

redress package is in place will delay things much further. He said he feels that it would not be unreasonable, at the appropriate time, to hold discussions in the community or the citizens committee. He said a solution will have to be found by June. He said the people of Sackville want to have the matter of redress completely settled. He said this would indicate to the people of Sackville the good faith of Metro Authority as well as it's member units.

Councillor Merrigan asked if the Mayor was indicating that Sackville should receive financial support similar to what will be given to Dutch Settlement if the landfill has to be extended.

Mayor Lichter said he feels they should be entitled to nothing less than the same kind of compensation. He said according to the solicitors, for any past action, compensation has to be legislated. Metro Authority can build in compensation for future actions into the cost of operations.

Councillor Rankin said that while government may want the comfort of all municipal units stating their position on this matter, it is not in place. He said it is the position of the Metro Authority that this is not required for the government to proceed with legislation.

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

"THAT A LETTER BE WRITTEN TO THE MLA'S IN HALIFAX COUNTY STATING THAT THE REDRESS PACKAGE TO SACKVILLE FOR THE LANDFILL IS A PRIORITY ISSUE FOR THE MUNICIPALITY AND WE THEREFORE WISH ASSURANCE THAT THE PROPOSED LEGISLATION BE INTRODUCED THIS FALL SESSION AS A GOVERNMENT SPONSORED BILL"

MOTION CARRIED

Councillor Sutherland said he feels it would be an appropriate time for this council to recognize the efforts and leadership in the communities of both Dutch Settlement and Carroll's Corner for their objectivity in looking at the pros and cons of hosting a landfill site.

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

"THAT A LETTER BE WRITTEN TO MR. ALFRED NEIFORTH TO INDICATE THAT COUNCIL RECOGNIZES THE EFFORTS AND LEADERSHIP IN THE COMMUNITIES OF BOTH DUTCH SETTLEMENT AND CARROLL'S CORNER FOR THEIR OBJECTIVITY IN LOOKING AT THE PROS AND CONS OF HOSTING A LANDFILL SITE"

MOTION CARRIED

METHODS OF TAX PAYMENTS - COUNCILLOR TAYLOR

Councillor Taylor said in an effort to better serve the property taxpayers of the municipality if it a report could be prepared with respect to the costs it would entail to make it possible for residents to pay their taxes at banks.

Mr. Meech informed Councillor Taylor he would look into having a report prepared.

DEPARTMENT OF TOURISM - COUNCILLOR RANKIN

It was moved by Councillor Rankin, seconded by Councillor Taylor:

"WHEREAS the Provincial Department of Transportation can assist and do better in helping stimulate the tourist industry by installing more attractive tourist road signage similar to that in P.E.I. and;

WHEREAS this can have a most positive effect in enticing more tourists off the 100 series highways into the various communities and onto the designated tourist trails and;

WHEREAS it is noteworthy that a tourist, despite our license plate slogan "Canadas Ocean Playground" can enter Nova Scotia on a 100 series highway and arrive at the other end without seeing any ocean unless they got off the 100 series highway;

BE IT THEREFORE RESOLVED that the Department collaborate with the Department of Tourism to view positively the installation of road signs, possibly reflecting the thematic approach by region, and highlighting such community attributes as museums, historic sites, local physical and cultural attributes as well as bed and breakfast facilities"

MOTION CARRIED

DEPARTMENT OF HOUSING - COUNCILLOR RANKIN

It was moved by Councillor Rankin, seconded by Councillor Peters:

"WHEREAS the Federal Government has by budget reduction removed itself completely, effective January 1, 1994, from funding for all public housing including senior citizen, RRAP, ERP, RNH new construction and;

WHEREAS housing remains constitutionally a provincial responsibility and;

WHEREAS there is considerable demand outstanding for rehabilitation repairs to existing housing stock in Nova Scotia, particularly among our working poor and low income senior citizens and further;

WHEREAS a considerable number of the working poor can meet payments on modest new housing if bridge financing is made available;

BE IT THEREFORE RESOLVED that the province immediately embark on a significant rehabilitation program throughout the province aimed at income targeted groups; and this can be implemented without need of deep subsidies but having the benefit of current low interest loans on the private market secured by the province and;

FURTHER that the province, in collaboration with CMHC implement new housing initiatives by exploring innovative methods of financing conventional down payments"

MOTION CARRIED

URGENT AGENDA ITEMS

Resolution on Senate - Councillor Rankin

It was moved by Councillor Rankin, seconded by Councillor Taylor:

"WHEREAS many of our citizens have expressed the sentiment that the Senate has outlived its usefulness as an institution responding to the needs of ordinary Canadians and;

WHEREAS its lack of accountability is becoming an increasing irritant in Canadian society;

BE IT THEREFORE RESOLVED that we request and rely on you Prime Minister, in your capacity as head of the government for Canada, to put the question of its abolishment to the people in a national referendum ballot in the next federal election"

MOTION DEFEATED

MacKenzie Bus Line - Councillor Meade

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

"THAT A LETTER, WITH A COPY TO THE NOVA SCOTIA UTILITIES REVIEW BOARD AND JIM BARKHOUSE, MLA, BE WRITTEN TO MACKENZIE BUS LINE REQUESTING THAT THEY PUT THEIR BUS ON AT LEAST ONCE A WEEK ALONG ROUTE #3 FROM THE HEAD OF ST.

MARGARET'S BAY TO HUBBARDS"

MOTION CARRIED

Safety on County Beaches - Deputy Mayor Bates

Deputy Mayor Bates said that Halifax County supports Nova Scotia Sport and Recreation in an attempt to provide better safety on the beaches in Halifax County. He said last year Nova Scotia Sport and Recreation in conjunction with Halifax County engaged in a pilot project involving 14 locations. He said there will be a full summer this year in which to decide whether it is feasible to continue with the program. He said he wanted to bring this to the attention of councillors and outline what facilities will be covered this year in the pilot program. He said the Sport and Recreation together with the County was trying to promote, not necessarily lifeguards at all these locations, but at least to have some equipment and signage to point out what the dangers are. He said these signs will be provided for Grand Lake, Cow Bay Pond, Big Lake in Terrence Bay, Mills Subdivision, Sandy Point in Porters Lake, Laurie Park, Mosher River Park, Tailors Head, Oakfield Park, Dollar Lake, Lewis Lake, Porters Lake Provincial Park and Cleveland Beach.

ITEMS FOR NEXT COUNCIL SESSION

DOT - Councillor Taylor
Department of Natural Resources - Councillor Taylor
DOT - Councillor Snow
PCB's - Councillor Peters
DOT - Councillor Rankin
Waste Management - Councillor Bayers
Fishery Crisis - Councillor Smiley
DOT - Councillor Peters

IN-CAMERA ITEM

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

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

SPECIAL COUNCIL SESSION

July 12, 1993

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Bayers
Councillor Smiley
Councillor Taylor
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor McInroy
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk
Fred Crooks, Municipal Solicitor

=====
The meeting was called to order at 6:00 p.m. with the Lord's Prayer. Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

Mayor Lichter outlined the format the session was to follow.

Mr. Crooks outlined a memorandum giving background information regarding the proposed By-law.

Deputy Mayor Bates asked how deep would a lake be to be considered shallow.

Mr. Crooks said the By-law does not set out those kinds of criteria. He said what the By-law contemplates is that council

would receive information and submissions in each and every case that it is proposed that the restrictions apply and make a judgement based on the exercise of its discretion that the by-law should apply. He said there is no definition of a shallow lake or watercourse.

Deputy Mayor Bates asked if any member of the public can then request council to hold a public hearing. He asked what procedure would someone have to follow to have the same apply to another lake.

Mr. Crooks said it would be open to any councillor or any member of the public to request the council to consider an amendment to the by-law that would cause the by-law to apply to a specific lake not already designated.

Deputy Mayor Bates asked if a member of the public decided they wanted another lake added to the by-law, does a public hearing have to be held?

Mayor Lichter said it would have a first reading and proceed from that point through the advertising and public hearing stages. He said council could also consider the lake not to be the kind of lake that needs that protection and reject first reading and thus the matter would end there for that particular lake.

Councillor Fralick asked Mr. Crooks if he saw any difficulty with the by-law enforcement officer policing this.

Mr. Crooks said the restriction that this by-law would impose is one which restricts the types of vessels and specifically the size of motors so that it should be relatively straight forward to determine, in a specific case, whether or not there is an infraction of the by-law.

Councillor Taylor asked if the lake was considered a soft bottomed lake.

Councillor Peters said what prompted her to bring this forward and make the request was that she had received a petition, with supporting documentation, from the majority of the residents surrounding Fish Lake. She said she took the information to the Executive Committee as to how this concern should be addressed.

Councillor Ball said he does not understand the purpose of this. He asked what it is aimed at. He asked if it was aimed at pollution or safety. He said the purpose of the by-law is not clear to him.

Councillor Boutilier asked if this by-law was enacted, would it overrule the jurisdiction of a by-law of the Department of Natural Resources.

Mr. Crooks said this would be a situation of concurrent jurisdiction provided that the municipality's by-law does not conflict with any provincial regulation. Provincial statute or regulations would prevail. He said it has been verified that this does not conflict. He said it would be possible for both the municipal by-law and any provincial regulations that are in place to stand side by side.

Councillor Boutilier asked if any research has been done into whether the municipality would be held for liability with respect to the value of a property.

Mr. Crooks said this is a change in the law and property is held subject to changes in laws enacted by bodies of competent jurisdiction so the enactment of this by-law would not give rise to liability on the part of the municipality.

Councillor Boutilier asked if this by-law was enacted and someone purchased a property to specifically enjoy the water use they would not have any legal recourse against the municipality.

Mr. Crooks said that the Charter requires that before a by-law such as this takes effect there is a requirement for a public hearing and public consultation.

Councillor McInroy asked if the advertisement made it clear that it is intended that this by-law shall apply to other watercourses within Halifax County. He said it is clear that there are no criteria or standards by which to qualify other watercourses. He asked Mr. Crooks if he was fully satisfied that the wording in the advertisement made it clear to the public that there are no criteria or standards and that the potential and intention is there that other lakes may be added.

Mr. Crooks said he feels this was adequately addressed in the advertisement.

SPEAKERS IN FAVOUR

Mr. Larry Holt, Fish Lake, spoke in favour of the by-law. He said the Fish Lake Committee was established because they were concerned about all threats to the water quality on the lake. He said they have been consulting with both the federal and provincial levels of government regarding the quality and quantity of water in the lake. He said they have meet with the people at the Golf Club with regards to using Fish Lake in regards to what is best for the ecology of the area. He said the Fish Lake Committee is involved with the entire area of environmental effects on the lake. He said they are not addressing in isolation nor are they interested in affecting the lives of just one family on the lake. It was reported that Fish Lake is of low suitability for development. In other words the lake water quality required protection. He said

this is basically what their committee is doing. He said the lake will get to the point where it will not support any life at all. He said the Shubenacadie Stewiacke River Basin Board, in 1978, published their findings. At that time the lake was in a healthy condition chemically speaking. In 1991/92 their committee supported a water study of the lake. The water samples were tested for standard water quality parameters. The results of these tests clearly show that there has been a dramatic change in Fish Lake over the last 25 years. He said the pollutants are becoming higher. He said they petitioned for the by-law to protect the shallow and delicate lake. He said they are not speaking on behalf of residents on any other lakes. He said the Golf Club is permitted to draw 200 gallons of water per day from Fish Lake. He said the lake becomes less in volume. He said there are 11 residences on Fish Lake and most of these use the lake as the primary source of drinking water therefore, they are anxious to reduce pollutants. He said the use of the power boat on Fish Lake during the last two years has led to increased usage of other boats during this time. He said gasoline and oil slicks have been found on the shore line which raises concerns for the quality of the drinking water. He said they are also concerned that the loon population may be disturbed by the use of power boats. He said they feel the by-law is enforceable and therefore they are in favour of it.

Councillor Boutilier asked how many boats normally come there.

Mr. Holt said it is just one boat.

Councillor Snow asked if there has been any study done to see if there has been any effect with respect to the amount of diesel that leaks out of the trains going by Fish Lake. He also asked if a study had been done with respect to the sewer systems on the lake.

Mr. Holt said no study has been done with respect to the diesel fuel and all septic systems along the lake have been tested.

Councillor Brill asked Mr. Holt how he proposed to monitor the by-law if it is approved.

Mr. Holt said if the by-law is passed it would be easy to identify a large power boat.

Carol Morrison spoke in favour of the by-law. She said they want to preserve their quality of life on the lake. They want to preserve their property values. She said she has been a resident on the lake for seventeen years. She said they want to maintain the quality of life on the lake as far as they possibly can. She said the lake is small and shallow. She said she does not feel the lake is a suitable place for a high powered boat.

Councillor Taylor asked if Ms. Morrisons concerns were more for the environment or safety.

Ms. Morrison said they go hand in hand.

Councillor Deveaux asked Ms. Morrison if she had ever anticipated seeing boats on the lake.

Ms. Morrison said it is a very small lake that is suited to canoes and paddle boats.

SPEAKERS IN OPPOSITION

Mr. John Hickey spoke in opposition to the by-law. He said it is only shallow at one end of the lake. He said he was one of the first residents. He said he is the only boat owner on the lake. He said there are no boat launches on the lake and he has not seen any other power boats, other than his, on the lake. He said he was informed by Environment Canada that this is not an environmental issue. He said it is mainly fertilizers and sewage problems. He said he does not see the problem why he cannot use his boat on the lake.

Mayor Lichter asked Mr. Hickey what was the size of the motor on his boat.

Mr. Hickey said it is a 50 horsepower. He said he can get an approximate speed of 20 to 25 miles per hour.

Mayor Lichter asked Mr. Hickey what the entire length of Fish Lake was.

Mr. Hickey said it is approximately 1.2 km. in length. He said he does not use the full length of the lake nor does he run his boat at full speed.

Councillor Harvey asked if this problem has only developed in the last two years. He asked why other properties on the lake did not have boat launches.

Mr. Hickey said there are only three properties on the lake that would be suitable for boat launches the rest are all located in a swampy area. He said the other two lots do not have boats.

Councillor Boutilier asked how many power boats would be on the lake.

Mr. Hickey said he has never seen another power boat on the lake. He said a few fishermen come in to fish whose carry in their boats. He said these boats have from a 5 to 20 horsepower.

Councillor Boutilier asked how often he uses the lake for boating.

Mr. Hickey said he uses on weekends and weekdays, for a couple of hours, during the summer months.

Councillor Snow asked Mr. Hickey if he has ever been spoken to with regards to reckless driving on the lake.

Mr. Hickey said he has only received one complaint which was unfounded. He said he does not go near any other property, foot valves or waterlines.

Councillor Peters said she has seen trucks carrying aluminum boats as well as other boats being carried in and launched.

Mr. Hickey said these boats have a 5 horsepower motor.

Councillor Ball asked if the water people are drawing from the lake used for drinking.

Mr. Hickey said the Health Department said not to drink the water but he uses it for drinking water.

Councillor Rankin asked if Mr. Hickey had any idea of the number of outfalls into the lake.

Mr. Hickey said he did not have this information.

Councillor Peters asked Mr. Hickey if he or his parents were aware of the "Gentleman's Agreement" that there would be no power boats on the lake and the land would not be subdivided.

Mr. Hickey said he has heard that there is an unwritten law. He said this is not in an covenant or deed.

Mary Jane Stewart spoke in opposition to the by-law. She said if Section 9 of the Mischiefs and Nuisances by-law were applied where it was needed it would be sufficient. She said this by-law would set a precedent which would not be looked upon favourably by her or by the customers of her boat business. She said she feels it would severely reduce property values. She said she had been told that lakes have a natural life span and they will eventually die no matter what happens. She said if Oakfield is taking too much water from the lake then the Department of the Environment should be informed in order for them to deal with this.

Mr. Peter Hilchey spoke in opposition to the by-law. He said the people on Fish Lake who are in favour of the by-law live in an area where you cannot use a boat.

Mr. Glen Bowie, Dartmouth, spoke in opposition to the by-law. He said he represented Water Ski Canada and the Nova Scotia Water Ski Association. He said he read the lake is too small. He said that water ski competitions are held on a lake that is smaller than Fish Lake. He said that if the lake is too shallow then Mr. Hickey would not have a boat because he would destroy his propeller. He said boats cause minimal pollution. He said creosote from wharves

is a greater pollutant than gasoline. He said commerce can be affected by this. He said he also feels this could have far reaching effects. He said he feels this should be looked at from different angles.

Councillor Peters asked if the by-law presently in effect in Dartmouth affects Mr. Bowie's water skiing.

Mr. Bowie said he is aware of the by-law and it does affect his water skiing. He said the Water Ski Association has to go through all canoe associations and speak to anyone relevant in order to get permission to hold the water ski championships on the lake.

Councillor Peters asked if Mr. Bowie, in his opinion, recognizes that a by-law that applies to the size of a motor rather than the speed of a motor would be easier to enforce.

Mr. Bowie said he does not see the relevance of the question.

Councillor Ball asked Mr. Bowie if a power boat can be used on Lake Banook.

Mr. Bowie said the size of the engine doesn't matter as long as your speed is under 5 mph.

Mr. Ivan Rogers, Portebello Road, spoke in opposition to the by-law. He said he does not see the reason for the by-law. He said this looks to him as if Halifax County is making a law and looking for a place to apply it. He said he feels that a speed limit should be put in.

Ms. Nancy Horton, Fall River, spoke in opposition to the by-law. She said she they live on a lake and drink the water from the lake. She said if they were concerned about the gas from boats they would not drink the water from the lake. She said her children use the lake are swimmers and use the lake to better their skills.

Mr. Gary Langthorne, Fish Lake, spoke in opposition to the by-law. He said oil trucks spray dust inhibitors on the road each year.

Councillor Peters said this is not oil but a salt derivative.

Mr. Langthorne said he was not asked for his opinion on this issue. He said in his opinion CN, who's track runs through the area, does not use environmental friendly defoliants.

Mr. Tony Lessor, Third Lake, spoke in opposition to the by-law. He said he had been informed that this by-law was aimed strictly at Fish Lake but he was of the understanding that it could be applied to all lakes in Halifax County.

Mayor Lichter said yes, the solicitor had indicated that as the by-

law is drafted it eventually could apply to other lakes with no new by-law having to be drafted. He said the appendix that is attached to the by-law lists only one lake, Fish Lake. He said should there be a request or some other initiative to put any other lake on that list, council would be following the same procedure. After first reading there would be an advertisement and public hearing. He said this is subject to this by-law getting second reading and third reading.

Mr. Lessor said he had spoken with Mr. Cameron of the Nova Scotia Department of the Environment who stated that there was no environmental issues of concern regarding the draft as it exists today. He said the Department of Environment was not called in on this particular issue.

Ms. Lois Sears, Third Lake, spoke in opposition to the by-law. She said she has had a similar experience to Mr. Hickey. She said she has had numerous complaints and phone calls. She said she wants to live in peace and quiet and enjoy the lake.

Mr. Kevin Sawlor, Dartmouth, spoke in opposition to the by-law. He said he owns property on Lake Charles in Dartmouth and in Ecum Secum. He said it seems that a single boat user is blamed for the reduction in water quality in a specific lake and it would lead to the belief that boat users in general are responsible for the reduction in quality throughout all usable waterways in the municipality. He said he feels there are no grounds to present the reduction of water quality for the prime reason for the reduction or elimination of motor boats.

Mayor Lichter said this by-law is not called the Fish Lake by-law because if another lake requires the same kind of control then this by-law would be the text and all it would have to add is the name of the new lake.

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

"THAT THE BY-LAW BE ADOPTED AS SET OUT"

Councillor Peters said in August, 1992 a number of residents of Fish Lake approached her with their concerns with a meeting and subsequently a signed petition with documentation regarding their request. She said she took these concerns to the Executive Committee and it has gone through the process as outlined by the memorandum. She said this only applies to Fish Lake. If there is another lake in the future then it would go through the public hearing process. She said her intent is not to, in any way, detract from the use of power boats on lakes. The request from the Fish Lake Committee was strictly to deal with protecting Fish Lake. She said they have started a number of efforts such as having tests done on their water, working with the federal and provincial departments to have the golf course transfer the drawing of water

to Grand Lake as opposed to Fish Lake. She said she has been dealing with CN with regards to their defoliant. She said she is aware that the brook from Bennery Long Lake, feeding down, dries up in August. She said they are looking at the level of Bennery Long Lake which is one of the contributing sources as well as the fact that Fish Lake is a spring fed lake. She said she has not taken this as a reflection on Mr. Hickey because she has seen other boats going into Fish Lake. She said her concern was directed at protecting the lake as put forward to her by the Fish Lake Committee. She said she believes that Halifax County has to look at the lakes because some of the lakes are shallow and delicate and have to be protected. She said if this is the first step in that direction then she would like to see council's endorsement. She said she is asking for council's support and look at it as protection for shallow lakes in the county.

Councillor Giffin said he lives on a lake where there are other homeowners who do not use the lake. He said if this law is on the books some of these people may wish this to apply to that lake.

Councillor Bayers said he would not be supporting the motion. He asked the solicitor if the by-law could be amended at some future date to apply to Grand Lake. He asked if there was provincial legislation in place at the present time that governs the operation of motor boats.

Mr. Crooks said the only regulation or restriction that deals with the operation of motor boats in the municipality is the county's own regulation under the mischiefs and nuisances by-law. He said there are provisions with regards to water quality under the Water Act which enables the Department of the Environment to deal with and address any concern relating to contaminants in the water. He said in reply to the first question, any water course could come under the restriction set out in the by-law.

Councillor Bayers said he feels the by-law is too open and feels it may infringe on individual rights. He said he feels it is precedent setting and will be leaving Halifax County open to pressure groups.

Councillor Cooper said he feels as this seems to be the deterioration of a citizens agreement it is necessary, in his opinion, to have an outside body make the decision. He said he feels the municipality should consider a by-law which addresses the operation of boats on watercourses. He said if there could be environmental damage then it is the municipality's responsibility to become involved. He said he has concerns with the limitation on the speed which is not stated in the by-law. He said the potential of a lake that is in danger must be considered. He said this would be a measure whereby the municipality could protect watercourses if and when they see the need.

Councillor Snow said he has checked with the residents of his district and no residents were in favour of him voting for this by-law. He said it could be a good by-law but adding another by-law to those already in effect could effect the people who enjoy the lakes. He said if this passes there will be other groups who will come before council. He said this by-law would be going into effect with no proof on the environment, no proof that the railroad isn't polluting the lake. He said he feels it may be a good by-law but for the wrong reasons and he will be voting against it.

Councillor Taylor said he feels the existing by-law, if it was better enforced, could control situations on many lakes. He said he feels this by-law would have the potential to far reaching implications on many of the county lakes. He said he would not be supporting the by-law.

Deputy Mayor Bates said he does not feel there is any reason for this and Halifax County could run into problems if this by-law is put in place. He said he does not feel that a group of people can come in and take away the rights of another. He said he is opposed to the by-law.

Councillor Harvey said there are good reasons to protect shallow and delicate watercourses but this by-law, he feels, is not a by-law about shallow and delicate watercourses but about the operation of boats on the watercourses period. He said there is no criteria for placing a watercourse on Schedule A. He asked Mr. Crooks should council adopt this by-law in its present form, would there be anything preventing this council or a future council from placing Grand Lake on Schedule A.

Mr. Crooks said there is nothing to prevent this.

Councillor Harvey said he is concerned about the open ended nature of the wording of this by-law. He said because there is no criteria for placing watercourses on Schedule A he would have difficulty supporting the by-law in its present form.

Councillor McInroy said he is concerned with the reference to an alleged community agreement. He said he was speaking against the motion. He said he believes the current legislation, Section 12 of the Mischiefs and Nuisances By-law and other legislations in place, are sufficient for the purposes which this proposed by-law was intended. He said to proceed with this by-law was counter to staff's recommendations and the solicitor has also pointed out that neither the drafting instructions nor the limited source material available provided a basis upon which criteria or standards could be identified and articulated in the draft. He said accordingly the draft by-law contains very minimal regulatory framework with provisions for the council to assess on a case by case basis whether a watercourse requires boating restrictions. He said he feels this is not well thought out and is premature to proceed with

adopting this by-law.

Councillor Merrigan said he would not be supporting the by-law. He said council does not have the information that would give it the ability to assess whether or not a lake should be protected on Schedule A of this by-law.

Councillor Deveaux said he has concerns with the proposed by-law. He said he is concerned because there is no indication what the future ramifications could be.

MOTION DEFEATED

2 IN FAVOUR

16 AGAINST

ADJOURNMENT

It was moved by Councillor Boutilier:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS
OF THE
SECOND YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
AUGUST COUNCIL SESSION
TUESDAY, AUGUST 3, 1993
&
PUBLIC HEARINGS
AUGUST 9 & 23, 1993

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Motion	- District Capital Grants	20
Motion	- Resignation, Melba Holm	21
Motion	- Appointment Rehab Board	21 & 26
Motion	- Land Purchase, Beaver Bank	21
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P.	Paving Petition	2
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X.

Y.

Z.

COUNCIL SESSION

August 3, 1993

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Ball
Councillor Deveaux
Deputy Mayor Bates
Councillor Randall
Councillor Smiley
Councillor Taylor
Councillor Peters
Councillor Brill
Councillor Snow
Councillor Boutilier
Councillor Harvey
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Dale Reinhardt, Deputy Municipal Clerk
K. R. Meech, Chief Administrative Officer
Fred Crooks, Municipal Solicitor

=====
The meeting was called to order at 6:00 p.m. with the Lord's
Prayer. Mr. Reinhardt called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE JUNE 7, 1993 COMMITTEE OF THE
WHOLE BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE JUNE 15, 1993 COUNCIL SESSION BE
APPROVED"

MOTION CARRIED

It was moved by Councillor Brill, seconded by Councillor Taylor:

"THAT THE MINUTES OF THE JULY 6, 1993 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE JULY 12, 1993 SPECIAL COUNCIL SESSION BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a petition from the residents of Carter and Roman's Subdivision requesting upgrading of postal box service.

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

"THAT THE PETITION BE RECEIVED"

MOTION CARRIED

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

"THAT THE PETITION BE REFERRED TO CANADA POST WITH COUNCIL'S SUPPORT"

MOTION CARRIED

2. Mr. Reinhardt outlined a petition from the residents of Lillian Dr., Jan Marie Dr. and Glen Dr. requesting further upgrading of the stated streets in the form of pavement.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION WITH COUNCIL'S SUPPORT"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from Paul Kieley, President,

Cole Harbour Residents Association concerning the formulation of the water extension policy. The association requests immediate discussion for water extensions to the residents of Ritcey Crescent, Coleridge Estates and Cole Harbour Road.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter said he wrote to Mr. Kieley indicating that the letter would be tabled at this session. He also referred council to a letter from Mr. Meech concerning the attempts of staff to deal with the Dartmouth side of the water issues.

4. Mr. Reinhardt outlined a letter from Mr. Parker, Director, MacKenzie Bus Line Limited concerning a request to establish a new service along route #3. He advises that it is not possible under the current circumstances.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from Bruce Holland, MLA with respect to requests for crosswalks.

It was moved by Councillor Taylor, seconded by Councillor Rankin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THE DEPARTMENT OF TRANSPORTATION BE REQUESTED TO INSTALL A CROSSWALK AT PROSPECT ROAD AT PINEDALE PARK SUBDIVISION"

MOTION CARRIED

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

"THAT THE DEPARTMENT OF TRANSPORTATION BE REQUESTED TO INSTALL A CROSSWALK AT RAINS MILL ROAD, LAKESIDE"

MOTION CARRIED

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

"THAT THE DEPARTMENT OF TRANSPORTATION BE REQUESTED TO INSTALL A CROSSWALK AT THE TANTALLON ELEMENTARY SCHOOL"

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from C.A. Moir, Chairman, Dartmouth General Hospital thanking Halifax County Municipality for its grant in the amount of \$12,000.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from John Risley, Campaign Chair, Halifax Infirmary acknowledging Halifax County's grant in the amount of \$20,000.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from John MacEachern, Minister, Department of Education, concerning incidents occurring in school yards during lunch hours and breaks.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Mr. Reinhardt outlined a letter from Elmer MacKay, Minister of Public Works, concerning the location of the PCB incineration unit in Halifax County.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Peters said the letter written by Halifax County referred to the fact that council was not advised that Oldham was short list of seven, not the two. She said Mr. MacKay has been misinformed on this. She said when he speaks about the project team consulting with municipal planners this was only to the extent to ask if there were any zoning restrictions. She said she feels that the entire letter from Mr. MacKay is missing the point

entirely.

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

"THAT A LETTER BE WRITTEN TO MR. MACKAY ADVISING HIM THAT THERE SEEMS TO BE A MISCOMMUNICATION AND WHAT COUNCIL IS REFERRING TO IS THE FACT THAT IN FEBRUARY THE OLDHAM SITE WAS ONE OF SEVEN SHORT LISTED AND COUNCIL WAS NOT ADVISED OF THIS AND FURTHER THAT HIS STAFF OR PROJECT TEAM SEEMS TO BE MISLEADING HIM. HALIFAX COUNTY WAS APPRISED OF THE TWO SHORT LISTED SITES IN JUNE BUT PRIOR TO THAT THERE WAS NO FORMAL COMMUNICATION EXCEPT THOSE INITIATED BY HALIFAX COUNTY"

Councillor Peters said that Mr. Johnson and the project team have not been cooperative through any meetings that have been held and that she will be communicating to Mr. MacKay her displeasure and some other concerns.

MOTION CARRIED

10. Mr. Reinhardt outlined a letter from the County of Queens/Town of Liverpool concerning lack of accessing clarification to lighthouses along lighthouse route.

It was moved by Councillor Peters, seconded Councillor Fralick:

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Peters, seconded by Councillor

"THAT A LETTER BE SENT TO THE MINISTER, DEPARTMENT OF TOURISM, WITH A COPY TO THE DEPARTMENT OF TRANSPORTATION, SUPPORTING QUEENS COUNTY/TOWN OF LIVERPOOL STATING THAT COUNCIL FEELS THAT THE SIGNAGE IS NECESSARY TO SUPPORT AND ENCOURAGE TOURISM AND TO GET PEOPLE OFF THE 100 SERIES HIGHWAYS. FURTHER THAT THE SIGNAGE IS THE FINANCIAL RESPONSIBILITY OF THE PROVINCIAL GOVERNMENT"

MOTION CARRIED

11. Mr. Reinhardt outlined a letter from John MacEachern, Minister, Department of Education in response to council's request to consider the construction of a new school in the catchment areas of Sir John A. MacDonald and C.P. Allen Schools.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

12. Mr. Reinhardt outlined a letter from Pamela J. Barker, Managing Director, IWK Children's Hospital Foundation, acknowledging council's support for their campaign.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

13. Mr. Reinhardt outlined letters from the Armoyan Group concerning a meeting with county council.

Mayor Lichter said that Mr. Meech indicates that this is a staff matter and should be dealt with at the staff level by meeting with Mr. Meech and other staff members who may be involved with this issue.

It was moved by Councillor Peters, seconded by Councillor Brill:

"THAT COUNCIL ACCEPT STAFF'S RECOMMENDATION"

Councillor Cooper asked Mr. Meech if a reply had been received with regard to the outlining of new proposals that staff will be following whether they were acceptable to the Armoyan Group or not.

Mr. Meech said there has not been a response as yet.

Councillor Cooper said he does not feel that council should be saying to the Armoyan Group that they cannot come before council if they have a concern. He said if it is being indicated that they are to go to staff then it should also be indicated that they still have the option to return to council.

Mayor Lichter said this is a more general type of issue. He said Mr. Armoyan has been in to see staff and he feels they have to come to terms that they have to deal with staff and they have to give staff a reasonable period of time to process applications and, at the same time, staff has to cooperate and process those applications in a reasonable period of time.

Councillor Boutilier said he is concerned that the Armoyan Group has a concern with the approval methods. He asked what the staff response to this.

Mayor Lichter said that the outline of the staff response clearly indicated that one contact person should be the development officer and it is through the development officer that the dealing should be done.

Councillor Boutilier asked if the Engineering department was familiar with the approval methods that the Armoyan Group have fault with.

Mr. Meech said he has personally pursued some of the particular allegations and what he has found is that it is being suggested that they need to meet additional design standards. He said Halifax County is applying the same procedure consistently across the board.

Councillor Taylor said he feels council should give Mr. Armoyan an opportunity to address council.

Mayor Lichter said he is recommending against this.

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from Gordon Gillis, Department of the Solicitor General with regards to a possible request by Halifax County for additional policing requirements.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Council agreed to bring forward the item on Halifax County Policing requirements from the Executive Committee Report.

Mr. Meech said the procedure that has been established by the Federal Department of Justice is that it is necessary that the RCMP be advised by September 1st of any given year if there is a desire or request to expand the police resources for the fiscal year. He said Halifax County has been discussing and analyzing the policing requirements for some time through the Police Committee. With the participation of Assistant Commissioner Burchill there has been a number of discussions with regards to the existing level of policing resources relative to the needs of Halifax County. He said they have asked Assistant Commissioner Burchill and his resource people to develop a plan for policing resources for the next three years and also assist in developing some standards. He said this information was included as part of the report. He said, from his point of view, he feels it is a very reasonable proposal and has recommended that council endorse it.

Councillor Ball said he feels that Halifax County was not legislated by the province to assume the responsibility of policing. He said he feels it is a provincial responsibility to assume policing costs until such time as Halifax County is

legislated to do otherwise. He said his area does not have a good service in terms of police protection. He said he does not know if additional officers is the route to take in some circumstances.

This item was deferred to later in the agenda so that the advertised public hearings could be dealt with.

UNDERSIZED LOT LEGISLATIONUndersized Lot Subdivision File No. FE-56-93-11

An application was received from Mr. Kenneth Boutilier for an undersized lot approval. Staff's recommendation is that lot 2 and 3, subdivision of the lands of Guy Boutilier be granted final endorsement of approval through the undersized lot legislation. Mr. Ken Boutilier proposes to develop an aquaculture business on an eight acre parcel of land on the East side of the Old Taylor Head Road in Spry Bay. This property would then become the remaining lands of his father's subdivision. The property opposite this is also owned by Guy Boutilier. Mr. Ken Boutilier would like to acquire ownership of a portion of this property so that he may construct a wharf and a slip for his aquaculture business. The Nova Scotia Department of Fisheries has approved subject to receiving subdivision approval from council. The property as a whole is transferrable; however, Mr. Guy Boutilier would like to obtain ownership of a portion of this land to be used as access to the shore. In order for Mr. Boutilier to do this, subdivision approval is required; however, according to the subdivision regulations any lot within 75 feet of a watercourse requires a minimum area of 40,000 square feet. It is not possible to approve a lot that contravenes requirements of the subdivision by-law and therefore approval is requested through the undersized lot legislation. If the property were retained as one parcel it would not be suitable for the construction a single unit dwelling or any structure requiring a septic system because it has insufficient lot area and depth. Approval of this subdivision would permit some development of the property and permit Mr. Boutilier access to the water. The Department of Transportation has advised that this proposal meets their regulations and the Department of Health has indicated that the lots are too small for a development with an on site sewage disposal system. Mr. Boutilier is aware that the lots are considered Class D and understands that building permits will not be issued unless they receive a positive comment from Health.

The undersized lot legislation requires that certain guidelines be followed. This request is consistent with these guidelines. In accordance with this legislation these lots can only be approved by an affirmative vote of not less than two thirds of the members of council.

QUESTIONS FROM COUNCIL

Councillor Peters asked if Mr. Boutilier does not receive the lease to construct the wharf and slip would he be able to construct something else.

She was informed that he could as long as there were no structures that would require an on site sewage disposal system.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT LOTS 2 AND 3, SUBDIVISION OF THE LANDS OF GUY BOUTILIER, BE GRANTED FINAL ENDORSEMENT OF APPROVAL THROUGH THE UNDERSIZED LOT LEGISLATION"

MOTION CARRIED

LESSER SETBACK APPLICATION, WHITE'S LAKE, DISTRICT #4

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

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

"THAT THE REQUEST BY GORDON COUGHLAN FOR A LESSER SETBACK OF 25.6 FEET FROM THE STREET LINE OF ELIZABETH COURT BE APPROVED"

MOTION CARRIED

LESSER SETBACK APPLICATION NO. LS-12-93-10

QUESTIONS FROM COUNCIL

Councillor Peters asked if there was a requirement for a right of way over this land. She said she has difficulty with Mr. Richards being advised that he could build a building 10 x 20 and subsequently built a building 18 x 24. She said this is a

substantial difference in size. She asked if staff could control this type of situation.

Mayor Lichter said that staff have controlled it by putting a stop order in effect and advising that an application has to be initiated.

Councillor Peters said these come before council after the person has the footings in and there is the financial burden of having them tear it down and redo. She said council should not continue to approve these and she said she feels council should find a way to look at this situation so it does not continue to happen.

Mayor Lichter said that until council has developed some type of policy to deal with this type of situation it is not fair to say it will not be dealt with.

Councillor Cooper said the building permit just says "replace the existing boathouse". He asked if this was considered sufficient notice or indication of what the size of the building is to be and that they are not to go any larger than the existing structure.

Mr. Crooks said it would be preferable if the dimensions be explicitly indicated. He said it is reasonable notice to an applicant that if they are to replace an existing structure it would be in accordance with the dimensions of the structure as it existed. He said it might be desirable in future to specify precisely the dimensions.

Councillor Cooper said the building permit indicates 20 feet front, 10 feet on the side and 12 feet high for a total area of 200 square feet.

Mr. Crooks asked if the building permit indicated the dimensions of the existing building.

Councillor Cooper said it does not.

Mr. Crooks said, in his view, this could leave it open to some uncertainty.

Councillor Cooper said he has previously expressed difficulty with these situations where things are started and even though they are being done wrong council continues to approve them. He said he has difficulty with building permits being issued for a certain sized structure and then these permits are revised because the person is doing it wrong. He said he does not feel this should be approved.

Councillor McInroy said in his opinion that this is an abuse and disregard for guidelines that the applicant was aware of. The dimensions of the proposed structure are on the building permit which expressly says it is to replace existing structure. The

setback, which was supposed to be 14 feet, is five feet. The size is larger than the previous building. He said there is someone who says they have a deeded easement and council is saying it is not it's jurisdiction. He said the Department of Transportation is saying they will approve it as long as there is no big door facing the road. He said if the applicant has not paid attention to anything previously, in terms of the size, setback, etc., he may construct a door facing the road. He said Halifax County either let people build where they want to build or have some rules that are flexible to an extent. He said he feels something has to change.

Deputy Mayor Bates said the first time he had run into this type of situation it was involving a property in district 24. He said the gentleman had come in and council had told him that he could not build a patio where he was going to build it. He said the gentleman had gone back and built it exactly the way council had told him not to build it. He said it had come back to council. He said there are many buildings being constructed in the county and a few come to council that do not comply with the regulations. He said he finds it unfair that council should, all of a sudden, decide that Robert Richard is going to be the one who is used to make the change. He said if council wants to get tough then a staff report should be prepared on these things and come down and decide on a new course of action but don't have it land on the back of one gentleman where in the past council had routinely done these types of things. He said he would be voting in favour of this recommendation.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT THE REQUEST BY ROBERT RICHARD FOR A LESSER SETBACK OF FIVE (5) FEET FROM THE ROAD BOUNDARY OF LOT D, SUBDIVISION OF LANDS OF ALLAN MIDDLETON, HARTLIN SETTLEMENT ROAD, HARTLIN SETTLEMENT, BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

11 IN FAVOUR

3 AGAINST

LESSER SETBACK APPLICATION NO. LS-11-93-10

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT A REQUEST BY SHANE AND RHONDA GIBSON FOR A LESSER SETBACK OF TWENTY-FOUR (24) FEET FROM THE FRONT PROPERTY LINE (EDGE OF TRUNK #7 R.O.W.) OF LOT 2B, SUBDIVISION OF LANDS OF GARY B. MYERS, HEAD OF JEDDORE, BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

Policing Needs of Halifax County

Councillor Boutilier said he is opposing this. He said Halifax County has never reached the base level in police protection. He said he would suggest that this be dealt with at budget time. He said that Halifax County should make some kind of presentation to see if it can get the level of service that is recognized for Halifax County.

Mayor Lichter said in the last four years he has had meetings with the Solicitor General and staff. He said the only thing that has been achieved is that Joel Matheson was able to negotiate with the Federal Government to allow the kind of cost sharing in Sackville and Cole Harbour as in the rural areas.

Councillor Taylor asked for some clarification with respect to the recommendations.

Mr. Meech said the recommendations are consistent with the decision the council took in the existing fiscal year for the additional ten which was agreed to be paid by the general tax rate. He said about one third of the cost of the original ten officers is being allocated to recovery by an area rate. The balance is being paid by the general tax rate.

Councillor Taylor said he cannot support these recommendations.

Mayor Lichter said that when the original ten police officers were added there was no talk of policing becoming a municipal responsibility. In the past number of years that has become a very strong argument from the province. He said he has been told that the legislation is there but it has never been enforced.

Deputy Mayor Bates said he feels Halifax County's responsibility is to the people. He said council has to make the decision as to whether or not the increase in tax dollars is justified. He said he believes it is.

Mayor Lichter said deferral to a month after the new councillors are sworn in might not be the right time because Halifax County would have already lost the opportunity to get policemen for 1994/95 fiscal year. He said this would be also asking the new councillors to make a decision when they are still learning. He said if Councillor Rankin does make a deferral motion he would suggest that deferral to budget may possibly be a better time frame.

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

"THAT CONSIDERATION OF THIS PROPOSAL BE DEFERRED TO BUDGET TIME"

MOTION CARRIED

9 IN FAVOUR

8 AGAINST

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from C. William Hayward and Mr. Mark Gilbert with regards to a briefing session with regards to the Interim Report on Municipal Reform.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter, from Mr. Meech, for council's information.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Cooper said he is pleased that the initiative is being taken to get in touch with the City of Dartmouth with respect to these matters. He said the letter did not address the concern of health related matters. He said he feels it would be in order to indicate to the City of Dartmouth that Halifax County is also considering policies that would allow it to address those health concerns that have been and will be identified.

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

"THAT THE CHIEF ADMINISTRATIVE OFFICER ALSO INDICATE TO MR. CORRIGAN, CHIEF ADMINISTRATIVE OFFICER OF THE CITY OF DARTMOUTH, THAT THE MUNICIPALITY IS PRESENTLY INVOLVED IN TRYING TO EVOLVE A POLICY REGARDING SERVICING TO THOSE AREAS THAT HAVE HEALTH CONCERN AND THAT THIS MUNICIPALITY INTENDS TO ADDRESS THOSE MATTERS IN ANY DISCUSSIONS WITH THE CITY OF DARTMOUTH"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Nova Scotia Association for Community Living with regards to council's decision about overturning the decision of the Board of the Rehab Centre to explore the planned closure of the Rehab Centre.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Snow informed council that the letter is being responded to by the Rehab Board. The mayor advised that he would also be responding to the letter.

PLANNING ADVISORY COMMITTEE REPORT

File No. RA-TLB-12-93-02 - Application by North American Real Estate Limited - Timberlea Village Subdivision

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

"THAT THE APPLICATION BE APPROVED AND THAT AUGUST 23, 1993 AT 6:00 P.M. BE SET AS THE DATE AND TIME OF THE PUBLIC HEARING"

MOTION CARRIED

File No.'s PD5-18-92 & ZAP-PD5-18-92 - Amendments to the Municipal Planning Strategy and Land Use By-law for Planning District 5

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

"THAT THE APPLICATION BE APPROVED AND THAT SEPTEMBER 13, 1993 AT 6:00 P.M. BE SET AS THE DATE AND TIME OF THE PUBLIC HEARING"

MOTION CARRIED

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

"THAT MUNICIPAL COUNCIL SEND A LETTER TO THE DEPARTMENT OF NATURAL RESOURCES REQUESTING THAT IT NOTIFY THE MUNICIPALITY IN ADVANCE OF ANY FUTURE LAND SWAPS BEING CONSIDERED ANYWHERE IN HALIFAX COUNTY"

MOTION CARRIED

REPORT OF THE NEW MUNICIPAL PLANNING ADVISORY COMMITTEE

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

"THAT THE REPORT OF THE NEW PLANNING ADVISORY COMMITTEE BE RECEIVED"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Sewer Tax By-law/ Amendment to By-law No. 58, Respecting Charge for Water Services

Mayor Lichter said that further in the agenda is a memo to council indicating notice of intent to consider a By-law entitled "A by-law Respecting Sewer Taxes and an amendment to By-law No. 58, Respecting Charge for Water Services".

Mr. Crooks said the intention would be to receive, by way of notice under the Charter, these two By-laws for First Reading at the next council session.

It was moved by Deputy Mayor Bates, seconded by Councillor Taylor:

"THAT NOTICE OF INTENT BE GIVEN TO CONSIDER FIRST READING OF A BY-LAW ENTITLED "A BY-LAW RESPECTING SEWER TAXES AND AN AMENDMENT TO BY-LAW NO. 58, RESPECTING CHARGE FOR WATER SERVICES FOR THE NEXT SESSION OF COUNCIL"

MOTION CARRIED

Proposed Funding - Caldwell Road Storm Sewer Project

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

"THAT COUNCIL APPROVE THE PROPOSED FUNDING AS OUTLINED IN THE STAFF REPORT"

MOTION CARRIED

Rodent Problem

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

"THAT COUNCIL APPROVE \$1,000.00 BE SET ASIDE TO RETAIN THE SERVICE OF A RODENT CONTROL COMPANY OR KNOWLEDGEABLE INDIVIDUAL TO DEAL WITH SPECIFIC PROBLEM AREAS ON A PER JOB BASIS"

MOTION CARRIED

Tender - Watermain Installation, Millwood Dr/Stolik Dr.

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

"THAT COUNCIL APPROVE AWARDING OF THE TENDER TO J.R. EISENER CONTRACTING LIMITED, IN THE AMOUNT OF \$425,700.94, REPRESENTING THE LOWEST BID MEETING SPECIFICATIONS"

MOTION CARRIED

Tender - Water Installation, Cherrybrook Phase II

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

"THAT COUNCIL APPROVE THE AWARDING OF THE TENDER TO MARITIME EXCAVATORS LIMITED, IN THE AMOUNT OF \$470,724.03, REPRESENTING THE LOWEST BID MEETING SPECIFICATIONS"

MOTION CARRIED

Interest on Tax Arrears

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

"THAT COUNCIL APPROVE A REDUCTION IN THE INTEREST RATE APPLICABLE TO TAX ARREARS TO THE MUNICIPALITY, FROM THE CURRENT 12% TO 10% EFFECTIVE DATE OF NOVEMBER 1, 1993"

MOTION CARRIED

\$20,000 Loan Advance - District #1 Volunteer Fire Department

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

"THAT COUNCIL APPROVE A \$20,000 FIVE YEAR LOAN ADVANCE TO THE DISTRICT #1 VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF PURCHASING A RESCUE VAN. THE LOAN IS REPAYABLE, WITH INTEREST, AND COUNCIL RESERVES THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Capital Grant Requests