

handled a number of issues that have arisen because we have felt that they had a detrimental effect on the tourism industry in our region and we've received a fair amount of success, fortunately. Canadian Pacific Airlines was one. Last year they developed a package tour of Canada called Canadian Routes, designed two tours of southwestern Nova Scotia, both of which had the majority of their emphasis on the Annapolis Valley. One of them even had the audacity to call itself the Bluenose Groups, so we decided that this wasn't a particularly great idea and informed Canadian Pacific and they were extremely responsive to us. We submitted a proposal for a tour for the South Shore region and when I'd last spoken to them they said that they were attempting to incorporate this in their new package tours. As you know, the South Shore region is also very strongly affected by the ferry between the United States and Yarmouth and last year we had a (inaudible) because CN Marine and Transport Canada decided to cut back the schedules, the daily sailings of the MV Bluenose, by three weeks. This sort of action has a very bad effect on tourism in our region since, considering the fact that probably 75 percent of our traffic originates from Yarmouth. Fortunately this year the daily sailings have been extended by 2 weeks over last year, we're still short a week but at least we did make some grounds, and possibly because there's an election coming up but hopefully because of our efforts they haven't put the prices up on the ferries. There has also been continuous discussion within the industry about liquor legislation, about taxation and on a wide number of topics on these areas. The opinions and attitudes of the tourism industry in the South Shore region are recorded, you could say, by the South Shore Tourist Association and forwarded to various provincial, industrial and governmental bodies for further action. We also have a serious problem on the South Shore, as within the rest of the Province, with highway signage and most specifically with the Lighthouse Route signage. We are part of the travelway system, we've got a very attractive travelway, the Lighthouse Route that runs through our region, and yet I'll be damned if when a tourist gets off the ferry in Yarmouth or leaves the City of Halifax if he could possibly find his way. I just spent two days on the road with a traffic engineer from the Department of Highways and I think literally you'd probably have to be blind not to be able to find your way from now on because the signs have been corrected. We'll also be looking into other problems with signage on the 103 Highway, similar signage and a wide variety of other problems that exist in the area of directional signage. And one of the other things that the South Shore Tourist Association wants to try to encourage into southwestern Nova Scotia is air service. Right at the moment it's very poor and the trend nowadays, in tourism, is more and more towards package tours and the South Shore region has got a very good potential for this type of traffic. The only thing we have to do is convince Air Canada of this fact and to get them to increase the number of air routes into Yarmouth and from Yarmouth to Halifax et cetera, but hopefully, that's something that we'll begin to see some results on as time goes by. All right, now all of this, I hope, sounds particularly marvellous in that we have really been running around doing an awful lot of good for our members and really trying to boost up things on the South Shore but the one question you always end up asking yourself is, is it really doing any good so the only way I have of judging that is by using figures that were released by the Department of Tourism and the Department of Development on the condition of the tourism industry. Last year traffic in the South Shore region of Nova Scotia increased by 7 per cent. Now that's 5 percent better than the provincial total. The amount of money spent in our area by non-resident visitors increased by 7 percent and we also experienced the longest length of stay of any region in the entire Province. That means that visitors stay in the South Shore region longer than they do anywhere else and it's running about 3.5 days per party. Now the other thing that I think is even more impressive, or what I feel more proud of, is how we rank with the other tourist regions in the Province and there are 7. Two years ago we were in 6th place, now that's one from the bottom and when I talk about place I mean the amount of money spent by non-resident visitors to Nova Scotia within each region. Of course Cape Breton is always first and it'll take us awhile to catch up to them. Like I say, 2 years ago we were in 6th place, a year ago we were in 5th place and last year we'd moved up to 4th so we're making considerable progress and I can't help but feel that it's because of the work that's being done by the South Shore Tourist Association because it's industry working for industry, working for itself. We're trying to improve our own lot and we are making successes, however of course, we can't always do it alone and that's why I'm standing here in front of you today. You have been gracious and in the last year have provided the South Shore Tourist Association with a grant which we've been most appreciative of, however, right at the moment, we're working on a very restricted budget, we have a hole in the wall office and I haven't had a salary increase in about 2 years I guess. Inflation affects everybody and it affects the South Shore Tourist Association just as it affects everything else and the buying power of your grant last year is not going to be the same this year because we're looking at what, 7, 8, 9 percent inflation. If we're going to expand our efforts, if we're going to be able to do more in the area of promotion to attract more visitors in the area so our tourist operators will prosper, we're going to be able to increase our programs to retain them in the area once they're here, we need assistance. Now to be perfectly honest with you, ladies and gentlemen, I really don't like standing here because I'm not very good at walking around with my hand out and the South Shore Tourist Association feels the same way. We want to get ourselves into a self-financing situation. We have got a number of programs which we hope will bring results. Some of them are just at the idea stage right now, we are going to have to wait until they become fact. Some are fact but we haven't had a chance to see the results of them yet. Last year we increased our membership by 62 percent, we're on another campaign this year to double it again, so until that time when I no longer have to appear here before you I need your assistance and I would like to reiterate with you that when you give a grant to the South Shore Tourist Association, it's not a giveaway. You're making an investment and you're making an investment in the tourism industry and you're going to get a return on that investment because the more prosperous and the more ideal the climate for investment within the South Shore is for tourist operations the more tax revenue the Municipality is going to make and the more services you will be able to provide for your residents. I think I've probably run off at the mouth long enough now and if anybody has any questions I'd be pleased to answer them or I'll turn you over to Mr. Broomfield.

Mike Broomfield: Mr. Warden, Councillors I won't be more than two minutes. Stand up, speak up, shut up. What Cathy has said obviously applies equally to us. We have two-thirds of the County, the South Shore has one-third and there's a very interesting vacuum in the middle with the Bedford/Sackville area and right now is a dynamic time in tourism because the private sector has got its act together, it's come together last year into TIANS. Can anybody tell me what the initials stand for?

Councillor MacKenzie: Tourist Industry Association of Nova Scotia or something like that?

Mike Broomfield: Tourism Industry of Nova Scotia. The area associations have come together and TIANS was passed in November in a big conference in the Hotel Nova Scotian with forming the Metro Tourist Association, so that it takes into account the large pink triangle, I guess, which runs as far north as the (inaudible) and stretches either side of the City of Halifax. Now my two-thirds of the County, well how many area tourist associations are there for a start? Why do we have to go and ask our Councils for support? How many competing associations are there? Six or seven, metro being the 7th. Our tourist association is 16 years old. It was going 16 years ago, founded entirely by private sector, motel/hotel/campground people and no support at all from anybody. The first people who came and supported us were Halifax County. We remain ever grateful for that support. Long after the County came and supported us the Provincial Government got in on the act and they doubled the dollars that our Councils gave us as a means of encouraging Councils to support their area tourist associations. So would anyone have a guess, Cathy threw out some figures, would anyone have a guess as to how much direct municipal taxation revenues Halifax City and Halifax County derive from tourism? We talk about a 92 million dollar industry in terms of visitor spending, a 300 million dollar industry in terms of us all travelling around and visitors coming in and of that the government obviously takes a nice cut with the 8 percent sales tax and so on which if a tourist goes sick, he gets no benefit at all, he pays the whole shot, but the municipalities do derive an income from that. Can anyone tell me what Halifax, the City and the County actually get in terms of municipal income?

Councillor Williams stated that it's pretty hard to ask anybody to define how much. He stated that he meant that the fact is, that it may come into the district but the Municipality of the County of Halifax as a municipality doesn't get it.

Mike Broomfield: Well, I was thinking more of campground taxations and so on, motels, restaurants things like that. It's 5 million dollars, that's a lot of money we're talking about, 5 million bucks and we would like you to regard our request for support in proportion to that 5 million dollars that is generated here from tourist spending. The piece of paper I handed out, I won't bore you with the details. Your Tourism Committee, when I met with them, I could see a glazed look in their eyes when we started to talk about the 72 projects that we're into right now for tourism in the County - in the County specifically - and I would just like to say that the three big things that are coming on this year are the 10 thousand dollars worth of spending on day trips. We have 4 day trips for the County, they will be going to the printer and ready in 2 weeks time. We have a coordinator hard working on tourism in the County, Mr. David Roberts of Petpeswick is working non-stop in the County on tourism. That's another tremendous step forward. Not just myself but Dave Roberts as well working for tourism and the third big thing that's happening right now is anyone who drives along the Trans-Canada at Antigonish will see 180 thousand dollars worth of Federal dollars, DREE dollars going into a new tourism bureau which will help divert tourists down the Eastern Shore and along through into Halifax County. We negotiated what's called the first, what's called the second point bureau in the Province, paid for, as I say, entirely by Federal funds. Correction, not quite entirely, the Province put in 20 percent, but it is going to be a tremendous method of getting people into Halifax County and reversing the flow the other way. Now I'd just like to finish, to come down from sort of megadollars and figures and things like that into why we need your support and I'll take just one example of one small motel on the Eastern Shore in Halifax County and that guy and his wife, he was a Rolls Royce Engineer before and, like most people in the tourism business, they've always been something else and they've always had a dream, maybe some of you, maybe Councillor Topple or someone one day will have a campground all of their own and retire and live in wealth and have a winter in Florida every year. Well anyhow, this couple with their motel, they've taken 40 thousand dollars in the 4 month season. It's really a 2 month season, 2 shelter months, 4 month season, so you can look at that motel in the small village on the Eastern Shore in Halifax County and say that's a fat cat. In fact he isn't and he and his wife work all summer long and their net profit is somewhere in the region of about 6 thousand dollars. Now the important thing that I'm getting at is that 28 thousand dollars of the visitors spending that is spent in that motel stays right there locally. It goes in wages, food and that kind of thing and it stays right there locally and if that guy goes bellyup or works out as he's already done he can take his equite out of the motel and put it at 10 percent in the bank, lie on the beach all summer long and earn more money but if he goes bellyup, if he goes out of business, if we don't help him 28 thousand dollars is lost to that village, you guys here in the County get 14 hundred dollars in direct property tax from that operation so it's that kind of a person or those kinds of people that our association is all about. It's the private sector come together to help ourselves and to help ourselves we'd be very grateful for your support. Mr. Warden, Councillors, thank you.

Councillor Fader asked members of Council if they wished to have Mr. Radchuk appear before them to explain the Application that the County is making to the Public Utilities with respect to water utility.

Councillor Deveaux stated that Mr. Radchuk appeared before the Public Works meeting the other day and one letter was presented at that time by Mr. Bensted. Maybe Mr. Bensted can explain the situation as well as Mr. Radchuk.

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

"THAT Mr. Radchuk be invited to attend Council re Application to the Public Utilities Board."
Motion Carried.

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

"THAT Council adjourn until 6:30 p.m."
Motion Carried.

Council reconvened at 6:30 p.m. and Mr. Bensted called the roll.

Happy Birthday was sung by Council to Mr. Bensted.

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

"THAT the Report of the Warden be received."
Motion Carried.

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

"THAT the Report of the Director of Planning and Development be approved."
Motion Carried.

Councillor Lichter stated that he was very pleased to see that a number of applications that were made at the Municipal Office in 1979 were handled quite speedily but he is still concerned that there are 1977 and 1978 dates still outstanding and could Council get some statistical data as to how many applications are outstanding from 1978, 1977 et cetera, in order to get an indication of what backlog if any, there is.

Mr. Gough explained that one of the subdivision plans which was submitted two years ago under the name of London Supplies, in 1976, was serviced by sewer and water and required the removal of a sewer easement. Most of the other applications which have been held up are either due to Departments of Health or Highways but that one has been held up by the Municipality. The Planning Department has a policy that if they have anything from Health, Highways or another regulatory agency they try to process it within a 5 day work week unless there are some extenuating circumstances.

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

"THAT the Report of the Planning Advisory Committee be approved."
Motion Carried.

Councillor Lichter said that he noted that somebody had asked for clarification from the Highways Department as to the difference between the decontrolled access sections and wondered if there had been a reply.

Councillor Lawrence explained that Council had a response back yesterday from the Department of Highways explaining the rationale for the decontrol in this particular section, this is in the Sunnyside area of Bedford. A controlled access section of highway means you cannot get a building permit to access onto that section of highway and the Highways Department have taken that out of that category and now anyone with property who wanted to have a development permit that needed an access permission onto the highway would be able to do it. The reason they did that was because of the Bedford Bypass. The Highways Department claims they now have a bypass which, in effect, is going to take the majority of the traffic off that section of Bedford, therefore there will be no further need to have it controlled.

Councillor Lichter asked why then had Council asked them to put back the controls and Councillor Cosman said that it will constitute more traffic on an area of the highway in the centre of a community that is already overy trafficked now. The Bedford Bypass was to relieve the traffic coming through Bedford but it hasn't made an appreciable difference. It's made it a more easily commuted area to live out in Sackville and to live in Bedford, as a result there has been an increase in community growth with another increase in traffic on the highways and it opens up the possibility of a creation of new commercial lots along the highway on land that is not currently a building sized lot.

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

"THAT the Minister of Highways be requested to re-establish the controlled access highway re Trunk 1 and Trunk 2 at Bedford as described in the Order-in-Council dated March 27th, 1979."
Motion Carried.

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

"THAT Council approve the date for a Public Hearing re 'Attached Housing By-Law' on June 11, 1979 at 7 p.m."
(See Motion to Amend.)

Councillor Smith questioned the fact that Council had agreed to have Public Hearings on the first Tuesday of each month and why could this not be heard at that time.

Councillor Lawrence explained that the reason June 11 was suggested was that the last time there was a hearing on the Attached Housing By-Law there was a lot of representation from people with strong interest in it, the Housing Commission, CUDAC, various groups of builders and developers. All came with very detailed briefs reacting to the draft of the By-Law. Although alterations have been made the same representation is expected to turn up. The last Public Hearing on this subject was quite a lengthy one and Councillor Lawrence feels that sufficient amount of time should be set aside for it.

Councillor MacKenzie noted that June 12th there is a Council Session and this will mean two late nights running.

Councillor Cosman stated that she was willing to change the day to the 12th at 7 p.m.

Councillor Lichter said the original idea was to have Public Hearings on a Council meeting date but it didn't seem to work out that way. Council business takes up the whole of the time of the regular meetings.

Councillor Lawrence agreed to changing the date of the Public Hearing to June 12th, the same date of the budget session.

Councillor MacKenzie stated that it was costing the Municipality too much money having Council convene more often and Councillor Lawrence reminded Councillor MacKenzie that it was only a few hours ago that a special session on Tuesday was decided upon.

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

"THAT Council approve the date for a Public Hearing re 'Attached Housing By-Law' on June 12, 1979 at 7:00 p.m."
Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Eisenhauer:

"THAT Council approve a Public Hearing re Zoning Application No. 7-79 on June 12, 1979 at 7:00 p.m."
Motion Carried.

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

"THAT Council request a report from Mr. Gough, the Director of Planning and Development with respect to Regional Parks at the June 5th Session of Council."
Motion Carried.

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

"THAT the Supplementary Report of the Planning Advisory Committee be approved."
Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Eisenhauer:

"THAT Council approve a Public Hearing re Zoning Application No. 11-79 on June 5, 1979 at 7:00 p.m."
Motion Carried.

Mr. Bensted explained that the report on the Councillors' desks was with respect to an Application to the Board of Public Utilities with respect to water rates for the Bedford/Sackville Utility.

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

"THAT the Report of the Public Works Committee be approved."
Motion Carried.

Councillor Cosman apologized for missing the meeting of Public Works and wondered how long County had been going along in a deficit position regarding the charges.

Mr. Bensted stated that the Utility had been operating in a deficit position for approximately three years and the last rate application was in 1973 with an interim rate at that time. The reason for

that was that the Utility was changing from one water supplier to the other and the County was not in a position to make an application to the Board until such time as the Public Service Commission, through the Board of Public Utilities, had established a rate the Municipality would be purchasing from the Public Service Commission. Any application at that time would have been purely a guesstimate and would have meant going back to the Board again. The deficit is not a heavy deficit, it's in the order of around two hundred thousand dollars. Mr. Radchuck can give more detailed information.

Councillor Lachance inquired if Mr. Bensted could give Council a brief overview of the problems leading up to today.

Mr. Bensted stated that the background is that the Water Utility, as served the Bedford/Sackville area, came into effect at the time that Nova Scotia Housing Commission decided to develop lands in the Sackville area with the water supply from Second Lake. At that time the Municipality was in the position where the Municipality wished to service the Bedford area and part of the Sackville area existing development and negotiations were carried out, at that time, with the Housing Commission for the Municipality to be able to take over the utility of the Housing Commission where it's setting up. At that time it was known that Second Lake, as a water supply, would be the closest supply for a limited period of time because there wasn't sufficient draw there to take care of the future development. The Municipality, at that time, considered seriously where the Municipality would go beyond Second Lake at some time in the future and Kinsac Lake was looked at very seriously but, at the same time, knowing that if the City of Halifax were to receive approval or go-ahead with the Pockwock project that this would set up a system that would serve the City of Halifax needs and the Municipality's need and would be of a lesser cost to the Municipality. Eventually the Pockwock system was approved and the Municipality of the County of Halifax, after it came to a point of reality, then made changes and adjustments so that Bedford/Sackville eventually comes with a complete draw from the Pockwock system and the draw from Second Lake will be abandoned. Now the long and short of it is that periodically water utilities have to go to the Board of Public Utilities for adjustment of rates in order to keep the utility in a balanced position. In this particular case, while we went in 1973 and obtained a temporary rate at that time, we have not been in a position to go to the Board for a firm rate until such time as the PSC were able to provide us with the cost of purchasing water from Pockwock system.

Councillor Sutherland inquired what the fate of the Second Lake system is and Mr. Bensted said it's being kept as a back-up at the present time but the future will be abandonment at such time when the County is satisfied that it can be abandoned, which will probably be around the end of this year.

Councillor Eisenhauer asked why rates are lower for those persons who use more water than for those who use a lesser amount and Deputy Warden Gaetz invited Mr. Radchuck to explain the workings of the utility for the benefit of Councillors.

Mr. Radchuck: Mr. Chairman, Councillors, in looking at the consumption rates as opposed to the base rate in order to supply water to any of the various consumer classes there are two elements in costs in providing the service. There is the fixed element charge that we get from the Public Service Commission as well as a charge based on the number of gallons consumed, so for the first block as it's identified up to 3 million gallons, we recover both the fixed cost as well as variable costs, however above that 3 million gallons we only recover the gallons cost, the water cost rather than any system cost, if that helps in the differentiation. In other words it's only the water cost in the second block. There are very few consumers in that block and they would only pay the water cost. They would have paid whatever cost required to have that water delivered, which is the base charge from the Public Service Commission of over 200 thousand dollars. Above the 3 million it will only charge the water cost and there's a difference of about 21 cents. Well it's actually the difference between the 43 and the 75 so it's about 32 cents. I would have to go into a substantial amount of detail on the calculations other than to assure you there are two costs that we're looking at. In handing these costs over to the consumers it's almost like your base charge. The base charge is the cost that the consumer bears if he doesn't take a gallon of water. The Public Service Commission provides us with the same two elements of cost and that's the cost of the water so we recover that first part in the first three million gallons and then if you use anything above that you have actually already paid for what is identified as the fixed cost. There is no method in calculating a discount or anything of this nature for volume consumed. We have a ratio based on actually the area of the service so the larger the service on it the larger the portion of the base charge so there was actually an inequity between your 5/8's and 3/4 inch pipe the way the rate structure was set up before. The increase works out to roughly 58 percent overall.

Councillor Cosman asked what this would do to the fire rates and Mr. Bensted replied that this will have to be determined. Councillors asked several questions regarding the rates and secondary system to which Mr. Radchuck and Mr. Bensted replied.

Councillor Margeson asked what the quarterly rate would be just using a 5/8 inch pipe and Mr. Radchuck replied that it would be 20 dollars and 25 cents and there are no minimum amounts of water used.

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

"THAT the Clerk and Solicitor be authorized to proceed with the Application to the Board of Public Utilities."
Motion Carried.

Councillor Fader thanked Mr. Radchuck on behalf of members of Council for coming out to explain the situation to them.

It was moved by Councillor Williams and seconded by Councillor Cosman:

"THAT the Report of the School Capital Program Committee be approved as amended."
Motion Carried.

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

"THAT the Beaverbank-Kinsac Elementary School Addition be deleted from the Report of the School Capital Program Committee and be discussed separately."
Motion Carried.

Councillor Walker noted that the Sir John A. MacDonald High School elevator and the Tantallon Junior High School ramp had been on the Agenda for the last few sessions and Mr. Bensted replied that they were still there because they were still under the holdback period.

Councillor Lawrence inquired if Council has any control over which architect is used in construction of schools and Mr. Bensted replied in the affirmative. There was further discussion with regard to difficulties in construction of schools.

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

"THAT the naming of Four Villages - Five Islands Elementary School be deleted from the report."
Motion Carried.

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

"THAT the School Capital Program Committee be requested to hear a submission from Councillor Margeson and Trustees from Beaverbank-Kinsac School, and that the Architect, Representatives of Department of Health, Department of Environment, Municipal Clerk and the School Board be present re the Beaverbank-Kinsac Elementary School."
Motion Carried.

There was discussion by Councillors regarding the problems facing the Beaverbank-Kinsac School and the fact that Councillor Margeson and his delegation was refused an audience by the School Capital Program Committee.

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

"THAT the School Capital Program Committee be requested to keep a list of building design material, equipment et cetera that have been found to be unsatisfactory with respect to new school construction and such list be kept updated with input from the Municipal School Board."
Motion Carried.

There was a great deal of discussion regarding whose responsibility it was to prepare and keep such a list.

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

"THAT the Special Report of the Finance and Executive Committee re Capital Charges re Sewer Laterals be approved."
Motion Carried.

Councillor Cosman stated that she has some questions about the sewer legislation which she would like to raise with Municipal Affairs regarding Clause 46(2), Assessment for Sewers. The amount of the special tax shall be such amount not exceeding 15 dollars for each (inaudible) property on the street on which the sewer is built. The Act refers to the amount of pipe that has been laid and she would like to see how Municipal Affairs responds to a question on that clause. Councillor Deveaux joined Councillor Cosman in questioning the Report and there was discussion with Solicitor Cragg.

Councillor Deveaux inquired whether the Finance and Executive Committee reviewed the appeals if they were given a copy of the By-Law prior to making the decision.

Solicitor Cragg stated that when each appellant was brought in to present their case, they were given an opportunity to present their case, at the conclusion of which it was brought to each and everyone's attention the provisions of the legislation.

Councillor Deveaux replied that it depends on a person's interpretation of the legislation in his opinion.

There was a great deal of discussion with respect to the Report of the Finance and Executive.

Committee re Appeals - Capital Charges Sewer Laterals.

Councillor Topple inquired whether there are no exceptions and Mr. Bensted replied only if a property cannot be serviced because it is too low to be serviced.

Mr. Bensted explained how the charges are arrived at.

Councillor Lichter felt that if it is an unfortunate manner of levying charges then it must be unfair. If it's unfair then Councillor Lichter must be sympathetic with the people. If the Committee has no power to change the laws it's rather hypocritical to have the people appear before them to air their greivances. Mr. Bensted replied that there are people who feel it is good to appear before a committee rather than before one person on staff.

Councillor Fader defended the Committee by replying that Mr. Gallagher was trying to get this message across to these people but they wouldn't accept it and said they wanted to go further, therefore the committee heard them. They at least then were heard by more than one person.

Councillor Topple stated that in his opinion the people should be advised that there is no appeal from these charges.

Councillor Lawrence suggested that Council should appeal to the Legislature to alter the Act so that logical appeals are possible.

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

"THAT the Finance and Executive Committee be requested to consider a fixed rate of interest with respect to capital charges re sewer installation."
Motion Defeated.

It was moved by Councillor Williams and seconded by Councillor MacKenzie:

"THAT Council adjourn."
Motion Withdrawn.

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

"THAT the Report of the Finance and Executive Committee be approved."
Motion Carried.

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

"THAT request re appointment of Law Enforcement Officers be approved."
Motion Carried.

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

"THAT Councillor Sutherland be appointed to be the representative to the Union of Nova Scotia Municipalities Conference - September 1979."
Motion Carried.

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

"THAT Temporary Borrowing re DREE projects be approved." (See attached)
Motion Carried.

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

"THAT Temporary Borrowing re Booster Pumping Station, Bedford - Waverley Road, in the amount of \$260,000.00 be approved." (See Attached)
Motion Carried.

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

"THAT Issuing Resolutions re DREE projects be approved." (See attached.)
Motion Carried.

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

"THAT Mark, Tom and Paul Clairmont be named as Issuers of Dog Licenses."
Motion Carried.

Councillor Fader asked what the commission is on the issuing of dog license and Mr. Bensted replied 35 percent.

Councillor Lachance asked if Council shouldn't give some consideration to raising it. If the Municipality has that service in all areas there may be a lot less trouble with animals running

at large. Mr. Bensted said that Council could consider it this year for next year.

Councillor Cosman noted that in the last minutes of the last Council Session it was moved, seconded and carried that a report be brought back in on the status of the Municipal Building Board and she wondered what happened to that report.

Mr. Bensted said that a report can certainly be prepared and brought to Council.

Councillor Fader noted that this is the last Session at which Mr. Bensted would be present in an official capacity and Council rose to give him a standing ovation and Mr. Bensted replied with thanks.

It was moved by Councillor Williams and seconded by Councillor MacKenzie:

"THAT Council adjourn."
Motion Carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF PUBLIC HEARING

Tuesday, July 3, 1979

Present Were: Councillor Baker
Councillor Benjamin
Councillor Cosman
Councillor Deveaux
Councillor Eisenhauer
Councillor Fader
Deputy Warden Gaetz
Councillor Lachance
Councillor Lawrence
Councillor Lichter
Councillor Margeson
Councillor McCabe
Warden Settle
Councillor Sutherland
Councillor Topple
Councillor Williams
Councillor Wiseman

Warden Settle opened the Special Session at 7:00 p.m. with the Lord's Prayer and Solicitor Cragg called the roll.

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

"THAT Mrs. Cashen be appointed recording secretary."
Motion Carried.

Warden Settle: Tonight we will be discussing the following application for rezoning - Application No. 7-79, A request to rezone Lot R-1 of the Maplegrove Subdivision, Number One Highway, Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to R-4 (residential General Zone). This is a continuation of a public hearing held on June 12, 1979.

Solicitor Cragg: The purpose of this hearing is to hear Mr. Gallagher, if I'm correct. The public portion of the public hearing is over and we are here strictly to hear Mr. Gallagher. At the conclusion of that a decision should be reached.

Miss Smith: This is an application by Three Star Development to rezone a lot called Lot R-1, Maplegrove Subdivision, Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to R-4 (Residential General Zone). The application has been advertised as prescribed under the Planning Act. The Planning Department is recommending rejection of the application and I think a point to mention right now was brought out at the last public hearing and that is regarding Lot R-1, whether in fact, it is part of Maplegrove Subdivision. The plan that's up on the wall over there is the approved plan for Lot R-1 and that lot was approved February 27, 1976 and on that plan it is shown as being part of the Maplegrove Subdivision. The Public Works Department have recommended rejection of this application because they feel that an apartment building on this particular lot would exceed the sewer design at 18 persons per acre. We basically feel that an apartment building in this location would cause a certain amount of excess traffic. We are also concerned about the fact that R-4 Zoning permits not only residential uses, apartments, but also permits a variety of commercial uses which we feel we would not like to see in this location. The other point to note is that this application for this particular lot has been presented to you before under Application No. 4-75 and that application was submitted by Green Gables Limited who requested that this lot be zoned C-1 in order that they be permitted to construct a store on this lot and at that time, the application was rejected by Council.

Councillor Cosman: I just want to know why it was rejected before, was this based on the Public Works report as well?

Miss Smith: The same comment was received from Public Works at that time and again our recommendation then was for rejection for the same reasons basically that I've just outlined to you.

Mr. Gallagher: I want to point out that in planning for services for the Bedford/Sackville area, the official Town Planner recommended that we set aside an area which would be known as the serviceable area and that we should concentrate in developing that area so that we could generate people into this area and avoid duplication of schools, roads and so on. One of the features as regards to a design of a sewerage system is to determine what kind of an area are you going to be designing for and what the plans are for that area. In the case of Sackville, there is only some zoning done. The consultants stuck a figure of density of 16 to 18 persons per acre which would allow certain things to be done and which seemed to follow roughly along the guidelines which had been set down by the official Town Plan. In the case of this particular developer, I think I was probably one of the earliest people that he discussed this with and we demonstrated that we were following as closely as possible our densities of 16 to 18 persons per acre and in this particular instance, there are twenty-two acres as such and there were eleven duplexes which these twenty-two acres realized a density of 18.4 persons per acre. Although only eleven units has been requested in this particular case, this is only one of dozens that we've had. This is the express purpose of our opposition to these things. We feel that if we're able to follow through and each is able to get out a demand that which it was intended, recognizing that in all fairness to someone that has purchased our poor land prior to this

system being created, that obviously would have been taken into account by the consultants.

Councillor Cosman: Mr. Gallagher, if this rezoning application were approved by Council and Mr. Jardine applied for a building permit, would he get approval to hook into the sewer system based on what you've said tonight?

Mr. Gallagher: No, not unless my Department has okayed it.

Councillor Lawrence: Mr. Gallagher, you seem to be implying that with the densities you're aiming at, you adhere to them on an individual property owners' basis.

Mr. Gallagher: That's correct, yes.

Councillor Lichter: Mr. Gallagher, I was wondering if there was any consideration given the fact that in Sackville or anywhere else if a subdivider wants to undertake a subdivision he is required to donate at least 5% of his land holding for parks and playground facilities. Is this taken into consideration when the overall density is considered?

Mr. Gallagher: The figure 16 to 18 persons per acre takes into account what would be considered to be the average acre for a large area. 16 to 18 persons per acre is saying that this is roughly a broad figure taking into account this, that and the other. The final analysis should be something in the order of 16 to 18 persons per acre.

Councillor Sutherland: Mr. Gallagher, in the Housing Commission development, I have some reservations whether in fact we have reached the 16 to 18 persons per acre. I guess my question is in administration, in terms of we get a block that's totally developed and then you might get the next block that is developed with residential, but what compensates for the area that has gone totally R-1? Are you saying in fact, that we might have achieved the 18 to 16 persons per acre on that development in that area?

Mr. Gallagher: Yes.

Councillor Fader: Mr. Gallagher, with respect to this lot, you mentioned earlier, it is within the serviceable area boundary. If it's R-1 or R-4 or C-1 or whatever, it's still entitled to a service isn't it?

Mr. Gallagher: Simply from the serviceable point of view.

Councillor Sutherland: I guess what I'm faced with is looking at a Regional Development Plan which says that the traffic network is a four lane divided highway, or a four lane highway extending from and through the Sackvilles to the Lucasville Road. I'm looking at the question of economics to develop that lot, I'm looking at the remarkability of that design, that facility, be it a single family dwelling or whatever the case may be and I think looking at all these, I think I'd be prepared to recommend the rezoning application.

Councillor Topple: Mr. Warden, I can't support this rezoning to R-4. I think again Mr. Gallagher has inferred that possibly if we do allow this one, we may possibly get six or eight more in the area. This would overload the sewer system that much more. That's just the possibility so I would have to be opposed to it.

Councillor Lachance: I can't support the application or the motion to approve the application on the basis not only of the report which is a rather extensive report covering all aspects that should be covered, I think, in terms of good development from sewer capacity to the curvature of the road that will be required. It seems to me that for a Municipality that's so bent right now on coming up with a Municipal Development Plan, the whole question of planning and what is good for the Municipality in terms of a small term group that when we zoned something a few years back, it was the intent of following that plan and undertaking to have services within that area to meet that plan and then a few years later to come back and change that plan so that it's inconsistent with the sewer services and everything else, then there is something wrong.

Councillor Fader: Warden, I seconded the motion and I seconded it because I think it took a lot of things into consideration in respect of what other people have said. This is only an eleven unit apartment complex, six one bedroom units and five two bedroom units. I'm not concerned about the highways. If development didn't happen in Sackville, we wouldn't have the Bedford By-Pass, the four lane highway or the #101. I'm disappointed with the work of the Planning Department and Public Works because I think that if they turned their recommendation against this application, they should have come up with an alternative. We've got a piece of land here which is in a serviceable area and I think it should be allowed to be developed. If it suits the development that people want to put on it, then let them build on it. As far as R-1, it's just not suitable on that piece of highway.

Councillor Benjamin: I don't believe that spot zoning is the developers' right. The people that own the land want good planning and if that is better suited for commercial, then I would say, we should look at the entire section and see that it is zoned commercial or we're not being fair to the abutters who may be across the street or down the street. Staff have presented a case whereby this is long-term planning and they say that the sewer systems will not accommodate excessive use and this is going to aggravate the situation. It seems to me that we're trying to put something across against

the wishes of the other residents of the area who spoke against it.

Councillor Sutherland: We had two meetings with local residents. People came forward and said they are concerned about what Mr. Jardine is going to do with that site. Mr. Jardine answered to the best of his ability all the questions asked. The alternative that the residents were faced with was looking first of all for commercial zoning or an R-4 Zone. I think the general feeling was, to go commercial, you're looking at another fast food take-out. In no way, shape or form, did they want that type of development. Staff are saying it will overload sewer facilities. What I'm saying is, if you're going to use that as criteria, you're looking at maybe 450 acres that we're saying today cannot be developed because we do not have the capacity in the sewers. Let's look at the development as it goes through.

Deputy Warden Gaetz: Mr. Gallagher, would this R-4 Zoning overload the sewer system to any extent at the present time?

Mr. Gallagher: No, the actual 11 units is just a drop in the bucket.

Councillor Topple: I'm more convinced now that we should turn the application down. I think when we talked about serviced land in various areas, the area of Cole Harbour and Westphal has a lot of land that can't be developed for the same reasons. Also there's the lands inside the drainage boundary that are not serviced but there's no way we can tie those in. I think what is being said here is that the services were provided for the land use anticipated at that time. Councillor Sutherland mentioned that we may be overloaded in the sewers. I don't think that's a very healthy way of looking at anything. I think that it's better to operate on the safe side.

Councillor Lawrence: We have as a Council in the last few years given spot rezoning on that stretch of highway between the Beaverbank Road and the Lucasville Road and whatnot. We have ourselves contributed to the piecemeal change in that stretch of highway between residential and mildly commercial uses and increasingly high densities. I think that stretch of road has a lot of severe traffic hazards. It is the last piece of land. I understand the arguments that say it's not logically R-1 but I do think we have to pay attention to our Staff. They have logical arguments that the principle is important and I think the principle of not willfully overloading the sewer capacity of a designed system makes a great deal of sense. I'll vote against it although I do understand and sympathize with the difficulties of the developer but I'm sympathetic to the residents who want a residential high-density development rather than commercial.

Councillor Wiseman: When we look at the possibility of that parcel of land becoming a commercial property, is that going to present more problems than we have now? One other point, the fact that Dino's Lunch is now turned into a hairdressing shop added problems for that sewage. We've got the possibility as well of a four lane highway going through there and I don't think that will improve the traffic conditions and possibly some of the hazards there. You've got the overload of the school system, Sackville Heights Elementary is right across the road from here and that's where these kids will probably be going. You've got the opposition from the neighbours, the two people who were in here that opposed having an apartment building there. I think in view of that, it's extremely difficult to try to make up my mind about the whole situation but I'm afraid that I cannot support the application rezoning to R-4.

Councillor Sutherland: The developer talked to the residents of his own accord which he was not required to do and I think it's a compromise in terms of what I understand, is the urban development versus the commercial aspect. What I'm saying is that we have to look at the type of individual we're dealing with here who will put up a quality design building. It would be an asset to the area.

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

"THAT Application of Three Star Developments Limited to rezone Lot R-1 of the Maplegrove Subdivision, Highway No. 1, Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to R-4 (Residential General Zone) be approved."
Motion Defeated.

Warden Settle: We have one more public hearing on the Undersized Lot Legislation of the Lands of Norman T. Hanley, located in Lower Sackville, Lot #2. Is there anyone in the audience who wishes to speak in favour of this application?

Mr. Hanley: My name is Norman Hanley, I live in Lower Sackville and I'd just like to join two small pieces of land together on the Sackville Highway. One piece is 17 feet along the highway and the next lot is 40 feet or 42 feet. At present on the 70 foot lot I have a store, Sackville Paint and Wallpaper and the 40 foot lot I have my own house which goes right through to the back road which would be Hillcrest Road. I've been toled I can't add on any more to the store until I get more land and at the present I have the land that is fronting on Hillcrest Road and the main highway so I'd just like to split the 42 foot lot into two and my own house on one lot and the back section of this lot adjacent to the store.

Warden Settle: Is there anyone in the gallery who wishes to speak against this Undersized Lot Legislation? Hearing no opposition, it's now a matter for Council to decide.

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

"THAT Council give approval to this lot of Norman Hanley under our Undersized Lot Legislation."
Motion Carried.

It was moved by Councillor Fader and seconded by Deputy Warden Gaetz:

"THAT Council adjourn."
Motion Carried.

MINUTES OF A PUBLIC HEARING OF THE MUNICIPAL COUNCIL

The Warden called the meeting to order with the Lord's Prayer.

The Administrative Assistant called the roll.

Present were: Councillor Walker
Councillor Poirier
Councillor Lawrence
Councillor Williams
Councillor Baker
Councillor Deveaux
Councillor Topple
Councillor LaChance
Deputy Warden Gaetz
Councillor Smith
Councillor Arthur MacKenzie
Councillor McCabe
Councillor Lichter
Councillor Benjamin
Councillor Margeson
Councillor Sutherland
Councillor Wiseman
Warden Settle
Robert Cragg, Municipal Solicitor
Bill Campbell, Planning Department

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

"THAT Gail Marks be appointed as recording secretary." Motion carried.

The Warden gave a brief outline of the subject to be discussed, namely a Public Hearing dealing with Application No. 13-79 - Request to rezone Lot 1 of the Jackson Subdivision, Lands of Harold Burton Hart, Old Sambro Road at Sambro from R2 (Residential Two Family Dwelling Zone) to C1 (Commercial Local Business Zone), District #5.

The Warden outlined the procedure of a Public Hearing for the benefit of those in the gallery. The Warden then called upon the Planning Department to outline the application.

Mr. Bill Campbell of the Planning Department outlined the application; pointed out land use in the area and adjacent to the site with the use of slides. Mr. Campbell pointed out that the zoning in the area is R2 which does not permit commercial operations and the Planning Department is asking the Municipal Council to reject this application.

Mr. Campbell read background information with respect to this application and pointed out that it was Mr. Hart's intention to operate a grocery and canteen under the C1 zoning if this application or request is granted. Mr. Campbell pointed out that in January of 1977, the Municipal Council did approve contract zoning which allowed Mr. Hart to commence operation of a grocery and canteen only. This contract zoning was specifically stated to only be a grocery and canteen service. The people of the area appealed this decision to the Planning Appeal Board with a request that this zoning be declared null and void. The Trial Division concluded (August 9, 1977) that the contract under dispute was valid.

The Community Association then appealed the decision of the Trial Division of the Supreme Court of Nova Scotia to the Appeal Division of the Supreme Court of Nova Scotia. This matter was resolved in favour of the residents on April 26th, 1978.

Mr. Campbell pointed out that the Planning Department is making a request that this application be rejected. He pointed out that there is no store in the area but does constitute a spot rezoning in order for the residents to operate one. However, there is much outcry from the residents in the area. The residents don't want any commercial development to spring up in their residential area.

Councillor Baker questioned as to the radius from the property in question which people can appeal. Mr. Campbell pointed out that there is no limited mileage from subject property which people can't appeal. Councillor Baker asked how far this particular R2 zoning extends and how far the closest commercial zoning would be.

Mr. Campbell said that there is commercial development in Harrietsfield and in Sambro. The R2 zoning

Extends from the village of Harrietsfield through to Sambro. He said that there was commercial zoning in both villages and the R2 zoning covers a 600 foot depth on either side of the roadway.

Councillor Margeson requested a definition of the R2 zone and what it entails.

Councillor Walker pointed out that this matter had been brought to the Municipal Council before and asked what the recommendation of Council was at that time.

Mr. Campbell explained that a contract zoning had been allowed which limits the use of the property. He said that it was found at a later date that the Municipal Council did not have the power to issue a contract zone, therefore, Mr. Hart is again applying for a C1 zone in order to operate a grocery store and canteen. However, Mr. Campbell did point out that a C1 zone would allow other operations besides a grocery store and canteen operation.

Councillor Walker pointed out to Council that the subject property will be used as a store and canteen and Council should look at this application as such.

Councillor Lawrence supported Mr. Campbell views in that if Mr. Hart at a later date sold the property the prospective owner could build a garage or other operation in a C1 zoning.

Councillor Walker felt the application should be dealt with as a prospective store and not what it may be used for 10 years down the road.

The Warden asked if anyone in the gallery would like to speak in favour of this application.

Mr. Harold Hart came forward. He pointed out that all he wanted to do was operate a store and canteen and he had no intention of using the land for any other commercial venture.

Councillor Lichter asked Mr. Hart about how much money he has already invested in the proposed store and canteen.

Mr. Hart said that he has already started an addition to his house for the facilities but had not actually begun any type of operation. He said he was awaiting the zoning clarification before starting the operation. He pointed out that he had already signed a \$5,000.00 bond, and he did not start anything before the contract zoning was passed.

The Warden asked if any other person in the gallery wished to speak in favour of this application. There was no response. The Warden asked for the second time if any other person in the gallery wished to speak in favour of this application. For the third and last time, the Warden asked if any one else in the gallery wished to speak in favour of this application.

Hearing no response, the Warden asked if any one in the gallery wished to speak against the approval of this application.

Mr. Jack Stone, President of the Harrietsfield, Grand Lake Community Association, came forward. Mr. Stone lives approximately 4 1/2 miles from Mr. Hart's property. He agreed with the recommendation of the Planning Department to reject this application. He said that the Association has dealt with many issues involving the community to help protect it. He mentioned some of the projects the association were involved in, i.e. roadside clean up; input of the Municipal Development Plan, telephone rates, two playgrounds; to mention a couple.

Mr. Stone stated that the area was zoned R2 so that it would not fall prey to unsightly premises caused by C1 zoning like what happened in the village of Harrietsfield with junk yards and trash around store properties. He said that a spot zoning or C1 zone is the first step to erosion of the R2 zoning. He said that the area has no need for a canteen in this locality. He said it is not good planning for a store in that area. The residents of the area don't want a store. He said that there are stores in Harrietsfield and Sambro and there is commercial zoning for the MacPherson subdivision provided for in their area planning. He said that if Mr. Hart wants a store that there are businesses up for sale in Harrietsfield and in Sambro. He said that a change in zoning to C1 is not in the best interest of the residents.

The Warden asked if any Councillor had any questions for Mr. Stone.

Deputy Warden Gaetz voiced his opinion in that a store in a village is a good thing and wondered why the residents object to a store in their area.

Mr. Stone pointed out that the area is not really a village. The proposed store property is located between two lakes with a river running between the two and it is a delicate situation in terms of the environment.

Deputy Warden Gaetz asked if he expected further development in the area and Mr. Stone pointed out that the village or community centre would be in Harrietsfield or Sambro. He said that there is a lot of crown land in the area and it is not a center for a village.

Mr. Stone pointed out to Council that the MacPherson Subdivision is planned for commercial development.

Councillor Benjamin clarified that there is no need for commercial development at this time.

Councillor Lichter expressed concern with respect to the use of the lakes for recreational purposes and therefore a store close by would be a convenience. This may be a reason to open a store, however, Mr. Stone pointed out that the business would go bankrupt in his opinion.

Councillor Williams asked a few questions of Mr. Hart with respect to the nearest store and concern for children in area if they have to walk a long distance to a store.

Mr. Stone pointed out that there are only about a dozen homes in the area around the Hart property within walking distance. When Councillor Walker asked about traffic, Mr. Stone pointed out that the majority of the homes are on the Halifax side of the Hart property. In answer to Councillor Smith's question with respect to the radius his association takes in, Mr. Stone said that the association included residents from the City limits (Leiblin Park area) right down to the end of the Old Sambro Road at Pennant, but not the residents of Sambro. He said the nearest store would be on the Halifax side which would be a Green Gables in the village of Harrietsfield.

Councillor LaChance questioned Mr. Stone with respect to how the association sorts out the wishes of the residents, and asked if the association didn't approve of someone doing what they want to their own property.

Mr. Stone pointed out that commercial developers should not build in a residential area. He said that there are meetings held in the community.

Councillor LaChance pointed out that Mr. Hart was once given approval of contract zoning, Mr. Hart started his business venture and now has to completely shut down any business venture. This, he said, is hurting Mr. Hart.

Mr. Stone pointed out that Mr. Hart should not have gambled and hoped that Council would approve of the C1 zone.

Councillor LaChance asked if Mr. Hart and the Association ever got together to try to work out any differences. Mr. Stone answered negatively, but Mr. Stone said that he wouldn't object to this as long as this does not erode the R2 zone. Councillor LaChance wanted clarification of the situation from the Solicitor.

The Solicitor pointed out that when the Municipality had awarded contract zoning to Mr. Hart, Mr. Hart was in the right to commence his commercial venture. Mr. Hart was legally entitled to start until the decision of the Supreme Court was finalized. After the decision retracted the contract zoning, Mr. Hart is now applying for a C1 zone.

Mr. Stone said that the residents don't want a change in zoning, they don't want a contract zoning, they don't want a store. He said that if the residents did want a store, then something would have to be worked out.

The Warden asked if there were any more questions for Mr. Stone.

The Warden asked if there are any other persons in the gallery who wished to speak against the application.

Mr. Vernon Flannigan came forward. Mr. Flannigan lives across the river from Mr. Hart and passed around to Council pictures of the Hart property showing junk material, metal and debris lying around. Mr. Flannigan expressed concern about what Mr. Hart would do if he was to obtain a C1 zone. He said there would be a lot more traffic in the area and said he invested a lot of money in his home and was concerned about his property value decreasing. Mr. Flannigan has lived there for 5 years just after the R2 zoning was established. Councillor Deveaux pointed out that unsightly premises are dealt with by another department and not by this public hearing. Mr. Flannigan gave a summary of actions by Mr. Hart of loading trucks with this debris and when asked as to the ownership of this "junk", Mr. Flannigan pointed out that Mr. Hart has a road from his house to the debris. Mr. Flannigan pointed out that there are about 8 to 10 car bodies and parts on the property and this has been going on for 2 months now.

Councillor Walker asked if this matter was brought to the attention of the unsightly premises inspector. Mr. Flannigan said that a letter has already been sent and pointed out that last fall and prior to that, the property had been in pretty good shape. Mr. Flannigan said that he used to live in Halifax near a store and constantly had garbage on his property etc. and he wanted to move away from all of that.

Councillor Deveaux pointed out that a Community Hall could be erected in the area and may cause just as much litter and noise as a store or canteen would. Mr. Flannigan pointed out that if the store venture doesn't work, then with a C1 zone Mr. Hart could establish anything on his property.

Deputy Warden Gaetz felt that Mr. Flannigan disputes Mr. Hart's word of just operating a canteen.

The Warden asked if anyone else would like to speak against this application.

Veronica DeBurns came forward to speak. She lives across the road from Mr. Hart. She pointed out that Mr. Hart has started a junk yard. Rust from old cars is draining into the river which leads to the lake where her children swim. She also stated that Mr. Hart threw tar into that river. Her driveway was blocked by Mr. Hart and she felt that if Mr. Hart operated a store, then the garbage and debris from this would end up in the river also. She said that Harrietsfield has a commercial zoning and if Mr. Hart wanted a store, he could buy the business in Harrietsfield which is for sale.

Councillor McCabe asked Mrs. DeBurns why the Department of Environment wasn't called to check on this property.

Councillor Deveaux said he had a similar problem in his district but not very much happened and went on to say that we are not dealing with junk at this public hearing. Junk is a matter for another department.

Deputy Warden Gaetz felt that Mr. Hart was prejudged and suggested that Council go out to inspect the property in question.

Councillor Poirier stated that the accusations made tonight against Mr. Hart do not deal with the purpose of the Special Session of Council.

Councillor Williams clarified that under a contract zone, Mr. Hart could only use the property for which the contract states.

Councillor Lawrence pointed out that Mr. Hart is not asking for a contract zone, he wants a C1 zone which would enable him to do much more than just operate a canteen.

Councillor MacKenzie expressed concern that only Mr. Hart wishes to change the zoning in the community and that Mr. Hart does not have any support from any residents in the community.

The Warden asked if there was anyone else who wished to speak against the application.

Mrs. Linda Powell stepped forward. She lives about 600 feet from Mr. Hart and had lived there before the R2 zone was established. She pointed out that the residents wanted an R2 zone to keep commercial businesses out of the area. She does not want a store to pollute the lake. She presented a file to the Warden and asked that this request be denied for a C1 zone.

Mrs. Powell pointed out that she would not prefer or allow a Beauty Salon to operate there nor a store.

The Warden asked if any one else would wish to speak against this application.

Mr. Dave Powell came forward. He lives approximately 700 feet from Mr. Hart, next to Linda Powell, his sister. He expressed great concern with respect to the value of his property decreasing and this would be an erosion of his investment in his home. He said he lived in that area for some time and helped formulate a plan. He said that the MacPherson has commercial zoning and there is a shopping centre provided for in that planning when that time comes. He said that the store is unnecessary for the community and told Council of the businesses in the area selling out. He reiterated Mr. Flannigan's remarks in that he too did not want any commercial development in the area.

Mr. Powell did not attend the Municipal Development Plan meetings, but followed very closely in the newspaper, Mr. Powell said he was in favour of a Municipal Development Plan but wanted input from the people. He said that at the present time, people use the junk yard in Harrietsfield as a landmark when they come visit him. They ask how far from the junk yard does he live and he doesn't want this to happen in his area.

Councillor Baker spoke with reference to inheriting the district and felt he should support the small business operation.

The Warden asked if there was anyone else who wished to speak against this application.

Mr. Paul Goyetche came forward. He lives approximately ¼ mile from the subject property and is opposed to any commercial development due to property value decreasing and he said he spent a lot of money and labour in his home and felt the commercial development would cut his property investment in half.

The Warden asked if there was anyone else in the gallery who wished to speak against this application.

Bill Necklia came forward. Mr. Necklia lived in the area for 2 years and does not want a store. He does not want commercial development in his residential area. Already, Mr. Necklia re-routes visitors to his home due to the sites in the village of Harrietsfield which has commercial development.

Councillor Lichter stated that there seems to be personal feelings against Mr. Hart rather than objection to the zoning.

Councillor Lawrence pointed out that it may have been better to have left the property with the contract zoning because then the property was limited with respect to commercial development. Now the problem is back in Council's laps. She felt that contract zoning is a good power for the County to have.

The Warden asked if there was any other person in the gallery who wished to speak against the application. There was no response. The Warden again asked if there were any other person in the gallery who wished to speak against the application. For the third and last time, the Warden asked if there were any other persons in the gallery who wished to speak against the application.

Hearing no response, the Warden said that the matter is now a decision of the Municipal Council.

Councillor LaChance pointed out that the whole community is opposed to this application. He pointed out that the association who represents the people has the right to protect the residents who live in the area and respect the residents' wishes.

Councillor Benjamin pointed out that there were some strong objections made against the rezoning; some personal feelings also; and from the pictures shown to Council, he could see two violations of by-laws on the property now. He pointed out that Council could not get a previous development plan approved because the people didn't want it. He said the Councillors should listen to the people and abide by the people's wishes. The people of this area do not want a canteen or any commercial development started; the proposed business venture is stated to be poor; neighbours will not support canteen or grocery facilities; value of the properties will decrease and the people seem to already have a plan for commercial development in the area.

Councillor Baker, after hearing all the evidence put forth in the Public Hearing, had changed his support of the business operation to support of the recommendation by the Planning Department.

Councillor Topple expressed sympathy for Mr. Hart, but the residents just don't want a commercial enterprise in their area.

Councillor Williams pointed out that the pictures taken by the Planning Dept. were different from those shown by residents of the Hart Property. The pictures taken by the Planning Dept. were taken in February, 1979.

Councillor Deveaux supports recommendation by the Planning Department.

The Administrative Assistant read the motion to the Municipal Council.

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

"THAT Application #13-79 - Request to rezone Lot 1, of the Jackson Subdivision Lands of Harold Burton Hart, Old Sambro Road at Sambro from R2 (residential two-family dwelling zone) to C1 (commercial local business zone), in District #5 be not approved." Motion carried.

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

"THAT there being no further business, the meeting adjourn." Motion carried.

The meeting adjourned at 8:55 p.m.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING

Tuesday, July 31, 1979

Present Were: Councillor Baker
Councillor Benjamin
Councillor Cosman
Councillor Deveaux
Councillor Fader
Deputy Warden Gaetz
Councillor Lachance
Councillor Lawrence
Councillor Lichter
Councillor MacKenzie
Councillor Margeson
Councillor McCabe
Councillor Poirier
Warden Settle
Councillor Smith
Councillor Williams
Councillor Wiseman

The meeting opened at 7:00 p.m. with The Lord's Prayer by Warden Settle and Mr. Kelly called the roll.
It was moved by Deputy Warden Gaetz and seconded by Councillor Poirier:

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

Warden Settle: Councillors, as you are aware this is a special session of Council caused to conduct a public hearing re the application of Mr. M. Kelly for a Senior Citizens' housing project in an R-1 (Residential Single Family Dwelling Zone) pursuant to the provisions of s. 72(b) of the Zoning By-Law of the County of Halifax. The application, if allowed, would permit the construction of a senior citizens' housing project with a maximum of 30 units on lands situated in Bedford, Halifax County at the end of the proposed extension of Bridge Street.

Warden Settle asked Mr. Gough to come down and speak on behalf of the Planning Department.

Mr. Gough replied that the Planning Department had not been asked for any written report and was requested to give his comments. Mr. Gough stated that the Planning Department feels that the report actually constitutes a zoning amendment and was not handled in that manner.

Councillor Lawrence stated that although in the end it may produce the same effect as a rezoning, in actual fact, they were dealing with special legislation.

Mr. Gough: To begin with, we do not have a written application from the applicant that this be requested so it's a little bit unbeknownst to us what we might be commenting on. There was a tentative subdivision plan which was approved a few years ago and it includes a few of those lots and we do not know, since there was no staff report, we understand that the lots could be serviced, we don't know what the sewer capacity is in relation to it, we do not have the Highway comments and we understand that it fronts on Bicentennial Drive on one side, the other side I believe a road would have to be constructed which, to the best of my knowledge, it hasn't been done yet. The acreage is approximately a little over an acre. There's another question that comes to our minds, and that is that, we're not in a position to state it, but we question how the other people that are cost-sharing in this might look upon using these powers of Council in the event something was to happen to the building and it was not rezoned. I'm referring to the senior levels of government in the CMHC and normally they would request that the zoning be in order for it and, you know, I do not know whether there's any confirmation whether they were in agreement with this principle or not.

Councillor Fader: If we approve this tonight, this still would have to follow the route of getting approval of Highways, Public Works, Building Inspector, Fire Marshal - wouldn't they have to follow this route?

Mr. Gough: Before a building permit is technically issued, yes, that would be so, but the question that comes to our minds, in the interpretation of the By-Law, it says that Council should permit the construction. Well can you permit something without possibly having an application for a permit?

Councillor Fader: And you're saying also that there's several lots there and these would have to be consolidated to make one lot in order for this development to happen?

Mr. Gough: There was a tentative plan. Right now the land, technically, is still one large block but there was a tentative subdivision plan in 1976 I believe, which was given tentative approval.

Councillor Fader: Which was never followed through?

Mr. Gough: Part of it, I think, was.

Councillor Deveaux: Mr. Gough if this is approved tonight, are we actually rezoning the area or just allowing this construction to take place in R-1 Zoning?

Mr. Gough: Technically, you're not rezoning the land. Under the powers of Council you're permitting a different use on it which is almost contrary to the Zoning By-Law.

Councillor Deveaux: I'm inclined to agree with Mr. Gough as far as setting precedents. I certainly don't have anything against the Housing Commission or Senior Citizens' apartments, by any means, but is there anything to stop an individual from going through the same procedure in the future?

Councillor Cosman: Mr. Gough, I just wanted to ask you when MT&T went this similar route with special powers of Council, obviously Council has the power, it's written into the Zoning By-Law under Section 72(B) and I don't think that that really is the question that we can ask, whether or not we have the power, because it's written into the Zoning By-Law but you made mention of the fact that no building permit had been applied for. Has MT&T ever applied for a building permit?

Mr. Gough: Yes, they did.

Councillor Cosman: I believe, perhaps Mr. Cragg can clarify for me, is this not the third time we've used this special power of Council? I know we did with MT&T in Bedford and I thought we had one other time in Council.

Solicitor Cragg: I think this is the third time.

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

Mr. Kelleher: My name is Kelleher, I reside at 1710 Oxford Street in Halifax and I'm a lawyer. I also represent Mr. Kelly, the Applicant. It is our position, first of all, that Council has the power to do what it's being asked and it's interesting, when you look at the section involved, that the beginning words of that section say "Notwithstanding Section 13" and Section 13, as I recall it, deals with building permits, not necessarily with zoning. And as I understand the procedure, his request that a specific kind of housing development be allowed in a zone that, by itself now, would not permit that kind of construction so we're asking for permission to build not necessarily the conventional rezoning. As the notice indicated, it is for a 30 unit senior citizens' housing and to the extent that there may be a difference between a 30 unit senior citizen housing requirement and a 24 unit apartment building, I'll leave that to the experts to explain. Certain comments were made or suggestions were made about servicing. I think that if the application is granted the usual compliance with building permit requirements will follow. The service will have to be installed, services will be as required by Highway specifications or by Municipal specifications. The application is being made by Mr. Kelly but, on behalf of the Housing Commission, at their request, to expedite the construction. The exact building that is going on the lot I can't show you, I don't have pictures or drawings. Mr. Schofield from the Housing Commission is here and he's indicated that the architects are working on preliminary design for that particular site and while he has some other comparable kinds of drawings that he could show you, and I'm sure you're familiar with some of them in Sackville and other areas, and I think there's one of a 30 unit accommodation. The particular site involved calls on the architects to design a particular project.

Councillor Deveaux: I was wondering why the applicant didn't go through the normal procedures and apply for rezoning.

Mr. Kelleher: Well, I can understand the reasons for that was the pressure of time.

Councillor Deveaux: If, in the event something takes place that this unit is never erected can Mr. Kelly, at that time, erect something similar like an apartment building?

Mr. Kelleher: I don't think so. I think the application is being made as I understand it, and I may be corrected by Mr. Cragg, is to permit a specific building to be put on that property, not a rezoning to permit any similar accommodation.

Councillor Deveaux: But in the event that this never reached the stage of being erected.

Solicitor Cragg: They could not use it for any purpose other than that which would be granted to them if granted as a result of this public hearing.

Mr. Schofield: I'm Clinton Schofield from the Nova Scotia Housing Commission. I'm the Assistant Regional Manager in the Bedford office and I'd like to, perhaps first of all, mention that the Nova Scotia Housing Commission would certainly be in favour of the rezoning and he gave a bit of background on their attempts to obtain a site in the Bedford area. The N.S.H.C. first approached Mr. Kelly to obtain land and it's true that the single lots were, the preliminary plans were completed. We suggested a revision which resulted in the plan that is now before us, or the site that's now before us. We're also concerned about the highway this lot backs on, we at CMHC are in favour of this lot, they're insisting, of course, on a berm to control the noise from the highway. Our architects, if the rezoning is approved, will be completing the plan or plans very soon, the funds are available to construct the 30 units in Bedford and they have been for some time. As earlier mentioned, we don't have preliminary

plans of the project to present this evening. We have an agreement to purchase the property but I have photos of projects in our region, which is Halifax and Hants County, of the projects we have constructed. I'd simply like to say that the Housing Commission is certainly in favour of rezoning and we'd like to get on with the job and I'm sure we can do a good job there if we're given the opportunity.

Councillor Cosman: Mr. Schofield, when I first heard of the proposal for Senior Citizens I heard the figure 15 units and the paper before us this evening mentions construction up to a maximum of 30 units. Is it the government's intention to go with the 30 units right away?

Mr. Schofield: Yes, it's my understanding that there is a demand for 30 units and it's my understanding that that would be the case, yes.

Councillor Lawrence: Mr. Schofield as I understand it, the property you're talking about is a composite of several lots which were never given final approval, is that right? Do you have a sketch at all of the property we're talking about?

Mr. Schofield: I don't have a sketch but I understand that Mr. Kelly has some sort of sketch but there was a revision in the preliminary subdivision plan, as I understand it. A cul de sac is being removed and a street is being restructured and it's taking 2 or 3 lots and part of a cul de sac that's now become part of the lot.

Councillor Lawrence: Given the fact that this piece of property you're talking about does not have final approval, there is no difficulty in retaining the Senior Citizens' housing unit in the Bedford area while the subdivision approval process goes through, is there? I mean the funds are not going to be cut off at the end of next month or something like that?

Mr. Schofield: We understand it will take time to get the necessary approvals and we're prepared to wait as long as everything is going along towards the final approval.

Councillor Lichter: Mr. Schofield, as I understand it, funds have been available for 2 years. Why didn't Mr. Kelly and the Housing Commission go ahead with regular rezoning application, say a year ago?

Mr. Schofield: As I mentioned before, we have been looking at several lots in the Bedford area. We've spent a good deal of time trying to get different lots approved and have been unsuccessful in a number of cases and we've taken a good deal of time identifying sites and the many approvals that are necessary and of course Central Mortgage or Canada Mortgage and Housing have to look at the lots and approve them also and that is the major reason.

Councillor Lichter: Would a 2 month delay definitely cut out any possibility of having this unit go up on that particular lot?

Mr. Schofield: Well, I think a 2 month delay right now would be difficult to accept because of the time of year.

Mr. Bathurst: My name is Jack Bathurst, I'm Chairman of the Bedford Service Commission Planning Committee. We have had no formal meetings to discuss this particular site or this particular application however, there have been discussions and the Council is very much in favour of the siting of a Senior Citizens' facility in Bedford. It is our understanding that the Housing Commission has been casting around for quite some time now to be able to find a suitable site at a suitable price and they have now come together, I understand, with Mr. Kelly and the urgency, as far as I can find out, has been that they've got to get this thing on the road as soon as possible because of the lengthy delays they have had in the past in trying to find a suitable site. I think there's another thing too here, that this site is on reasonably level ground, which is hard to find in Bedford, and it does give a very good access to the Bedford Place Mall. My own view is that this should be allowed to go through without delay and I think it would be theirs as well if we had had a formal commission meeting.

Mrs. Christie: I'm Mrs. George Christie of Bedford and I'm Secretary of the Bedford Leisure Club. I can't speak definitely for the Leisure Club tonight because we have not had a meeting since we heard about this hearing which was going to be held but I think it was in January, at one of our meetings, we had a presentation by members of the Housing Commission telling us the type of thing that they were hoping to put in Bedford and the type of buildings which they had put in other places and there was quite a bit of interest among the members. A few people of the Leisure Club in our own particular age group and everyone is very interested in the area and feels that it would be satisfactory and I just want to say that we hope that the Council would give this favourable consideration and that the Housing Commission would be able to go ahead with it.

Councillor McCabe: I would like to say I would strongly support these people in Bedford. I'm very familiar with the area and I think it's an excellent site.

Mr. McGrath: My name is Mike McGrath, my mailing address is P.O. Box 1090 Bedford and for 5 years I was involved in real estate in the Bedford/Sackville area and during that time I had shown different pieces of property to Mr. Schofield and I want you to know this is strictly on my own. I just would like to reiterate the fact that there was very little available which was suitable for this type of development and if this isn't approved, and the land certainly saleable as R-1 lots, there's no question about that, and I really think it would be an injustice if it didn't go for this particular use.

Councillor Cosman: I would like to ask Mr. Kelly to come down. He has the subdivision plans and there's some question on the part of the members of Council that they don't really know what they're relating to and I would like him to come down and show us the subdivision plan that he has in his briefcase.

Mr. Kelly: Good evening, on behalf of myself I thank you for coming here to discuss the special request for a building permit and I am here on behalf of the Housing Commission for that purpose. They have approached me a little over 2 years ago which, in essence, would probably answer the concern for a long delay and then wishing to proceed rather quickly to take advantage of 1979's time in building before the winter freezeup. In reference to plans that were mentioned, and having submitted, I must say that plans were given to the County Clerk and they are in his possession. I believe Mr. Gough has probably a copy of them somewhere and I suspect that invoking the privilege under 72(b) of the Building Act certainly it is a pleasure to see it in use and not stored away for some historic purposes and I feel that with all the comments made on behalf of the location and the amenities in the area for this particular usage, certainly lends itself to proper use and we hope to maintain some of the trees in the area.

Mr. Kelly at this time, held up a sketch to show Councillors the area and explained the access roads and the abutting properties. He stated that Bridge Street extends up to that property, the lot fronts on Bridge Street and services are completed along the bottom side of the property.

Councillor Lawrence: The intention is to have R-1 development on the left hand side of that lot, as it were, as we look at it and that would be another road?

Mr. Kelly: That would be creating an old road that has existed for some time, known as Nottingham Street. There is a development already in process with approval in that direction and the Bicentennial Drive goes parallel in back of the property.

Councillor Smith: I was just wondering how many storeys did you have in mind on this piece of property? Is it going to be a single storey?

Mr. Kelly: I can't answer that Councillor Smith. I would suspect it would depend on the approval from the Building Committee and the type of building they would propose to erect on it.

Warden Settle called for other speakers in favour of the project with no response. Speakers opposed to the granting of the Application were called for and there was no response.

It was moved by Councillor Cosman and seconded by Councillor McCabe:

"THAT Council approve the Application under Section 72(b) for the construction of the Senior Citizens' unit up to a maximum of 30 units on Mr. Kelly's lands in Bedford subject to all approvals, both Municipally and Provincially." Motion Carried.

Councillor Lachance: I have no argument with the motion on the floor. I recognize that we have the right, perhaps the obligation to use our By-Laws and our Sections of the law that are available to us when the time arises and Section 72(b) would be an appropriate section to use under the circumstances but I find that after 2 years of playing around in the area that the Housing Commission has waited until the absolute latest time possible at the risk, almost, of jeopardizing those funds and I think that's totally irresponsible. They come before us today, at the very last moment, with no plans, no map, no model to look at. We're asked on faith alone and on the merit of the fact that it's a good idea to approve this application. I think that's asking too much, it's not good business and it's not good government to do that type of thing, so of course I'm going to support it because I think it seems like the sensible and fair thing to do but I want to go on record now as being opposed to the method in which the information has come forward and I would hope that it doesn't happen again because it puts this Municipality on the spot in trying to make a decision without all of the information that it should have.

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

"THAT Council adjourn."
Motion Carried.

I N D E X

Advance Polling Day - Motion -----	10
Bensted, H.G. - Pension Benefits - Motion -----	13
Chief Building Inspector - Report - Motion -----	8
Chief Building Inspector - Report - Motion -----	12
Director of Planning & Development - Report - Motion -----	11
Finance & Executive Committee - Report - Motion -----	8
Finance & Executive Committee - Supplementary Report - Motion -----	8
Finance & Executive Committee - Report - Motion -----	13
Fredericks Trailer Park - Motion -----	13
Garbage Collection - District #9 - Motion -----	1 - 2
Halifax County West Housing Authority - Appointment to Nominating Committee - Motion -----	6
Law Enforcement Officer - Appointment - Motion -----	11
Letter - Re School Projects - Motion -----	13
Motion - Appointment of Recording Secretary -----	1
Motion - Appointment of Recording Secretary -----	10
Motion - Approval of Public Hearing Minutes, May 28, 1979 -----	1
Motion - Garbage Collection District #9 -----	1 - 2
Motion - Submission re Planning Act Review Committee -----	2 - 3
Motion - Appointment to Nominating Committee re Halifax County West Housing Authority -----	6
Motion - Re Settlement Act -----	6
Motion - Planning Advisory Committee Report -----	7
Motion - Planning Advisory Committee Report -----	12
Motion - Public Hearing re Application #10-79 -----	7
Motion - Chief Building Inspectors Report -----	8
Motion - Chief Building Inspectors Report -----	12
Motion - Finance & Executive Committee Report -----	8
Motion - Finance & Executive Committee Report -----	13
Motion - Finance & Executive Committee Supplementary Report -----	8
Motion - Public Hearing re Senior Citizens Project - Bedford -----	8 - 9
Motion - Adjournment -----	9
Motion - Adjournment -----	14
Motion - Advance Polling Day -----	10
Motion - Roadway to Oceanview School -----	10
Motion - School Bus Use -----	10 - 11
Motion - Meeting re Sewer and Water Services, District #2 -----	11
Motion - Approval of Public Hearing Minutes, April 9, 1979 -----	11
Motion - Approval of May 15, 1979 Council Minutes -----	11
Motion - Approval of Law Enforcement Officer -----	11
Motion - Warden's Report -----	11
Motion - Director of Planning & Development Report -----	11
Motion - Public Hearing re Application #12-79 -----	12
Motion - Public Hearing re Lands of Marjorie Pettipas -----	12
Motion - Review re Undersized Lot Legislation -----	12
Motion - Accepting Title re Lands of Murray Ritchie -----	12
Motion - Municipal School Board Report -----	12
Motion - School Capital Program Committee -----	12 - 13
Motion - Letter re School Projects -----	13
Motion - Access Road re Sackville High School -----	13
Motion - Fredericks Trailer Park -----	13
Motion - Approval of Temporary Borrowing, Water Booster Pumping Station, Bedford -----	13
Motion - Pension Benefits, H.G. Bensted -----	13
Motion - Public Works Supplementary Report -----	14
Motion - Alteration of Water & Sewer Lines, Bicentennial Highway -----	14
Oceanview School - Roadway - Motion -----	10
Planning Act Review Committee - Submission - Motion -----	2 - 3
Planning Advisory Committee - Report - Motion -----	7
Planning Advisory Committee - Report - Motion -----	12
Public Hearing - Application #10-79 - Motion -----	7
Public Hearing - Senior Citizens Project, Bedford - Motion -----	8 - 9
Public Hearing - re Lands of Marjorie Pettipas - Motion -----	12
Public Works - Supplementary Report - Motion -----	14

Recording Secretary - Appointment - Motion -----	1
Recording Secretary - Appointment - Motion -----	10
Ritchie, Murray - Accepting Title to Lands - Motion -----	12
Settlement Act - Motion -----	6
Senior Citizens Project - Public Hearing - Motion -----	8 - 9
School Bus Use - Motion -----	10 - 11
Sewer & Water Services District #2 - Meeting - Motion -----	11
School Capital Program Committee - Report - Motion -----	12 - 13
School Projects - Letter - Motion -----	13
Sackville High School - Access Road - Motion -----	13
Temporary Borrowing - Water Booster Pumping Station, Bedford - Motion -----	13
Undersized Lot Legislation - Review - Motion -----	12
Warden's Report - Motion -----	11
Water & Sewer Lines - Alteration re Bicentennial Highway - Motion -----	14

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COUNCIL SESSION

Tuesday, July 3, 1979

Warden Settle opened the meeting at 2:00 p.m. with the Lord's Prayer followed by Mr. Meech calling the roll.

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

"THAT Mrs. Cashen be appointed as recording secretary."
Motion Carried.

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

"THAT the minutes of the Public Hearing of May 28, 1979 be approved."
Motion Carried.

The Clerk received a communication from Deputy Warden Gaetz which he would like placed on the Agenda.

Deputy Warden Gaetz stated that as most of Council know, a new garbage collection was started in District 9 which became quite confusing. One of the criticisms is the fact that it's levied on all properties, residential, resource, business et cetera. Deputy Warden Gaetz stated that he knew of one individual whose total garbage collection bill will be around \$1400.00, double the previous one, and he can't use the collection service. Deputy Warden Gaetz finds it hard to convince a person that he pays \$1400, \$671 and some cents for six months and the garbage collection goes through and he can't use it. If this applies to all districts, well perhaps we'd better look at the whole situation and see if we can rectify it in some way. The other thing that he really goes up against is the fact that these people have been paying garbage collection for six months. They are now paying a double charge just because they are paying for the balance of the year plus the first of the year because they are assessed on the total assessment. It's been a very bad situation and it still is in his District and he'd like Council to have a look at the regulations applying to garbage collection. He stated that resource property owners are paying for a service for which they have no use. He was wondering if a flat amount, say \$20 or \$25.00 per year could be reached. That perhaps wouldn't apply to all districts but it's only a thought for 9 months away.

Councillor Benjamin stated that as he understands it, you're assessed for the total year and that should go into the garbage account and that of course, could mean only six months of the year will be absorbed in this current year and the balance would carry over until next term. He questioned whether it was a wise decision to pick up garbage from commercial outlets such as the airport which has contracted with other commercial refuse pick-ups to collect garbage on the days that the County does not pick it up.

Deputy Warden Gaetz stated that the person he is referring to will have garbage collection if the store does get it.

Councillor Williams stated that you're only based on your assessment. If you've got the assessment, then you've got to pay the garbage and if this guy's paying thousands of dollars for garbage collection then he must have a lot of property.

Councillor Deveaux sympathized with Deputy Warden Gaetz but stated that there's no way of getting around it under the present system. He understands, as Mr. Bensted explained, according to the Municipal Act, that this way you can't charge commercial or industrial people. Under the present system, everybody pays. The resource property to the best of his knowledge isn't taxed as heavily as residential or commercial and along with that, everybody pays under this system.

Deputy Warden Gaetz referred to some notices that he put out which said the previously revised program for Municipal household garbage pick up. This doesn't include a business of any sort. This man has a business. People are going to say to him that this is what it says and this is what they're going by. He wants to get it clarified by Council.

Mr. Meech stated that the collection service that's available to the industries and commercial businesses is the same that's available to the residential householder, which means that if it's four bags a week, then that's all they're entitled to. Most industries may require a garbage collection service on a daily basis for their industrial refuse but under the garbage system, we provide the same service to the industrial or commercial unit as we do to the individual householder which means as far as the industry or a major commercial unit is concerned, it does not satisfy their need. They still normally need to contract out with some private collector or handle it themselves. But as for the business of whether or not it should be an area rate on assessment, he stated it all comes down to which principle you believe in, in terms of what you consider more equitable, whether you use the industrial or commercial tax base to help pay for the service or should in fact, the residential people pay the entire cost.

There was further discussion among Councillors and then Mr. Meech explained the area rate that's been

levied for 1979. It's his understanding that it was arrived at on the basis of what the projected actual costs would be for 1979 or for the balance of 1979 and they ended up with an area rate taking into consideration the cost of the use of the sanitary landfill. So they came up with a rate of \$.10 per \$100.00 of assessment. That rate may be too high or it may be too low, depending on what the actual costs end up to be but they're not being taxed twice. In other words, if a 10¢ area rate is correct, then for a full year's operation it would take 20¢ for \$100 of assessment. He thinks the belief now is that the rate is probably a little higher than will be required and if that's the case, then those excess funds would be carried over into 1980 to help offset the costs in 1980.

Councillor Lachance stated that the point is that we're paying for garbage collection service and we have the option to put out as many bags as we want. It's already been pointed out that a flat rate system ignores a substantial part of that overall tax base which contribute to the overall cost.

Councillor Sutherland suggested that Council might ask staff to draft a letter or maybe someone could assist him with a public meeting because he thinks that the discussion or general context of this discussion has to be relayed to the people.

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

"THAT Council request Mr. Gallagher to prepare a report as a letter of explanation regarding Garbage Collection Service and method of payment for District #9."
Motion Carried.

Mr. Meech stated that he would like Council to address itself to the matter of the submission to the Planning Act Review Committee. In the Agenda book there is a copy of correspondence from the Planning Act Review Committee asking that the established organizations respond by July 31st and indicate whether the Municipality will be preparing a submission to be presented to the Planning Act Review Committee later in the fall when the hearings are scheduled. He thinks that Council should deal with what procedure is to be utilized with respect to the preparation of the submission assuming the Municipality does wish to make a submission. He wondered whether it should be prepared at the Planning Advisory Committee level and then circulated to the Council as a whole for consensus and then that would be used as the basis of the submission to the Planning Act Review Committee. There are probably two particular areas, there is the area that is mainly of concern to the elected officials and then there are those areas that may be of concern to the administrative people who deal with the administration of the Planning Act on a day-to-day basis and he thinks staff should be there to provide support and information and probably put the thing together but it should be a document that reflects the views and expressions of Council.

Councillor Margeson stated that Council had an invitation to submit an application to be heard and the dates were indicated on the backside of that sheet. He'd like to go to the form of a paper as well as a hearing from the PAC but we would wish input of course from Council and we would request items in a little more depth but we are going to submit an application to present a paper and for a hearing. That was the consensus this morning but we want to go into a little depth later on.

Mr. Meech stated that it seemed to him, that it probably would be better for all concerned if the PAC was designated as the body to prepare the brief and then it would be circulated to the individual Councillors with an opportunity for them to put forward ideas or thoughts that they may have. They just want to know at this point in time whether we will be making a submission.

Warden Settle stated that at the PAC this morning it was agreed that it be done in conjunction with our staff who are the people that face these problems every day.

Councillor Lawrence stated that she'd be prepared to move that we go the way Mr. Meech's suggesting, which is basically that perhaps Planning Advisory Committee prepare a tentative brief and for everybody on Council to really look at it and alter it and make suggestions and additions. Perhaps we could aim at something like September.

Councillor Cosman stated that she would support the motion.

Councillor Lichter stated that he would rather see the Committee of the Whole hold at least one meeting dealing with nothing else but the Planning Act and what changes we want in the Planning Act. He said that he would vote against a motion to have PAC do it alone with Councillors suggestions.

Councillor Sutherland stated that Councillor Benjamin made reference to the presentation by staff and the presentation by PAC and/or Councillors as the case may be. Staff's feeling was that they had some difficulties from an administrative point of view and they had the feeling that Councillors from the political point of view have their own difficulties so he thinks they're looking at two possible pieces

Councillor Lichter stated that he would like to make an amendment to that motion. If the original work would be done by PAC and Staff, then it would be brought back to the Committee of the Whole meeting, where all Councillors would have a chance to make their input.

Warden Settle stated that we now have an amendment on the floor moved by Councillor Lichter, seconded by Councillor Deveaux. He asked if there was any further discussion on the amendment.

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