

be approved." Motion Carried.

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

"THAT the Warden and Clerk be and they are so hereby authorized to sign the renewal agreement between the Municipality and the Sackville and District Fire Fighters Association." Motion Carried.

The appointments to the Planning Advisory Committee and County Board of Health were dealt with next.

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

"THAT Mrs. Lois Wiseman be nominated as the non-council member to the Halifax County Board of Health."

In making this nomination, Councillor Cosman stated that Mrs. Wiseman is a registered nurse and has spent a number of years in health and related fields. She has worked to get the health care complex in Sackville and is a hard working person. It was noted by Mr. Bensted that she is a possible candidate for the Council seat. She lives in Sackville.

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

"THAT Mr. Eric Joy be nominated to the Halifax County Board of Health."

Councillor Walker stated that Mr. Joy lives in Black Point and works for Cody's Food Equipment and is very involved in the food industry. He has a broad knowledge of food and sewer regulations because of this.

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

"THAT Mrs. Shirley Freer be nominated as the non-council member to the Halifax County Board of Health."

Mrs. Freer has served on the Committee previously and has worked very hard. She was also involved in the health care complex for Sackville and represented that group at a meeting of Finance and Executive Committee. She is an outstanding person and has a broad knowledge of health having worked in many hospitals.

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

"THAT nominations cease." Motion Carried.

A vote was taken and Mrs. Wiseman was dropped off on the first ballot. After a second vote, Mr. Eric Joy was duly elected.

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

"THAT Mrs. Olga Ettinger be nominated as the non-council member to the Planning Advisory Committee."

Councillor McCabe stated that Mrs. Ettinger lives in Middle Musquodoboit and is therefore a rural resident concerned about future development. She is active in the hospital auxiliary and has promised to do the best she could if elected to the job. Councillor McCabe knows her personally and she is certainly a competent person who is very community minded. In addition, she is most attractive.

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

"THAT Mr. Robert Stevens of Musquodoboit Harbour be nominated as the non-council member to the Planning Advisory Committee."

Mr. Stevens lives in Musquodoboit Harbour and has lived there for 11 years. He has served on various Committees in his community and is very interested in the affairs of the area. Councillor Smith feels he would serve very well.

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

"THAT Mr. Allan Ruffman of Ferguson's Cove be nominated as the non-Council member to the Planning Advisory Committee."

Mr. Ruffman lives in Ferguson's Cove and has served for two years on the Planning Advisory Committee. He is a member of CPAC, MOVE and the Ecology Action Centre. He has been very involved and interested in what has happened and is very rural minded. He understands the citizens and is a good thinker. He researches everything beforehand as well.

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

"THAT nominations cease." Motion Carried.

After a vote was taken, Mrs. Olga Ettinger was duly elected.

Councillor Poirier then spoke about the water and sewer servicing for Lakeside, Timberlea and CMHC and Provincial Funding. A copy of the letter from C.M.H.C. is on everyone's desk and it states that for budget reasons, they are unable to process this application at this time. The people in her area have been trying to get cost estimates so they know where they are going. They have been waiting for C.M.H.C. to come through with a grant, part of which was forgivable and now they are not going to get it. Her people have put 15 years into this project and it is a very serious situation. The people cannot develop. They do not know what is going to happen. People are having problems with their sewer but since they thought water was coming, they have not had it fixed because of the high costs. The same is true of wells. They just keep waiting. This is the closest they have been to reality but it is now refused. She does not know of any alternatives. Under the regional development plan, they cannot build and cannot progress. There is not much of a community when this happens. An example is their fire station which is too small but they cannot build another one because of water and sewer. She has watched the rest of the County grow. She never has to worry about building permits since no development can take place. They cannot wait any longer. The province may be the only one to turn to now. There may be a possibility that the province could set up funding knowing that block funding is coming. She would like the province approached in any event to see if they can help. She will contact the M.L.A. to see if he can assist them in keeping on stream.

Mr. Bensted said there is a concern for the whole servicing system.

Councillor Cosman asked if \$2 million was the correct cost for expansion of the Bedford plant. It is, said Mr. Bensted. Councillor Cosman suggested that the Chairman of the Finance and Executive Committee, Public Works and the Director of Public Works, the Clerk and the Warden meet with the Minister of Municipal Affairs and CMHC to try and sort this out.

Councillor Poirier had already made a motion re her area and wants it to stand. She wants the Minister of Municipal Affairs and the Premier approached via letter to ask their assistance in helping her area keep on stream with servicing. Mr. Bensted suggested that other projects be included in this and that first priority should be given to the existing systems.

Mr. Bensted explained that block funding will not be available until 1979 and the money will not come until 1980. No actual firm commitment has been made between the federal government and individual provinces.

Councillor Fader suggested that since three districts are involved in this, the Councillor for these areas should be included in the meeting.

Councillor Poirier noted that she has already been in touch with Mr. Lawrence, M.L.A., and Mr. Crosbie, M.P., re the situation in her area.

Councillor Deveaux feels we are being shafted by the federal government again. They lost DREE and they are now losing CHMC grants. He wondered if there were any hope of CMHC changing their mind for 1979.

Mr. Bensted has had no indication that their decision would be reviewed. Every municipality in Nova Scotia applied for grants this year as it was the last year.

Councillor Deveaux feels it most unfair that the federal government lends money to foreign communist countries but will not help their own people.

Councillor Topple feels that everything should be treated equally and the priorities for each area should not be lessened.

Councillor Lawrence wondered what happens if the province will not help. Where will they go from here. Mr. Bensted said that Councillor Poirier's problem is the third priority since the other two systems in need are already established.

Councillor Lawrence suggested that Councillor Poirier be included in the group visiting the Minister of Municipal Affairs. Since she is third after two other expensive items of priority she may be eased out and should be able to state that she is in a very different category than the other two.

It was noted by Councillor Cosman that Waverley has an arsenic problem in their water and they are not even being considered here.

In concluding this conversation, Warden Settle said they must try to convince the province to honour their previous commitments.

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

"THAT Council authorize the Warden, Clerk, Chairmen of the Finance and Executive Committee and Public Works Committee, the Director

of Public Works to request a meeting with the Minister of Municipal Affairs and the Premier with respect to the lack of CMHC funding with respect to water and sewer services and what action the province will take to replace this funding." Motion Carried (See Amendment).

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

"THAT Councillor Poirier be added to the delegation." Motion Carried.

A copy of the agreement between Bedford Village Properties and the County of Halifax has been distributed to Councillors. Councillor Cosman notes there is no penalty clause contained in the agreement should they break it. The solicitor asked for this but the developers refused and he agrees the agreement is of little value without it. Councillor Cosman feels the best course of action at this time is to zone it P & I. The people who were at the hearing and did not want it zoned P & I were concerned that it might be used as a public park but any trespassers would not know what zoning applied to any particular area so it hardly makes a difference.

Mr. Bensted thought it unfair that Bedford Village Properties were not here tonight to discuss this further. Councillor Lawrence said the public hearing aspect was concluded anyway. Councillor Sutherland feels Council should make a decision on this tonight.

Councillor Fader suggested that this be referred to the Planning Advisory Committee since Bedford Village Properties are not here. Discussion between the two parties is not closed.

It was noted by Councillor Cosman that the speakers against the application that night for the most part had vested interests in the land. The people in the area supporting the application did not choose to speak after hearing the Bedford Service Commission's presentation. Since there is no penalty clause the developers can apply to build any time.

Mr. Cragg would have preferred more time to negotiate but the developer definitely said a penalty was not acceptable.

It was noted by Councillor Deveaux, seconded by Councillor Lawrence:

"THAT Council approve the zoning of the Islands in Paper Mill Lake from unzoned lands to P & I (Parks and Institutional) Zone as per application # 29-77." Motion Carried.

Before adjourning, Councillor Fader invited all Councillors to the levy at the Sackville Fire Station from 11:00 to 1:00 p.m. on New Year's Day. Councillor Cosman also invited the Councillors to the one in Bedford.

It was moved by Councillor Cosman, seconded by Councillor Fader:

"THAT Council adjourn to January 16, 1979 at 2:00 p.m." Motion Carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX  
PUBLIC HEARING

MONDAY, JANUARY 15, 1979

Present Were: Councillors Walker, Poirier, Lawrence, Baker, Deveaux, Topple, Lachance, Smith, MacKenzie, Benjamin, Margeson, Fader, Cosman and Deputy Warden Gaetz and Warden Settle.

Warden Settle opened the meeting at 7:00 p.m. with the Lord's Prayer followed by Mr. Kelly calling the roll.

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

"THAT Mrs. Eileen Morres be appointed as recording secretary."  
Motion Carried.

Warden Settle explained that this special session of Council was called to deal with three separate zoning applications and he then informed the public present of the procedure involved with public hearings.

REZONING APPLICATION NO. 12-78 - Request to rezone lands in the area of Smith Avenue and Morash Drive from G (General Building) Zone and Unzoned Status to R1 (Residential Single Family Dwelling) Zone.

Mr. Gough of the Planning Department reported on this application and stated that the application was recommended by the Planning Department. This was advertised and one communique was received from Alvin L. Lemon against the application. Mr. Lemon was out of town and unable to appear in person and the letter was read to Council. Mr. Lemon resides at 1B Smith Avenue and advised that he is against the rezoning of properties to R1 which abut commercial properties. Commercial properties in the area of the rezoning request consist of Forest Hills Animal Hospital, World Wide Furniture and Ceramic Crafts.

A sketch of the area was shown on the slide projector depicting the land use in this part and showing single family dwellings and commercial establishments and the Colonel John Stuart School.

As mentioned before the Planning Department recommend this application and would give consideration to the exception of the existing commercial properties. Fifty residents of the area signed a petition in favour of having this land rezoned.

Councillors then asked Mr. Gough several questions at this point with regard to the sketch shown on the screen.

Warden Settle called for speakers in favour of the application and Mr. John Slater was the first to respond to speak in support of rezoning. Some pictures of homes in the area were shown on the slide projector and Mr. Slater stated that these were single family dwellings of good quality which had been constructed over the past several years on Smith Avenue. A single family dwelling turned commercial was also shown, being on Morash Drive. This dwelling houses the Ceramic Craft Shop. The residents are concerned that if this enterprise should go out of business some other type of business may establish itself which would be detrimental to the area. They wish to maintain the area residential, consisting of park, duplexes and single family homes. Mr. Slater stated that this has been developed as a single family residential area. The Colonel John Stuart School, several churches are close by, Colby Village is across the street and the area is experiencing rapid development.

The residents are not opposed to the Animal Hospital because it is operated from a residential home, although, they would prefer to locate this in the zoned area as some time the present business might relocate and another business move in. World Wide Furniture has recently purchased an adjacent home for expansion purposes and the residents are concerned as this business does not have good access from Cole Harbour Road and trucks must use Smith Avenue, driving over adjacent lawns in order to load and unload at the store. They are concerned that this establishment will expand without consideration for the residents in the area. Mr. Slater stated that there is great concern for the safety of small children on their way to and from school.

Councillor Cosman asked Mr. Slater if the Ceramic Craft was out of business and Mr. Slater answered in the affirmative.

Councillor Margeson asked Mr. Slater if he was aware that if World Wide Furniture had a major fire they would be unable to rebuild should the area be rezoned to R1 and Mr. Slater answered in the affirmative, that he was aware.

Deputy Warden Gaetz asked Mr. Slater if the trucks of World Wide Furniture was endangering anyone in the area and Mr. Slater replied yes, the small children.

Doctor Hilliard responded to the request for speakers to come down and stated that he was neither in favour or against the application. He asked that the three commercial properties concerned be exempt from the rezoning and remain a general building zone. Doctor Hilliard stated that he does not live in the area and therefore, would not be adding an overload to the schools. If he should expand, as time goes by, he would make every effort to see that he did not disturb the character of the neighbourhood.

Councillor Fader asked Doctor Hilliard when he had purchased the property and was advised that this had been purchased a year or a year and a half ago and plans to carry on this service in the future. He feels he deserves some sort of protection as he is not exploiting the area. Councillor Fader stated that he feels Doctor Hilliard deserves protection because if the area were rezoned R1 and the Doctor should have a fire whereby more than fifty percent of the establishment were lost, he would not be able to rebuild.

Councillor Cosman asked Doctor Hilliard if he thought the rest of the commercial properties also merited protection and Doctor Hilliard replied yes.

Warden Settle called for anyone else who wished to speak in favour of the application and there were no further speakers. Warden Settle asked for speakers in opposition to the application and Mr. Tom Cleary came forward. Mr. Cleary is the owner of the property housing Ceramic Crafts and stated that he purchased this property a few years ago for commercial use. He said that it is not true that the facility is for sale, his wife is ill and that is why the establishment has not been open for business but that it is being used as an office and storage space for his construction business at the moment and he hopes to carry on using the building as a commercial enterprise. Mr. Cleary stated that any property abutting the Number 7 Highway is not conducive to R1 living, given the proximity of the road and traffic.

Nelson Morash then asked to speak and stated that he has no objection to the Ceramic Craft Shop being there but is concerned as he saw a for sale sign on the property and if someone should decide to put an apartment block on the lot it would block his view. Mr. Cleary assured Council that the lot was not for sale, that the sign was on a property on Morash Drive.

Councillor Lawrence asked Mr. Morash if he had the adjacent property to the Ceramic Craft and Mr. Morash replied yes, on the east side.

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

"THAT the Zoning By-Law be and the same is hereby amended by rezoning certain lands at Cole Harbour in the area of Smith Avenue and Morash Drive as per Application # 12-78 and plan attached from G (General Building) Zone and Unzoned Status to R1 (Residential Single Family Dwelling) Zone excepting the properties of Ceramic Craft, World Wide Furniture and the Animal Hospital as shown on the said plan." Motion Carried.

Councillor Benjamin stated that he was concerned with the haphazard method of zoning, leaving commercial lots in the general zone.

Councillor Lichter would like to accept the recommendation of the Planning Department and the Planning Department is against spot zoning. He would like no future references made to the Municipal Development Plan until such time as we have a plan.

**REZONING APPLICATION NO. 15-78A** - Request to rezone certain lands at Hubbards including Schwartz Road and Conrod's Road and surrounding lands from G(General Building and Unzoned Status) to R2 (Residential Two Family Dwelling) Zone.

Mr. Gough of the Planning Department reported on this application and stated that there had been no written communication for or against this application. A petition was submitted with the signatures of an overwhelming majority of the residents of the area. Slides of the site were shown to Council.

Councillor Walker noted that the Corkum property zoned boundary was not included in the application.

Councillor Lichter asked how large is the undeveloped area to the south and to the east of these specific lands. Mr. Gough replied that it is extremely difficult to say by the scene on the projector but would guess it would be a few hundred acres, three to four hundreds acres of undeveloped land. The tourism industry may be interested in this area and to rezone this would exclude the possibility of a campground or motel being built there. Councillor Topple stated that the majority of the beach area is used by Roy Harnish. Councillor Walker noted that Mr. Harnish had signed the petition in favour.

Warden Settle requested speakers in favour of the rezoning application to come forward.

Brian Sweet of Conrod's Road in Hubbards came forward and stated that the residents of the area have applied for residential zoning to prevent any type of commercial development being allowed to move in. There is enough traffic in this particular part of the County. He petitioned the residents and received signatures from almost all the people concerned.

Earl Anderson spoke against the application. He stated that he is a co-owner of the Anchorage Club and wants his property exempted from the application. About 75 feet of his land is included in the area which is being requested to be rezoned. His property is a commercial use, is a summer resort and he rents cottages. Councillor Lawrence stated Mr. Anderson's land goes back to within 225 feet of Schwartz Road and therefore, the 300 feet requested would take in 75 feet of his land. Councillor Sutherland suggested that the line be drawn to his back lot line. Mr. Gough suggested that Council could decide that the line be drawn 200 feet from the road rather than 300 feet. Councillor Topple asked would this prevent a possible spot zoning in the future to clear up the property title. Mr. Gough replied that it very well could. He suggested that there could be other people that might think or feel that a tourists industry could develop there and rightly so.

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

"THAT the zoning by-law be and the same is hereby amended by rezoning certain lands at Hubbards in the area of Schwartz Road and Conrod's Road as per Application # 15-78A and attached plan from G (General Building) Zone and Unzoned Status to R2 (Residential Two Family Dwelling) Zone with the exception of the "Anchorage" property as shown on said plan." Motion Carried.

REZONING APPLICATION NO. 16-78 - Request to rezone certain lands on High Street and adjacent to High Street from R2 (Residential Two Family Dwelling) Zone to R1 (Residential Single Family Dwelling) Zone.

Mr. Gough reported on this application. This application was advertised according to the terms of the Planning Act and no correspondence was received in favour of or opposed to the application. Mr. Gough showed the area plan and noted that several duplexes and a 12 unit apartment building are included in the area which the residents have requested be rezoned.

Councillor Deveaux asked if it was legal to zone a 12 unit apartment building as R1. In the event it burned down it would affect the rebuilding of the building. Councillor Lichter asked if Mr. Gough had any idea when the apartment building was build and Mr. Gough replied in the last three years. Councillor Lichter asked if it was legal to build an apartment building in an R2 zone and was informed by Mr. Gough that it was R4 at the time. Councillor Cosman asked if it was originally R4 or is now and Mr. Gough replied that it was originally R4 and was down-zoned to R2. Councillor Fader asked how did it get to R2 and was informed it was done by Council.

Warden Settle requested speakers in favour of the rezoning application to come forward.

Greg MacPherson of 72 High Street, Bedford responded and stated that this area in historically a residential area. He said that the residents of the area did not have very much to say regarding the zoning but were very adamant that they were against anything but single family dwellings in the area. What they do not want is apartment buildings and in the last three years apartment buildings and duplexes have moved into the area. Mr. MacPherson noted that there is a duplex next to his property which is unsightly due to lack of paint and stated that duplexes are usually built as rental units and not occupied by the owners, therefore, they are not kept in good repair. He is agreed that some of the older homes, once sold, will be torn down by developers and apartment buildings erected as they are worth more.

Councillor Poirier asked how many duplexes are in the area and Mr. MacPherson replied that there are 3. Councillor Poirier pointed out that should any of these buildings burn they could not be rebuilt if the rezoning were approved and if that should happen then the income of the owner would be gone. Mr. MacPherson suggested that the residents of the area did not want an apartment building built beside them and all of a sudden one was there and the values of their properties dropped. Councillor Fader stated that it was an R4 zone and is now R2 and now the people are asking that it be made R1. He said thank God there are people who like to invest and create living accomodations for people who do not want to own a home and feels that the person who invested in a 12 unit apartment building deserves some protection.

Councillor Topple stated he could appreciate Mr. MacPherson taking the time to be concerned but the developers must also be protected. A developer should not be protected, such as the Housing Commission, but he was concerned about protecting the right people and inquired how long the homes had been there. Mr. MacPherson replied that his house had been there since 1939 and the apartments had been built in the last three years and the community all totally object to it. Councillor Topple suggested that commercial development is a gamble at best and that it should be protected. He feels the zoning as it stands is proper.

Councillor Cosman asked how many people were actually in favour of the rezoning and Mr. MacPherson replied that he talked to all the people in the area and although they were not too up on zoning he can maintain that after speaking with them 99 and 44 one hundredths percent of the people are in favour of the rezoning. Councillor Sutherland stated that he believes the residents of the apartments and duplexes are receptive to the area and should be accepted in the community.

Councillor Lichter inquired as to how much undeveloped land is in the area and is there a possibility of more apartments going up and Mr. MacPherson suggested where there is a lawyer and a developer, anything can happen.

Doug Williams of High Street in Bedford answered the call of Warden Settle and stated that he had come along for moral support. His biggest concern is that he has seen a lot of areas of Bedford destroyed by multiple dwellings. He wonders what his next door neighbour would do with their property if they were to retire and move away. It would be more valuable for them to sell to a developer for multi-family use. He supported the rezoning to R1.

Councillor Fader suggested that the existing apartment complex would be in the same position as Mr. Williams if the zoning in the area of his business were to be rezoned to R1 and his business burned down. He would not be allowed

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to rebuild as it would be a nonconforming use. Mr. Williams said he cannot see why the rezoning could not be approved with the exception of the existing multiple family dwellings. Councillor Cosman stated that if the apartments are nonconforming use and they should burn down then they would have to come before Council and apply for rezoning. Councillor Baker stated that he did not think he could go along with the application unless these duplexes and apartments are excluded.

Warden Settle called for anyone in the audience who wished to speak against the application.

Ted Wickwire responded to the call and stated that he represented CHS Developers. He said the company acquired the Hart property in the summer of 1975 and produced a sketch which he had done himself. He stated that Lot 4 is zoned R4 and the duplexes are in an R2 zone. His clients proceeded to build in accordance with the by-laws and all lots were approved by the Planning Department for the buildings. He said the Planning Report did not take into account the 7 duplexes on Panorama Lane. There are three or four vacant lots left which are owned by his clients and which they wish to build on. He said it seems basic that the usage should reflect the zoning and the zoning should reflect the usage. He proposed that the application ought to be refused. He stated that the developers had invested a lot of money in roads in good faith with a view to further development.

Councillor Tople asked if Mr. Wickwire would be in favour of this application if it excluded that part which is slated for development by his clients and Mr. Wickwire responded that their primary position is that the application should not be accepted. If the entire yellow portion of his sketch were exempted they would not oppose it as they have budgeted and planned for duplexes. Councillor Sutherland asked if they visualize Panorama Lane to be separate and apart from High Street and Mr. Wickwire stated that it was pretty obvious. Councillor Smith stated that the only way she could support the application is if the lots for the duplexes and apartment building be left R2 and R4.

Councillor Cosman moved "THAT the application be accepted as received, that R2 and R4 be rezoned with the exemption of the existing apartment building and the five existing duplexes." The motion was not seconded, so it was lost.

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

"THAT the zoning by-law be and the same is hereby amended by rezoning certain lands at Bedford in the area of High Street and adjacent to High Street as per application # 16-78 from R2 (Residential Single Family Dwelling) Zone to R 1 (Residential Single Family Dwelling) Zone excepting lots 1, 2, 3, 4, 5, 8, the green area and lots 16B and 17A and one lot for a duplex between Locke and Lindsay as shown on said plan."  
Motion Carried.

It was moved by Councillor Lachance, seconded by Deputy Warden Gaetz:

"THAT Council adjourn." Motion Carried.

Council adjourned at 9:55 p.m.



THE MUNICIPALITY OF THE COUNTY OF HALIFAX  
MINUTES OF PUBLIC HEARING  
MONDAY JANUARY 22nd, 1979

Present Were: Councillors Poirier, Lawrence, Baker, Topple, Smith, Lichter, Benjamin, Margeson, Fader, Cosman, Eisenhauer, Sutherland, and Deputy Warden Gaetz and Warden Settle.

Warden Settle opened the Public Hearing at 7.00 p.m. with the Lord's Prayer followed by Mr. Kelly calling the roll.

It was moved by Councillor Sutherland and seconded by Councillor Fader:  
"That Dwight Cuff be appointed interim recording secretary."  
Motion Carried.

PROPOSED P.U.D. AGREEMENT - Re lands at East Lake Loon, District No. 12 as per application from Cape Chignecto Lands Limited.

Mr. Gough of the Planning Department spoke with regard to an application from Chignecto Lands Limited. The land is located on the east side of Loon Lake. The application was started in 1976 and the proposed agreement, following several draft proposals and a number of meetings, drawn up. This involves the approval of 27 cottage lots. There is a private road in the subdivision and will be owned by Scott Paper. Mr. Gough then asked if there were any questions and there were none.

Warden Settle called for speakers to come forward in favour of the application and then for speakers to come forward opposed to the application. There was no response.

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

"That the Proposed P.U.D. Agreement as presented and required appendices re lands at East Lake Loon, District No. 12 as per application from Cape Chignecto Lands Limited be approved."  
Motion Carried.

Rezoning Application No. 8-78 - request to rezone lands of Roy A. Cooper, Lawson A. Urquhart and Harold Fisher, being lots CU-1, CU-2 and Lot 27, Highway #7 and Panavista Drive, Westphal from R1 (Residential Single Family Dwelling) Zone to C2 (Commercial General Business) Zone.

Mr. Bill Campbell of the Planning Department outlined the application and reviewed the Staff Report. He also discussed the comments of the Public Works Department and the Department of Municipal Affairs as stated in the Rezoning Report. He concluded by stating that the Planning Department recommends that the Application should be approved with the exclusion of Lot 27.

Councillor Cosman asked what the lot to the north is and Councillor Sutherland wanted to know if there was an option on this land. Mr. Campbell replied yes, there is an option. Deputy Warden Gaetz asked if a church was being put on the site to which Mr. Campbell answered no. Councillor Fader asked if Mr. Sobey had been in consultation with the Planning Department and Mr. Campbell said yes, they have an option on the land to build a grocery store.

Councillor Lichter asked if Lot 27 is not rezoned will Lots 28 and 29 have development on them, such as an apartment building. Mr. Campbell stated that Lots 28 and 29 are zoned C-1 which does not permit an apartment building and due to the sewage system, owned by the City of Dartmouth, it's not likely there would be an apartment development. Councillor Lichter said that as it is now some commercial development could be placed on the lot adjacent to 27 so it changes nothing.

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

"That Eileen Morres be appointed as recording secretary."  
Motion Carried.

Warden Settle requested speakers in favour of the application to come forward.

Mr. Carl Misener spoke as a representative of Mr. Cooper and Mr. Urquhart, the owners of Lots CU-1 and CU-2. He confirmed that there is an option in effect with Food City. He stated that CU-2 is centred right in the middle of a commercial complex and is conducive to becoming commercial and CU-1, on the other side of the road, abuts a very small lot of land which abuts further commercial development running to the west of Forest Hills Parkway. There were no questions from Council of Mr. Misener.

Jim Youten, Corporate Counsel with Food City Limited, made a presentation. He stated that Sobey's would like to erect on this site a food store of approximately 21,000 square feet. He stated that the area is surrounded by a commercial zone and Food City has options on CU-2, 27, 28 and 29. Lots 28 and 29 on Panavista Drive are presently zoned commercial. They are asking Council to approve commercial zoning for CU-2 and Lot 27, which is on Panavista Drive. Mr. Youten pointed out the importance of Lot 27 on a display map. He stated Food City

would enter into any reasonable agreement with the County to indicate Lot 27 would only be used for a roadway and parking. That they would not build on Lot 27 and with the top area landscaped it would stop commercialism creeping up Panavista Drive. If access was not available through Lot 27 they would have to move closer to the intersection which would give problems with the Department of Highways. A food store would give no problem to the sewage system.

Councillor Lawrence asked how truck traffic was going to work for loading and unloading and Mr. Youten explained the loading dock to the best of his ability. Councillor Lawrence asked what happens if the Department of Highways continues to refuse to consider the idea of access off Forest Hills Parkway - then the layout would change drastically and suggested the Sobey's Store could be cut at the Panavista Corner of the lot. Mr. Youten said that's doubtful. He said the store location won't move but they will have problems receiving goods and with access for patrons if they can't get in off Forest Hills Parkway. They do have Commercial Zone for 28 and 29 but it's the proximity to Highway #7 which concerns them. They are hoping Lot 27 will be the access.

Councillor Lawrence asked if the truck access would normally be separated from the passenger car access and Mr. Youten said they certainly would try because they don't want truck traffic cutting off the patrons. Councillor Lawrence suggested the truck traffic would be coming off Panavista Drive and was told that's a possibility. Councillor Lawrence asked if the store would be smaller should they not get Lot 27 and Mr. Youten replied it would not make a significant difference.

Councillor Benjamin asked if this has been discussed with the Department of Highways and had they agreed to the access on Highway #7 and Mr. Youten replied that it has been discussed through the Planning Department and they were refused access off Forest Hills Parkway. He spoke with the Department of Highways on the phone and was advised it wouldn't hurt to apply but at the present time no more access would be allowed off Forest Hills Parkway. If they are successful tonight or in 2 weeks time they certainly would make another application but right now it looks doubtful. Councillor Benjamin then asked how they would deal with traffic coming down Highway #7 and making a left hand turn onto the property - and is that not a concern. Mr. Youten said yes, it is a concern.

Councillor Eisenhauer asked about the agreement of Lot 27, whether it would be wise in the event access would not be available and Mr. Youten replied that the agreement would be that they would agree to keep that lot for parking and would not build on it.

Councillor Margeson asked how many cars the parking lot would hold and was told it would hold 173 car spaces.

Councillor Cosman asked if Food City has the option on Lots 28 and 29 and the reply was affirmative. Councillor Cosman asked what the square footage of those lots is and Lawyer John McFarlane said Lot 29 is 16,318 square feet, Lot 28 is 15,953 square feet, Lot 27 is 15,140 square feet and CU-2 is 73,152 square feet.

Councillor Cosman suggested if CU-2 was rezoned then with Lots 28 and 29 they would have over 100,000 square feet so the main hangup was getting Lot 27 for access.

Councillor Sutherland stated it seemed to him that if those access points are denied it would leave Food City in a very poor position and everything would have to be redesigned. Mr. Youten replied that's a fair statement. Councillor Margeson considered the acquisition of Lot 27 is good planning. Some people try to build on lots which are too tiny and create a problem. He thought the elevation was good and that the Highways Department would look favourably on going to Panavista Drive for the receiving. He feels it is a good concept.

Councillor Topple said he would tend to agree that Lot 27 is a good idea with the package because of the traffic in and out of Forest Hills to and from Highway #7. He asked if the present buildings, the swimming pool and duplex, would be removed and Mr. Youten replied yes. Councillor Topple asked if Sobey's is still interested in the announcement of the large development in Forest Hills and Mr. Youten said yes, for the future - as a retail outlet, not a warehouse.

Councillor Margeson asked for assurances that Lot 27 would be properly landscaped to insulate the residential properties from the Commercial Zone and was assured that Sobey's would abide by any reasonable recommendations Council makes.

Councillor Poirier asked if this would be planned for the immediate future or something farther along to which Mr. Youten replied, the immediate future.

Warden Settle asked for any other speakers in favour or any speakers against the Application and received no response.

Councillor Benjamin asked if the Planning Department had heard from the resident on Lot 26 and had there been any objection and a representative of the Planning Department stated no objection had been received. Councillor Sutherland questioned Councillor Topple as to whether he has any indication of any objection to the Panavista access. Councillor Topple replied that he had spoken with the residents in the area, shown the proposal and received no objections.

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

"That the zoning by-law be amended and is hereby so amended as per Application #8-78 by rezoning lands of Roy A. Cooper, Lawson A. Urquhart and Harold Fisher, being Lots CU-1, CU-2 and Lot 27, Highway #7 and Panavista Drive, Westphal from R1 (Residential Single Family Dwelling) zone to C2 (Commercial General Business) zone."  
Motion Carried.

Rezoning Application No. 18-78 - Request to rezone lands of Gloria and Alfred Guitard, being Lot 32A, Guitard Subdivision, Middle Sackville from R2 (Residential Two Family Dwelling) zone to C1 (Commercial Local Business) zone.

Mr. Campbell of the Planning Department outlined the Application in question. He stated the site is a small parcel of land. There is a chicken farm in the area, a feed shop and grocery stores and schools in the surrounding area. The Planning Department recommend rejection of the Application. He stated there is presently a duplex on the property and the applicant intends to use the dwelling as a real estate office and building construction office. The lot fronts on Highway #1 and is surrounded by single family dwellings and grocery and other single family uses. The County has received many applications of the same type and turned them down. This would be spot rezoning and is an area outside of the present commercial area on #1 Highway.

Warden Settle called for anyone who wished to speak in favour of the application.

Brian McConnell came forward. He stated that he owns the property and his concern with the property is the future development. The property will be very close to a major development. He stated the Public Works objected to commercial development because of the problems caused the sewage system and he feels offices will not cause as much sewage load as family living does. He stated 2 families now live in the building. He pointed out that the property is across from the Beaverbank Crossroad and, rather than spot rezoning, he feels that it would be just adding to the existing strip zoning.

Councillor Poirier questioned Mr. McConnell as to his present business premises and he stated that his offices are at Downsview Mall and the landhold business is in Lower Sackville.

Councillor Fader asked if his purpose for the application was for the consolidation of both companies under one roof.

Councillor Cosman suggested perhaps Public Works was concerned that if one applicant were successful another 200 applicants would follow and asked if the tenants had been given notice. Mr. McConnell's answer was in the negative. He said he would not intend to move in until summer.

Councillor Benjamin asked about the commercial strip - should it all be commercialized and particularly at that intersection. Mr. McConnell feels it should be allowed to grow out that area.

Councillor Benjamin suggested perhaps business should spread rather than spot rezoning along the highway and is concerned that traffic would be generated at that point.

Councillor Lichter asked how far is the office now from this building and the reply was approximately a third of a mile, the advantage being that he could get away from renting premises for his operation.

Councillor Topple questioned whether C2 zoning rather than C1 zoning had been suggested. Mr. McConnell said his reason for C1 was the fact that he'd like to rent the upper storey until such time as his business expands enough to use the whole building.

Councillor Lawrence asked if people dropped into his office at the Mall now in order to do business and Councillor Poirier asked if he would want his construction equipment at his premises. Mr. McConnell stated that his business was not the type of business to which people dropped in and that Lot 32A is too small to hold his equipment.

Councillor Eisenhower suggested a 4 lane highway may be put through the area and received the reply that the highway would straighten out the turn and increase the usable space in front of the lot. Councillor Eisenhower then asked if he'd given any thought to signs for his business and if he'd had any comments from the neighbouring residents.

Mr. McConnell answered yes, he intends to put electric signs on the building. He has not had any comments from the surrounding area against the rezoning. The County notice was posted on the highway pole in front of the duplex for some time.

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

"That the application #18-78, rezoning Lot 32A, Gloria and Alfred Guitard, Guitard Subdivision,

Middle Sackville, not be rezoned from R2 (Residential Two Family Dwelling) zone to C1 (Commercial Local Business) zone.""  
Motion Defeated.

Deputy Warden Gaetz suggested he saw no reason to reject the application and Councillor Lawrence said it is a dangerous part of the highway and is against spot rezoning in the area.

Councillor Benjamin said he supports the rejection for three reasons, traffic, the reason for the move and the neighbours, the fact that the use of the property may change once it's rezoned thus affecting the neighbours.

Deputy Warden Gaetz said he couldn't understand the grounds on which the Councillors were objecting.

There followed much discussion by the Councillors in favour of the application and against the application.

Mr. Kelly read the motion.

The Warden called for the vote which was 7 for, 7 against. Motion Defeated.

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

"The zoning by-law be amended and is hereby so amended as per Application #18-78 by rezoning lands being Lot 32A, Gloria and Alfred Guitard, Guitard Subdivision, Middle Sackville from R2 (Residential Two Family Dwelling) zone to C1 (Commercial Local Business) zone."  
Motion Carried.

It was moved by Councillor Sutherland and seconded by Councillor Fader:

"That the Council adjourn."  
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX  
MINUTES OF SPECIAL SESSION OF COUNCIL  
TUESDAY, JANUARY 30, 1979

Present were: Councillors Lawrence, Baker, Deveaux, Topple, Smith, MacKenzie, McCabe, Lichter, Benjamin, Margeson, Fader, Cosman, Eisenhauer, Sutherland, Wiseman, Deputy Warden Gaetz and Warden Settle.

Warden Settle opened the Special Session at 2 p.m. and Mr. Bensted called the roll.

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

"That Mrs. Eileen Morres be appointed as recording secretary."  
Motion Carried.

Warden Settle stated that it was Council's pleasure to welcome Councillor Elect, Mrs. Lois Wiseman, who was the successful candidate in the by-election held in District #20, Sackville.

Councillor Wiseman was sworn in by the Clerk, Mr. Bensted.

Deputy Warden Gaetz suggested that Council take a moment and congratulate Mrs. Wiseman.

Mr. Bensted stated that this is a continuation of a Special Session of Council for the purpose of dealing with the proposed Municipal Development Plan and after 4 days of sitting Council concluded the public hearing portion of the Special Session and adjourned to January 30th in order for Council to formally deal with the proposed Municipal Development Plan and the submissions which were placed before Council during the public hearings either in writing or by verbal submission. All members of Council, in the meantime, have received a copy of the transcript of all submissions, either written or verbal, that were placed before Council. Council also met in a Special Session of a Committee of the Whole on December 5th, 1978 at which time the proposed Municipal Plan was considered and discussed by Council and from the December 5th Session of Council as Committee of the Whole a resolution was duly approved by Council and that is on the Agenda as Item number 4 so that is to be the item of business to be before Council now. That is, dealing with the resolution that was dealt with at the Committee of the Whole Session and passed at the Committee of the Whole Session and is before Council today.

It was moved by Councillor Lawrence and seconded by Councillor Fader:

"THAT Council not approve the Draft Municipal Development Plan as placed before the Municipal Council. -That Council receive the Draft Municipal Development Plan and Draft Zoning By-Law as prepared and submitted by the Consultants, the same to be used as a point of reference for future use.

THAT where the Consultants have basically completed their original terms of reference that the Clerk be instructed to receive all documentation and reports as related to the Plan and By-Law from the Consultants at the earliest possible date.

THAT an approach be made to the Minister of Municipal Affairs with respect to a program of assistance, financially and staffing, and other related matters, which will enable the Municipality to proceed to prepare a new Comprehensive Development Plan and Zoning By-Law, etc., making full use of community planning at the grass roots level.

THAT the Minister be advised that it will not be possible to fully prepare and submit the required Plan and Back-up documents by July 1, 1979 and that a further extension of time will be required."  
Motion Carried.

Warden Settle then asked if there was any discussion on the motion before Council.

Councillor Lichter stated that he hated to be the first one but he kind of expects that there will be a little bit more discussion before Council goes to vote. He thinks every member of Council received this transcript and that it is heavy and that it is heavy reading. He took the trouble of reading every word in it excluding his own submission, for which he asked Council's forgiveness. He said it wasn't the reading but the actual presentation at one time. From this document he tried to draw a really impartial opinion he'd like to share with Council in case they didn't have the time that he happened to have to spend on the weekend studying this. According to his count there were a hundred and fourteen submissions. He assumed that each submission was made on behalf of one person only. He gets the following picture that way, and

by the way, he stated that's a faulty assumption because he thinks Council knows that those who spoke against the complete plan were many times people who petitioned with thousands of signatures on them and he thinks that this ought to be recognized. He took first of all a category of those who are in favour of the plan. 4 people, 3.5%. Now one of these 4 people was the Chairman of the Bedford Service Committee. This gentleman was in favour of the Plan and he stated, and Councillor Lichter quotes: "I am a hundred per cent for it but it must be a base from which to work, not a holy calf." When Councillor Benjamin, on Councillor Lichter's right, questioned the Chairman, his reaction was as follows concerning commercial enterprises now existing in Bedford: "They have been there for years. I cannot see how anybody can come along and wipe it out and say I'm sorry." Now Councillor Lichter stated that he selected this quote from the Chairman's submission to show Council that even those who are a hundred per cent in favour of the plan allow us to see that they considered the idea good but not the details of this plan, just the general idea. Now the category of those who were in-between, 46 people, and Councillor Lichter was very generous here, 40.35%. He placed all submissions into this category where the speakers one after another stated it is okay but do not include my establishment, my business, et cetera. In other words, do what you will to others but not to me or to those whom I represent. Councillor Lichter stated that he included in this category all people who did not state clearly or imply clearly that they are against the total plan. He stated that he mentioned this only to show how generous he was, which he said was a very rare quality in him, in this detailed study and in spite of his feelings on the plan he tried to be unbiased. Through this thorough study of the transcripts he found that these people who appeared on behalf of the Bedford Board of Trade said the following and he quotes from them: "Upon downzoning much of the equity built up over the years will be destroyed, not through business failure or hard times but by the Municipal Development Plan as it is presently conceived." This quote clearly indicates the fears of these 46 people in the in-between category. And those totally against the plan, even Councillor Lichter excluded himself, is 61 - 54.38%. Now these people, said Councillor Lichter, did not ask for a little change here and a little change there so that they could remain free of the restrictions proposed in this Plan. They looked at the Plan during the short periods of time left to them before the hearings began and they became disturbed over its dictatorial language, its restrictive content and over its neglect of taking into consideration what makes this County, and that's the people of the County. They stood in front of Council telling Council clearly what it must do. Once again Councillor Lichter turned to the transcript to show Council what one gentleman had to say, who in Councillor Lichter's opinion said what these 61 submissions tell Council. He said, and the Councillor quoted: "You do not have a choice. After listening to the people that you represent you must reject this Plan in its entirety. That does not mean to freeze it, shelve it for six months, it means to throw it out and you may go back to the communities of the County, ask the people for some input and we can all build a plan that we can all live with." Now the above study and the results Councillor Lichter shared with Council forces the Councillor to indicate to Council now that he wants an absolute clarification that the spirit of this last quotation is going to be the spirit of this resolution. In other words, the Councillor said, Council are not going to, in any way, shove this Plan or part of this Plan down the throat of the County or any part of the community. If Councillor Lichter cannot get a hundred per cent assurance that the resolution means just that then he stated he was sorry, he will not be able to vote in favour of this resolution and he will have to ask for a much harsher resolution. Somebody may be able to clarify to him exactly what Council's resolution means and perhaps the public could get clarification of this resolution.

Councillor Lawrence stated that she didn't know that she could clarify the resolution for Councillor Lichter but she did notice that Councillor Lichter voted in favour of this motion in December and Councillor Lawrence would like to know from Councillor Lichter what he considers to be a hundred per cent guarantee of the anxieties that Councillor Lichter has about this resolution.

Councillor Lichter stated that as he pointed out in the time limit just before the vote on December 5th, if it is a matter of information on which people will be able to draw and there is assurance that all communities and members of those communities will be contacted and there will be some kind of assurance that this is what the people want, fine. He stated that the people should be able to draw from this Municipal Development Plan. Having read the minutes of the particular meeting, Councillor Lichter believes PAC, recently and he's not suggesting it was PAC's suggestion at all, it was a private company's suggestion that maybe they would poll a thousand people at a cost of \$30,000 dollars and if from that poll it would appear that this Plan is suitable or a similar plan is suitable Councillor Lichter thought Council didn't have the kind of representation that they should have. This was part of his concern.

Councillor Lawrence stated to the Chairman that she would like to answer Councillor Lichter's statements. She stated that was a suggestion put to the Planning Advisory Committee by a person who's in that business and who was interested in persuading Council that his services could be useful. If Councillor Lichter notices in those minutes Planning Advisory Committee took no

action on his suggestions, listened to him and have made no representations to Council on whether or not they feel that's a good idea or not so Councillor Lawrence doesn't think Council can assume, or Council should assume, that the Planning Advisory Committee has taken any action on that suggestion.

Councillor Lichter replied to the Warden and Councillor Lawrence that he may not have been clear on this. He indicated that the minutes indicated it appears Council would have nothing to do with. That's only this private company. All he wanted to know for certain is that Council will not take that kind of an approach whereby a thousand people, at random sampling or what have you, is going to suggest to Council that this Plan, after all, is the Plan for us. So he would like to see that the spirit of that particular resolution will be maintained, which he understood when he voted on it, as being one that where, Council will go back to the communities, Council will start at the planning process over again but this time with the people. As long as he understands the spirit of it to be that way he's all in favour of it.

Councillor Deveaux stated to the Chairman that he could understand Councillor Lichter's concern. Certainly he feels the same way Councillor Lichter does. Hopefully Council probably certainly must have learned it's lesson from what took place previously. He stated that he can't speak for the rest of Council but he can assure Council that for himself that once the new procedure is adopted and Council does go ahead with drawing up a new plan that certainly for his area, at least, he'll make sure, by the same token, that no parts of the former Plan are crammed down the people's throat, otherwise he'd never support the motion as it stands today. He thinks it's up to individual Councillors to make sure that doesn't take place.

Councillor Fader stated to the Warden that he guessed, where he seconded the resolution back on December 5th and that he seconded it again here today, he thinks that, if Council remembers back on the 5th of December he wasn't altogether happy with the proposal that Councillor Lawrence introduced to Council, at that time and Council adjourned for a few minutes and prepared another resolution which he supported and which he seconded. He guessed that he could guarantee to Councillor Lichter that he would never have supported the motion as it was presented here on the 5th of December so he too would, like Councillor Deveaux indicated, he hopes Council will still have a plan in the future and he thinks that Council must, and he thinks it's up to Council and the Municipality to get the people involved, because it's their Municipality and their future.

Councillor McCabe stated to the Warden that he thought he made himself very clear the last meeting Council had in regards to this. He would have to support the new member in Council from Dutch Settlement a hundred per cent. He was successful in getting representation on the PAC, the Planning Advisory Committee, from his district who he has already said is very competent, in his opinion. He has also discussed some of these various items in the Plan with this person. Councillor McCabe stated he understands that there's going to be a committee set up both in his district and he believes, the Eastern Shore. He believes they are going to hold meetings. He believes these are private individuals who are members of small organizations and he would like to see what these people come up with in the future and then Council could get together with them. He doesn't think Council should tell the people what they should do, he has stayed away from these plans, these meetings in regard to this Plan. He thinks the people themselves, rightfully so, should have a say in what they want. He doesn't want to set himself up as a dictator and tell the people what they should have or what they shouldn't have. He stated that he thinks the people are very competent, very capable. He's speaking for the people in his own district who he knows very well and he thinks they can handle their problems maybe far better than some of Council in here and, he supposed if they want help, then they will come to Council and ask for it and to this time, at this present time, he doesn't think they've done this so he would suggest that they are very competent in looking after their own business. Again he would have to say that he would concur with Councillor Lichter a hundred per cent in regards to the planning. He doesn't wish to see their property frozen out there. He could have been disturbed the other day, he said, somebody called his wife, he was away from home, and wanted to know how much property he owned and apparently they knew pretty nearly as much as he did, although they gave him a few more acres on one lot and took some off another. This was from another area of Nova Scotia and he thinks it's none of their business.

Councillor MacKenzie stated to the Warden that with regard to Councillor Lichter and Councillor McCabe and others, there's one item here on the bottom line of the first paragraph, the proposed plan to be used as a point of reference for future use. He thinks if Council supports this resolution that this does put Council in the position where we would use the Municipal Development Plan as prepared by the Consultants. He thinks that some way Council has got to get that out of there altogether and if Council does get back to the communities for planning he's a little bit concerned of just how Council is going to go about that. Whether Council is going to require more staff within their own organizations or just what but he said he knows it can be done but he would suggest that, and particularly along the Eastern Shore he knows of three or four Boards of Trade that do have Planning Committees within their organizations. He thinks those are people that Council should approach to assist with planning. Also we have a group of

people that have certainly been concerned about the Municipal Development Plan and he thinks there are people within that particular group that should be involved as far as the plans for the County.

Warden Settle stated that he thought Council has the idea this resolution is more or less tying up the organization of the other Plan. He thinks that future things will probably come in the other resolution.

Deputy Warden Gaetz stated to the Warden that as he read this resolution it meant that Council will now be going back to the people, like to the grass roots, rather than to have the plan that was already devised as a means of guidance or that Council can work from. They don't have to follow it but it would be, he would judge, a help to these committees in order to formulate a plan that will be acceptable to them. He then asked if this was what he could gather from this resolution.

Warden Settle stated that he guessed it would be that if there's anything good in the other plan it would be used and what they disagree with would be discarded. He guessed it was a simple principle.

Deputy Warden Gaetz stated that yes, but you could have it for a reference in other words, because as that Plan has been presented to the people, and others have actually said, why no way could they support that Plan because it certainly did not meet with the approval of the people.

Councillor Smith stated that she still has reservations about the motion as such. If there could be some way of wording it that in the future it could not be used unless it was fully agreed upon within the districts. That may be the planning people would wish to implement it. If there could be some wording there that it would not be used unless the people in that area wished it to be, then perhaps, she may feel a little better about agreeing with this resolution.

Mr. Bensted stated to the Chairman that perhaps he might be permitted to comment on that. The situation as he sees it, is that if Council first of all does pass the resolution that is on the floor then what that does is simply receive a document and places the document in the library as a point of reference. If Council does then pass a formal resolution to formally request the Minister of Municipal Affairs to proceed with a new Municipal Development Plan in stages, first of all in an urban area, secondly in a rural area, et cetera, then what will happen is a new Plan will be produced. It would be basically started from scratch again, producing a new Plan. That Plan would have to go through the same procedure as the previous Plan or any other Plan whereby the plan will have to be developed in harmony with the people. It will have to be available for public information sessions, public hearings, processed through Planning Advisory Committees and Council and additional public hearings so in no way can anything be put into a Plan unless there is concurrence by Planning Advisory Committee and by Council that something is to be in the Plan.

Councillor McCabe asked the Warden if the motion could be read before it's put.

Mr. Bensted stated to the Chairman that the motion is item 4 in the Agenda.

Councillor MacKenzie stated to the Warden that his question is how do we get that out of there, the same to be used as a point of reference for future use.

Mr. Bensted stated with all due respect, Mr. Chairman, to Councillor MacKenzie, that he thinks that to eliminate that is simply saying that here is a document that we are going to completely throw in the wastepaper basket and forget that it was ever produced. He's suggesting that we are putting it in the library as a reference point. It will be there for anybody to go to, and when Mr. Bensted says anybody he means people in the community or community groups or what have you. They have this document which they can pursue, they can look at and they can say here's a good point, we'd like to use this. So it's only there for them to draw from if they wish to draw from, and frankly, it's Mr. Bensted's opinion that there's a lot of good material in that document and to simply throw it away and ignore it would be one of the biggest mistakes that the Municipality could make. Not only for this Council but on behalf of all the ratepayers and community groups in the Municipality.

Councillor MacKenzie asked if Council could have "the same may be used", may be instead of to be.

Mr. Bensted stated yes, he didn't know that that makes a great deal of difference. All we're saying here is they made a document that has a lot of valuable and good material in it, for goodness sakes don't throw it out the back door and forget what is there.



Councillor MacKenzie stated yes, but as he read a statement the other day, Mr. Warden, that the Plan forgot that there were people out there in the community.

Warden Settle asked what about the changing of that word.

The Councillors agreed.

Councillor Lawrence stated that she didn't care about the change, if that makes Councillor MacKenzie more comfortable. That's certainly the intention of what that motion says. If putting "may" in makes him more comfortable, fine.

Councillor Fader stated that regardless, Mr. Warden, if you say the same "to be used" or "may be used" or "could be used", you know, it all means the same.

The Councillors stated no. "May" is different from "to".

Councillor Cosman stated to the Chairman that she was really going to try and not to stand up and talk against this resolution but she guessed she would anyway, for what it's worth. The vote was 18 to 2 the last time and she thinks it will be just about the same this time but she really thinks that Council missed the boat on not dealing with the amendments and this transcript of very valuable input. She still thinks Council is throwing the baby out with the bath water. She stated that we've put a lot of time, energy, money into this Plan, a lot of people hours in different communities and she still, to be consistent, will not vote for this resolution because she doesn't think that Council really got down to dealing with the draft minutes of the Development Plan as they should have and that meant taking the amendments amending the Plan which was not etched in stone and it's interesting that Councillor Lichter referred to the fact that the Board of Trade used the word "the Plan as it is presently conceived" because that's a very important point, the Plan as it was conceived. The people conceived that it was etched in stone and that was a misconception so she will not support the resolution again.

Mr. Bensted then asked the Chairman if Council has agreement by a mover and a seconder that the word "to" may be changed to "may".

The Councillors stated that yes they have agreement now.

Warden Settle asked if there were any further discussions on the resolution on the floor, and called for a vote on the motion. The motion was carried.

Mr. Bensted stated to the Chairman that he would then respectfully suggest that Council pass the resolution re a formal request to be made to the Minister of Municipal Affairs covering the five points which the Minister has informally indicated that he would be prepared to formally seriously consider if asked to do so by the Municipality of the County of Halifax and perhaps, Mr. Chairman, he could read those points out.

- Number 1. A Municipal Development Plan and Zoning By-Law for the Municipality of the County of Halifax be prepared in stages as permitted under Section 12(1) of the provincial Planning Act.
  - (a) A Municipal Development Plan and Zoning By-Law for the "urban sector"; that is the lands within the development boundary of the Halifax-Dartmouth Regional Development Plan.
  - (b) A Municipal Development Plan and Zoning By-Law for the "rural sector" of the Municipality of the County of Halifax and also the possibility of the rural sector also being carried out in stages.
2. To extend the existing deadline of July 1st, 1979, if necessary, with a longer extension for the rural sector than for the urban sector.
3. To assist the Municipality of the County of Halifax in further planning on the present 50% Cost Sharing Program within the Department's Budgetary Constraints.
4. To provide normal staff assistance from the Community Planning Division with respect to assisting the staff of the Municipality of the County of Halifax in organizing the planning process from this point forward; to liaise with the County staff during plan preparation; to identify and to avoid possible problems which might slow the administrative approval process and to respond to staff questions regarding matters such as Department Policy, the Planning Act or the Halifax Dartmouth Regional Development Plan.

What we are requesting the Minister to do, stated Mr. Bensted, is allowing him to proceed in stages, the first priority to the urban area of the County, the second priority to the rural sector and the possibility that the rural sector may also be dealt with in stages.

To extend the present deadline of July 1st, 1979 with a longer extension for the rural area as compared to the urban area, to continue their 50% Cost Sharing and to assist through their staff, the Municipality staff, where possible, in the planning process.

It was moved by Councillor Lawrence, seconded by Councillor Cosman:

"THAT the Minister be requested to approve of the Municipality of the County of Halifax proceeding to prepare a Municipal Development Plan in the following manner:

1. A Municipal Development Plan and Zoning By-Law for the Municipality of the County of Halifax be prepared in stages as permitted under Section 12(1) of the provincial Planning Act.
  - (a) A Municipal Development Plan and Zoning By-Law for the "urban sector"; that is the lands within the development boundary of the Halifax-Dartmouth Regional Development Plan.
  - (b) A Municipal Development Plan and Zoning By-Law for the "rural sector" of the Municipality of the County of Halifax and also the possibility of the rural sector also being carried out in stages.
2. To extend the existing deadline of July 1st, 1979, if necessary, with a longer extension for the rural sector than for the urban sector.
3. To assist the Municipality of the County of Halifax in further planning on the present 50% Cost Sharing Program within the Department's Budgetary Constraints.
4. To provide normal staff assistance from the Community Planning Division with respect to assisting the staff of the Municipality of the County of Halifax in organizing the planning process from this point forward; to liaise with the County staff during plan preparation; to identify and to avoid possible problems which might slow the administrative approval process and to respond to staff questions regarding matters such as Department Policy, the Planning Act or the Halifax-Dartmouth Regional Development Plan.

Motion Carried.

Warden Settle stated that the motion is now officially moved and seconded, now open for discussion.

Councillor Benjamin stated that to carry on the discussion first of all, he just wanted to welcome the new Councillor to the Chambers and trusts that she will have a lot of input and not be reserved in her ideas. Pertaining to the Municipal Development Plan, and he has to go back here to when the government thrust this upon the Municipality, they did not give us the consideration that was due us in that they tried to give us an impossible task so that we turned it over to the Project Planners. It was an impossible task trying to put on common terms of reference on such varied, different categories as we find in the County of Halifax. There's no way we have a similarity from the rural to the urban areas. We have rapid growth in the urban areas and we have very slow, if any, growth in the rural sectors, in some parts. Other parts of the rural areas are starting to show progress and those areas require timing. District 14 lies within that intermediate boundary between no growth and rapid growth. We are in that category and I'm strongly urging that the people in my district get down to brass tacks and start planning. Let us know where they want their industrial park, let us know where they want their residential growth, and so on, but it was a shame that the government would say to the Municipality, the size of this Municipality, you must have a plan by a certain date and dictatorially give us almost no way of going beyond that date. Since the change of government and since the change of the reports that have been brought through various meetings that we have held and held by the County we found that the people have spoken and he's prepared to listen to the people and he knows that the people in the rural area do not want to be restricted, as the Plan implied, however, Councillor Benjamin stated that he must caution Council, saying he knows they are thinking the same way he does, but the facts that have been accumulated will make the expenditure worthwhile, as much of that expenditure happens to be. If Council throws it out, as was once suggested, then of course we would be throwing away a lot of good factual material that would be useful to the residents themselves and by going back to the residents with the facts that Council now has he's sure that they will come up with a plan suitable to our liking, as Administrators of the County, and also acceptable to the Province. He looks at this proposal and feels that Council is asking the Minister to simply endorse what they wanted after they had heard the people cry but he'd like to zero in on a couple of items and that is one here, the Cost Sharing of an ongoing program. He thinks this should be spelled out. 50% Cost Sharing of the program, what does that tell anyone? He asked if it was going to be another eight hundred thousand dollar program which we're going to share

on a 50% basis. Council doesn't know, or at least he doesn't know stated Councillor Benjamin. He thinks we should know what is intended and if we're going to hold residential meetings in all the districts, the 21 districts, he would say that the costs are going to equal what we've already outlaid or will progressively come close to it. He asked if there was no direction Council can sort of give themselves as to what they're planning of a program, to these people in the rural areas as well as the urban. He knows, in his area, he'd like to go into every little village. There's not that many, maybe 5 locations, that would give him a great chance to have the people in those five areas have a direct input into what they want. He stated he would probably do this, somehow, on a voluntary basis but he would like to see professional staff available. He'd like to see the Planning staff come out to these five areas. If that is the case, these staff members will have to be reimbursed for their efforts, overtime and so forth. We're looking at possibly an additional planner to the County staff, or some Provincial help which undoubtedly will be charged to us, and so he raises the question about future costs on such a plan. He asked if anyone could give him some answers as to what they would say is a ballpark figure before Council could have a Plan for Halifax Municipality.

Councillor Fader stated to Councillor Benjamin that on page 2 of the memorandum from the Clerk, the Clerk states that he's had discussions between himself and the Director of Planning and Development and if you turn the page it mentions a possible manner in which the Municipality might go forward from this point if the Municipal Council does approve the proposed resolution. The Clerk has also indicated that a staff report could be prepared and submitted to the Municipal Council within 30 days giving a general outline as the intended approach with respect to preparing a Municipal Development Plan in stages, as proposed. And also he mentioned here this outline could also include suggested dates of extension beyond the present deadline, general budget outline which might be anticipated for 1979 and a proposed budget outline could also be submitted to the Department of Municipal Affairs for their consideration and approval for cost sharing so he thinks it's rather difficult right now to come to this meeting today and give us some figures and he thinks if we go along with the resolution and they can give us a report within 30 days outlining what it's going to cost us and then we can take action from there.

Councillor Deveaux agreed with Councillor Fader. He stated he didn't know how anyone could come up today with a ballpark figure or any other type of figure. We don't know how long the procedure is going to last for one thing but he was wondering, in consultation with the Minister, which was attended as he understands by Mr. Bensted and other members of Council, was any type of funding mentioned or was the funding or financing brought up at that meeting at all.

Mr. Bensted stated it was a general discussion with the Minister as to his funding by the Department and the Minister has indicated that his Department is prepared to cost share on the 50% basis. In going down the road, of course, it's impossible at this time to just say what the preparation of a Municipal Development Plan, including both urban and rural, is going to cost ten thousand or nine hundred thousand dollars. There's no way that Mr. Bensted can give any indication to Council today and, as a matter of fact, in submitting a broad outline in 30 days time there's no way we're going to indicate to Council what the final and total cost will be. It would depend to a great extent, as to how Council, in the final analysis, wishes to deal with it. How many information meeting Council would wish to have throughout the Municipality, how many formal information meetings, et cetera. There's no question of course, the more meetings that are had, the more time that staff are required to spend, the funds will increase the cost so all we will be able to do, in the initial, is to indicate to Council a general outline as to how we see Council proceeding with the first urban plan and secondly the rural plan, some rough time frame, some estimated costs for '79 and each year will have to be dealt with as each year comes along sort of thing.

Councillor Deveaux agreed. He stated that he didn't see how anyone could put a figure on the ultimate costs, especially at this stage of the game. He agreed with Councillor Benjamin, by the way. He feels that, to a certain extent, the Province is responsible for us being in the situation we're in at the present time but, with all due respect, he thinks with cutbacks coming, especially from the upper levels of government right now, Provincial and Federal that it would be difficult or almost impossible, he would say, to convince them to provide more cost sharings.

Councillor Lawrence stated that if she could say a word about the finances of this, she thinks the Clerk's quite right. The more time we take, the more careful we are, the more we meet with people, the more it's going to cost and she doesn't think that's necessarily a bad thing. She thinks we can be economical in the way in which we do that but there's no question but that increases the cost. It may also increase the acceptability of what we come up with in the end and she thinks we've all individually got to weigh that. To Councillor Benjamin she would say that, being on the Finance Committee and having monthly statements on our financial

status, should be in a good position from which to see how closely we're adhering to the kind of large scale projections of the cost that will come in this 30 day estimate or program of how we might go and she would hope that all Council will be able to get those monthly statements so that we have some idea of how we're going down the road in the costs that we're projecting. She doesn't believe there's any way we can persuade the Province to alter its 50-50 cost sharing on this. They would be vulnerable from every other municipality in the Province who are involved in the same thing and she thinks that our likelihood of being able to persuade them to up the ante on that is really minimal. Perhaps, she stated, she could just add that if everyone in Council has got the latest minutes of Planning Advisory Committee, we had a session with Mr. Elliott, who's the Development Officer for the Municipality of the County of Kings, who was extremely interesting and their planning procedure, which maybe Council knows, has gone on from 5 to 7 years, has involved a tremendous amount of community input and perhaps in a reverse way to the way we're projecting, by times dealt with very specific communities, individually, on their own and then went back to doing the planning for the rest of the Municipality as a whole. They did things, not necessarily attempting to get one whole total plan for Kings in one shot. They saw that they had a problem in New Minas, they did New Minas separately. It took two years to do New Minas, a community of 1500 people. Having done that, having got it approved, they went back to doing the balance of the Municipality. She believes, she doesn't know whether other people in the community can back her up, but his ballpark figure for what that planning process cost them was somewhere in the neighbourhood of four hundred and fifty thousand dollars. She believed that included the whole of the time period in which they were working on a plan for the Municipality, either in parts or in a whole, but their population is roughly forty thousand, slightly under forty thousand people and she thinks there's no question but what detailed planning in the way that people have told us they wanted is going to be expensive but that may not be a bad thing in the long run. She thinks we can be economical with the built-in expenses of planning carefully.

Councillor Benjamin stated that the other point, and he would like to have some expression, doesn't concern his particular district, but July 1st deadline doesn't seem to him as a realistic level to put the urban people, the urban sector under. He knows it can probably be extended, extension granted to it but why not ask for a proper, realistic time frame rather than saying we'll give you until July 1st and then we'll go on if necessary. As he foresees the plan going it's going to go to the people, we're going to have to have new plans drawn up in our Planning Department, we've got to have proper planners, and that is our own staff planners, in conjunction with additional staff so that our regular day to day will not be curtailed. It doesn't seem to him as though July 1st would be realistic.

Councillor Deveaux stated that it's not a deadline, we're asking for an extension.

Councillor Fader stated if necessary.

Councillor Benjamin asked why go if necessary, why not make it now.

Mr. Bensted stated to the Chairman that what we are suggesting today is that we formally request the Minister to agree to change the date and what we're suggesting is that in the report to Council, which we will be able to put forward in 30 days, we will then be able to put forward a date which we feel to be a realistic date for the urban and for the rural or parts of the rural or what have you and whether that July 1st might be December 31st or what have you, right now we're not prepared to indicate what might be a realistic date.

Deputy Warden Gaetz stated to the Warden that regardless of the cost now, he thinks we're going to have to face it and do the best we can with it. The people have asked to have it done this way. He hates to say it yet we'll have to put up with whatever the cost is going to be to have it implemented.

Councillor Smith asked if we will still be under the Regional Development Plan until a new plan for each individual community is implemented.

Mr. Bensted stated that we will be under the Regional Development Plan until such time as the Municipality has submitted and the Provincial government has approved a Municipal Development Plan for the Municipality, either in part or in whole.

Councillor Smith stated that regardless of which one is finished first, we have to wait until the others are completed before it can be implemented.

Mr. Bensted stated that that may not necessarily be so. It could be that if the urban plan was approved then that portion of the Municipality would come out from under the Regional Development Plan but any area of the County that does not have an approved plan would still be under the Regional Development Plan.

Councillor Smith asked if it was the idea that it would be the advantage of the rural areas

to have their plan underway as soon as possible and not only buildingwise but also financially as well.

Mr. Bensted stated that he's not quite sure what the final answer of that may be. He's not sure that under the Municipal Development Plan, if approved by the Minister, that you may be better off, if he can use those words, than you are under the Regional Development Plan. He thinks that if the Municipality is prepared to establish their own control and if those controls are acceptable to the government, the Minister, then the form of controls that are set up within the Plan may be more acceptable than the form of controls that are under the Regional Development Plan. These controls might vary, that's one of the reasons we're saying that we'll do it in sections, the controls in the most rural areas may not have to be as stringent as the controls in the rural areas closer to the urban areas.

Councillor McCabe asked the Warden if it was the Provincial Government that set up the Regional Development Plan.

Warden Settle stated that was right, in April 1975.

Councillor McCabe asked if they ever stopped to study what would happen with this plan. Now this has been very detrimental to the area which he's represented for some years, where you can only have one lot approved a year. He just cannot accept this as reasonable intelligence on the part of anybody with our pupil enrolment we're not causing the problems in our schools that they are in the urban areas and he sees Councillor Cosman smiling where they're providing more pupils than we have room for. We do our best there but that's all right, and he cannot see why that we are not allowed to have more than one approved lot a year and he's not in the position of trying to develop land. If he wanted to, he would certainly be delving into this further, but what he is concerned about, he knows one person in particular. Five people came to him in one year, they all wanted to buy a lot. Now we're not talking about small lots one bought 2 acres, one twenty thousand feet and so on, but he could only have one approved a year and so the fifth fellow had to wait five years. Councillor McCabe stated he just can't see any reasonable economy in such a thing as this. He asked if there was any way that he can get his district out of what is known as the unplanned area.

Mr. Bensted stated to the Chairman, that perhaps to comment on that, the Regional Development Plan will be under review by the Provincial Government, the five year period, and he presumes the Municipality will have an input into the review of the Regional Development Plan. Nobody's in a position to say to you or any other Councillor today as to what the results may be of that.

Councillor McCabe asked if this is controlled by the Cabinet or is there a special committee or board set up by the Provincial Government.

Mr. Bensted stated that the Regional Development Plan can be amended by the Minister if he so desires. Mr. Bensted presumes that the Minister would look for some guidance from the Cabinet before doing so.

Councillor McCabe stated that he made motions on this floor several times with letters and he thinks he was successful in having these motions passed and letters go to the Minister in regards to the undesirable position he found his district was in due to only being allowed to develop one lot a year. He asked if we ever had any answers.

Mr. Bensted stated that we have answers - he's not sure the answers are the answers that Councillor McCabe is looking for.

Warden Settle stated to Councillor McCabe that he thinks that previous Minister had made some changes, maybe slight ones. There was an area in the Municipal Development Plan that they had designated as an urban area and where they had a provision that you could not even get one lot per year unless you had central services. The Minister did make some exception there after some considerable protest. He said that the same as the other area where you could develop one lot per year. Mr. Warden stated that he's just pointing out the power of the Minister to make some changes to it.

Councillor McCabe stated that he thinks it's time the Minister did make some changes to it. Thank you.

Warden Settle asked for any further discussions on the motion.

Question.

Warden Settle stated that the question being called for. He asked if you all are familiar with the motion.

- 10 -

Deputy Warden Gaetz asked to have the motion read.

Mr. Bensted stated that the motion will be to request the Minister of Municipal Affairs to approve the Municipality preparing the Municipal Development Plan as outlined in Items 1, 2, 3 and 4 in your memorandum.

Motion Carried.

Mr. Bensted stated to the Chairman that the next Item on the Agenda would be a Notice of Motion by Councillor Cosman.

Councillor Cosman stated to the Warden that she would defer this until we've heard from the Minister if he's agreeable to what this Council wants to do. The gist of that resolution being given as notice was to save a portion of the urban part of the Plan and she would like to defer it pending what the Minister will reply to us.

Councillor Fader moved to adjourn the meeting and thanked the people who attended the session.

Councillor Benjamin seconded the motion.

Motion Carried.

I N D E X

Application - Date - Motion -----	3
Atlantic Winter Fair - Appointment of representative to the Board of Directors - Motion --	8
Bedford Village Properties - Appeal - Motion -----	14
Council Session - Amendment re two sessions - Motion -----	2 - 3
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Chief Building Inspector - Report - Motion -----	5
Chief Building Inspector - Approval of supplementary report - Motion -----	5
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Elderbank - Approval of undersized lot, Helen Lively - Motion -----	1
Finance and Executive Committee - Approval of report - Motion -----	6 - 8
Finance and Executive Committee - Approval of report re tax exemption - Motion -----	14 - 16
Greenough, Shirley - Approval of undersized lot, West Lawrencetown - Motion -----	1 - 2
Herring Cove - Approval of undersized lot re Margaret Logan - Motion -----	7
Herring Cove - Tender re Margaret Logan property - Motion -----	7
Industrial Commission - Report be deferred - Motion -----	3
Interest Rate - Re overdue tax and capital accounts - Motion -----	8
Installment Tax Billing - Approval - Motion -----	8
Lively, Helen - Approval of undersized lot, Elderbank - Motion -----	1
Letter - Of appreciation re Halifax International Airport decision - Motion -----	4
Letter - To Clarence Gosse re Lieutenant Governor appointment - Motion -----	4
Logan, Margaret - Approval of undersized lot, Herring Cove - Motion -----	7
Logan, Margaret - Tender - Motion -----	7
Letter - Re Senior Citizen housing - Motion -----	8
Letter - Re Dalhousie strike - Motion -----	9
Letter - To the Minister of Municipal Affairs re Waverley arsenic problem - Motion -----	11
Letter - Re derelict vehicle clean-up program - Motion -----	11 - 12
Motion - Appointment of recording secretary -----	1
Motion - Appointment of recording secretary -----	10
Motion - Approval of undersized lot, Helen Lively, Elderbank -----	1
Motion - Approval of undersized lot, Shirley Greenough, West Lawrencetown -----	1 - 2
Motion - Approval of December 19, 1978 Council Minutes -----	2
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Motion - Industrial Commission report be deferred -----	3
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Motion - Review of regulations re Eating Establishments and Foodshops -----	3
Motion - Date of application -----	3
Motion - Board of Management of Ocean View Manor report -----	4
Motion - Approval of Warden's report -----	4
Motion - Letter of appreciation re Halifax International Airport decision -----	4
Motion - Letter to Clarence Gosse re Lieutenant Governor appointment -----	4
Motion - Approval of the Director of Planning and Development report -----	4
Motion - Approval of Planning Advisory Committee report -----	4
Motion - Approval of Planning Advisory Committee Supplementary report -----	4
Motion - Waiving of fees re application #17-78 -----	4
Motion - Approval of public hearing date re application #17-78 -----	5
Motion - Approval of public hearing date re application #20-78 -----	5
Motion - Approval of public hearing date re application #23-78 -----	5
Motion - Chief Building Inspection report -----	5
Motion - Approval of Chief Building Inspection Supplementary report -----	5
Motion - Approval of School Capital Program Committee report -----	5 - 6
Motion - Approval of Public Works Committee report -----	6
Motion - Addition of Capital Tax to Public Works Capital Program -----	6
Motion - Approval of Finance and Executive Committee report -----	6 - 8
Motion - Approval of undersized lot re Margaret Logan, Herring Cove -----	7
Motion - Tender re Margaret Logan property, Herring Cove -----	7
Motion - Interest rate re overdue tax and capital accounts -----	8
Motion - Approval of installment tax billing -----	8
Motion - Appointment of representative, Board of Directors, Atlantic Winter Fair -----	8
Motion - Approval of temporary borrowing re District 7 - 7A Service Commission -----	8
Motion - Letter re Senior Citizen housing -----	8

Motion - Letter re Dalhousie strike -----	9
Motion - Adjournment -----	9
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Ocean View Manor - Approval of Board of Management report - Motion -----	16
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Planning Advisory Committee - Approval of report - Motion -----	4
Planning Advisory Committee - Approval of supplementary report - Motion -----	4
Public Hearing - Approval of date re application #17-78 - Motion -----	5
Public Hearing - Approval of date re application #20-78 - Motion -----	5
Public Hearing - Approval of date re application #23-78 - Motion -----	5
Public Works Committee - Approval of report - Motion -----	6
Public Works Capital Program - Addition of capital cost - Motion -----	6
Recording Secretary - Appointment - Motion -----	1
Recording Secretary - Appointment - Motion -----	10
Regulations - Review re Eating Establishments and Foodshops - Motion -----	3
School Capital Program Committee - Approval of report - Motion -----	5 - 6
Temporary Borrowing - Approval re District 7 - 7A Service Commission - Motion -----	8
Tax Exemption - Approval of Finance and Executive Committee report - Motion -----	14 - 16
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Undersized Lot - Approval of lands of Shirley Greenough, West Lawrencetown - Motion -----	1 - 2
Undersized Lot - Approval of lands of Margaret Logan, Herring Cove - Motion -----	7
Warden's Report - Approval - Motion -----	4



THE MUNICIPALITY OF THE COUNTY OF HALIFAX  
MINUTES OF JANUARY COUNCIL SESSION  
TUESDAY, JANUARY 16th., 1979

Warden Settle opened the January meeting at 2 p.m. with the Lord's Prayer followed by Mr. Bensted calling the roll.

Councillor Benjamin rose to recognize Councillor Williams' attaining Arnie Patterson's list as one of the 10 best dressed men of 1978 and Councillor Williams graciously acknowledged the recognition.

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

"THAT Mrs. Eileen Morres be appointed as recording secretary."  
Motion Carried.

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

"THAT sandwiches and fruit be ordered for supper at 5:30 p.m."  
Motion Carried.

Mr. Besnted stated that 2 public hearings with respect to undersized lots under 1966 legislation would be dealt with: (a) Lot "A", Lands of Mrs. Helen Lively, Elderbank; and (b) Lots J1 and J2, Lands of Shirley Greenough, West Lawrencetown. Of the first item, Lot "A", no correspondence had been received concerning this.

Warden Settle called for anyone who wished to speak in favour to come forward. There was no response. Warden Settle then called for people who wished to speak against the application. There was no response.

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

"THAT the application for approval under the 1966 Legislation re undersized lots re lot "A", Lands of Helen Lively, Elderbank, be approved." Motion Carried.

On the second item, Lots J1 and J2, no correspondence had been received objecting to this application.

Warden Settle called for anyone from the audience to come forward who wished to speak in favour of the application.

Mr. J. A. Greenough came forward and stated that he and his brother-in-law had purchased a lot of approximately 6 acres in size with a view to subdividing it into two lots for the purpose of erecting a summer home on each lot. Mr. Greenough and Mr. Uhrich had shared the cost of acquisition of this property and the building of access roads. It had been a place which collected garbage and had been allowed to grow up in bushes and weeds. They had ploughed a field and planted gardens and it was a very attractive property. Because there is only a 75 foot road frontage on the property they have been unable to obtain more than one building permit.

Councillor Cosman asked if the City of Dartmouth has summer lot regulations and Mr. Greenough stated that it was a matter for Council's discretion and if they felt it was a reasonable request they would look upon it favourably. Councillor Deveaux stated that the average person does not know what he is faced with and asked if Dartmouth has any policies of forewarning people. Mr. Greenough stated that they do not do anything other than the County does. He stated that it simply made common sense that they should be able to subdivide the lot into 2 or 3 acre parcels as it will cause no hardship, there is separate access to either of the lots.

Councillor Topple suggested that a neighbour would perhaps sell some of her land so Mr. Greenough would have the needed frontage to which Mr. Greenough replied that he could not get more than 2 or 3 feet. Councillor Benjamin suggested that future owners might wish to subdivide the land further and Mr. Greenough replied that Council would have to deal with this if it happened but it makes a nice 2 lots for the summer purpose they have.

Councillor Lawrence asked that it be clarified that there is only 1 lot at present and let's not assume that it is 2 lots already. It is a large piece of land with small access. Councillor Margeson asked if this was to be for the personal use only of Mr. Greenough and his brother-in-law and Mr. Greenough replied that is right. Councillor Topple asked if Mrs. Greenough, whose name the lot is registered, wishes to have the lot subdivided with the brother-in-law and the reply was that the application was signed by both he and his wife.

Terry Casavichia responded to Warden Settle's request for other speakers and stated that he and his father own land alongside the property and, being familiar with the land, thought he might be of some help if he came in and said something in favour of the application. The lots would be 3 acres each if subdivided and although there is a small access road this adds to the beauty of the area. As a neighbour he is glad to see the land cleaned up. As a neighbour, he had no objections and feels it would be a definite benefit to the community.

No person responded to the call for speakers against the application.