

Mr. Cragg advised that when one is perceived to be breaking the law, instruction should always be given to prosecute. He said that in these days he did not think we should be seen to discriminate against those who are upholding the law in favour of those perceived to be breaking the law. He stated that he would not like to see Council consider a motion that would preclude us from prosecution if the application for rezoning is rejected.

Councillor Boutilier indicated that if District 4 had a municipal planning strategy, Council would have clear guidelines to follow. He said that he got the feeling that nobody is against Mr. MacDonald doing his business, and expressed concern that Council is expected to make a decision that would put Mr. MacDonald out of business.

Deputy Warden McInroy pointed out that Mr. MacDonald's operation is illegal, and that Council made a commitment to the people in that area fifteen years ago which he felt should have been honored before now. He felt that it was exaggeration to say that rejecting the application would put Mr. MacDonald out of business. He said that Council has an obligation, and that it is a difficult decision but that that is part of the reason Council members are here. He pointed out that in this case, Council is dealing with something illegal and the only option is to rezone to C-1 which is not what the people want.

Councillor Baker stated that he did not like making the motion of rejection, but that the Councillors are elected to serve the constituents of Halifax County. Also, that the Councillors took an oath to be fair, which he felt was what he was doing for the people of his district.

Councillor Morgan indicated that he was told the size of Brookfield that the people were coming from was about three miles long. He felt that if the application is rejected and appealed, the Municipal Board would tell us that it is not realistic for there to be a residential zone that long without any opportunity for commercial. He questioned if it was right to make a decision that would exclude commercial development or any change in zoning for that distance, or whether Council would be well advised to entertain a motion of deferral on a particular issue which would avoid an issue of legitimization.

Councillor Poirier commented that with the exception of one or two people, those who went to the microphone did not want to put Mr. MacDonald out of business and did not want the property to be rezoned to C-1. She suggested that the motion should be deferred until a draft municipal planning strategy is presented.

Councillor MacKay stated that he did not think Council is legally able to defer a decision for such a reason for an indefinite length of time.

Mr. Cragg indicated that if Council is able to say that a draft plan would not be available for one - two years, it may be that the time-frame is uncertain. If staff was able to say that it would be six - nine months, he felt Council could make consideration.

Councillor MacKay said that he did not think anybody present was in the position to make a suggestion as to when a draft plan would be ready. He indicated that over and above the legal aspect is the moral aspect. He commented that he has been pro-business as many times as anybody else, and that he knew by being self-employed for a number of years what it took to make money and the hours that have to be put into small business. He indicated that Council is faced with a situation that while it might be unique, unfortunately it has to be dealt by the rules and regulations in place at the present time. He pointed out that if the decision is deferred until a draft

plan is presented, Council cannot prejudge what the content of that document will be and whether there will be provision to allow the ability to have development agreements on certain sized lots. He suggested that if Council should make such a move like that, it might as well get rid of By-law No. 24 because what is to stop deferring further decisions on applications until municipal planning strategies are adopted.

Councillor Baker indicated that an important point to be considered is that the business started as an illegal operation. For whatever reasons it was able to continue for ten years and stressed that it should never have been allowed. He said that in this instance he had no alternative but to support the motion on the floor.

Councillor Bates stated that he supported the motion on the floor. He noted that though some people said they did not mind seeing the business continue, you have to take into consideration that there are others who have the opposite view. He pointed out that the people bought their property with certain zoning in place. This business has been permitted to operate illegally for quite a number of years, and unfortunately the longer you prolong doing anything the unhealthier it becomes. He said that Council has to protect the people that have properties there in the proper zoning. He commented that it would have been a different case had Mr. MacDonald's business been there operating first and then the people came afterwards and built around him. He agreed that he did not think rejection of the application would put Mr. MacDonald out of business.

Councillor Richards commented that if the decision is deferred, staff would have to prepare the prosecution papers. He said that he had the feeling some Councillors are saying we will defer and Mr. MacDonald is free to continue until a municipal planning strategy is adopted. He asked for Mr. Cragg's comments.

Mr. Cragg responded that if Mr. MacDonald is determined to be in violation of the existing by-law, staff could consider prosecution regardless of whether it is deferred.

Warden Lichter commented that it has been the practice of the municipality that once an application for rezoning is placed before our staff, prosecution stops until after Council has made a decision.

Mr. Cragg pointed out that staff can give consideration to instruct him to prosecute if at any time they consider a violation is ongoing. He said that if Council or staff determines not to instruct him to prosecute he is governed by those instructions. If Council considers it inappropriate and staff feels it is inappropriate and instructs that it is in violation, consideration can be given to prosecution.

Warden Lichter asked Mr. Cragg if in the past he has been instructed to prosecute between the time of a rezoning application being made and its being dealt with by Council.

Mr. Cragg responded that he could not recall specifically if he had. He pointed out that he has to receive instructions.

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

THAT DECISION ON THE REZONING APPLICATION BE DEFERRED
UNTIL A DRAFT MUNICIPAL PLANNING STRATEGY FOR
DISTRICT 4 CAN BE BROUGHT FORWARD.

Councillor MacKay pointed out that the motion is debatable as to the time. He stated that nobody can give a reasonable expectation as to when a draft plan might be able to be put forth. He stressed that a draft plan is a draft and has no meaning or bearing as to what might transpire from that point until a plan is adopted.

Warden Lichter indicated that a time ascertainable would be preferable. He commented that he has seen drafts come forth in a reasonable short period of time for many other plan areas. He agreed that a draft does not mean a final approval, but that it would give an indication of the type of negotiation that the people went through.

Councillor Poirier suggested that her motion should include the time-frame of nine months.

Councillor Cooper stated that he had to speak against nine months, and pointed out that it opens the possibility of continued abuse of the neighbourhood in that particular area. He said that he was not prepared to wait for a municipal planning strategy that might or might not come forward in nine months time.

Councillor Poirier and Councillor Fralick requested that the vote be recorded.

Warden Lichter called the question on the motion of deferral.

District 1 - No.	District 13 - Yes.
District 2 - Yes.	District 14 - No.
District 3 - Yes.	District 15 - No.
District 4 - No.	District 16 - Yes.
District 5 - No.	District 17 - Yes.
District 7 - No.	District 18 - No.
District 8 - No.	District 20 - Yes.
District 9 - No.	District 21 - No.
District 10 - No.	District 22 - No.
District 11 - No.	District 23 - No.
District 12 - Yes.	District 24 - No.
	District 25 - No.

(Motion defeated.)

Warden Lichter called the question on the main motion.

In favour - 18
 Opposed - 4
 Abstained - 1

(Motion carried.)

Council agreed to take a five minute recess.

APPLICATION NUMBERS ZA-CH/W-09-89 AND ZA-LM-10-89

Paul Morgan reviewed the staff report.

Mr. Morgan advised that this is a zone amendment application by the municipality to amend some of the requirements of the Cole Harbour/Westphal and Lake Major land use by-laws.

Mr. Morgan indicated that the staff report was initiated by staff at the request of Councillor Bates, due to some concerns in regard to Highway No. 7 and potential accesses that could be developed which could impede traffic flow. He stated that the essence of the problem is what you want the highway to do; move traffic from one location to another or service abutting lots. The difficulty is that it is hard for a highway to do both equally as well. The more access points there are, the more delays you have for traffic.

Mr. Morgan referred to Map 1 of the staff report which shows one of the conflicts. He advised that at present the 107 is the main link between the Eastern Shore and the metro area. Further off this map in an easterly direction, the 107 has been built, which is a limited access highway with no direct access. Also, it is a 100 series highway and its primary function is to move traffic. He noted that along this strip, the 107 has not been extended. He advised that he believed the Department of Transportation has already selected a road north of Loon Lake. Until such time as this portion of the highway is built, this portion of the No. 7 Highway serves the major link.

Mr. Morgan noted that the Highway Commercial Designation is in the Cole Harbour/ Westphal plan area, with a small portion in the Lake Major plan area. The intention behind the land use planning was to allow for larger scale operations which would permit outside storage and require more tracts of land to do so. This is considered an appropriate place to locate them.

Mr. Morgan indicated that in the Cole Harbour/Westphal plan, the C-4 Highway Commercial zone requires a minimum frontage of 60'. One of the ways to minimize the conflict between moving traffic and access to lots is to increase the lot sizes. It is the position of staff that 60' is the type of frontage you would expect in a subdivision in Forest Hills, and that it is not appropriate for a highway where the speed limit is 70 kms and delivers a lot of traffic. He advised that it is staff recommendation that the 60' frontage requirement in the C-4 zone be increased to 150' and the minimum lot width for serviced lots be increased from 6,000 to 10,000 square feet.

Mr. Morgan said that the second aspect is to restrict one access lane per lot, with the exception of service stations which due to their nature could result in problems with site circulation with only one access lane.

Mr. Morgan stated that in looking at these amendments to the land use by-law, staff believe it is consistent with the policies established in the plan. There is some direction in both plans with the need to cooperate with the Department of Transportation in establishing appropriate access regulations. In terms of increasing the minimum lot size requirements, it is complementary to the intention of the highway commercial designation, which is for large commercial uses that would need outdoor display areas. In the Community Commercial Designation of Cole Harbour, outdoor display is not permitted. He noted that it is brought out in the staff report that the impact on subdivision activities would be largely beyond the serviceable boundary. As you get west towards the City of Dartmouth, a large number of those lots have been developed already. There is potential for several other subdivisions.

Mr. Morgan concluded that the recommendations are contained in Appendices "A" and "B" of the staff report. He advised that the amendments were drafted somewhat slightly in error, in that it was intended that service stations would be exempt from the requirement of no more than one access lane per lot, but did not come out clearly. He noted that the necessary revisions are included in an attached memo.

Questions from Council

Councillor Sutherland noted that the amendments refer to lots not already subdivided and asked how the municipality would delete existing lots.

Mr. Morgan responded that the municipality could not make them remove them; they are existing and that legal right cannot be taken away.

Councillor Sutherland asked for verification that existing ones would remain as is, to which Mr. Morgan responded yes.

Warden Lichter countered that the exception would be if any of these became non-conforming in that the establishment burns down over a certain percentage or if it stays out of business for six months, in which case they could not rebuild with the two exits.

Mr. Morgan pointed out that the amendments say "except as otherwise required by the Department of Transportation". He said that he did not believe the Department of Transportation could revoke an access permit already issued and felt that the person could maintain the two access points. When it comes down to the administration of development permits, the Department of Transportation could say that it has approved those driveways a long time ago but according to a new land use by-law section, Mr. Gough would have to say he could not issue a development permit because it has more than one access.

Mr. Morgan indicated that in terms of lot sizes, if an establishment on a lot under 10,000 square feet burned down, the owner would not be required to consolidate to get the 10,000 square feet; it would be an existing undersized lot.

Councillor Bates advised that when he discussed the matter with staff, one of his concerns was if someone now had 60' but did not have 100' under the new by-law. He said that he was assured at the Planning Advisory Committee meeting that there was a "grandfathers clause" that they would still be able to develop their property.

Mr. Morgan indicated that that was always his understanding of how it is being applied.

Speakers in favour of this Application

None.

Speakers in opposition of this Application

None.

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

THAT COUNCIL ENDORSE THE RECOMMENDATIONS CONTAINED IN
THE STAFF REPORT DEALING WITH APPLICATION NUMBERS
ZA-CH/W-09-89 AND ZA-LM-10-89.

Motion carried unanimously.

Adjournment

It was moved by Councillor MacKay, seconded by Deputy Warden McInroy:

THAT THE PUBLIC HEARINGS ADJOURN.

Motion carried.

The public hearing adjourned at approximately 9:55 p.m.

SPECIAL COUNCIL SESSION

TUESDAY, AUGUST 29, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor MacKay
Councillor Sutherland
Councillor Richards
Deputy Warden McInroy
Councillor Cooper

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor

SECRETARY: Glenda Hill

Warden Lichter called the meeting to order at 6:00 p.m. advising the purpose of the meeting is to hear presentations from the Metropolitan Area Tourism Association and the Eastern Shore Antigonish Tourism Association, Thorne Ernst & Whinney regarding the 1988 financial statements, and Shirome Mandaville.

METROPOLITAN AREA TOURISM ASSOCIATION AND EASTERN SHORE/ANTIGONISH TOURISM ASSOCIATION

Warden Lichter introduced Mr. Mike Broomfield and Mr. Duncan Cross representing the two associations.

Mr. Broomfield began the presentation advising that the two tourist associations were established as the result of four (4) recommendations from the former Halifax County/Bedford Tourism Association. He advised there are ten (10) tourist associations in the Province of Nova Scotia manned by various organizations and people to look after all aspects of tourism throughout the province. They all fall under the umbrella of the Tourist Industry Association

of Nova Scotia (TIANS) from which funding is provided. Use is also made of every government program possible.

The Tourist Associations provide tourist bureaus, information services, industry support and liaison, tourism development, promotion and marketing, and necessary administration.

Mr. Cross added that Halifax County literature is distributed throughout North America. Queries have come from Europe, Australia and China, and the Associations are working to produce regional travel guides used exclusively in the promotion of Halifax County. Mr. Cross added that 1989 was the third year Halifax County had representation at Sea Sell, and the Association also supports entrance in pageants, displays at exhibitions, etc. There are budget restrictions, and there are no major marketing allowances, but they do accommodate much with what they have. He noted that advertising is expensive so joint expenditures are used where possible.

Mr. Cross added that there have been many responses to ads and marketing programs through the Halifax County/Dartmouth travel guide, which is now called the Metro Travel Guide, including Halifax.

Mr. Broomfield informed that festivals and events are important to develop tourism; Nova Scotia is now known as the festival capital of Canada, and successful events increase expenditures in the area. He advised that events are supported with manpower and time.

Mr. Cross added that tourist bureaus are essential to members business, and also required to expand the business of the tourist bureaus. Visitation this year is up by approximately 20 percent. There is also a new bureau in Cole Harbour as well as others this year.

Mr. Cross advised that the Associations do promotional work as well as act as the liaison with other levels and people. They meet with TIANS and have a seat on their board, and they also receive assistance from the Provincial levels of tourism and trade. He continued that tourism is a competitive industry and those fighting forces are challenged through tourism associations to co-operate rather than conflict. There are more and more accommodations available throughout the Province; from June to September 1989, 620 additional tourists were accommodated.

Mr. Broomfield continued that everything is channelled through the tourist associations - the availability of money, complaints, accommodations, associations with provincial department of tourism and associated groups as well as other tourist associations throughout the province. They have, however, received more compliments than complaints.

Mr. Broomfield and Mr. Cross concluded with more statistics, indicating that the tourism industry in Halifax County is alive and well. They stated that co-operation is the key and more can be achieved with co-operation.

Warden Lichter noted that most of Halifax County does benefit from the services of the tourist associations. However, the people of the Eastern Shore feel they are getting nothing in terms of tourism promotion, and they would like the associations to consider this.

QUESTIONS FROM COUNCIL

Councillor Meade expressed concern that the Western Section of Halifax County is left out in terms of Tourist Bureaus. He noted that a tourist bureau which burned down took five weeks to replace and during that process he learned that there is no insurance on tourist bureaus. Mr. Cross replied that there was a problem in St. Margaret's Bay with vandalism, and the tourist bureau burnt. No funding was available to replace the tourist bureau because it happened after a moratorium was established on funding for tourist bureaus. Everything for new tourist bureaus has been done through the co-operation and donations from the private sector. Councillor Meade advised that the day after the tourist bureau burned he offered a storage shed, but it took one and a half weeks for the association to respond to his offer, and they are now using a smaller structure than what he offered. Mr. Cross responded that the offered premises were not suitable for their purposes. He stated that a good image must be presented and the smaller location was more presentable.

Councillor Meade next noted that it took one month to put up signs for the Tourist Bureau at Hubbards, and there were also some problems there with a tourist bureau worker being sexually assaulted. He also complained that the bureau does not seem to have regular hours; sometimes it's opened and sometimes it's closed. Mr. Cross responded that the bureau is opened 40 hours per week, 5 days per week and it is opened on weekends. Councillor Meade stated it is a problem for tourists in the area not knowing when the facility is opened. Mr. Cross responded that there is a problem in Hubbards and there is only a limited amount of money available.

Councillor Meade next spoke of the tourist bureau located at the corner of the Hammonds Plains Road and Highway #103. He stated it is in the woods and not very visible; he stated it is a waste of money to have this tourist bureau operating, quoting that it costs \$3.64 for every visitor to this bureau in comparison to \$0.62 for the bureau at the Head of St. Margaret's Bay. He asked if the Association ever checked with the Department of Transportation to see if they would provide a more visible view of the building. Mr. Cross responded that the property is not owned by the Association or the Department of Transportation; it is privately owned, and many of the brush was removed from the property to make it more visible to the highway. He agreed that it is a problem facility, but he looks at it as the entrance point off the Main Highway. He stated that visitation is up this year, and they do not want to abandon the site.

Councillor Meade inquired about a tourist bureau at Peggy's Cove. Mr. Cross responded that an effort was made last year to establish a bureau at the entrance to the Park at Peggy's Cove, but the Peggy's Cove Commission refused permission to do so.

Councillor Meade felt a sign should be erected on the Highway from Yarmouth. He stated 20 percent of the visitors to Peggy's Cove are from Yarmouth and signage would be good there. Mr. Cross agreed that signage can be improved, and he stated that he will continue to work in this regard.

Councillor Baker agreed that the Peggy's Cove Commission did refuse a site for a tourist bureau last year, but he felt that West Dover would be an ideal location for a tourist bureau and he assured that a location could be found. Councillor Baker stated District 4 is badly neglected by the Tourist Association from Goodwood to West Dover. He asked that District 4 be kept in mind, and he stated he will help in this regard. Mr. Cross responded that there was an increased right up in the Nova Scotia Tourist guide about Terence Bay and the Sambro areas.

Councillor Fralick inquired about the number of bus tours. He felt they are down very much this year, stating that there have been hardly any to Peggy's Cove. Mr. Broomfield responded that bus tours are up by about 6 percent throughout the whole province, although only about 7 percent of tourists come to Nova Scotia on bus tours.

Councillor Fralick also asked that the Associations consider putting a council member on the Board of Directors at the next annual meeting. Mr. Cross advised that this has already been discussed and it will be discussed further at the next annual general meeting.

Councillor Eisenhower informed that he is pleased with the work of Mr. Broomfield and Mr. Cross, and he thanked them for their presentation. He added that he is very pleased with the tourist bureaus located in the woods at the corner of the Hammonds Plains Road and Highway #103 and he asked them to keep up the good work. Mr. Cross agreed that the location of the tourist bureau on the Hammonds Plains Road is an excellent location; it is very scenic, but it requires for accessibility.

Councillor Smiley also thanked Mr. Broomfield and Mr. Cross for their presentation and for their work. She stated they do a very good job with their limited amount of money.

Warden Lichter thanked Mr. Broomfield and Mr. Cross for their presentation.

Mr. Broomfield thanked Council for their interest and advised if they can help in any manner to please contact them.

THORNE, ERNST & WHINNEY, RE 1988 AUDITED FINANCIAL STATEMENT

Warden Lichter introduced Mr. Bill McQuarrie and Miss Sharon Davis from Thorne, Ernst and Whinney who were present to discuss the 1988 audited financial statement. Mr. McQuarrie began by reviewing the general financial statements for the County of Halifax. He advised that their analysis of the financial statements for Halifax County begin with the review of where there may be risks. He stated risk is very important because it sets the road as to where

the auditor should concentrate. He stated they also do an analytical review of accounts and use of funds.

Mr. McQuarrie informed that the terms between Halifax County and the auditors are set out specifically so there is no misunderstanding of the work to be done and of the requirements. He stated the Department of Municipal Affairs set standards for accounting, and they receive them and agree with them. They also use their own standards.

Mr. McQuarrie next reviewed the statement of revenue and expenditures for general purposes. He noted there was a deficit of \$983,000 in 1988, although a budget surplus of \$300,000 was proposed. There was also an area deficit of \$412,247 for a total deficit of \$501,230. He stated the surplus from 1987 was used to level off this deficit.

Mr. McQuarrie informed that there are several reasons for the deficit in 1988. They included the deed transfer tax was down by \$325,000 less than budgeted; general taxes did not reach the budgeted amount of \$130,000; and major expenditures in excess of \$100,000 were high, and Social Services and School Board expenditures exceeded budget by \$570,000. There were also additional expenditures for sewer and water costs in the amount of \$134,000. Bad debt totalled \$142,000. Budget deviations totalled \$1,249,000., and there was an overall deficit of \$2.5 million dollars.

Mr. McQuarrie continued to review statistics from the 1988 audited financial statement, including the statements of assets and liabilities. He concluded by asking Council if there were any questions.

QUESTIONS FROM COUNCIL

Councillor Sutherland asked if there is any formula for predicting bad debt and successful assessment appeals. He also asked if there was any noticeable difference in the number of successful appeals in 1989.

Mr. Wilson responded that the formula for bad debt uses an average of the previous three (3) years, and the majority of successful assessment appeals are in reassessment years; otherwise there is not much difference. He added that the only problem in 1989 is with Shearwater because they are disputing the assessment of their property, although the budgets have allowed for this.

Councillor Merrigan inquired about the reserve of total taxes that is written off; he asked if it is a real figure.

Mr. Wilson responded that \$111,000 were approved for right off in 1988, for the last of three or four years. It use to be approximately \$75,000, but older ones were added back after tax sale. He stated the only problem area now is business occupancy because they change so quickly.

Councillor Deveaux inquired about the Shearwater assessment. Mr. Wilson agreed that it is \$60,000,000+, but the federal government is suggesting by phone calls that this should be \$5-6,000,000 lower. He noted that nothing has been

received in writing. Mr. Wilson added that Shearwater is claiming that some of the buildings on their premises have been torn down, and several of the runways are over estimated. He added that they are now working with the Assessment Department to straighten this out, although a similar problem took seven (7) years to straighten out earlier.

Warden Lichter commented that the financial statements from the auditors always seem to be in order and straight forward except for some small changes by the Department of Municipal Affairs which have not yet been caught up with. However, the auditors report for the Federal Government is much more complicated and confusing. He asked if this is because the municipalities operate in a more responsible manner, because there aren't as many tax dollars to be dealt with as the upper level of government, or is because the auditors for the federal government are far more gentle than they are for the provincial and municipal levels of government. Mr. McQuarrie replied that there is 100 percent independence maintained between the auditors and Halifax County Municipality. He stated there is much planning and work done before the auditors even arrive at the County Building. To maintain independence, people working at the Municipality are changed on a regular basis, which also gives them more experience. The work involved in the audit is also divided up amongst employees. Mr. McQuarrie continued that a quality control individual looks at the statements before they are released to the County; this is a highly technical review.

Mr. McQuarrie concluded that the audit at the federal level government is much different than that at the municipal level; there is a different attitude, and a different value for the money, which is also investigated. He stated financial statements are the responsibility of the County, and the only input of the auditors is the auditors report. He stated there are different requirements for the different levels of government. Mr. McQuarrie concluded that although the County's accounting procedures are not perfect, they do exceed the standard.

Warden Lichter thanked Mr. McQuarrie and Ms. Davis for their presentation.

PRESENTATION BY SHEROME MANDAVILLE

Mr. Mandaville advised Council of his television show regarding environmental concerns and advised of the times when it airs. He stated there are many environmental studies and there is a need to review them more. He stated Mr. Sheppard and Mr. Tam of the County's Engineering & Works Department are very much involved in environmental issues, and the Sobey's Group and Irving Oil are also doing a good job. Private industry is becoming involved, although the Department of Housing continues to develop as they did in the 18th Century. He stated there are recommendations for help with development, although nobody wants to get involved.

Mr. Mandaville discussed suggestions and problems with protecting waterways as a result of waste water treatment facilities. He made several recommendations with regard to environmental control.

The first recommendation was for Halifax County Council to create a zone called "Ecological Fragile Zone" in which nothing should be used for public purposes.

The second recommendation was to amend the Land Use By-law to include residential private properties under environmental controls to ensure that residential as well as commercial properties achieve the end result.

The third recommendation was to establish standards to effectively monitor water quality.

The fourth recommendation was to establish requirements at the Building stage to prevent flooding problems on new development. He suggested a permit from the County for controls in this regard.

Mr. Mandaville stated these suggestions must be taken seriously because once a water way is lost it may not be retrieved and if it is it will be very costly. He continued that the Minister of Environment, the Honourable John Leefe, has indicated that he will show co-operation with the County in this regard.

Mr. Mandaville also suggested that Halifax County Council appoint a committee of elected representatives to meet regularly to come up with recommendations for environmental quality in the urban, suburban, and rural areas.

Mr. Mandaville's final recommendation was for Council to read and promote the small booklet circulated on environmental controls.

Warden Lichter thanked Mr. Mandaville for the presentation. He suggested that Councillors be given a schedule of his television show so they can watch it for further information.

ADJOURNMENT

There being no further presentations, the Special Council Session adjourned at 8:00 p.m.

MINUTES & REPORTS
OF THE
FIRST-YEAR MEETINGS
OF THE
FORTY-THIRD COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
SEPTEMBER COUNCIL SESSION
SEPTEMBER 5 & 19, 1989
&
SPECIAL MEETING
SEPTEMBER 7, 1989

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Public Hearing - Dates - - - - -	9 - 10 & 23 - 24
Parkland - Schwartzwald Subdivision - - - - -	10

Roads - District #5	- - - - -	18	-
Radon	- - - - -	21	- 22
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			- 17
Street Paving	- - - - -	20	-
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Waverley Fire Department - Loan	- - - - -	12	- 13
Water Supply - Harrietsfield/Williamswood	- - - - -	20	

COUNCIL SESSION

TUESDAY, SEPTEMBER 5, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Sutherland
Councillor Richards
Deputy Warden McInroy
Councillor Cooper

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor

SECRETARY: Glenda Hill

Warden Lichter called the Council Session to order at 6 p.m. with the Lord's Prayer. Mr. Kelly called the Roll.

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

"THAT Glenda Hill be appointed Recording Secretary."
MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT the minutes of the Council Session, July 18, 1989, be approved as circulated."
MOTION CARRIED

It was moved by Councillor Boutilier, seconded by Councillor Horne:

"THAT the minutes of the Council Session, August 1, 1989, be approved as circulated."

MOTION CARRIED

LETTERS AND CORRESPONDENCE

Union of Nova Scotia Municipalities

Mr. Kelly reviewed the memorandum regarding the discussion paper for the annual UNSM conference concerning priorities and objectives.

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

"THAT this item of correspondence be received."

MOTION CARRIED

Warden Lichter noted that voting delegates for the conference were asked to vote according to their conscience, and he asked that the same be done for this discussion paper. Members of Council agreed.

Federal Department of Fisheries and Oceans

Mr. Kelly reviewed this correspondence regarding the reinstatement of commercial salmon fishing licenses.

It was moved by Councillor Fralick, seconded by Deputy Warden McInroy:

"THAT this item of correspondence be received."

MOTION CARRIED

Northlands Flowerbulb Information Centre

Mr. Kelly reviewed this letter requesting that the week of September 16 to 23 be declared "World Flower Bulb Week" in Halifax County.

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

"THAT the week of September 16 to 23, 1989 be declared "World Flower Bulb Week" in Halifax County."

MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this item of correspondence regarding the speed limit at Dutch Settlement.

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

"THAT this item of correspondence be received."

MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly read this letter concerning the speed limit, passing zone, and placement of a flashing light on the Number 7 Highway.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this item of correspondence regarding the paving of several streets in District 5.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed the letter concerning the paving of Lake Road, Hatchett Lake.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this item of correspondence concerning the paving of Harbourview Drive, Portuguese Cove.

It was moved by Deputy Warden McInroy, seconded by Councillor Ball:

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this letter regarding the paving of Keizer Drive, Porter's Lake.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this item of correspondence regarding the paving of Maple Drive, Lawrencetown.

It was moved by Councillor Randall, seconded by Councillor Cooper:

"THAT this item of correspondence be received."
MOTION CARRIED

It was moved by Councillor Bates, seconded by Councillor Fralick:

"THAT a letter be written to the Minister of Transportation expressing appreciation for the traffic lights installed in the area of the Westphal Trailer Court and the Nova Scotia Home for Coloured Children."
MOTION CARRIED

Family Services Association

Mr. Kelly reviewed the correspondence requesting that the week of October 2 to 8, 1989 be declared National Family Week in Halifax County.

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

"THAT the week of October 2 to 8, 1989 be declared National Family Week in Halifax County."
MOTION CARRIED

Minister of Community Services

Mr. Kelly reviewed this letter in response to Council's correspondence regarding cost-sharing for child care.

It was moved by Councillor Smiley, seconded by Councillor Richards:

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of National Health and Welfare

Mr. Kelly reviewed this correspondence in response to Council's letter concerning a child care program.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this letter in response to Council's letter of appreciation for the proposed improvements at Glendale Drive and MacDougall Drive.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this letter regarding highway litter clean-up in Halifax County.

It was moved by Councillor Richards, seconded by Councillor Horne:

"THAT this item of correspondence be received."
MOTION CARRIED

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

"THAT a letter be written to the Minister of Transportation requesting the schedule of when and where roadside clean-up occurs."

Councillor Adams advised that litter clean-up has not taken place in his district, although it has been promised by the Minister on several occasions.

MOTION CARRIED

National Department of Fisheries and Oceans

Mr. Kelly reviewed this correspondence regarding the odour at Grand Desert Inlet.

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

"THAT this item of correspondence be received."
MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed the letter concerning sidewalk construction for the Old Sackville Road.

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

"THAT this item of correspondence be received."
MOTION CARRIED

SUPPLEMENTARY CORRESPONDENCECanada Post

Mr. Kelly reviewed this correspondence concerning service improvements in Tantallon.

It was moved by Deputy Warden McInroy, seconded by Councillor Meade

"THAT this item of correspondence be received."
MOTION CARRIED.

Councillor Cooper expressed concern that this improved service is another opportunity for Canada Post to get rid of another rural post office.

It was moved by Councillor Cooper, seconded by Councillor Meade:

"THAT a letter be written to Canada Post Corporation asking them to indicate to Halifax County Council the number of corporate offices that have been closed after the establishment of postal services in private business outlets in communities throughout Nova Scotia;

ALSO THAT Canada Post Corporation be requested to ensure that this is not the intent in Tantallon.

Deputy Warden McInroy stated he cannot support the motion because it is not known whether establishing postal services in private business is better than the smaller rural post offices. He stated service may be more efficient and cost effective in a retail outlet, and more information should be provided before such a decision is made. He expressed no difficulty with requesting further information, but he stated he cannot support the intent without knowing more.

Warden Lichter stated Council only wants to know the intention of Canada Post Corporation. Councillor Cooper agreed that the motion is not to indicate that Council would be opposed to the establishment of private post offices, but he expressed concern about the loss of jobs for local people if the post office closed for the establishment of an outlet in a private business.

Councillor Bates agreed that more information should be requested before Council implies that it does not want the post office in Tantallon to close.

Warden Lichter reminded that Canada Post officials were before Council earlier in order to discuss their intentions, and they ensured Council that they would be notified 90 days in advance of the closure of any post office.

Councillor Meade stated there has been much moving around of post offices because there is no business, and if this continues the nearest post office in his area will be 10-15 miles away from the centre of his community.

MOTION CARRIED.

Minister of Lands and Forests

Mr. Kelly reviewed this letter concerning the abandoned rail line passing through Lawrencetown and Chezzetcook.

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

"THAT this item of correspondence be received."

Councillor Randall advised that several letters have been sent to CN, and the response has been that they are in the process of turning this property over to the Nova Scotia Department of Lands and Forests. He stated that it seems to be a waste of time to continue to write to CN. He stated the MLA has been informing him for the past six months that it is only a matter of handing over the deed. He expressed concern that the right-of-way is becoming a garbage dump, and the longer this is let go, the greater the problem becomes.

MOTION CARRIED.

It was moved by Councillor Randall, seconded by Councillor Horne:

"THAT another letter be sent to the Minister of Lands and Forests asking when the deed for the abandoned CN right-of-way will be handed to them and the transaction complete, also requesting what could be done about the problems along the rail line in the mean time;

ALSO THAT a copy be sent to the Eastern Shore MLA."

MOTION CARRIED.

Minister of Consumer Affairs

Mr. Kelly reviewed this item of correspondence concerning the possible prohibition on the sale of pop and beer cans in the province or a deposit for such cans.

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

"THAT this item of correspondence be received."

Councillor Sutherland asked the Municipal Solicitor if he is aware of any legislation at Province House regarding the disposal of tins and pop bottles. Mr. Cragg responded that he did not think any, including the litter abatement Act, have been proclaimed.

MOTION CARRIED.

Minister of Transportation and Communications

Mr. Kelly reviewed this letter concerning speed signs in the Goff's area.

It was moved by Councillor Horne, seconded by Councillor Cooper:

"THAT this item of correspondence be received."
MOTION CARRIED.

Environment Canada

Mr. Kelly read this letter concerning problems with the closing of Clam Flats in Chezzetcook.

It was moved by Councillor Randall, seconded by Deputy Warden McInroy:

"THAT this item of correspondence be received."

Councillor Randall expressed concern about the letter indicating that the problem may be the result of general landwash contamination and inadequate on-site sewage disposal systems in some homes along the shore. He advised that the Atlantic Health Unit did a survey of the area last year and found little or no problem with on-site sewage disposal system; there were only two septic systems malfunctioning, but they have been repaired.

MOTION CARRIED.

It was moved by Councillor Randall, seconded by Councillor Richards:

"THAT Environment Canada be asked if they received the report from the Nova Scotia Department of Health concerning this problem;

ALSO THAT a summary of the survey findings of both the Nova Scotia Department of Health and Environment Canada be requested."

MOTION CARRIED.

Union of Nova Scotia Municipalities

Mr. Kelly reviewed the memorandum from the UNSM concerning union dues effective January 1, 1990.

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

"THAT this item of correspondence be received."
MOTION CARRIED.

Warden Lichter asked if the union dues would be supported or not supported.

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

"THAT effective January 1, 1990 the annual dues paid to the Union of Nova Scotia Municipalities by the member units be as outlined in the correspondence."
MOTION CARRIED.

Solicitor General for the Province of Nova Scotia

Mr. Kelly reviewed this correspondence regarding a possible police strike in the City of Dartmouth.

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

"THAT this item of correspondence be received."

Councillor Richards expressed appreciation for the Minister's quick response to Council's concern, and he trusted that there will be no reduction in police service should there be a police strike in the City of Dartmouth.

MOTION CARRIED.

PLANNING ADVISORY COMMITTEE REPORTFile #PA-SA-03-88 - Amendments to the Municipal Planning Strategy and Land Use By-law for Sackville, Re Autobody Shops

Mr. Kelly reviewed the report and recommendation of the Planning Advisory Committee.

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

"THAT option two (2) of the staff report be approved;

THAT the amendments to permit new auto body shops by development agreement in the general commercial and commercial core designations be approved;

AND FURTHER THAT a public hearing concerning this application be set for October 23, 1989 at 7:00 p.m."

MOTION CARRIED.

File #ZA-IM-08-89 - Replacement Housing, North Preston

Mr. Kelly reviewed the report and recommendation of the Planning Advisory Committee.

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

"THAT the amendments concerning this application be approved and that a public hearing be scheduled for October 23, 1989 at 7:00 p.m."

MOTION CARRIED.

File No. PA-CH/W-12-88 - Application by M & B Pop Shop Limited

Deputy Warden McInroy declared a conflict of interest.

Mr. Kelly reviewed the report and recommendation of the Planning Advisory Committee.

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT the application be rejected, and that a public hearing not be held."
MOTION CARRIED.

EXECUTIVE COMMITTEE REPORT

Parkland, Schwartzwald Subdivision, District 17

Mr. Kelly reviewed the report of the Executive Committee.

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

"THAT Halifax County Council agree to exchange to parcels of parkland (Lots 41S and 73) in Schwartzwald Subdivision for one large parcel, as agreed to by the residents of Schwartzwald Subdivision and the developer."
MOTION CARRIED.

Cole Harbour Place

Mr. Kelly reviewed the report.

It was moved by Councillor Richards, seconded by Councillor Bates:

"THAT Halifax County Council rescind its previous resolution of November 1, 1988 approving proposed by-law #59, a by-law respecting Cole Harbour Place Board."
MOTION CARRIED.

It was moved by Councillor Richards, seconded by Councillor Bates:

"THAT the Municipality take assignment of the existing lease between the Westphal/Cole Harbour Service Commission and Cole Harbour/Westphal and Area Cultural Recreation Foundation."
MOTION CARRIED.

Warden Lichter noted that one section of the new by-law includes the right for Halifax County Council to levy an area rate to cover any deficit.

It was moved by Councillor Cooper, seconded by Councillor Bates:

"THAT Halifax County Council pass the proposed new by-law being "A By-law Respecting Cole Harbour Place Board", including the ability for Halifax County Council to levy an area rate to cover any operating subsidy requirements for Cole Harbour Place."
MOTION CARRIED.

Cable Television Service

Mr. Kelly reviewed the report.

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

"THAT Halifax County Council write a letter to the Department of Consumer Affairs and the CRTC advising of Halifax County's Council dissatisfaction and objection to the type of marketing used by the Metro Cable companies with regard to new cable services, effective September 1, 1989;

ALSO THAT copies of these letters be forwarded to the cable companies."

MOTION CARRIED.

Canada Post - Super Mailboxes

Mr. Kelly reviewed the report and recommendation of the Executive Committee.

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

"THAT Canada Post be permitted to install super mailboxes on a portion of parkland approximately 10m X 10m, at Southwood Terrace and Sunnyview Terrace, Highland Park."

Councillor Meade asked if Halifax County leases this land to Canada Post and how much is charged. He also asked if this will interfere with future playgrounds on the parkland. Mr. Meech responded that there is no charge for the installation of super mailboxes on this property, but it has been agreed to at the request of the Ratepayers' Association. He stated that after negotiations and discussion with Canada Post it was found to be a suitable location for super mailboxes.

Councillor Meade asked if the Ratepayers' Association and Canada Post will be jointly responsible for maintaining the area, as well as garbage collection. He questioned what would happen if the ratepayers did not do this. Mr. Meech advised that Canada Post accepts this responsibility in their formal agreement, and they will be held responsible.

Councillor Eisenhauer explained that three (3) different sites were proposed for super mailboxes in Highland Park, although only the one is on municipal parkland; the other two are located on private property. He advised that the Ratepayers' Association will accept responsibility for looking after lighting for the super mailboxes, and it will be done under the street lighting program. He stated this is a large parcel of land and it is very adequate for the proposed purpose. He concluded that private owners are not asking for any compensation for the use of their land for super mailboxes.

MOTION CARRIED.

Request for Grants

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

"THAT the following grants be approved by Halifax County Council:

District Capital Grant, District 8 in the amount of \$455 for the Lake Echo-Orenda Canoe Club;

District Capital Grant, District 8 in the amount of \$2,015 and a General Parkland Grant in the amount of \$2,015 for the development of a beach area at Mills Subdivision, Porters Lake;

District Capital Grant, District 8 in the amount of \$5,750 and a General Parkland Grant in the amount of \$5,750 for lighting of the ballfield at Lake Echo;

District Parkland Grant, District 9 in the amount of \$941 for improvements to the beach area at Pleasant Drive, Gaetz Brook;

District Capital Grant, District 13 in the amount of \$600 for paint for the Carroll's Corner Hall and ball dugouts;

District Parkland Grant, District 17 in the amount of \$1,887.50 and General Parkland Grant in the amount of \$1,887.50 for improvements to the Youth Centre at Fall River;

District Capital Grant, District 22 in the amount of \$284 for cost-sharing for repairs to a fence at 86 Rankin Drive, abutting a public walkway;

District Capital Grant, District 24 in the amount of \$3,420 for fencing a walkway at Bellroyal Crescent and a playground at Shrewsbury Drive; and

District Capital Grant, District 25 in the amount of \$2,575 for fencing a walkway at Fieldwood Circle and playground equipment for Forest Hills Commons."

MOTION CARRIED

Request for a Loan - Waverley Fire Department

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

"THAT Halifax County Council approve a loan advance in the amount of \$72,000 for the Waverley Fire Department for the purchase of a fire pumper vehicle, the loan to be repaid over a five year term, principle and interest, with Council reserving the right to levy an area rate in default of principle and/or interest repayment."

There was some discussion about a five or ten year term for this loan. It was noted that a five year term was recommended by staff as requested.

MOTION CARRIED

REPORT, RE VOLUNTEER USE OF SCHOOLS DURING EVENING HOURS

Warden Lichter referred to the report included in the Council agenda, stating two scenarios are represented by the School Board - if the extra money is provided by Halifax County, and if it is not.

Councillor Reid advised that it was not his intention to force anybody to pay \$100 from their district activity fund, and it was his understanding that some are not willing. Councillor Reid advised that he felt most Councillors would be agreeable to paying more than \$100 in order to continue to have schools open during evening hours.

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

"THAT the motion of August 15, 1989 be withdrawn."
MOTION CARRIED

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

"THAT \$2,500 be given from the District Activity Fund of Halifax County Councillors who are willing to contribute to see schools remain open as noted in the report."

Councillor Boutilier asked approximately how many Councillors would be involved. Councillor Reid advised that it was his understanding that approximately 20 Councillors are agreeable.

Councillor Richards noted that the programs are to be finished by 7:30 p.m. Councillor Reid agreed, noting that janitors are only in the schools until 8 p.m., and they need one half-hour before closing to have students out. Councillor Reid continued to explain the report as submitted by the School Board, noting that ten schools will be affected by openings until 7:30 p.m.

Councillor Meade inquired about the affect of this policy on Home and Schools and Trustees meetings. He noted these are school-related associations. Councillor Deveaux responded that the school principal has a key to the school and can let people in and out. Otherwise, the meeting cannot be held in the school. Councillor Meade expressed difficulty that a facility will have to be rented in order for these associations to raise money for the school, which they cannot use. He stated Scouts, Beavers, and Cubs meetings run later than 7:30 p.m. He advised that he will support the motion, although it does not provide full assistance.

Members of Council agreed to hear the minor variance appeals and continue with this discussion later.

MINOR VARIANCE APPEALSMV-27-14-89

Mr. Gough reviewed the staff report concerning this minor variance.

Questions from Council

None.

Speakers in Favour of this Appeal

Sharon Hogg advised that she will be a resident of the dwelling under construction. She informed that she has a letter from the one and only neighbour within 100 feet of the property who has no objection to the location of the house on the property. She also advised of a letter to Mr. Gough stated the owner of the development does not have difficulty with the location of the development.

Questions from Council

Councillor Horne advised that he spoke to the Hoggs and visited the property in question. He advised that this was an obvious minor error which was not detected until after the foundation was poured. He asked that Council approve the minor variance.

Speakers in Opposition to this Appeal

None.

It was moved by Councillor Horne, seconded by Councillor Merrigan:

"THAT Halifax County Council approve Minor Variance
No. MV-27-14-89."

Councillor Merrigan expressed concern that somebody had to be put through this minor variance appeal procedure for the sake of one foot. Warden Lichter advised that it is a requirement of the Planning Act. Councillor Merrigan requested a copy of the Planning Act reflecting this requirement. Warden Lichter further advised that if the applicant had applied for the minor variance prior to construction of the house, the Development Officer could have approved it, but not after development began. He advised that a copy of the Planning Act will be supplied to Councillor Merrigan.

MOTION CARRIED

MV-31-06-89

Mr. Gough reviewed the staff report. He advised that it is his understanding there are no objections to this minor variance application on behalf of abutting neighbours, and the applicant was away at sea when the deck was constructed.

Questions from Council

Mr. Gough was asked if any correspondence was received from adjoining property owners. Mr. Gough advised that there was, and no objection was expressed.

Speakers in Favour of this Appeal

None.

Speakers in Opposition to this Appeal

None.

Councillor Deveaux advised that he visited this site and spoke to the neighbours, and there are no objections to the minor variance.

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

"THAT Minor Variance No. MV-31-06-98 be approved by Halifax County Council."

Councillor Sutherland expressed concern about people constructing on their property without knowing their property boundaries. He asked if it is a question of people disregarding the law or not knowing their boundaries. He felt it should be pre-requisite for people to know their boundaries. Warden Lichter advised that quite often measurements are inaccurate or mistaken.

MOTION CARRIED

REPORT, RE VOLUNTEER USE OF SCHOOLS DURING EVENING HOURS Cont'd.

Councillor Cooper advised that District 25 is the most severely affected by the closure of public schools during evening hours. He advised that he is prepared to participate in the program to extend these hours, although the new program is of no benefit to District 25 or the Eastern Subsystem. He advised that Friday night is the only week night available for community programs, but Friday nights are usually used for family purposes. He stated residents of District 25 should be given the same opportunity to hold their activities during the week nights as other areas.

Councillor Baker expressed concern that other people besides the school principal and maintenance staff should have access and authority to open and close the school. He stated it has become necessary to suspend many community programs, including drug programs because of this new policy. He advised that he is willing to participate financially, but he felt the delays and closures of other schools should be further discussed with the School Board in an effort to get more for other areas.

Councillor Ball stated he has no difficulty with giving money for this purpose except that the western region was given the "worst end of the stick". He advised that many programs have been cancelled because they no longer have access to schools, and there are no other facilities available; some of these

are very important programs, and cancelling them will hurt the School Board in the long run. He suggested that other arrangements could be made by the School Board, such as shifting custodial staff to accommodate these programs.

Councillor Reid advised that the School Board initially requested \$27,000 to open schools for this three month period; however, he did not feel comfortable with asking each Councillor to contribute \$300 to \$400, so he requested that the figure be lowered to a management level for individual Councillors, which is why schools will have to close at 7:30 p.m. He stated all will have to give and take in order to make this schedule work. Councillor Reid continued that the School Board is charged with providing education for children, and the Education Act does not deal with other community program; their mandate is to provide education under the auspices of the Department of Education. Councillor Reid advised that closing schools during evening hours was not done because it is highly visible, or for public relations purposes, but because it is not the responsibility of the School Board, although they would like to be involved in this regard. He stated cuts must be made where the School Board is least responsible. He advised that asking a janitor to go to work later will cause scheduling and communication problems, and the proposal will provide facilities for the cheapest cost; this program must be supported or it will not be available at all.

Warden Lichter stated if it costs \$27,000 to operate schools during evening hours for a three month period, it must be much more expensive to operate the same schools during evening hours over a ten month period, which will cost next year; it is a never-ending circle. He stated Councillor must know if the School Board made a conscious decision, assuming that Council will continue to provide funds for this purpose or if they are hoping everything requested next year will be approved. Warden Lichter continued that a part time janitor is only worth his pay if he is prepared to work, and he will do so whether he is given orders directly from head janitor or if a note is written instructing him of his duties, which he will receive when he arrives to the job later. He concluded that he cannot and will not support the proposal.

Councillor Bayers expressed great objection to the proposal. He noted that all four elementary schools in District 10 have been cancelled for evening hours. The School Board has been a threat to him through Council and through the Chairman a number of time, and it is unacceptable to District 10. He stated if necessary he will boycott the schools. Councillor Bayers advised that he is willing to agree to \$100 or \$200 from his District Activity Funds to keep schools open, but they must be kept open in District 10, as well. He stated that extra-curricular programs are part of education, although it is not within School Board jurisdiction, and it is not acceptable to close all schools in District 10.

Deputy Warden McInroy expressed objection to the proposal, stating the amounts are insignificant, but the School Board could find other areas to make cuts in order to keep these schools open; it is not Halifax County's responsibility. He stated other considerations could be given some thought, such as increased vandalism and heating costs due to the closure of schools during evening hours. He stated there is an obligation and responsibility on the part of the School Board, if not legal, to maintain these schools during evening hours.

Councillor Richards expressed concern about the precedence of providing this money. He stated he is willing to give the money to the programs to pay for school use but not to the School Board.

Councillor Bates advised that he is supportive in terms of giving extra money in order to obtain the provincial dollars.

There was much discussion concerning janitorial staff and how the proposal affects smaller schools. There was also discussion about the procedure and the proposed policy.

Deputy Warden McInroy stated there are two issues to this matter: first is if Halifax County Council will take this step and support the School Board in this regard, and second is whether or not each district will contribute funds for this purpose. He felt the motion should be separated into two parts, questioning who will contribute financially if the principle of the motion succeeds.

Councillor Reid and Councillor Baker agreed to withdraw the motion.

It was moved by Councillor Merrigan, seconded by Councillor Smiley:

"THAT Halifax County Council support the School Board by providing \$2,500 in supplementary funds for the purpose of opening schools during evening hours as indicated in the report from the School Board."

Councillor Deveaux commented that the only fair way to provide these funds is from the general budget. Warden Lichter responded that providing these funds from the general budget requires an 80 percent vote of the joint Councils from the Town of Bedford and the County of Halifax.

Based on the motion, Councillor Boutilier declared a conflict of interest.

There was further discussion about whether or not the School Board should be supported in this regard. Several Members of Council felt they would like to support the rural areas, although they are not benefitted by the proposal. Therefore, they could not support the motion.

MOTION DEFEATED 11 FOR
 12 AGAINST

It was suggested that School Board members make a serious attempt to find funds for this purpose from another source at the next meeting of the School Board.

CHRISTMAS CARDS

Warden Lichter asked Members of Council if they are interested in ordering a supply of Christmas cards for this year.

Deputy Warden McInroy stated more information, such as the cost and the numbers, should be available so Council will know the impact of their decision. He suggested a report in this regard be sent to the Executive Committee.

It was moved by Deputy Warden McInroy, seconded by Councillor Eisenhauer:

"THAT staff prepare a report for the Executive Committee concerning the cost and number of Christmas cards required for 1989."

Councillor Boutilier advised that last year Warden Lichter was instructed to send Christmas cards on behalf of the Municipality and Councillors could purchase other on their own behalf. He felt the same procedure should following for 1989. Councillor Horne agreed, stating he cannot support the motion because the time and effort for the report is not necessary.

MOTION CARRIED

COUNCILLOR BALL - ROADS, DISTRICT 5

It was moved by Councillor Ball, seconded by Councillor Fralick:

"THAT a letter be written to the Minister of Transportation, with a copy to be sent to the Premier, to install speed bumps at Government Wharf Road, Sambro."

Councillor Bates asked if this has been discussed with the Department of Transportation. Councillor Ball responded that he has discussed this with Mr. Hoopay of the Department of Transportation, who indicated that they will not construct speed bumps on a private road; however, Councillor Ball informed that he wants to pursue this with the Minister.

Councillor Meade advised that speed bumps were installed on Shore Road, Hubbards, and later removed because of the noise problem for people living near the bumps. He felt it is policy of the Department of Transportation to no longer install speed bumps.

Councillor Bates noted that many letters are written to the Department of Transportation, and he felt that some of these matters should be investigated individually before Council is asked to write a letter.

MOTION CARRIED

Councillor Ball advised that a previous letter was written to the Department of Transportation concerning a bridge at Herring Cove on Power Drive which is in very poor condition; however, there has been no response from the Department regarding their plans for this bridge. He advised that it is a much used bridge, and something should be done immediately.

It was moved by Councillor Ball, seconded by Councillor Boutilier:

"THAT a letter be written to the Minister of Transportation requesting if any improvements are planned for the bridge on Power Drive, Herring Cove;

ALSO THAT a copy of this letter be sent to the area MLA.:
MOTION CARRIED

SUPPLEMENTARY AGENDA

Cole Harbour/Westphal Community Committee

Mr. Kelly reviewed the report from Mr. Meech to Warden Lichter and Members of Council, which include six recommendations for the establishment of a public consultation and information process.

It was moved by Deputy Warden McInroy, seconded by Councillor Richards:

"THAT Halifax County Council endorse the proposal for the process of implementing a public consultation and information process in Cole Harbour/Westphal as indicated in the report."
MOTION CARRIED

Date for Minor Variance Appeal

It was moved by Councillor Fralick, seconded by Councillor Randall:

"THAT Council schedule an appeal for Minor Variance No. MV-29-03-89 for October 3, 1989 at 7 p.m.
MOTION CARRIED

1989 UNSM Conference

Warden Lichter reviewed his memorandum to Members of Council concerning the addition of Councillor Fralick as a delegate to the UNSM Conference in Sydney. He advised that in addition to Councillor Fralick, another Council Member had approached him about attending the conference, and he would like ratification from Council for these two additional Members to attend.

It was moved by Deputy Warden McInroy, seconded by Councillor Eisenhower:

"THAT Councillor Fralick attend the 1989 UNSM Conference in Sydney."
MOTION CARRIED

Warden Lichter advised that there is enough money in the budget for one or two additional members to attend the conference, although the direction of Council is required.