

Request for a District Capital Grant--District 14

Mr. Kelly presented the report requesting a district Capital Grant in the amount of \$1,000 for improvements to the Grand lake Fire Department. This item was recommended by Policy Committee for approval.

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

"THAT Council approve the request for District Capital Grant in the amount of \$1,000 for the Grand Lake Fire Department for improvements."
Motion Carried.

Request for District Capital Grant--District 9

Mr. Kelly presented the report requesting a District Capital Grant in the amount of \$2,080 for construction of a recreational playing field in the Nathan Smith Park. It was recommended for approval by the Policy Committee.

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

"THAT the District Capital Grant in the amount of \$2,080 be approved for the construction of a recreational playing field in the Nathan Smith Park for District #9."
Motion Carried.

Request for District Capital Grant--District 10

Mr. Kelly presented the report requesting a District Capital Grant in the amount of \$7,000 for construction of a recreation and playing field in Musquodoboit Harbour on land owned by the Eastern Shore Recreation Commission. This grant was recommended for approval by the Policy Committee.

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

"THAT the District Capital Grant in the amount of \$7,000 to construct a playing field in Musquodoboit Harbour on lands owned by the Eastern Shore Recreation Commission be approved by Council."
Motion Carried.

SUPPLEMENTARY POLICY COMMITTEE REPORTRequest for District Capital Grant--Districts 12 and 13.

Mr. Kelly presented the report requesting a District Capital Grant in the amount of \$21,000 for the Middle Musquodoboit Bicentennial Theatre and Cultural Center for construction. This request was recommended for approval by the policy committee on the basis of a two year allocation of the funds.

It was moved by Councillor Reid, seconded by Councillor Snow:

"THAT Council approve a grant in the amount of \$21,000 for capital improvements to the Middle Musquodoboit Bicentennial Theatre' and Cultural Center for Districts 12 and 13 to be granted over a two year period. The grant for District 12 will be 15,000 and District 13 will receive 6,000."
Motion Carried.

County Flag

Mr. Ardley presented a prototype of the proposed County Flag, in the standard 4'x6' size for the Councillors to examine and give their opinion on the colours, size, etc. Mr. Ardley indicated it would take approximately 4-6 weeks to acquire the flag.

Councillor McInroy inquired if the crest would be enlarged. Mr. Ardley indicated it would be increased proportionally.

Warden MacKenzie indicated a desire to have the new county flag for the official opening to the additions of the County Building. Councillor MacKay asked if the cost of \$500 to \$1,000 was simply for the artwork, set-up, etc. Mr. Ardley indicated this cost would be based on volume. Councillor MacKay indicated he felt there were better ways to spend the tax payers money.

Councillor MacDonald asked Mr. Ardley if the green vertical stripes were the actual size which they would be on the flag. Mr. Ardley indicated depending on the size of the flag the stripes would be proportionally larger or smaller.

Councillor Baker inquired what type of material would be used to manufacture the flag. Mr. Ardley indicated it would be, in all likelihood, nylon.

Councillor Lichter asked if the prototype had cost the County any money to this point. It was indicated that the prototype had been made up by staff members.

Councillor Eisenhower indicated his feeling was that he would prefer a solid white background with the crest and no borders. He indicated the County flag was too similar to the Canadian Flag.

Mr. Markesino indicated he had an artists' drawing of the prototype of the flag which he expected to be available this week to view. He indicated he would present the drawing at the Policy Committee Meeting Friday, May 4, 1984.

Councillor MacKay asked if there was a standing motion that we would be purchasing flags. Warden MacKenzie indicated that there was not. Councillor MacKay also stated that Council must consider the purchase of a flag pole to fly the flag from.

It was moved by Deputy Warden Adams, seconded by Councillor Snow:

"THAT the Municipality of the County of Halifax adopt an official flag for the County."

Councillor Wiseman inquired if anybody was able to develop a design for a flag and fly it. It was her understanding there would be some protocol involved in determining if the flag was a duplicate and so forth. Warden MacKenzie indicated he had asked Mr. Cragg if he knew of any procedure which should be used and the City of Sydney who also has their own flag would have the information.

Deputy Warden Adams also indicated that the Black Cultural Society would have that information as they have registered their own flag.

Motion Carried.

Councillor Mont asked for a point of clarification regarding the flag. He asked if the design which was presented by Mr. Ardley this evening had been accepted by Council or if the decision was left to the Policy Committee. Councillor Mont asked who would have final approval of the flag. Warden MacKenzie indicated he had expected this would be taken care of at the Policy Committee level.

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

"THAT the design for the County flag be approved by Policy Committee."

Motion Carried.

RESOLUTION--RE: CHRISTIE ROAD

Mr. Kelly presented the report on the portion of land which was acquired by the Municipality known as Christie Road. It was requested that Council approve a resolution for the purpose of roadway improvements.

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

"THAT Council approve the resolution regarding Christie Road stating:

WHEREAS the Municipality has acquired land at Christie Road for the purpose of roadway improvements;

BE IT RESOLVED THAT the Municipality transfer title of the lands to her Majesty the Queen, and further that the Municipal Solicitor prepare the appropriate deed for execution by the Warden and Municipal Clerk."

Motion Carried.

RESOLUTION--RE: EASEMENT MARITIME TEL AND TEL

Councillor Eisenhower and Councillor Larsen declared a conflict of interest and left the meeting.

Mr. Kelly presented the report requesting approval of an easement for Maritime Tel & Tel on the lands designated as parklands near Glendale Drive and Raymond Drive, Lower Sackville for the purpose of locating interface cabinets.

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

"THAT Council approve the resolution for easements for Maritime Tel and Tel, stating in part:

BE IT RESOLVED that the Municipality of the County of Halifax approved the easement of lands designated as parklands at or near Glendale Drive and Raymond Drive in Lower Sackville more particularly described in Schedule "A" annexed hereto for the purpose of Maritime Tel and Tel installation of interface cabinets, in the County of Halifax."

Councillor MacKay asked what an interface cabinet was. Mr. Meech indicated it was a mechanism which was located at the entrance to Craigmore Drive. Councillor MacKay indicated he would question the placement on a green area and the security of the cabinet located in a green area which may become the target of vandalism. Councillor MacKay indicated his opposition to the placement of the cabinets here.

Warden MacKenzie indicated he thought this interface cabinet would be in Councillor Wiseman's district. Councillor MacKay indicated the district line comes down Raymond Drive.

Councillor Mont indicated he had questioned this placement when an interface cabinet was to be placed in the green area in his district and there was no concern expressed by the Councillors at that time.

Councillor Wiseman stated the majority of the construction would be underground with the exception of a small box-like affair which is above the ground and is approximately 4'X 2.5'X12". Councillor Wiseman indicated she had been assured this interface cabinet would be virtually indestructible. Councillor Wiseman also indicated this would not affect the use of the walkway or the use of the green area.

Motion Carried.

RESOLUTION--RE: NOVA SCOTIA POLICE COMMISSION

Mr. Kelly presented the request from the Nova Scotia Police Commission requesting Council approve the appointment of individuals while employed with the SPCA. The purpose of this approval is to authorized these persons as by-law enforcement officers for the purpose of animal control.

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

"THAT Council approve the appointment of Laurie Campbell, Dennis Kane, Christopher Miller, and Jessica Hunt as By-Law Enforcement Officers and that Council rescind the appointment of Robert Cutmore as a By-Law Enforcement Officer."
Motion Carried.

Deputy Warden Adams inquired what the function of these individuals was with the SPCA. It was indicated they implement the agreement and enforce the animal control by-laws.

TABLING OF FINANCIAL STATEMENTS

Warden MacKenzie indicated that the financial statements were to be tabled.

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

"THAT this item be tabled."
Motion Carried.

ADDITIONS TO THE AGENDA

Old Schools--Councillor Larsen

Councillor Larsen indicated he had introduced this item as a result of the various groups now leasing the school property saying the buildings are in need of repair and he asked if the green belt funds would be available for this type of maintenance.

Mr. Meech indicated that the money which was generated through this fund is provided for under the Planning Act and relates to the subdivision regulations. As Mr. Meech indicated he understood the fund it was for the purchase of or improvements to open space lands, parkland or recreational properties. This request indicates a necessity to determine if the buildings in question meet the criteria of this fund.

Councillor Larsen indicated the schools he was considering were Seabright, Tantallon and Glen Haven and are becoming quite a problem. Councillor Larsen indicated the group in Seabright had received some federal Government funds and have completed some work on that building.

Councillor Larsen asked if the old school properties were sold, where is the money directed. Mr. Meech indicated that he didn't feel any properties had been sold for a while but that it would go into a special reserve account which would require a resolution approved by Council and the subsequent approval of the Minister.

Councillor Larsen indicated one of the groups may be giving up the school and wanted to know what would happen to the monies on the sale of that property. Councillor Larsen indicated he felt that because District Capital Funds are used for the maintenance of these buildings, the proceeds from the sale of such buildings should be returned to the District's Capital Fund.

Councillor Larsen asked to have this matter referred to the Policy Committee and would like to have more information on the grant fund, what monies are in it and if they would be applicable to be used in this case.

Saint Mary's University--Councillor McInroy

Councillor McInroy indicated that the President of Saint Mary's University had withdrawn the university from the Atlantic Conference of the CIAU Basketball Program. Councillor McInroy indicated he was very disturbed by this announcement and the impact of this decision would be very widespread. He further stated that some of the young persons in high school who would be choosing a university, based on sports programs available, would not be looking at Saint Mary's any longer and would have a major effect on their future. Councillor McInroy indicated he felt this decision would reflect poorly on the Metro area and the County as a whole.

Councillor McInroy proposed a resolution stating:

"WHEREAS the recent decision by the President of Saint Mary's University to withdraw the University's basketball team from the Atlantic Conference of the CIAU has a widespread negative impact on the residents of Halifax County and,

WHEREAS it is considered to be injurious to many people not associated with the recent difficulties involving the basketball program at Saint Mary's University;

THEREFORE BE IT RESOLVED that the Council of the Municipality of the County of Halifax convey its disappointment to the Senate and the administration of Saint Mary's University concerning the aforesaid decision and further request that the decision be reconsidered."

Motion Carried.

Public Hearing--April 30, 1984

Warden MacKenzie informed Councillor Bayers he would not be able to vote on this matter.

Councillor MacKay indicated there had been extensive debate last evening and only the vote on the motion be allowed.

The motion stated:

"THAT Section 2.15F of the Sackville Development Plan be amended by deleting the word "three" and substituting the word "two."
Motion Defeated.

ADDITION OF ITEMS TO THE NEXT COUNCIL SESSION

Councillor MacKay indicated he would like the topics of Senior Citizens Housing Administration and Education Act Area Rates.

Councillor Walker indicated he would like to have the topic of John A. MacDonald Senior High School added to the agenda. Mr. Kelly indicated he had written to the department of Education and had not received a response.

There being no further business, the meeting was adjourned.

COUNCIL SESSION MINUTES

May 15, 1984

PRESENT WERE: Warden MacKenzie, Chairperson
Deputy Warden Adams
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor DeRoche
Councillor Gaetz
Councillor Bayers
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhower
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. Robert Cragg, Solicitor
Mr. Keith Birch, Chief Planning and Policy

SECRETARY: Ms. C. Lynn Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order with the Lord's Prayer at 6:07 p.m.

ROLL CALL

Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT C.L. Weeks be appointed as Recording Secretary."
Motion Carried.

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

"THAT the Public Hearing Minutes of April 2, 1984 be approved as submitted."

Motion Carried.

It was moved by Deputy Warden Adams, seconded by Councillor DeRoche:

"THAT the Public Hearing Minutes of April 16, 1984, be approved as submitted."

Motion Carried.

ADDITIONS TO THE AGENDA

Councillor MacKay requested that declarations of intent prior to Public Hearings be added to the agenda.

DEFERRED ITEM--SHEET HARBOUR SWIMMING POOL COMPLEX

Warden MacKenzie welcomed the representatives from all three organizations submitting proposals for the swimming pool complex.

Mr. Cleveland representing the Sheet Harbour Lion's Club presented the proposal indicating the various uses the club intended to use the facility to accommodate. Mr. Cleveland also indicated this proposal was for the sale of the building for \$1.00 (one dollar).

Councillor Margeson asked Mr. Cleveland to clarify what he meant by activities for youth organizations. Mr. Cleveland indicated he meant recreational activities for those youths under the age of nineteen and would include such activities as roller skating, dances, etc.

Councillor DeRoche indicated the County had had to modify their requests for proposals as a result of some legal advice received from the County's Solicitor and the building would only be available for lease. Councillor Mont asked Mr. Cleveland if the Lion's Club would be willing to lease the building. Mr. Cleveland indicated to the Council he would have to consult with the other members of the Lion's Club to ascertain this information, and he was not in a position to state at this time if a lease would be a satisfactory arrangement.

Mr. Bill Mont from Imperial Investments presented his submission to Council indicating he would be willing to purchase the building outright for \$35,000 or to lease the building for \$1,000 per month until the County had received \$100,000. He also stated it was not his intention to compete with the service organizations and would be willing to withdraw his offer if either the Lion's Club or the Native Council were prepared to take over the same options as he put forward.

Councillor MacDonald inquired if Mr. Mont's bid was successful what did he intend to do with the building. Mr. Mont indicated he would be doing something similar to the Lion's by providing a recreational facility in the complex. He further indicated he would like to eventually use the pool area if it could be self-sufficient.

Councillor McInroy requested that Mr. Mont confirm his offer would be \$35,000 cash or \$1,000 per month on a lease basis up to a maximum amount of \$100,000 being received by the County. Mr. Mont confirmed this.

Warden MacKenzie indicated it showed in the staff report the proposal from Imperial Investments was 14 days late and asked why Mr. Mont felt his proposal should still be accepted. Mr. Mont indicated he had had some difficulty in acquiring copies of the plans of the building from staff. Warden MacKenzie inquired if Mr. Mont knew which staff member he was dealing with. Mr. Mont indicated it was the Property Manager.

Councillor DeRoche inquired what specific purpose Mr. Mont would be using the building for. Mr. Mont indicated it would be used for recreational purposes similar to what the Lion's Club had planned.

Councillor DeRoche asked if Mr. Mont thought there would be a market in the area for this type of use. Mr. Mont indicated the market would not be in the immediate area but would be, in fact, servicing the whole Eastern Shore area.

Councillor Walker asked it was possible to accept the Lion's Club proposal. Mr. Cragg indicated it was not so much the fact the building could not be sold, but rather, that the County must be seen to be receiving a fair market price for the premises and the Municipal Act was very clear on this point. Warden MacKenzie asked if it would be possible to lease the property for a twenty year period. It was indicated by Mr. Cragg it would be possible.

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

"THAT staff enter into negotiations with the Sheet Harbour Lion's Club for lease of the Swimming Pool Property."

Councillor Wiseman indicated the Native Council of Nova Scotia had made a proposal and she felt it was very unjust of the Council not to consider this proposal during debate as the proposal was to lease which was in compliance with the present requirements stipulated by the County's Solicitor if fair market value was not to be given for the property.

Councillor MacKay stated he felt Council should make a decision as soon as possible, and he was supportive of the proposal to lease. Councillor MacKay also indicated he would not want a particularly long lease period.

Councillor MacDonald indicated he felt one proposal was equal to the other with regard to both the service groups and the intended use would be basically the same and therefore it was very difficult to come to an equitable decision. Councillor MacDonald recommended this matter be forwarded to staff for study and further information to come back to council.

Warden MacKenzie indicated staff had already studied this matter and Council chose not to accept their advice.

Councillor McInroy indicated that he had no difficulty in supporting the motion on the floor because of the long and successful track record of the Lion's Club.

Councillor MacDonald asked if the Lion's Club would be able to inform Council if they would be willing to lease. Warden MacKenzie asked Mr. Cleveland if they could answer this question. Councillor Lichter brought a point of order forward indicating he was not in agreement with hearing further from the Lion's Club at this point. Councillor Margeson indicated it had been stated to him by Harry Cleveland that the greatest emphasis had been put on sale of the building because this is the way the advertisement had been placed in the paper. Councillor Margeson also stated the Lion's would be quite willing to lease the property on a five year lease basis subject to renewal. Councillor Margeson further stated that with the agreement of Council the questions could be answered as the people involved were in the chambers and that deferring the issue would serve no purpose.

Warden MacKenzie indicated if there was one person opposed to hearing from the Lion's Club then they could not be heard as the agreement had to be unanimous.

Councillor Mont stated he specifically asked Mr. Cleveland if the Lion's were prepared to lease the premises and Mr. Cleveland answered it would be necessary for him to check back with the club. Councillor Mont also indicated it was unfortunate two worthy community groups who have similar interests and desire to develop the complex could not use the property for a period of time in conjunction with one another.

Councillor Mont amended the motion, was seconded by Councillor Wiseman:

"THAT included in the motion to negotiate with the Lions Club staff also be instructed to negotiate some use of the facility by the Native Council of Nova Scotia."

Councillor Mont spoke on a point of order and indicated the amendment did not change the intent of the motion but also instructed staff to carry those negotiations further so that some use for the Native Council would be provided for in the lease.

Councillor MacKay indicated he had difficulty with the intent of the amendment which seemed to suggest this would not be a negotiated arrangement by the groups involved and this may cause some difficulties if the situation was altered some time down the road through unforeseen circumstances. Councillor MacKay indicated he would not be supporting the amendment.

Councillor Poirier stated this arrangement dictated by the amendment would not be satisfactory to either group. The complex should be in the hands of one organization or the other, not both.

Councillor Lichter indicated he must see the situation in a different light than the other councillors, however, his opinion was the property could not be sold for one dollar and neither of the original proposals from these two groups was therefore valid. Councillor Lichter indicated he felt now there was only one organization who had offered to lease the premises in question and did not feel a re-negotiation process should take place as it would not appear to be fair. He also indicated he felt if re-negotiations were to take place it would be more equitable to have deferred this discussion. Councillor Lichter indicated he agreed with Councillor Mont that the last word he had heard from the Lion's Club was the representative would have to consult with the members of the Club to determine if they would be willing to lease.

Councillor Margeson asked for agreement from Council to hear the representative of the Lion's Club.

Amendment defeated.

Motion Lost (nine in favour, nine in opposition.)

Warden MacKenzie indicated he did not vote and indicated his reasons for not voting to members of council.

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

"THAT the Native Council of Nova Scotia be awarded a one year lease for \$1.00 (one dollar) for the property."

Councillor Eisenhower stated his position which supported the Lion's Club's acquisition of the property however, he needed to know the conditions of the lease. Councillor Eisenhower also indicated there was only one offer to lease made tonight although he did respect the amount of money and time the Lion's did put into the facility. Councillor Eisenhower also indicated he did not have all the information necessary to vote.

Councillor Margeson indicated the members of the Lion's club were available to answer the questions from Council members and again asked for agreement on this point. Warden MacKenzie asked for Council's wishes. It was not agreed by all members of Council to hear from the Lion's Club.

Councillor Margeson indicated he would be willing to put that point forward as a motion. Councillor DeRoche brought forward a point of order and indicated there was a motion on the floor and a second motion could not be entertained at this point.

Councillor Wiseman stated according to the agenda and according to the advice received from the Solicitor, there is only one choice Council could make and further it was stated in the report:

"Council members indicated that a one year lease of one dollar would be their offer for the building and the land" and this is exactly what had been determined by Council the offer should be. It was also stated at the meeting Council would maintain and repair the building during the initial one-year lease period and was willing to re-negotiate at the end of that lease for a longer term lease. Councillor Wiseman stated the motion now on the floor indicated the premises would be leased by the Native Council of Nova Scotia for a period of one year for the sum of one dollar. It had been suggested in the Council Chambers there would be various uses for that building by the Council, and it has also been determined there would be other uses of the premises by the Community. Councillor Wiseman stated the decision had been made to lease the property and the Native Council's proposal would be the only proposal in front of Council coinciding with that understanding.

Warden MacKenzie indicated the advertisement in the newspaper stated it would entertain proposals for lease or purchase of the premises. Warden MacKenzie indicated the proposal was made by the Lion's club on that basis and the information the property could not be purchased and had to be leased was not available until this evening.

Councillor Bayers indicated he had some questions about the motions which had been placed on the floor this evening.

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

"THAT this item be deferred until the next council session."
Motion Carried.

Councillor MacKay indicated it was his feeling something should be done regarding this situation during the interim between this session and the next Council Session.

Councillor Bayers asked this item be get back to Management Committee and from there it be recommended to staff to distribute some instructions on the resolutions which had been put forward.

Councillor Mont asked some input from the Recreation Department be requested.

Councillor DeRoche indicated he felt information should be requested by Management Committee to determine the fair market value of this property. Councillor DeRoche also stated the Council had been basing their debate this evening on a fair market value of half a million

dollars approximately, and this may not actually be anywhere near the value of the property.

It was agreed by Council this item go back to Management Committee for further consideration and a recommendation to Council.

Deputy Warden Adams took the chair for the Warden.

Deputy Warden Adams asked for Council's agreement to move forward the Supplementary agenda under the Policy Committee report.

SUPPLEMENTARY AGENDA--POLICY COMMITTEE REPORT

Mainstreet Program--Sheet Harbour

Mr. Kelly presented the report from Policy Committee indicating a request by the Sheet Harbour BIDC for an allocation of funds for the mainstreet program in Sheet Harbour in the amount of \$7,200. This request was recommended by the Policy Committee.

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

"THAT Council approve the allocation of funds for the Sheet Harbour Mainstreet Program in the amount of \$7,200."

Councillor MacDonald stated there were other submissions in for the Mainstreet Program and could Council be certain the other submissions would be honoured.

Mr. Meech indicated Councillor MacDonald was correct regarding other submissions to the Administration for grants to assist in the Mainstreet Program; however a report has been completed to aid in the determination of a policy for the County and will be submitted at the next session of the Policy Committee. Mr. Meech also indicated the reason Sheet Harbour was being considered at this time was due to the timing involved. Mr. Meech also stated there was a submission from Sackville requesting approximately \$23,000 in terms of the Municipal Contribution which must be dealt with. Mr. Meech stated he would want to treat all communities the same in terms of contributions from the Municipality.

Councillor MacDonald indicated the submission from Sackville had been available since March 30 and it may be both communities should be considered for grants at this time. Mr. Meech indicated if the Sheet Harbour proposal receives approval and the application for Musquodoboit Harbour was already approved, then Council would be at least committed in principle to this program.

Councillor McInroy asked if Sheet Harbour is limited by a deadline then wouldn't Sackville be governed by that same deadline. Mr. Meech stated the community had levied an area rate to ensure the program could be carried out. Mr. Meech also stated the Sackville proposal had been submitted to the Department of Development based on Council's approval

in principle. Councillor McInroy indicated he did not feel the Municipality should simply say we will pay 40 per cent of any mainstreet program in the County due to the costs which may be involved. He also stated it would be necessary, from his point of view, to have a policy. He also indicated he would not be supporting the motion if it would set a precedent in terms of providing a 40 per cent participation level on the part of the Municipality.

Councillor Wiseman indicated she would like clarification on the deadline. Councillor Wiseman also stated that the councillors for the community of Sackville had imposed an area rate to fund the 40 per cent requirement from the Municipality and when this decision was made it was understood a policy would be forthcoming to Council regarding cost-sharing. Councillor Wiseman indicated she would not be able to support this motion without having a policy in effect.

Councillor DeRoche asked if this would be the only allocation for 1984. Mr. Meech stated that was not his understanding of the resolution. Mr. Meech also stated very soon Council would be in a position to consider an overall policy and perhaps a certain number of dollars should be allocated each year in the budget for the Mainstreet Programs and Council would make some decisions regarding the allocation of these funds. Councillor DeRoche stated it was unfortunate this item was being considered now due to the fact a commitment had been made to Sheet Harbour in the past. Councillor DeRoche indicated that under these circumstances, he would not be able to support the motion on the floor.

Councillor MacKay asked if a similar resolution from Council could be put forward for the Sheet Harbour Mainstreet Program as was adopted by Sackville indicating approval in principle. Mr. Meech stated this application could be endorsed subject to making a final decision regarding how the \$7,200 would be provided at the Municipal level. Councillor MacKay indicated from his experience with the Mainstreet Program it would not be possible to apply for funds for a particular project, the funds had to be used for a long-range, overall, beautification program for the mainstreet. Councillor MacKay also stated he did not know where the funding would be available at the Municipal level as this item was not approved in the budget, and the Provincial deadlines have passed some time ago; with the Province receiving double the number of requests for funding that had been allocated in the budget for 1984. As a result of this situation Sackville had sent the Province a reduced budget for the Mainstreet Program.

Councillor MacKay indicated it was his feeling a resolution of intent would suffice.

Councillor Margeson stated when he had made a presentation some time ago on behalf of Councillor Wiseman, it was Council's unanimous decision to support the Mainstreet Program. Councillor Margeson also stated this had been supported by a number of decisions Council has made since that time.

Councillor Margeson moved to amend the original motion, seconded by Councillor Gaudet:

"THAT a grant of \$15,000 for the Mainstreet Program in the Community of Sackville also be included in the motion."

Councillor Poirier indicated it was unfortunate the representatives from Sheet Harbour were not available to elaborate on this project. Councillor Poirier indicated this item should be dealt with individually and deal with Sackville at a later date. Councillor Poirier stated this project would be of great benefit to the Sheet Harbour area, but it would also benefit the entire Eastern Shore area. Councillor Poirier also stated it was time something was given to the rural portion of the County.

Councillor Margeson stated Council had endorsed the Sheet Harbour Mainstreet Program when a presentation had been made to Council some time ago. Councillor Margeson indicated he would have no hesitation in supporting the motion on the floor.

Deputy Warden Adams indicated this was so, and he was also in agreement with Councillor Margeson's viewpoint. Deputy Warden Adams indicated Council should be centering their debate around the amendment to the motion.

Warden MacKenzie stated the reason for the requested expediency of the decision of Council was due to the fact the building itself would be demolished if a decision in favour of support of this project was not reached. Warden MacKenzie also indicated this would be the only request and it was not specifically to move this building but a request for the overall Mainstreet Program of which moving the building is a portion of the program. Warden MacKenzie indicated it is necessary for Council to support the Mainstreet Program for any area. He also stated it would be necessary to have a policy and not deal with every community in the County at the same time as it would be more than could be handled by the County from a financial viewpoint. Warden MacKenzie stated the Province was inputting a considerable amount of financial assistance to this program, and it is incumbent on the County to provide some funding for this program. Warden MacKenzie asked Council to support this request.

Councillor Wiseman spoke in support of the amendment allowing the communities to negotiate some type of assistance for this program.

Councillor Bayers indicated he supported Councillor Wiseman's view and he also supported the main motion due to the time factors involved in this case. Councillor Bayers stated there must be a policy put into place. Councillor Bayers indicated he had inquired if there would be further funding requested by Sheet Harbour for 1984, and it was indicated there would not be any further requests once the funds allocated to the area had been received.

Councillor Wiseman spoke on a point of information and stated the project for the Sackville area had been submitted and the full cost of the project to the Municipality is \$15,000.

Councillor DeRoche stated as there was no policy at the present time, the present amendment would establish a policy establishing three districts in the area presently involved in the Mainstreet program and a further policy would be developed at a later date to govern the other areas which may in the future apply for funding. Councillor DeRoche stated his concern if a policy was developed at a later date what may result is unequal treatment from one area now involved in a mainstreet program and an area coming into the program after the policy has been developed. Councillor DeRoche indicated he would not be supporting the amendment.

Councillor MacKay stated due to the fact Sackville was actually three districts and not one the request was not out of line.

Amendment Carried.

Amended Motion Carried.

The Warden took the Chair.

LETTERS AND CORRESPONDENCE

Mr. Kelly presented the correspondence received from the Department of Municipal Affairs concerning the Provincial Subdivision Regulations indicating when the Provincial Subdivision Regulations would be approved and the action taken by the Province at this point.

Mr. Kelly indicated he had received a second letter from the Department of Municipal Affairs indicating some concerns regarding the draft by-law and these concerns will be addressed by the Province with the Municipal Planning Staff.

Councillor Lichter indicated he was pleased approval would be forthcoming on the Provincial Subdivision Regulations and went on to discuss the second letter received by Mr. Kelly. Councillor Lichter indicated the language of the draft by-law was not in the same language as the Provincial Subdivision Regulations and the Planning Act and some adjustment must be made. Councillor Lichter stated in Paragraph 2. enabling legislation was not available from the County and in the event it was necessary this section would be deleted until the enabling legislation could be passed and the by-law would be presented to Council for amendment at a later date.

It was moved by Councillor DeRoche, seconded by Deputy Warden Adams:

"THAT the two letters from the Department of Municipal Affairs be received and referred to PAC for information and any action which would be appropriate."
Motion Carried.

SUPPLEMENTARY AGENDA--CORRESPONDENCERenovations to Sir John A. MacDonald High School

Mr. Kelly presented the letter from the Department of Education indicating the Department of Education did not specifically approve funding for repairs to the gymnasium floor at Sir John A. MacDonald School.

Councillor Walker indicated it was his goal to have the gymnasium floor repaired at the high school and;

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

"THAT the District School Board give priority to necessary repairs of the Gymnasium floor at Sir John A. MacDonald High School in this year's budget."
Motion Carried.

PLANNING ADVISORY COMMITTEE REPORTRezoning Application No. RA-CH/W-10-84-21

Mr. Kelly read the report requesting rezoning of the lands of Murray Ritcey and Lorne Ritcey, Lot B1-B located at 1233 Cole Harbour Road from R-1 to C-2. The purpose of the request was to demolish the existing single unit dwelling and construct a more suitably designed building for commercial use. The exact use of the commercial establishment has not yet been determined. This request was recommended for approval.

It was recommended by PAC to approved the application and to request a public hearing for June 11, 1984.

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

"THAT a public Hearing be held June 11, 1984, as requested."

Councillor Mont requested that Council consider another date for the hearing due to the fact he would be out of town on that date and this hearing is relating to his district.

Mr. Birch suggested June 25 would be the next available date for the Public Hearing. Councillor Mont indicated this date would be satisfactory. It was agreed by the mover and seconder to change the date of the Hearing to June 25, 1984.

"THAT a Public Hearing be held June 25, 1984, for this application."
Motion Carried.

Proposed Development Agreement No. DA-SA-01-84-16

Mr. Kelly presented the report indicating an agreement between the Municipality and Rodger and Marion Levy of Lower Sackville for the

general salary increase approved annually by Municipal Council has applicability only to the general administrative departments of the Municipality and is intended as a guide for other Municipal Agencies, i.e. Ocean View Manor, Rehab Center, Library Board.

The Management Committee also recommend to Council in response to the letter from the Chairman, Board of Management, Ocean View Manor, the Board of Management be informed of the policy which has been adopted by the Municipality, and that the Committee further advise the Board of Management, the Municipality is not willing to fund any additional percentage increase over and above that recommended by the Department of Social Services if these percentage increases require Ocean View Manor to operate in a deficit position.

Councillor Margeson inquired why management was stipulating policy in this instance. Mr. Meech indicated this matter would normally be within the jurisdiction of the management committee dealing with administrative policy and it was in-line with the present policy in this regard.

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

"THAT the general salary increase approved annually by Municipal Council has applicability only to the general administrative Departments of the Municipality, and is intended as a guide for other Municipal Agencies, i.e. Ocean View, Rehab Center, and Library Board."

Councillor McInroy stated he felt the last line in the second recommendation should be deleted.

Motion Carried.

It was moved by Councillor McInroy, seconded by Councillor Mont:

"THAT in response to the letter from the Chairman, Board of Management Ocean View Manor, that the Board of Management be informed of the policy which has been adopted by the Municipality, and that the Committee advise the Board of Management, the Municipality is not willing to fund any additional percentage increase over and above that recommended by the Department of Social Services."

Councillor Margeson indicated he did not feel there should be any disparity in the percentage increase granted to Municipal employees in any of the agencies. Mr. Meech indicated that historically Ocean View Manor did not grant the same increases to their staff as was granted to the Municipal employees working specifically for the County.

Councillor McInroy indicated the Chairman of the Board had specifically requested the percentage increase remain at five per cent for the employees of Ocean View Manor and this one per cent will not be included in the cost-shared funding for Ocean View Manor but must be

born by the Municipality and the County has some obligation to make it perfectly clear where Council stands on this issue.

Councillor Mont indicated he was in opposition to increasing the budget for Ocean View Manor to five per cent in light of the directive from the Provincial Department of Social Services.

Motion Carried.

POLICY COMMITTEE REPORT

Request for District Capital Grant--Districts 16, 19, and 20

Mr. Kelly presented the report from Policy Committee recommending for approval a request for a District Capital Grant in the amount of \$3,000 for Districts 16 (\$500), 19 (\$2,000) and 20 (\$500) for aid in the cost of erecting a cabin for the Sespenaak Scout Pak at the Miller Lake Scout Camp.

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

"THAT a district Capital Grant in the total amount of \$3,000 (District 16-\$500; District 19-\$2,000; and District 20-\$500) be granted to Districts 16, 19, and 20 for the erection of a cabin for the Sespenaak Scout Pack at the Miller Lake Scout Camp."

Councillor Bayers asked if this was County owned property. Councillor MacDonald stated this property was owned by the Province.

Motion Carried.

Request for District Capital Grant--District 3

Mr. Kelly presented the report requesting a District Capital Grant for District 3 in the amount of \$2,500 for improvements to the Shel Drake Lake Recreational Park. It was recommended by Policy Committee for approval by Council.

It was moved by Councillor Larsen, seconded by Councillor Gaudet:

"THAT A District Capital Grant in the amount of \$2,500 be granted to District 3 for improvements to the Shel Drake Lake Recreational Park."

Motion Carried.

Request for District Capital Grant--District 13

Mr. Kelly presented the report requesting a District Capital Grant in the amount of \$4,946 for District 13 for the purchase of communications equipment for Gays River, Cooks Brook, Lake Egmont Volunteer Fire Department. It was recommended by Policy Committee for approval by Council.

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

"THAT a District Capital Grant, District 13 in the amount of \$4,946 be approved for the purchase of communications equipment for Gays River, Cooks Brook, Lake Egmont Volunteer Fire Department."

Motion Carried.

Request for District Capital Grant--District 5

Mr. Kelly presented the report requesting a District Capital Grant for District 5 in the amount of \$5,000 to purchase a rescue van for the Harrietsfield Volunteer Fire Department. Policy Committee recommended the request for approval.

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

"THAT a District Capital Grant, District 5 in the amount of \$5,000 be approved to purchase a rescue van for the Harrietsfield Volunteer Fire Department."

Motion Carried.

Request for District Capital Grant--District 17

Mr. Kelly read the report requesting a District Capital Grant for District 17 in the amount of \$7,800 to erect fencing on public walkways in six locations in Cole Harbour. It was recommended to Council for approval by the Policy Committee.

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

"THAT a District Capital Grant, District 17 in the amount of \$7,800 be granted to erect fencing in six locations in Cole Harbour."

Motion Carried.

Request for a District Capital Grant--District 14

Mr. Kelly presented the report requesting a District Capital Grant for District 14 in the amount of \$3,000 for capital improvements to the Fire Hall property including paving and landscaping, for the Lakeview, Windsor Junction, Fall River Volunteer Fire Department. This request was recommended to Council for approval by the Policy Committee.

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

"THAT a District Capital Grant, District 14 in the amount of \$3,000 be granted for capital improvements to the Fire Hall Property for the Lakeview, Windsor Junction, Fall River Volunteer Fire Department."

Motion Carried.

Request for District Capital Grant--District 19

Mr. Kelly presented the report requesting a District Capital Grant for District 19 in the amount of \$709.03 for the purchase of tables for the Springfield Lake Recreation Association. This request was recommended by Policy Committee for approval.

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

"THAT a District Capital Grant, District 19 in the amount of \$709.03 be approved for the purchase of tables for the Springfield Lake Recreation Association."
Motion Carried.

Councillor MacKay asked Council to consider a request from District 16 for the construction of a Tourist Bureau and Mainstreet Co-ordinator's office.

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

"THAT a District Capital Grant, District 16 in the amount of \$1,500 be approved for the construction of a Tourist Bureau and Mainstreet Co-ordinator's Office."

Councillor MacKay indicated this request was coming forward in this way was prior approval had been granted for \$4,500 and any additional funds would come from District 16. Councillor MacKay indicated the building was complete and now being occupied. Councillor MacKay indicated the \$1,500 was for the cost over runs which were incurred for this project.

Motion Carried.

Garbage--Energy Conversion--Proposed Study

Mr. Kelly presented the report requesting the County's participation in a proposed study to convert garbage into a useable form of energy. The cost of the study is estimated at \$100,000 and was recommended for approval by the Policy Committee.

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

"THAT the Council approve endorsement of the Study to be completed by the Metropolitan Authority for the purpose of examining the feasibility of converting garbage into a useable form of energy."
Motion Carried.

METROPOLITAN AUTHORITY REPORT

Councillor Mont presented the report and indicated that the Metropolitan Authority was moving on having a feasibility study done on having a second transfer station put in place in Dartmouth.

Councillor MacKay asked if a date had been set for people to go to the Sackville Land Fill Site to examine the changes which have been implemented there. Councillor Mont indicated the visitation was set for Tuesday, May 22, for residents, councillors, etc. to attend.

Councillor Margeson indicated there was an incinerator located in Tuft's Cove in Dartmouth which would be ideal for this purpose.

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

"THAT this report be received."
Motion Carried.

RESOLUTION

Mr. Kelly read the resolution.

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT the resolution stating in part:

WHEREAS THE Council of the Municipality of the County of Halifax (the "Council") by expropriation No. 2257 dated October 25, A.D., 1972, the Municipality herein expropriated an easement at Colby Drive, Cole Harbour, Halifax County over the lands of Clayton Developments for the purpose of pressure sewer main installation, which expropriation was filed in the Registry of Deeds office for the County of Halifax, on October 27, A.D., 1972;

AND WHEREAS the Council is of the opinion that the pressure main is located in the road right of way of Colby Drive, and therefore, the land so expropriated is now no longer required;

THEREFORE BE IT RESOLVED that the Council hereby abandoned the expropriation which was filed in the Registry of Deeds office for the County of Halifax on October 27, A.D., 1972 on Colby Drive be adopted by Council."
Motion Carried.

BUILDING INSPECTOR'S REPORT--LESSOR SIDEYARD CLEARANCES

Mr. Kelly presented the report requesting lessor side yard clearance of four feet for Brian Allaway, White Birch Place, Tantallon Woods, Tantallon. The request was the result of the architectural design which, if altered, would require the addition to the building to block existing windows.

It was moved by Councillor Larsen, seconded by Councillor Snow:

"THAT the lessor sideyard clearance for the property of Brian Allaway be granted."
Motion Carried.

Mr. Kelly presented the report from Ted Tam, Assistant Director, Engineering & Works, requesting lessor sideyard clearance for the purpose of erecting a building to be used as a pumphouse, Bo-Mont Subdivision.

It was moved by Councillor DeRoche, seconded by Councillor Snow:

"THAT this application be approved for lessor sideyard clearances to erect a pumphouse for the residents of Beaumont Subdivision."
Motion Carried.

SALE OF LAND

Mr. Kelly presented the report indicating council was requested to approve sale of land which was the former Lakeside Fire Department Property in Lakeside.

It was moved by Councillor Larsen, seconded by Councillor DeRoche:

"That Council approve the resolution for the Sale of the former Lakeside Fire Department Property, stating in part:

WHEREAS by Section 134 (2)(b) of the Municipal Act, it is enacted that the Municipality of the County of Halifax may, without the consent of the Minister of Municipal Affairs where the value of the property is deemed to be less than Twenty-Five Thousand Dollars, (\$25,000), sell real property no longer required for the use of the Municipality;

AND WHEREAS it is deemed expedient to sell the property known as civic number 1559 St. Margaret's Bay Road and more particularly described in Schedule "A" attached hereto;

AND WHEREAS the property referred to herein was formerly used as the Lakeside Fire Department Building and Hall and the aforesaid Lakeside Fire Department has declared that it is no longer so required as a as a new structure has recently been constructed and occupied by the Lakeside Fire Department and the aforesaid Lakeside Fire Department has no use whatsoever for the property;

AND WHEREAS the Municipality has determined that the highest and best offer for the property in question is the sum of Eighteen Thousand Four Hundred Dollars (\$18,400.00) on the understanding that the purchaser of same will be fully responsible for any local improvement or betterment charges including, but not limited to, sewer and water charges of approximately Sixteen Hundred Dollars ((\$1,600.00);

AND WHEREAS the price hereinabove and hereinafter mentioned is considered by the Council to be fair and reasonable;

BE IT THEREFORE RESOLVED that the Municipality of the County of Halifax do sell and convey the property above described to Charles Frank MacMillan and Dianne Margaret MacMillan, of the City of Halifax, County of Halifax, aforesaid, for the price of Eighteen Thousand Four Hundred Dollars (\$18,400.00) together with the purchasers being fully responsible for any and all local improvement and betterment charges, including any water and sewer charges of approximately Sixteen Hundred Dollars (\$1,600.00);

FURTHER BE RESOLVED that the Warden and the Municipal Clerk be and they are hereby authorized and instructed to execute and deliver on behalf of the Municipality a Deed in the usual form and to affix to it the seal of the Municipality conveying the said property in conformity with the terms of this Resolution. Motion Carried.

SENIOR CITIZENS HOUSING--COUNCILLOR MACKAY

Councillor MacKay indicated he had received a number of requests for the exact procedures provided by the administration of the Senior Citizens facilities. He indicated this item had been raised at the Sackville Advisory Board meeting and the Board will be inviting someone to attend their meeting to answer any questions put forward.

EDUCATION ACT AREA RATES--COUNCILLOR MACKAY

Councillor MacKay stated that when school area rates were requested through the ratepayers association they would come to Council in the form of a request and, at that point, it was up to Council to approve or disapprove of the request. Councillor Mackay asked if under the new Education Act this would still be a discretionary matter or is Council bound by this request.

Mr. Cragg stated it was his belief that now it is a mandatory requirement that Council levy the rates and that Council SHALL levy the rates when requested to do so by the Board assuming all the criteria have been satisfactorily resolved as far as the Board is concerned.

Councillor MacKay asked if Mr. Cragg was referring to the School Board by mentioning the Board. Mr. Cragg indicated he was. Councillor MacKay asked when this item was passed from the Ratepayers Association to the School Board if the decision would be mandatory at the School Board level. Mr. Cragg stated that opinion should be given by the School Board, but he felt if all the preliminary requirements were met, the School Board has some obligation to pass the request along to Council.

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

"THAT Mr. Cragg investigate this item with regard to the School Board's discretionary power when requesting areas education rates."

Councillor DeRoche indicated he agreed with Mr. Cragg. Councillor DeRoche also stated it was the responsibility of the School Board to ensure the requests for rates would not be duplicating the monies available for programs from the Province although monies requested in the area rates could be complementary to that received from the Province.

Motion Carried.

REGIONAL MEETING--UNION OF NOVA SCOTIA MUNICIPALITIES

Warden MacKenzie stated there would be a regional meeting of the Union of Nova Scotia Municipalities which would be held in Dartmouth City Council Chambers at 7:00 p.m. on May 16, 1984.

Warden MacKenzie informed Council it was possible to have five (5) voting delegates at the meeting and indicated he had selected four persons and an additional name could be selected and approved by Council.

The following Councillors were selected to represent the County: Councillor Mont, Councillor Snow, Councillor Larsen, Councillor McInroy, and Councillor Eisenhauer.

Councillors Larsen and McInroy indicated they had prior commitments.

Councillor Gaetz and Councillor DeRoche were requested to attend.

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

"THAT the five Councillors mentioned would attend the meeting of the Union of Nova Scotia Municipalities as voting members."

(Councillor Mont, Councillor Snow, Councillor Eisenhauer, Councillor DeRoche and Councillor Gaetz)
Motion Carried.

Warden MacKenzie indicated resolutions at the meeting will be forwarded to the Union of Nova Scotia Municipalities. Mr. Meech stated he had a matter he felt the Council should consider placing before the Union regarding some changes to the formula for the ability to pay for education costs. And, in part, to give more weighting to those Municipalities which have a higher industrial tax base which seems to fall in line with the Provincial thought that there seems to be some sharing of the industrial/commercial tax base.

Councillor Mont indicated an individual member unit is able to forward a resolution as well if it is received by July 11.

It was agreed to forward the resolution to the regional office prior to July 11.

PUBLIC HEARINGS--COUNCILLOR MACKAY

Councillor MacKay asked for Council's endorsement to have Mr. Cragg do some research to provide council with some guidance.

Councillor MacKay indicated he was concerned regarding the legal implications of Councillors making statements or declarations of intent prior to Public Hearings on rezonings or plan amendments. Councillor MacKay indicated there would be discussion prior to the Public Hearing at the Advisory Committee level in both Sackville and in Cole Harbour and wanted to know what procedures should be used at these meetings. Councillor MacKay indicated he would like a report from Mr. Cragg and wanted some discussion regarding this matter.

Mr. Cragg indicated he did not feel the Department of Municipal Affairs would be giving any amount of guidance in matter such as this item. Mr. Cragg indicated if Councillor MacKay was referring to a conflict of interest situation it would be something he could not give Councillors individual guidance regarding.

Mr. Cragg stated the Planning Act states the committee shall advise council in the preparation of or revision of planning strategies, land Land Use By-Law, Subdivision By-Laws, and Planning matters generally. There would be no difficulty in the Planning Advisory Committee discussing the matter and in making recommendations. Councillor MacKay asked what would happen outside the PAC meeting. Mr. Cragg indicated it was necessary to receive information as a Councillor but what an individual councillor says and does outside of that authority should be done at their own peril.

Councillor MacKay asked if the Sackville Advisory Board would have the same protection available to it as the Planning Advisory Board does. Mr. Cragg indicated that a councillor as a member of a body outside the sanction of the Provincial Legislation such as the Planning Act does not clothe the individual with any authority whatsoever. Mr. Cragg suggested it may be in the best interest of individuals involved with this type of body to take their concerns and opinions to the PAC.

There was further general discussion regarding this matter by the councillors; and Councillor MacKay asked what steps should be taken at the community group level to discuss such issues prior to a Public Hearing.

ADDITIONS TO THE AGENDA TO JUNE 5TH SESSION OF COUNCIL

Deputy Warden Adams asked that a status report on the position of Fire Co-ordinator be added to the agenda.

Mr. Meech indicated a meeting of the Fire Advisory Board had been arranged for May 24th to discuss the report which had been submitted.

Warden MacKenzie indicated the members of Council who were attending the FCM Conference would not be present at the next session of Council.

IN CAMERA ITEM

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

"THAT relative to a memorandum to the Warden and members of Council dated May 8, 1984 Municipal Council approve that Mr. Arthur Ware be entitled to a pension without a penalty at \$376.20 a month."
Motion Carried.

NEW BUSINESS

Councillor Margeson asked for an update on the annexation appeal. Mr. Meech suggested this item be discussed privately with Mr. Pugsley. It was agreed that Mr. Pugsley would be asked to attend the next meeting of the Policy Committee to provide information regarding the approach which would be used in the appeal court to present the case for the County. Councillor Margeson also indicated that some good suggestions may be received from other members of Council during this meeting. Mr. Meech informed Councillor Margeson that according to the procedures of an appeal it was not possible to introduce new evidence at an appeal.

There being no further business the meeting adjourned.

MINUTES & REPORTS

OF THE

SECOND YEAR MEETINGS

OF THE

FORTY - FIRST COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

JUNE COUNCIL SESSION

TUESDAY, JUNE 5 and 19, 1984

&

Public Hearing

JUNE 11 and 18, 1984

&

June 27/84 Council of the whole

PUBLIC HEARING

JUNE 11, 1984

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
Councillor Baker
Councillor DeRoche
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. Mike Hanusiak, Planner
Mr. Bob Cragg, Solicitor

CALL TO ORDER

Warden MacKenzie called the Public Hearing to order at 7:10 with the Lord's Prayer.

ROLL CALL

Mr. Meech called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Walker and seconded by Councillor Gaetz

"THAT C. Lynn Weeks be appointed as recording secretary."
Motion Carried.

PUBLIC HEARING PROCEDURES

Warden MacKenzie reviewed the proceedings for a Public Hearing for the spectators in the gallery.

PROPOSED DEVELOPMENT, LOT 2, HOFFMAN SUBDIVISION, SACKVILLE DRIVE,
LOWER SACKVILLE

Mr. Hanusiak presented the staff report and indicated the public hearing had been advertised in accordance with the Planning Act and no correspondence had been received either in favour of or opposed to the application.

Mr. Hanusiak indicated the application was to permit the construction of a second main building on the property for commercial purposes. Mr. Hanusiak indicated the property had already had a single family dwelling on it and the size of the property would not allow it to be sub-divided.

Mr. Hanusiak advised staff recommends approval of the application based on the terms and conditions outlined on pages two and three of the development contract sections one through 11 inclusive.

Councillor Lichter inquired if there was sufficient room in the driveway area of the lot. Mr. Hanusiak indicated there was. Councillor Lichter also inquired if since the lot was not being subdivided, it was not necessary to receive approval of the Department of Transportation for the "road" to the second building. Mr. Hanusiak advised that information was correct.

SPEAKERS IN FAVOUR OF THE APPLICATION

None.

SPEAKERS IN OPPOSITION TO THE APPLICATION

None.

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

"THAT the proposed development agreement with Rodger and Marion Levy of Lower Sackville be approved.
Motion Carried.

Application RA-CH/W-10-84-21

Mr. Gough presented the report and indicated the application had been advertised in accordance with the planning act and no correspondence had been received either in favour of, or opposed to the application.

Mr. Gough indicated the recommendation of staff was to approve the application to enable the present owners to sell the property. Mr. Gough also advised Council that the Departments of Health, Transportation, and Municipal Affairs had given approvals as had the Municipal Solicitor.

Councillor Lichter asked what the narrowest part of the road was lots, Lot A1A and A1B measured. Mr. Gough indicated on one side it was less than 20 feet and on the other side it was slightly more than 20 feet. Councillor Lichter asked if the Department of Transportation raised any objection to this. Mr. Gough indicated they did not.

Councillor Lichter requested Mr. Gough to read the Letter he had to Council from the Department of Transportation. Council agreed to this and Mr. Gough read the letter.

Councillor Lichter stated that previous to those letters, Mr. Kenny had indicated that 25 feet was unwritten policy. Mr. Gough advised this policy had not emerged until sometime in February.

SPEAKERS IN FAVOUR OF THE APPLICATION

None.

SPEAKERS IN OPPOSITION TO THE APPLICATION

None.

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

"THAT the recommendation of staff to approve the application for undersized lots, A1A and A1B be approved."
Motion Carried.

There being no further business the Public Hearing was Adjourned.

PUBLIC HEARING

JUNE 18, 1984

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Deveaux
Councillor DeRoche
Councillor Gaetz
Deputy Warden Adams
Councillor Bayers
Councillor Reid.
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. G.J. Kelly, Municipal Clerk
Mr. Mike Hanusiak, Planner
Mr. Bob Gough, Director of Development
Mr. Bob Cragg, Solicitor

SECRETARY: Ms. C. Lynn Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order with the Lord's Prayer at 7:09 p.m.

ROLL

Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT C. Lynn Weeks be appointed as Recording Secretary."
Motion Carried.

Warden MacKenzie welcomed Councillor Deveaux back to Council and wished him well on behalf of the Council members. Warden MacKenzie also informed Councillors Councillor Baker was in hospital.