefit because they would be in a situation where the operators would be abiding by the regulations and the children would be getting the best of care. I am also concerned that a lot of stress has been put on Day Care. I feel that there is a strong need for Day Nursery facilities to be made available to the community. Through my experience I feel the need is there.

Councillor Topple: Do I understand that you are employed by Social Services, Mrs. Boudrey.

Mrs. Boudrey: Perhaps I should clarify that. I am employed by the Department of Social Services for approximately one year. Social Services are funding the Family Day Care Program and then after that year I will be employed by the Sackville Family Day Care Committee.

Councillor Topple: Do you have children, Mrs. Rextoll?

Mrs. Rextoll: Yes, I do.

Councillor Topple; Are they in a Day Care Centre?

Mrs. Rextoll: No, I do not have them in a Day Care, I am at home with them.

Councillor Topple: Concerning the subsidization, do you feel that the state should bring up the children.

Mrs. Rextoll: I wasn't talking of subsidized Day Care as such. I feel that there should be an alternative. With both parents working they would not qualify for subsidized day care but if there were private day cares you could get a family rate.

Councillor Smith: Can you define the difference between the Day Care and the Day Nursery.

Mrs. Rextoll: In my mind a Day Nursery only runs a couple of hours a day, not a full day. Day Cares are full time care, when the child is at home.

Councillor MacKay: I will say from the experience that I have had that a number of people who have to work need these facilities and they are just not plentiful enough. Is it the more affluent person who puts the child in a Day Nursery.

Mrs. Boudrey: No, it depends on the reason for Mum and Dad wanting to work. This may be for a number of reasons not only financial.

Councillor MacKay: If Mum and Dad are both working then they would not qualify for this Provincial subsidy.

Mrs. Boudrey: In most cases no.

Councillor Wiseman: How would you feel about the idea of having to petition your immediate neighbours as a requirement for a permit for a Day Care facility.

Mrs. Rextoll: I think that is a reasonable request. How far are you talking?

Councillor Wiseman: I am only speaking only about immediate neighbours, those adjacent.

Warden Lawrence then asked if there were any further speakers in favor of this proposed amendment to the Zoning By-Law three times. She then asked for those in opposition three times. She then stated she was open to a motion.

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

"THAT we accept the proposed amendments to the Zoning By-Law conditional upon that the operation of a Day Care in an R-1 or R-2 zone shall not be permitted unless consent in writing of all of the real property owners within a 300 foot radius on which the building is situated which is to accomodate the said Day Nursery are obtained."
(See motion to amend.)

There was lengthy discussion on the unanimous consent of the property owners. It was felt by a number of Councillors that this would cause problems and that no such nurseries would be forthcoming if this was to remain in the motion. A number of Councillors held the view that the property owners in the area had the right to decide if they wished this type of establishment to be in their area.

There was also lengthy discussion on the footage embodied in the motion. It was pointed out that this footage could include residents as far as three streets over from the proposed Day Nursery.

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

"THAT the motion be amended to read: "THAT we accept the amendments as proposed conditional upon that the operation of a Day Nursery in an R-1 or R-2 zone shall not be permitted unless consent in writing of all of the real property owners within a 150 foot radius on which the building which is to accomodate said Day Nursery are obtained."
Motion Carried.

Councillor Deveaux stated that an open house was to be held at Ocean View Manor, Wednesday, September 23, 1980 at 7:30 p.m.

It was moved by Councillor Gaetz:

"THAT the Public Hearing adjourn."
Motion Carried.

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COUNCIL SESSION

SEPTEMBER 2, 1980

PRESENT WERE: Councillor Walker Councillor Adams
 Deputy Warden Poirier Councillor Smith
 Warden Lawrence Councillor MacKenzie
 Councillor Williams Councillor McCabe
 Councillor Baker Councillor Lichter
 Councillor Deveaux Councillor Benjamin
 Councillor Stewart Councillor Margeson
 Councillor Topple Councillor MacDonald
 Councillor Wiseman Councillor Gaetz

Warden Lawrence opened the Council Session at 2:00 p.m. with the Lord's Prayer.

Mr. Meech then called the roll.

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

"THAT Sherryll Hussey be appointed recording secretary."
Motion Carried.

It was agreed that the Black Cultural Society give their presentation before the Letters and Correspondence were dealt with.

Warden Lawrence stated that a number of people in the gallery were interested in the presentation and called upon Mr. Wedderburn to introduce the members of the Black Cultural Society seated in the gallery. Mr. Wedderburn stated that the role of the Black Cultural Society is to preserve the history of the black society in Nova Scotia. He also stated that it was the feeling of the Society that the black people had not progressed in Society as they should have. Mr. Wedderburn stated the complex was to be used as a center of cultural activity as well as housing for black memorabilia. Mr. Wedderburn then introduced Ms. Sharon Ross, the Co-ordinator of the project. Ms. Ross outlined the background of the Black Cultural Society, making reference to their brochure. She also gave detailed financial information and with the use of the overhead projector indicated the organizational chart of the proposed complex and the building and administration of the complex as set down in three phases.

It was moved by Councillor Williams, seconded by Councillor Adams:

"THAT this item be referred to the Management Committee for a recommendation to Council."
Motion Carried.

Councillor Adams asked how the administration of the centre would be executed. Ms. Ross replied that this had been indicated in the

organizational chart she had shown earlier. Councillor Adams asked if the Society had approached other Municipalities across the Province. Ms. Ross indicated that they would be, but as yet had not geared up to do that. Councillor Stewart asked if the museum would come under the Provincial Museums for administration, operation and financing or under the whole complex. Ms. Ross replied that the museum would be operated within the structure of the entire complex. Councillor Stewart also asked whether the museum would be tied in with the Provincial museum system. Ms. Ross replied that it would be. Councillor Benjamin asked what the formation of the Society was. Mr. Wedderburn gave the background to the formation of the Society stating that the \$5.00 membership fee gave the right to vote and that anyone interested in the Black Cultural Society is permitted to join with or without the membership fee. Councillor Margeson asked if the Society had thought to make use of the Halifax Regional Library. Ms. Ross replied that the museum would secure the literature presently housed at the Halifax Regional Library once the complex had been completed and was operational.

Warden Lawrence thanked the Black Cultural Society for making a very impressive presentation.

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

"THAT the Letters and Correspondence be received."
Motion Carried.

Warden Lawrence outlined the letter from Mr. John Lavengie Secretary of the Commission on Public Education Finance requesting that if the Municipality was to make a submission concerning Public Education Finance that he receive written notification. Warden Lawrence explained that she had done this.

Councillor Deveaux asked what would happen to the negotiations between the U.N.S.M. and the Commission. Warden Lawrence informed that the U.N.S.M. had, in fact, made the first submission to the Commission on behalf of the whole Province. Mr. Meech informed the Council that a copy of the U.N.S.M. submission would be distributed to the Councillors for their review and information.

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

"THAT the Policy Committee proceed with the preparing of a draft submission to be approved by Council and then relayed to the Commission on Public Education Finance."
Motion Carried.

Mr. Meech outlined the letters concerning the Shearwater situation and stated that these were for information purposes only.

Mr. Meech also outlined the letter received by Mr. Kelly from the U.N.S.M. concerning approval of the County of the Union proposal for incorporation. He stated that this was for information purposes only.

Mr. Meech also informed the Council that a letter had been received from the Deputy Minister of Social Services stating that due to the delay in the appointment to the Dartmouth Home for Special Care, the Minister decided that the County would forego this appointment.

Councillor MacKenzie introduced the matter of the second request to the Minister of Fisheries concerning the loss of lobster traps on the Eastern Shore. He requested that this be checked out and if necessary that a follow up letter be sent to the Minister.

Warden Lawrence introduced the Farmers' and Fisherman's Market background report and outlined the report indicating with the use of sketches the location and structure of the proposed market. She stated that the report includes the important fact that input from possible vendors and the general public would be welcomed. She stated that this was simply an interim report.

Councillor Adams stated that on the previous market committee there had been a number of market vendors. Warden Lawrence replied that it was her understanding that a number of the people on the previous committee were on the present committee.

Councillor Baker asked if there would be provisions made for the fisherman to land his fish there. Warden Lawrence replied in the affirmative.

Councillor Gaetz introduced the problem of parking and wondered if this would deter people from frequenting the market. Warden Lawrence stated that as the Maritime Museum was in the area and the possibility of Neptune Theatre locating in the area that parking would be no great problem.

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

"THAT a letter be sent to Steve Frobin, the author of the background report, expressing on behalf of Council concerns dealing with the economic viability, the adequacy of parking, and recommending that representation of the market vendors would be beneficial in working on this project."

Motion Carried.

Councillor Williams indicated that anyone wishing to see what development had taken place at the waterfront and what was proposed would be welcome to visit the Waterfront Development office.

Warden Lawrence stated that as of yet no cost sharing had been allocated and that she would ensure that up date reports were made available to the Council.

It was moved by Councillor Benjamin, seconded by Councillor Tople

"THAT the Planning and Advisory Committee Report be received."

Motion Carried.

Warden Lawrence outlined the items in the report.

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

"THAT a Public Hearing be held on September 22, 1980 concerning rezoning application 18-80 request to rezone the lands of George Armoyan from R-1 to C-2."

Motion Carried.

The next item dealt with the decision of the Provincial Planning Appeal Board on the Rezoning Application on the lands of Freda A. Shaffer at 937 and 939 Herring Cove Road from R-2 to C-2 be granted by County Council. The Warden stated that this item was for information only.

Councillor Topple stated that the points made in the report as to what restrictions were on Ms. Shaffer were almost contract zoning. Councillor Topple stated that it was interesting to note that the County could not enforce these restrictions. He asked the Solicitor if he would like to comment on the implications to the County.

Mr. Cragg stated that as he read the decision there were two directions the Board could take. The first is a direction to the Municipality to amend its own By-Law granting the applicant the C-2 zoning. Secondly, the Provincial Government for the authority to carry out the restriction if the applicant does not do what the Board has directed to do.

Councillor Baker stated that he was happy with this decision as it was in his district.

Councillor Deveaux noted that someone had to take some steps before this is rezoned. He stated that as he read the decision that the conditions would have to be carried out before rezoning could take place.

Mr. Cragg stated that he believed that all the Council could do was to rezone it without conditions and leave the conditions to the time when the building application was requested.

Councillor Stewart voiced the opinion that the County should inform the Planning Appeal Board that the County could take action only on part of this decision and that we delay the rezoning until the matter of the legal clauses was cleared up. He also stated that he felt the Provincial government was not aware they were to be responsible for the supervision of these clauses.

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

"THAT a letter be sent to the Provincial Planning Appeal Board stating that the Council feels unable to follow the instructions given due to the conditions attached, and further requesting clarification of the County's legal position in this matter."

Motion Carried.

Councillor MacDonald asked Mr. Cragg whether or not the applicant was

compelled to put a new building on this site if the rezoning went ahead. Mr. Cragg stated that work had to be completed no later than December 31, 1980.

It was the feeling of Council that this would be opening the door to other applicants that had rezoning applications denied to make appeals that the Provincial Planning Appeal Board would have to consider and approve.

There was fear that if the land was sold that any function legal under C-2 zoning could be carried on. Mr. Cragg stated that it was his belief that if the land was sold or the conditions were not met that this land would remain C-2 but not usable as any other function than had been stated in the conditions.

Warden Lawrence introduced the Notification of Amendments to the Zoning By-Law, Municipality of East Hants, under Section 36(2) of the Planning Act. She gave the details of the Public Hearing to be held and stated that this was for information purposes only.

The next item concerned the Proposed Amendment to the Regional Development Boundary, Kearney Lake area. Warden Lawrence stated that the recommendation of the Planning Department was to object to the proposed amendment.

Councillor Stewart asked what the rationale was behind Halifax's annexation of a portion of the County if the boundary were amended. Mr. Birch replied that Halifax staff would apply for annexation due to the fact that if development was to take place servicing would come from the city. Councillor Stewart asked what areas would be involved. Mr. Birch indicated with the use of a map.

It was moved by Councillor MacDonald, seconded by Councillor Topples:

"THAT the Municipality object to the proposed amendment to the Regional Boundary for the reasons stated by the Planning Department Report."
Motion Carried.

Mr. Birch stated that at the present time the Planning Department was not recommending rejection only an objection. This was to the County's advantage as the County would have the right to have it examined before the Planning Appeal Board could make its decision. The possible impact of a shopping centre on that site necessitates the objection.

Warden Lawrence introduced the next item concerning the Municipal Development Plan Preparation. This item was a memo from Mr. Birch, to Councillor Topples as Chairman of the Planning and Advisory Committee. Warden Lawrence stated that it was the recommendation of the Planning Advisory Committee to consider the suggestions in the memo for approval in order that a meeting of the Planning Advisory Committee and the Urban Area Councillors be initiated.

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

"THAT the report be received and that the suggestion in this memo be approved in order that a meeting between Planning and Advisory Committee and the Urban Area Councillors be initiated."
Motion Carried.

Warden Lawrence introduced the items on the Supplementary Report of the Planning Advisory Committee. Warden Lawrence stated that it was the recommendation of the Planning Advisory Committee that the approach given by the Minister concerning public participation in the Regional Development Planning is acceptable without any limit to the names submitted.

It was moved by Councillor Topples, seconded by Councillor MacDonald:

"THAT Council accept the approach given by the Minister concerning public participation in the Regional Development without any limit to the names in order that every Councillor have a fair chance of making recommendations for the appointment."
Motion Carried.

It was decided that all Councillors would submit any recommendations to Warden Lawrence and she would forward these to the Minister.

Warden Lawrence introduced the matter of Mr. Wilson's review of the Auditor's Report for the year ended December 31, 1979. Mr. Wilson outlined his summary of the Auditor's Report pointing out specific areas of interest. Mr. Wilson recommended that Council accept the Auditor's Report.

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

"THAT the Auditor's Report be accepted."
Motion Carried.

Councillor Williams stated that he believed that it was time to take a look at the County's program, especially concerning Education and Social Services. He felt that Mr. Wilson and the Chief Administrative Officer should review these two areas particularly. Warden Lawrence stated that this was one of the main reasons that a submission should be made to the Commission on Public Education Finance.

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

"THAT Council commend Mr. Wilson on the prompt delivery of financial statements and the satisfactory state of them."
Motion Carried.

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

"THAT the Policy Committee Report be received."
Motion Carried.

Mr. Meech outlined the Policy Committee Report.

Mr. Meech stated that the first item concerned the suggestion of the Policy Committee that they arrange a meeting with the Minister of Municipal Affairs to discuss the problems of the County particularly with the regulations governing annexation and incorporation.

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

"THAT a meeting be arranged with the Minister of Municipal Affairs to discuss the problems faced by the County of Halifax at the present time and further that the regulations governing annexation and incorporation be reviewed in an attempt to bring about a fair means of dealing with either case."
Motion Carried.

Mr. Meech outlined the second item.

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

"THAT the Policy Committee be directed to proceed with a review of the Sewer By-Law in an attempt to make a proposal on specific amendments to the Sewer By-Law to be submitted to the Minister of Municipal Affairs for his consideration."
Motion Carried.

Councillor Deveaux asked who would have input to this review. For example, would it be both Councillors and legal counsel. Mr. Meech stated that input would come from both parties.

Mr. Meech outlined the discussion which had taken place at Policy Committee concerning the Committee Structure and a possible review.

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

"THAT a review of the Committee Structure be put on the Agenda for the September 16, 1980 Council Session."
Motion Carried.

It was felt by a number of Councillors that the staff estimation of the Committee structure would be valuable in ascertaining the worth of the Committees presently in place. Mr. Meech stated that this could be an initial meeting to ascertain if the problems occurring were fundamental problems or could be corrected easily.

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

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

Mr. Meech outlined the items in the Supplementary Report of the Policy Committee. The first item concerned sending representatives to the International Conference on Oil and the Environment.

It was moved by Councillor Toppie, seconded by Councillor Wiseman:

"THAT the recommendation from Policy be amended to include Mr. Keith Birch, Chief of Planning and Development as well as Mr. Ken Meech, Chief Administrative Officer and Councillor MacKenzie to represent the County at the International Conference on Oil and the Environment."

Motion Carried.

Warden Lawrence outlined the next item on the Supplementary Report concerning the Waverley Water Supply.

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

"THAT Council approve the water supply service to the Waverley area and further that the Committee would also recommend that a written request go to the Province requesting that they confirm the 85% cost sharing on the project."

Motion Carried.

Warden Lawrence stated that this would be dependent upon the reaction received from the Plebiscite which is to be held on the matter.

Councillor Benjamin explained the type of system that would be installed in the area.

Mr. Meech stated that this system would be connected to the other systems in place now and those that are presently going in place.

Councillor Benjamin gave details on the Public Meetings to be held on this matter in which the concerns of the residents would be heard.

Mr. Meech introduced an additional item to the Policy Committee report concerning an expansion to the Sheet Harbour Fire Department.

It was moved by Councillor MacKenzie, seconded by Councillor McCabe

"THAT the Municipality advance a loan of \$50,000 for the proposed extension to the Sheet Harbour Fire Department building."

Motion Carried.

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

"THAT the report be received as corrected by Deputy Warden Poirier."

Motion Carried.

The correction made to the report was that in the award of the Lakeside Timberlea Services Tender, Contract No. 78530C the low bidder was Harbour Construction rather than Casavechia as stated in the report.

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

"THAT the Lakeside-Timberlea Services Tender, Contract No. 78530B be awarded to the low bidder, Casavechia, and the Lakeside -

Timberlea Services Tender Contract No. 78530C be awarded to the low bidder, Harbour Construction."
Motion Carried.

Mr. Meech stated that the Sidewalk Program would be cost shared more fully by the Department of Transportation.

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

"THAT the Sidewalk Program, Sackville be awarded to the low bidder, Municipal Spraying and Contracting."
Motion Carried.

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

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

Mr. Meech outlined the item contained in the Supplementary Report of the Management.

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

"THAT approval be given to the execution of the three party agreement involving the Municipality of the County of Halifax, Municipal School Board and Edward L. DeYoung granting approval for Mr. DeYoung to connect his home residence to the sewer line servicing the Tallahassee School."
Motion Carried.

Councillor Deveaux voiced his joy over having this brought before Council and made an appeal for support.

Mr. Cragg related to the Council with regard to the application by the City of Halifax to the Supreme Court to have the PSC lands which have been traditionally assessed to the County, to be assessed to the City of Halifax. This matter was heard several weeks ago. It basically came down to two questions. One was the interpretation of Section C-H of the Assessment Act, which states that property of every city, town or municipality if occupied or used for the purposes of such excepting nevertheless, property owned, operated or managed by a city, either directly or through the medium of a Board or Commission for the purpose of producing transportation, or delivering or furnishing water, electricity or power shall be assessed and taxed by that city, town or municipality. Section 26 says the opposite, property shall be assessed in the town or municipality in which it is located on the day of forwarding the assessment roll to the Clerk. The City of Halifax, feeling that the PSC was a body owned and operated by the City, made this application. However, we were successful in receiving a decision contrary to the feeling of Halifax.

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