

the interest of economy on the part of the builder that if the builder's gone too far in that direction basically he won't be able to sell the units and that's the built-in control, it's the marketplace. I've been hearing lately that there are extreme difficulties in getting the initial sale price back in the resale of townhousing units in the Cole Harbour area and I don't have the specifics for you but I've heard that. I think people will buy it, people are very hard-pressed for money to put together to buy a unit of their own to live in and I think they will buy it. Basically, you're making two points which I think we should think of together. One is that we should not worry about front yard setbacks and that also we should consider a 16 foot wide unit and when you think of what that back yard might look like in a 16 foot wide unit that looks to me like a long narrow race track for a child, from the back of the townhouse to the back yard line and then back again. If you were to put a townhouse right at the very front of its lot and have a very long thin narrow back yard certainly it's more space but that's not a very attractive or useable shape and those two together, I think, are not really very constructive in terms of how pleasant that place will be to live in for the people who buy the units.

Councillor Sutherland: In relation to page 3, item (f) and again this is in relation to the 20 foot setback from the street line, I'm thinking in some areas of the difficulty caused by vehicles having to park on a street.

Mr. Neate: In the reading of our suggestion, what we are saying, and this also follows Councillor Lawrence's suggestion, we are not in fact suggesting necessarily a zero setback. What we are suggesting is that we offer the availability of zero setback if the adjacent landholding has a zero setback. Now if that makes it 30, 35 feet then in fact, that may be the case but in all other cases, no front yard shall be required except where a car parking space, garage or carport is provided in the front yard, in which case the front yard shall be a minimum of 20 feet, so we are suggesting that there is allowance for cars.

Councillor Sutherland: So what you're saying is, in fact, that you are prepared to accept an established line if one exists on the block?

Mr. Neate: Oh yes, definitely.

Councillor Sutherland: Be it 10 feet, 20 feet, 30 or whatever the case may be?

Mr. Neate: And we're accepting very much what Staff is saying, all we're suggesting is that we recognize what is adjacent to it.

Councillor Sutherland: The only thing I'm concerned about is, say if you were coming in on a new street where there were no buildings up there and saying yes, technically, by the word of the By-Law we can have a zero lot line there and the fact that you might make an application then and you might be able to defend it and say look, you've provided for that in the By-Law.

Councillor Lichter: Yes, just a few observations. One, I understood that there was some concern about the one acre lot minimum requirement, is that correct?

Mr. Neate: Yes, that's correct.

Councillor Lichter: Now assuming that you could put on 8 dwellings, each dwelling would be close to 2,000 square feet and that's not the lot size, I think Bill Campbell mentioned 2,000 feet lot size, that would be 2,000 feet actual building size. If you were to build with 20 feet on the frontage you would have to go back 95 feet in order to cover 2,000 square feet there or, if you were permitted to go 16 feet, you would have to go 119 feet back. In other words, what I have difficulty with, why do we say 35% when it's not conceivable that with other restrictions there you could ever get even close to that percentage.

Mr. Neate: I think I follow your concern though I don't think that I'm probably the right one to respond to that. I think the 35% is really looking at an optimum use of land along a street frontage but certainly I can't speak for your staff.

Councillor Lichter: Well, I could say 35% would be quite reasonable if you were talking about one half of an acre with the same restrictions that you have before but if you must have an acre and you can go up to 35 then it's not conceivable that you could ever cover it then I think the acre is probably too large.

Councillor Cosman: I would urge Council to maintain a minimum of one acre in area. Literally the reasons given to me are that they want to be able to sell one side or the other side of their unit at a greater profit and my fear is that if we reduce that minimum area below one acre that we would have a tremendous number of people coming in with a spot here or a spot there with duplexes on them. I would urge Council to give that consideration and I would like to ask Mr. Cragg for comment on the suggested wording change in the definition of attached housing in the brief.

Solicitor Cragg: I wouldn't want any of the real meaning to be diminished and the final decision would have to come from Staff but I do agree that the wording that's in the proposed By-Law is perhaps not the best.

Councillor Cosman: I just don't think that we can continue to build small units and then we, as a Council, have to deal with the problems that are created after the builder leaves and I really think

there are problems there and that we're asked to pick them up and do something about them.

Mr. Campbell: I guess two things, commenting on it. One is to look at the definition of an attached housing unit within a building block, which usually refers to approximately 8 units. The other comment is that if the developer or individual is attempting to obtain a rezoning for attached housing economically he's going to develop attached housing, he's not going to be building duplexes and it's just a matter of definition, two or more, three or more.

Councillor Fader: With respect to what Mr. Neate is suggesting here, in the letter to us pointing out different parts of the TH Zoning, I'm more or less inclined to support Mr. Neate because I look at Mr. Neate who is Chairman of this Committee who is representing HUDAC. There people are people who are in the business and they're not in this business to put a time limit on it, to milk it dry over a period of a short time. They're in this business, they're looking down the road to what people can afford. I think that he mentioned that they're looking at 18 foot clearances on the front yard, they're looking at 16, he's looked apparently, he's in the business and he must have a fair amount of knowledge with respect to 16 foot frontages and I kind of support the back yard with respect to creating more back yard. I for one, am not going to cross Mr. Neate's path here because I feel that they must have put an awful lot of time and effort into this and have an idea of what people are looking for.

Councillor Smith: I was just wondering where the parking area is supposed to be for these townhouses, is it going to be in the back of the buildings?

Mr. Neate: It could be either in the front yard or in a garage or in a carport.

Councillor Smith: If you only have a 16 or 18 foot frontage there wouldn't be room in the front, would there?

Mr. Neate: Oh yes, you would drive directly into it which would put your house front back 20 feet.

Councillor Cosman: I just wanted to make reference to Councillor Fader's remarks in that he sort of supported Mr. Neate's brief and supported the fact that HUDAC has done a great deal of work and I just wanted to thank the Planning Department for not only doing a great deal of work but putting a great deal of time and effort into this attached housing zone proposal. The first hearing was held 10 months ago and in the interval we've reassessed and reassessed to the point that we're blue in the face looking at this attached housing zone and Staff have looked in other areas where they have zones of a similar kind and I think they've done a tremendous job trying to get out of those areas that they've researched a zone that could be workable in Halifax County and protect the people buying in Halifax County.

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

"THAT the Attached Housing By-Law be approved with the following amendments: Page 3, item (b) minimum lot frontage from 20 feet to 18; item (f) building of every block including carport and garage shall be located a minimum of 20 feet from any street line except where a building line has already been established."
Motion Withdrawn.

Councillor Lawrence: I want to ask the Solicitor if we're going to be voting on this By-Law as amended by Councillor Sutherland or if it's possible for us to vote on the amendments and, if they carry, then to vote on the amended By-Law.

Solicitor Cragg: I rather think the proper way to do it would be that we have a motion to approve what we have here with the two amendments Councillor Sutherland has suggested. I would suggest the easiest way to do it would be to have number one, a motion which I believe you were going to make and then a motion similar to what Councillor Sutherland has made.

Councillor Sutherland: I'm prepared to withdraw that motion.

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

"THAT an amendment be made to the Zoning By-Law of the Municipality of the County of Halifax to include an Attached Housing Zone."
Motion Carried.

Councillor Lichter: Solicitor Cragg, in Section 8(a), (b) and (c) where I asked the gentleman if he was objecting to the 7% and the 10% respectively, I was kind of sorry to see that he didn't because I would like to know what legal right do we really have to go above the 5% when it comes to a subdivision?

Solicitor Cragg: What we're doing here is establishing a completely new zone and having done that we can set forth the 7% and 10% which we have suggested here.

Councillor Lichter: I have gone through the Planning Act and Section 49, Subsection 8(e)(1) says "in the area not exceeding 5% of the area subdivided in the final plan." They look upon this as a subdivision and this is the wording that's used in (b), there it says of the gross area subdivided

or money in lieu of, then I think, even though I am not a lawyer, that we are actually violating the Planning Act.

Solicitor Cragg: No, what we're doing Councillor is, we are establishing a completely new section of the Zoning By-Law by amending it to include this AH zone. In it we can put 7 or 10 percent, we do not need Ministerial approval of it. We are not in contravention of either that section or Section 14 of the Subdivision Regulations.

Councillor Lichter: Under the Zoning By-Laws, which is Part 7 of the Planning Act, Section 33 does not set out any kind of donation that we can be paid. At least that's my understanding.

Solicitor Cragg: Section 33 Councillor, deals with Council adopting a By-Law. Shall, upon the adoption of a Municipal Development Plan, pass a Zoning By-Law. It is a completely different animal than that which we are dealing with tonight.

Warden Settle called for anyone wishing to speak in opposition to the proposed Attached Housing By-Law. There was no response.

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

"THAT the following amendments be made to the By-Law:

1. Definition of Attached Housing read "Attached Housing" means dwelling units attached vertically to one or more similar dwelling units in the same building block.
2. Clause 66AA(3)(b) to read "18 feet".
3. Item (f) by adding "except where a building line has already been established"."

Motion Carried.

Mr. Campbell: The one acre is for a number of units, that is 15 units, not just one unit. You're going to be placing a number of units on the 1 acre, therefore, it's not going to be one lot 500 feet back with 1 attached housing. One little 20 foot wide lot going back 500 feet, that's not the situation there. The thing is, the developer would not come in for rezoning, to ask for 1 acre, if he's only going to build 3 units. If the developer comes in with an acre in order to build 15 or so units, and remember this is only in a serviced area where the land is quite valuable, he's not going to want to do that type of development. Some of the rationale behind one acre designation is to, in some cases, prevent infilling which might be incompatible to the adjacent areas and as well not be the same architectural design, so between 2, say single family houses, say if you had 30 feet between 2 residential houses you could, or 40 feet, you could come in with 2 townhouses which are stuck between these 2 single family residences then from a design point of view it might not be the best type of design.

Councillor Lawrence: I wondered whether Councillor Sutherland really intended the way I understood his second amendment. I wrote down that the building setback should be 20 feet except where an existing building line is present, have I got the wording right? There could conceivably be a building line established in line with our regulations which is 30 feet, in which case we would be not operating in the better interests of the developer if then the setback would be 30 feet where there's an existing building line.

Councillor Sutherland: Yes, exactly, but I can't envision how 10 or 15 units would look where there's a row of houses which are 30 feet and would come along and say okay, put these units in, put 10 units in at 20 feet.

Mr. Campbell: Possibly to clarify the situation we should come out and say the minimum of 2,000 square feet per lot and that would clarify the situation.

Councillor Sutherland: Building of every building block, including carports and garages shall be located a minimum of 20 feet from any street line except where there has already been a building line established. That's what I'm saying. I think it should be consistent with the building line that's there. If there's 10 or 15 or 20 houses 30 feet back from the street, why should we let these guys build 20 feet from the street, but on the other hand, we're giving them flexibility. If the houses are already abutting the sidewalk we can say okay, abut up with the area, the established building line.

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

"THAT the public hearing adjourn."
Motion Carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COUNCIL SESSION

Tuesday, June 5, 1979

Deputy Warden Gaetz opened the June 5th Session at 2 p.m. with the Lord's Prayer followed by Mr. Meech calling the roll.

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

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

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

"THAT the Minutes of May 1st be approved."
Motion Carried.

There was some discussion among Councillors regarding the length of time before the minutes of each Session arrive for approval.

Councillor Deveaux asked permission from Council to present a case which he brought before the Public Works Committee a week ago. As well Mr. Gallagher was present and would like to be involved. The owner of the trailer court was also present and a Mrs. Berglund. He asked permisison for both of these people to be heard some time during the Session. Mr. Meech also had a letter from the MLA concerning the same problem.

Councillor Deveaux stated that to begin with he doesn't approve and he stands to be corrected by members of the Committee, but when they met as a committee last week and he brought this item forward, he got the impression that the Committee felt that they were not able to approve extension of these services. With regards to extension of services, he's been fighting for the thing for years. At the meeting Martin made the presentation and stated that in his opinion, if the services were extended anywhere in the County beyond the serviceable area line, that we're going to be flooded with requests from Bedford, Sackville, Cole Harbour or wherever the case may be where the services are now in use. Just as a point Councillor Deveaux said he though it was 2 or 3 years ago the services were extended in the Atholea portion of Cole Harbour, which at that time was outside the serviceable area zone. Now he stated Martin will again back this up with the fact that it was a health requirement. Basically the sewer was allowed to be extended past the serviceable area zone and to the best of his knowledge the County hasn't been flooded with any requests for extending these services under that basis since then. Approximately two months ago the committee saw fit to approve the extension of the services for one person. Consultants were hired and so-called experts and they went to a lot of trouble to determine where the serviceable area line should lie. With all due respect to them when he looked at a portion of his area and other areas in the County where the serviceable area line ends, and saw that it's halfway up a hill, it didn't seem logical to him. For instance, in a portion of his area he knows the line ends where if a person wants to develop one lot bordering a highway he can build a house and hook into the service if he's at the bottom of a hill. If he wanted to come the next day and bought a lot in behind the first lot and wanted to build a house, he'd have to hook up to a septic system. Martin claimed that by giving permission to extend the services beyond this line, that we'd be contravening the Town Planning Act. Now regardless of whether we contravene it now, if that be the case, why wasn't it contravened in the cases that he's just mentioned in the past where services indeed had been extended past this serviceable area line. He pointed out the area where the people involved live at the present time. Approximately a year ago it was bought over by Autoport. He forgets how many trailers were there originally, probably around 20 or so. These people were ordered to move out. Now they're getting near the deadline. Some of them have tried to find other places to move their trailers and he's sure we all realize it isn't all that easy. Once those trailer courts are moved that sewer system which the trailers are now on will be virtually extinct, it won't be used anymore. Martin also made the point, on a number of occasions, that he was concerned about taxing the system. Well, in this case there's no problem, Councillor Deveaux assured them, about overtaxing the system. As well, if he may point out, when this sewer system was laid in every lot in Eastern Passage, the system was laid to accommodate that. Now Martin also stated at the meeting that it's possible that Texaco might end up building a village there. Well, he can assure you, Texaco has no intention of putting a village there. They bought it to develop it as industrial some time in the future. So there, once again, there are a large number of acres which were originally intended to be hooked into the sewer system. He would also mention, and he'll point out that maybe year or two years or five years he may wish to extend further. Mr. Gough is here and Councillor Deveaux stated that he was sure that Mr. Gough will agree that we can come up with a PUD or some sort of agreement to insure that never takes place. Councillor Deveaux stated that he couldn't stress the point too greatly that this is not an engineering problem. He stated that Mr. Fredericks is quite willing to hook into the service which is going to cost him a heck of a lot of dollars, it's not going to be a cheap project by any means. He would also point out, which he forgot to mention it is not a hill, he's going down a hill, so it's going to require a pumping system and whatever other piping or whatever else is required by the Engineering Department in order for him to hook up. He's quite willing to do this in order to

take in the extra trailers so that the people who are presently living in the old trailer court will have some place to move to. All that the people are asking is permission to be able to move to another section of Councillor Deveaux's district in the Eastern Passage area. People who come forward to Council with a problem such as this one need our help. He stated that he knows that probably some Councillors hate to go against the recommendation of our Engineer or other Departments, but if we approve this or give the go ahead, we're elected people, we'll have to answer for it. Halifax County carries a lot of weight in the Province of Nova Scotia and whether it means changing the Planning Act or whatever the case may be we should be willing to make a decision of that type, depending on the circumstances involved, and do everything we possibly can to assist people who are in need or who have a logical problem.

Councillor Lawrence asked if the trailer court was presently serviced and was informed it's serviced by a septic tank system.

Councillor Cosman asked if there was a problem with the septic fields in the unserviced trailer park and why did he want them hooked up.

Councillor Deveaux replied that Mr. Fredericks has to extend his trailer park. The septic service is unable to take the additional trailers.

Mr. Gallagher stated that his job here as a County employee, being retained by Council, is to analyze the facts and situations and to present them to you with complete objectivity. The Official Town Plan tried to lay down the broad outlook of what we should be doing in an endeavour to try to develop in an orderly fashion and then he outlined part of the Town Planning Act and about six of the main points. He stated that he didn't have any input into this plan whatsoever. It was done objectively by a firm of consultants and engineers that he had no contact with. Now in instances where a line is put on paper that to find out where the actual line was, you would have to do an actual survey across country so it's considered to be reasonable that engineers plot the line on paper and after various studies and what have you, and after being checked by the particular planning team, then if it's deemed to be reasonably as near as can be without having to go out to an actual thing of carrying it out by level across country, then it's adopted as a Plan. The situation that exists here is being put forward to you by himself in complete objectivity and this is the only way it can be done. Now Councillor Deveaux mentioned a situation in which there was a certain individual got permission to extend the line for 70 feet and this was voted upon by committee at that particular time. Mr. Gallagher stated that he advised the committee that this was only a forerunner of things to come. And these are things that he had to acquaint Council with. He stated that if we talk about the particular area itself, in 1968, was deemed to have a population within the serviceable area of 3618. The 1991 population is being projected 9618. The year 2001 is 15,775 and the ultimate population as being 24,400. So that anyone who has purchased land in here that isn't developed, then presumably they're paying taxes for that land and presumably when the time is opportune and when the services become near to this land then they will want to and they' have the right to be able to develop this particular land. The situation in which we talk about Texaco and some of these things the consultants weren't unaware of the existence of Texaco because they planned for it. Their planning is such that there's a realization of the necessity of maintaining the industrial area. So these are some of the things that Council has to consider and some of the things that he had to bring to Council's attention. He can find dozens of cases where there's always a point where there's one lot or two lots which are beyond the existing serviceable area. He then stated that unless Council wanted him in a capacity to act as a rubber stamp then he shouldn't be here and he has no intention of doing that.

Councillor Lachance asked Mr. Gallagher how does he react to the suggestion that when the serviceable area boundary is set, it's set keeping in mind the high points in relation to the numbers of homes and properties that it may encompass relative to the size of the sewer lines so that what you end up with, when you achieve maximum development, is a sewer line that can accommodate all of that area which is included within the serviceable boundary. Well, that's okay. Now when you withdraw some of those properties from within the serviceable boundary, we then have the surplus in ability in terms of the maximum capacity of the sewer line. Mr. Gallagher replied but his reply was inaudible. Councillor Lachance then asked why not allow those lands, if you take out ten acres now, allow the serviceable boundary area to bulge out in an appropriate spot and take in an equal amount of property that was taken out. Mr. Gallagher's reply to this was also inaudible.

Councillor Deveaux asked Mr. Gallagher what the hook thing was between the Frederick's Trailer Court and Cow Bay Road. Mr. Gallagher replied that it was the MacDonald Trailer Court.

Councillor Deveaux stated that's the MacDonald Trailer Court, so in other words, that's past the serviceable area. There are some areas past the serviceable area in that trailer court.

Councillor Lichter congratulated Mr. Gallagher on his objectivity and stated that he would also like Mr. Gallagher to appreciate Council's subjectivity. He then stated that Mr. Gallagher made reference to one particular lot that's 70 feet beyond the boundary approved some time ago and he asked how long ago it was approved.

Mr. Gallagher said he was just guessing but probably a month, maybe 3 weeks, 2 months but it wasn't in this area.

Councillor Lichter stated that he knew it wasn't in that area but he just wanted to gauge what kind of a landslide of similar requests they would be getting. He also stated that there is a point there

that Councillor Lachance was trying to make. We have a trailer court that's being serviced and being phased out because the owner sold the land. He asked what the zoning of the park was and he received the reply that it was Trailer. So, he stated, obviously with that kind of zoning, if you're talking about 20 trailers there were 20 families, okay, 29 serviceable families in that area. That was rezoned, was it, into Industrial, or is it permissible to have a trailer court just converted into Industrial, like Autoport? There are obviously 29 serviceable lots that are no longer needing servicing and that is on top of the total capacity of the area, and I think this was his point. Now in compassion to the people he could certainly see that those 29 could very easily be accommodated in the trailer court that they're referring to and would not add to the present capacity and would not overtax the present capacity. The Planning Department, or whoever is responsible for this, he supposed Health, Environment and Highways and all other such agencies, would they be rather in favour of having septic tanks put into that trailer court and then 10 years from now have the raw sewer flow through ditches et cetera and would your department not be called upon then to clear up the mess? Perhaps another point, you mentioned that our predecessors are the ones that approved the Town Planning Act, well, if his predecessors had the wisdom to approve it he thought he had the right and the wisdom to overrule it and he thinks that should be appreciated. There's one last point he had to make and that is that today families are not the same as they used to be years ago. He asked to be shown the family today that has 10 or 15 children in a home, and if you're talking about sewer capacity, was the size of the family taken into account? It's shrinking according to statistics. Is this going to permit more and more serviced lots because you are not going to have the sewer demand that you would have with the very large families?

Councillor Topple stated that he had to support the position Mr. Gallagher had taken because he thinks that's the only position you could take, however he was concerned as he talked to Councillor Lachance a while ago, about this business of the discontinuance of the present trailer park and the homes in the Clarence Park area which, in fact, provide a surplus in the sewage system. He stated he was concerned about the Municipal Development Plan and with that he's hoping we're going to have to change some of the boundaries. What sort of reaction would you have to possibly looking at the area of Eastern Passage with a view to expanding a bit on the drainage boundary in an interim period until such time as a Municipal Development Plan comes onstream? Do you think that that would be a great chore to look at the numbers of dwellings taken off and the capacity left whereby we could perhaps draw that boundary out a little further in certain areas? He stated that he appreciates in this particular case, it involves a pumping station, which, he assumed is another reason you do not wish to get the County involved in that, but do you think you could perhaps accommodate a larger area with the loss of Texaco and the Autoport?

Mr. Gallagher stated that as regards the capacities of the system, all these assumptions are made that there is excess or will be excess capacity but there is evidence already that the system that has been installed, the capacities and the flows are not according to design and this is another situation which has to be taken into account. You asked if this trailer court would affect that particular sanitary sewage system. No, but, he also knows of other developers who would like to build and would request extension of the services. The sewer would be treated in Eastern Passage because that's the natural way the sewage flows and that's where it should be treated unless you're going to defy sound engineering principles and pump it the heck out of there. There are some of the lines of argument.

Councillor Topple thanked Mr. Gallagher and stated that those are some of the points, in particular, some of the large developments that he was concerned about which he thought Council had to be concerned about legally, what position Council might put themselves in if they do change a boundary.

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

"THAT Council grant approval to the Fredericks Mobile Trailer Park Development to hook into the trunk sewer system at Eastern Passage to accommodate the extra trailers involved."
(See Motion to Defer.)

Councillor Deveaux requested permission of Council for Mr. Fredericks and Mrs. Berglund to say a few words.

Mr. Fredericks stated that why he'd like to put in a pumping station is so that he can use most of the property, make it better, make his lot much larger so it will look more respectable and when these people are being put out by Autoport he thought it might be a good time for him, as a businessman, according to Mr. Gallagher that it might make it better for everybody. But if this is the case, it's a problem and going to mushroom and he doesn't want to be the cause of Council's problems.

Councillor Margeson asked Mr. Fredericks the size of his present lots and received the reply that they were 35 feet by 80 feet. Councillor Margeson then asked what size Mr. Fredericks proposed for the new ones. Mr. Fredericks replied around 45 or 50 feet by 80 or 90 feet in length. Councillor Margeson asked if Mr. Fredericks had a septic system for his trailers and were there any problems with the system and where was it located? Mr. Fredericks replied that yes he had a septic system, no there were no problems with it and it is located near the end. Each individual home does not have its' own system. Mr. Fredericks in response to Councillor Margeson's questioning, stated that there was no sewage treatment plant, only a septic tank and that the trailer park has city water. Mr. Fredericks stated that he would like to hook into the sewer that's close by and do away with his septic tank system as he thought it would be better but going from Mr. Gallagher's technical points it would be a problem. Councillor Margeson then asked if from the point of view of the operation of the trailer park it would make it easier because Mr. Fredericks wouldn't have to maintain his

septic system to which Mr. Fredericks replied in the affirmative. Councillor Margeson then asked how many places did Mr. Fredericks wish to add and he was told a total of 20 new ones over a period of two to three years. Councillor Margeson then asked if Mr. Fredericks was going to revamp it, if he was going to relocate some of the trailers and make it more enjoyable for the people that are living there and Mr. Fredericks stated that's what he'd like to do.

Councillor Lichter stated that he'd heard the cost would be quite considerable and was Mr. Fredericks prepared to pay the full cost of hooking up to the municipal sewer system if he was permitted to do so and Mr. Fredericks replied that he'd have to because he didn't know of anyone else that would.

Mr. Fredericks, in response to questions from Councillor Cosman, asked if he's turned down in Council now, might he ask the Health Department if he could expand enough to allow these 9 or 10 people to move in, otherwise he didn't plan on developing it at all.

Councillor Cosman asked if he had any idea of the cost of a pumping station and Mr. Fredericks stated that he hadn't checked into it closely but he thought it would be in the vicinity of 15 or 20 thousand.

Mrs. Berglund stood up and introduced herself as being a resident at the trailer park that they have to get out of and that she's been a resident of Eastern Passage all her life and she never was a second class citizen until she bought a mobile home and had no place to go. Mrs. Berglund went on to tell about her family and other families in the trailer court and the reasons why they wanted to stay in the Eastern Passage area. She stated that she's still the same person when she lived in a house and now she lives in a mobile home. She stated that she had 12 children, 6 boys and 6 girls. She stated that they had gone to school and were good citizens. They're working, married and making a place for themselves in Eastern Passage. They have never caused anyone any problems, they have never gone to the County for help and she thinks what she's asking for now is a chance to live where she wants to live and the others in the court are the same way. Why should they be shoved in the back woods because they have mobile homes? She didn't think this was fair.

Councillor Topple stated that he appreciated Mrs. Berglund's statement and he does agree with her that mobile home residents are second class citizens in a lot of people's eyes but he wanted to ask Mr. Fredericks what is the sewage system he has there now, is it a septic tank system to which Mr. Fredericks replied yes. Councillor Topple asked if it was working satisfactorily, had Mr. Fredericks applied to the Department of Health to expand that to accommodate the additional trailers?

Mr. Fredericks replied that no, it is working satisfactorily but he hadn't checked with them and if they would allow him to expand his filter, he'd be satisfied to take those 12 but no more.

Councillor Topple stated that his point was that Council is faced with two problems here, the problems of trying to accommodate these people and the fact that there is a serviceable boundary which, in fact, he thought most people would not want to overstep at this time and he's thinking here now that possibly with the changes in the boundary with the new Municipal Development Plan, the trailer park could possibly be accommodated under the new plan but in the interim, perhaps the cheapest fix might be to enlarge the sewage system which would accommodate the 9 trailers as is.

Councillor Deveaux stated that Mr. Nantes, the MLA has forwarded a letter and that he'd like the Clerk to read it. Mr. Meech then read the letter from Mr. Nantes, MLA for the Cole Harbour area.

Councillor Cosman stated that she will support the Director of Public Works and she speaks as a member from a serviced area. There are 5 members of Council missing today from serviced areas and they would all have something to contribute to the discussion. She stated that in her area there are many people on the fringe of the serviced area and if this type of precedent is set they will be knocking on the door to set it again. Autoport has the right, as owners of the serviced property, to expand their facility and use the system to its' capacity.

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

"THAT the motion on the floor be deferred pending an application by Mr. Fredericks to the County Board of Health or to the Atlantic Health Unit for either extension of his septic system or permission to accommodate 12 more mobile units. In addition, that a letter go to Autoport requesting them to extend their deadline that the 12 mobile home owners are currently under until an answer is received from the Board of Health."
Motion Carried.

Councillor Lachance stated that in seconding the motion he would urge Council to vote in favour of it on the basis that Council wants the same thing that the residents of that trailer court want.

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

"THAT the Public Works Department be requested to provide a progress report on the subject at the next Council Session."
Motion Carried.

Councillor Lichter noted that Councillor Poirier is away and since there are several letters concerning the Beechville - Lakeside - Timberlea area and the possibility of servicing that area with sewer and water and he wished to speak at this time concerning this. The way he understands the situation

a resolution was passed by the Board of Health not long ago which read: "That whereas it has been determined that there are serious health problems in the Lakeside - Timberlea - Beechville area re sewage disposal and water supply that the Municipal Council be requested to proceed with the installation of central water and sewer services immediately." Now the Atlantic Health Unit carried out a study of that particular area and when they went over the study they were shocked with the results and were quite anxious to see that whatever recommendation has been made will be implemented.

Councillor Cosman stated that she would not be prepared to support the resolution until Council knows what kind of cost sharing the Municipality will get.

Deputy Warden Gaetz suggested that perhaps these letters could be deferred until Councillor Poirier returns.

Mr. Meech stated that what Council can probably do is project what the net costs would be on the basis of not receiving any assistance through the CMHC program versus what the net impact would be if, in fact, the CMHC or Community Services Funding was available and could be presented on that basis.

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

"THAT the letters and correspondence be received."
Motion Carried.

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

"THAT the matter of the recommendation from the Board of Health re servicing Beechville, Lakeside and Timberlea be deferred until the Session of June 12, 1979 pending a report on the cost implications of servicing."
Motion Carried.

Councillor Lichter advised that Councillor Poirier was present at the Board of Health meeting and is fully aware of what the Board of Health was recommending. He asked why couldn't the County demand that the Minister give a straightforward answer regarding the application for funding.

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

"THAT the Liquor License Board be requested to conduct a plebiscite in Municipal Polling District #13 on the question 'Are you in favour of the sale of liquor for consumption on the premises licensed by the Liquor License Board?'"
Motion Carried.

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

"THAT Council break for supper at 5:30 having sandwiches and fruit provided for supper."
Motion Carried.

Councillor Margeson noted that Councillor Wiseman is away in Quebec and had requested that he speak on the Main Street Task Force. She has approval of and has met with the people who are involved in this. There may be a small amount of money that Council would have to expend to complete the Task Force requirements.

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

"THAT the matter of the Main Street Task Force program re Bedford and Sackville be referred to Finance and Executive Committee for a report on the financial implication."
Motion Carried.

Councillor Cosman noted that the decision as to where the funds would be allocated would be made by Municipal Affairs.

Mr. Meech stated that his recollection of the program is the fact that the rural municipality was eligible to have one particular project or community approved and he thought it was on the basis that the individual municipality had to decide on which particular community it wanted to select for the program.

Councillor Cosman suggested that Council was advised that the Municipal Affairs would make the choice as to which community would receive the funding and that is rightly so, otherwise the districts would find themselves in competing positions within the Municipality.

Councillor Lawrence said her understanding is that Council must make a decision to recommend to Municipal Affairs one community which would be eligible for this funding and there are two competing communities within the municipality. Council as a whole should endorse the recommendation that both these communities be eligible as the population of this County is such a large one.

Councillor Topple inquired if extra funding is required it would be collected through an area rate in both of these communities and Deputy Warden Gaetz replied that this is his understanding.

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

"THAT Item b on the Agenda be deferred until next Session of Council."
Motion Carried.

Councillor Deveaux raised the question of Transit and advised that a meeting had been held with the MLA's concerned and they had suggested that they are taking a further look at the situation and suggested that a further letter be sent to the Provincial Authorities.

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

"THAT Council write a letter to the Department of Municipal Affairs to provide financial assistance to cover the cost of the transit services for those areas that would be otherwise expected to establish an area rate for continued operation, specifically Eastern Passage - Cole Harbour area, Herring Cove, Harrietsfield and Westphal."
Motion Carried.

Councillor Cosman inquired whether this was a request for demonstration only and Councillor Deveaux replied no. Councillor Cosman then said she would not be willing to support such a motion as it would mean that the districts that are currently using demonstration funds will be paying for their service by an area rate at the end of 27 months period of time. If a request is being made to help reduce the area rates then all areas that are receiving demonstration. Otherwise the resolution should read for demonstration funds.

Councillor Lachance requested a 15 minute leave of absence in order to attend to pressing School Board business. Agreed by Council.

Councillor Topple said he is concerned about the types of election lists which they are getting today. The last election, one whole Senior Citizens' housing complex was left out and many other problems arose. He feels that perhaps someone in the Department of Municipal Affairs should be looking after the election lists in all the areas of the Province to be responsible for those lists when they're made up.

Councillor McCabe stated that the refacing of the highway to Newton Mills has been promised for some years and has never been done. He said they would also like some asphalt put on the Moose River Road, which is a connector road to Tangier. Approximately 16 miles of that road was hard surfaced some years ago and there is a fair amount of traffic on that road. There is also a connector road between Elmsdale to Upper Stewiacke and it is in an atrocious condition. The Gay's River Bridge, also, is in very poor condition.

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

"THAT a letter be forwarded to the Honorable Tom McInnes, Minister of Highways, requesting that action be taken on the following projects: 1)Resurfacing from Dutch Settlement to Newton Mills 2)Hard surface Moose River Road 3)Repair work on South Branch Connector Road 4)Gay's River Bridge - unsafe 5)Antrim Road improvements 6)Long promised road paving program between Lantz and Elmsdale, Old Post Road, be done and that a copy of this letter go to the Honorable Ken Streach."
Motion Carried.

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

"THAT Council request the appropriate Provincial authorities to ban the use of outboard motors on Long Pond, Herring Cove because of the size of the lake."
Motion Carried.

There was a great deal of discussion concerning the subject.

Councillor Eisenhauer mentioned the By-Laws with regard to topsoil removal. He wished the Planning Advisory to consider putting in the requirement for a buffer zone between existing properties, especially residential properties.

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

"THAT regulations re Buffer Zones between excavations and property boundary lines be referred to Planning Advisory Committee to report to Council with recommendations and that special attention be given to residential properties."
Motion Carried.

Solicitor Cragg advised that an appeal lies, by the unsuccessful applicant to Council and Council may then approve therepermit together with any conditions whatsoever it feels it wishes to attach, which could include, for each particular case, as appropriate buffer zone.

There was further discussion with respect to the buffer zoning.

Deputy Warden Gaetz brought up the subject of the Small Business. He said the letter with regard to

this subject is a lot of bologna because he knows that his son and others in the sawmill business have tried to get a grant and were denied.

Councillor Margeson stated that Councillor Wiseman requested him to bring up the subject of Department of Highways budget re sidewalk construction.

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

"THAT the matter of sidewalk construction on Glendale Road, Sackville, be referred to Finance and Executive Committee for implementation with the understanding that the net cost to the Municipality would be recovered by means of an area rate to the district served."
(See Motion to Defer.)

There was further discussion between Councillors with respect to the motion.

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

"THAT the motion be deferred until next Session of Council when Councillor Wiseman is present, June 19, 1979."
Motion Carried.

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

"THAT the matter of the Municipal Buildings Board be deferred to Planning Advisory Committee for report and study re terms of office."
Motion Carried.

Councillor Lichter raised the point that the Council has a prerogative of reappointing or making new appointments at the Annual Session of Council. If this motion gets support then they'll miss the boat because the last Annual Session of Council will be on the 12th of June so for one year Council will be unable to make any new appointments.

Solicitor Cragg said it's fine for it to go to Planning Advisory but the final recommendation should come from Finance and Executive because this Board does perform a quasi-judicial function and should be independent. Whatever recommendations are made by PAC should be forwarded to Finance.

Councillor Smith enquired what the By-Law concerning this consists of and Solicitor Cragg replied that the only references to the Building Board are contained in Sections 31, 32 and 33 of the Building By-Law and in the Payment Section of the Boards and Committees By-Law #3 which is Section 16.

Councillor Lachance spoke on the matter of access to Sackville High School for Council's information.

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

"THAT the recommendation of the School Board be referred to the School Capital Committee as it relates to an alternate access route with respect to Sackville High School."
Motion Carried.

Councillor Lichter asked what the exact meaning of the Parks Advisory Group will be and what costs might be involved in those advisory groups.

Mr. Gough replied that the Regional Parks Advisory Committee through the Municipal Affairs, who was actually heading up the whole thing about both MAPC and the Community Planning Division had hired consultants to look at the effects, whether they be the ecological tenderness of certain areas or the suitability of certain sites for parks and what use they could be put to, whether it be passive or active recreation. There was engineering work carried out by these different consulting firms which was fed back in to the Parks Advisory Group. There were several different consultants used. These diagrams were drawn up by the Province.

Councillor Lawrence wondered where Council stands with regard to the 3 points on the first page of Mr. Gough's report. Are there conceptual park plans for each of the 7 areas indicated in the Regional Plan. Mr. Gough replied that there were conceptual park plans drawn up for the different parks. He said there is a substantial price tag on the acquisition of lands for public parks.

There was further discussion with respect to this subject.

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

"THAT the Report of the Director of Planning re Regional Parks Advisory Committee be received."
Motion Carried.

There was further discussion with regard to the report.

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

"THAT Council ask the Premier of Nova Scotia that his government determine the method of Provincial acquisition of regional parks and that the Minister responsible for the Report on Regional Parks release a copy of it to the County and urge his Minister to convene a meeting of MAPC to discuss the Provincial acquisition of Regional Parks."
Motion Carried.

There was considerable discussion by the Councillors on this matter.

Councillor Lawrence stated that the suggestion that Council have a report back as to the status of our Municipal involvement in this whole thing, she thinks, is still relevant. Of those seven regional parks, she believes there's only one that's within the city boundaries of Halifax and that's Hemlock Ravine. All the others are in the Municipality and she thinks it's extremely important that Council try to find out what's happening behind the scenes in this whole mysterious process of consultation and hiring of consultants and reports and whatever is going on. She would be really apprehensive if things went on in the back rooms for too long and eventually Council finds themselves confronted with a report which says things that would not be a benefit to the Municipality.

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

"THAT Council have a status report for the next regular Council Session on the Minister's letter to the Municipality saying that financial arrangements for acquiring these regional park lands should be the Municipality's and Council's response, if any. Also investigating the Metro Authority and MAPC jurisdictions over potential regional parks."
Motion Carried.

Councillor Lichter stated that in the reports that Council received in the correspondence section we always get letters that are being answered by different departments to letters that we wrote and he wondered why Council doesn't get the letters, as well, that were written.

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

"THAT copies of letters resulting from Council's direction be included as part of the Agenda Booklet in the Correspondence and Letters section."
Motion Carried.

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

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

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

"THAT a public hearing re Undersized Lot #2, Lands of Norman T. Hanley be held on July 3, 1979."
Motion Carried.

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

"THAT Council accept title to the following parklands subject to verification of title by the Solicitor: (a) Royce Hefler Subdivision, Sackville (b) Capri Island Subdivision, Porter's Lake, park area P-1."
Motion Carried.

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

"THAT Council approve Lot 548A, Colby Village Subdivision with undersized frontage."
Motion Carried.

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

"THAT the matter of the proposed Taxi By-Law be referred to Finance and Executive Committee for consideration and recommendation."
Motion Carried.

Councillor Margeson noted that he had the opportunity to attend a function at Beaverbank Villa where 18 of the young retarded people were presented with certificates for attending school and achieving certain results and they had their relatives there and it was a very nice function. He wanted this to be conveyed to the School Board because they were encouraged to this continuing education by Councillor Lachance's group.

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

"THAT Council adjourn for four and a half minutes while staff prepare for the public hearing at 7."
Motion Carried.

Council re-convened after public hearing.

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

"THAT the Report of the Finance and Executive Committee be approved excluding Item #5 as per previous resolution."
Motion Carried.

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

"THAT Item #5 of the Finance and Executive Report be deleted for separate discussion."
Motion Carried.

Councillor Lichter stated that he had been approached by the Eastern Shore residents who are concerned with minor hockey. Having looked at the direction and recommendation that Finance and Executive gave to the Municipal Clerk he felt that perhaps the direction the Committee should have taken was to refer the matter to the Department of Recreation and see if they could support this undertaking financially.

Councillor MacKenzie said he gave this all his support but he didn't get the support of the Finance Committee. He felt that he had made a motion that this be referred to the Recreation Department but there doesn't appear to be any record of it in the Minutes.

Mr. Meech clarified this by stating that there was a motion made but it did not get the support of the majority.

Councillor Smith advised that the reason it did not get the support was because it already had been to Recreation Department and they definitely cannot support anything of this magnitude.

Councillor Deveaux stated, as Chairman of the Recreation Committee, the feeling was that it would be setting a precedent. There are a lot of other minor hockey associations and organizations throughout the County but there's no way the Recreation Department could start funding one area because it would be flooded with requests and their budget is tight.

Councillor Deveaux stated that the only way a minor hockey league could be supported is by an area rate

Councillor MacKenzie stated that the children in his area have a great disadvantage because of the travel costs which must be borne before they even get to the ice.

There was a great deal of discussion regarding the subject of Item #5.

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

"THAT the recommendation of the Finance and Executive Committee be supported relative to the request of the Eastern Shore Minor Hockey."
Motion Carried.

There was much more discussion between Councillors.

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

"THAT the question of Support to the Eastern Shore Minor Hockey Association be referred to the Recreation Committee with a request that a report be prepared for the next Session of Council putting forward suggestions as to how the area may improve their financial operations."
Motion Carried.

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

"THAT Loan of 96,000 dollars by the Wellington and District Fire Department for purchase of firefighting equipment be approved."
Motion Carried.

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

"THAT Loan of 15,000 dollars by Ocean View Manor for purchase of a van be approved."
Motion Carried.

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

"THAT Issuing Resolution re CMHC Debentures re Hammonds Plains Road Sewer be approved."
Motion Carried. (See attached resolution)

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

"THAT Issuing Resolution re Bissett Lake Pumping Station be approved."
Motion Carried. (See attached resolution)

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

"THAT the recommendations of the Finance and Executive Committee, Kenneth R. Meech, Municipal Clerk and Treasurer; Kenneth W. Wilson, Comptroller; and Gerald Kelly, Administrative Assistant, have signing authority with respect to bank accounts of the Municipality of the County of Halifax be approved."
Motion Carried.

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

"THAT a loan to the Three Harbour Fire Department in the amount of 25,000 dollars to be repaid over a period of 10 years, principal and interest, with the Municipality of the County of Halifax reserving the right to levy an area rate if necessary at any time in order to recover any outstanding principal and/or interest be approved."
Motion Carried.

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

"THAT the Report from Finance and Executive Committee re remuneration for enumerators re Municipal voters lists be approved."
(See Motion to Defer)

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

"THAT the Special Report of the Finance and Executive Committee be deferred until the June 12th Session of Council pending a review of the Municipal Elections Act."
Motion Carried.

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

"THAT Council adjourn."
Motion Carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING

Wednesday, August 8, 1979

Present Were: Councillor Baker
Councillor Cosman
Councillor Deveaux
Councillor Eisenhauer
Deputy Warden Gaetz
Councillor Lachance
Councillor Lawrence
Councillor Lichter
Councillor MacKenzie
Councillor Poirier
Warden Settle
Councillor Smith
Councillor Sutherland
Councillor Williams
Councillor Wiseman

The meeting was opened at 7 p.m. by Warden Settle with the Lord's Prayer and Mr. Kelly called the roll.

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

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

Warden Settle explained the format of the Public Hearings and called upon Mr. Campbell of the Planning Department to outline the first application.

Mr. Campbell: The first application this evening is an application to rezone a piece of land from Residential and General Zone, Lands of Lorraine and Richard Cole, Cow Bay Road, Eastern Passage, from R-4 to Mobile Homes Park Zone.

Mr. Campbell explained the area to Council by means of a sketch.

Mr. Campbell: The Planning Department is recommending that this application be approved and it is an application to locate a single mobile home on the lot in question. The Atlantic Health Unit has found the lot suitable and a permit has been issued for a disposal system. We thought that this single family mobile home would have an equivalent impact to a single residential dwelling and therefore we would have no objection to it, providing that the local residents in the area found the trailer not to be an objectionable use in their R-4 area.

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

John Lewis: My name is John Lewis and I live just 2 lots away from this lot. I see no fault with it and go along with it.

Richard Cole: I'm Richard Cole, Lot 3A, Cow Bay Road, Eastern Passage. I applied for the rezoning as I bought a trailer. I couldn't afford to buy a house at the time so a trailer was the only alternative.

Councillor Wiseman: Mr. Cole, is it your intention to build a home on that lot or are you planning on leaving the trailer there?

Mr. Cole: I did the workups on the building permit for a house and then I realized I couldn't afford it at the time.

Councillor Wiseman: The reason that I'm asking is there seems to be some discrepancy with regard to the lot size and the size that you would require in order to put a septic system on the lot for a home, for a site built home. Did you have permission from the Department of Health since you bought that lot?

Mr. Cole: Yes, the lot's all approved with the septic system and the artesian well.

Councillor Sutherland: Mr. Cole, are you occupying the mobile home now or is it just sitting on the site?

Mr. Cole: I occupy the mobile.

Councillor Deveaux: You realize in the future if you want to build a home you'd have to rezone again.

Mr. Cole: Yes.

Paul Trider: My name's Paul Trider, I live on the Cow Bay Road myself and I don't have any objection to the lot being rezoned.

Councillor Deveaux: I just want to say, Mr. Warden, the trailer park in which Mr. Trider resides is as nice a mobile home park as you'll find anywhere. It's comparable to any subdivision. Each lot has 17,000 square feet, being outside the serviced area.

Warden Settle called for any speakers who wished to speak against this application. There was no reply.

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

"THAT the Application No. 18-79, request to rezone Lot A3, Lands of Richard and Lorraine Cole, Cow Bay Road, Eastern Passage from R-4, (Residential General Zone) to T (Mobile Home Park Zone) be approved."
Motion Carried.

Application No. 12-79

Warden Settle called on Mr. Campbell of the Planning Department to outline the second application.

Mr. Campbell: This application is for the lands of Edward Godbout, Caldwell Road and Murray Road in Eastern Passage, District 6. The application is to zone a parcel of land from R-2 (Residential Two Family Dwelling Zone) and R-4 (Residential General Zone) to C-1 (Commercial Local Business Zone). Mr. Campbell explained the area to Council by means of the projector and sketch.

Mr. Campbell: The Planning Department is recommending that the application be rejected. The applicant has applied for the Commercial C-1 zone on the whole of his property and he has informed us that he intends to construct a building supply store with apartments above and for that particular use he would have to have a C-1 Zone. The Public Works Department has no objection to this particular proposal. Now since this area did have a portion outside this boundary we did send it to the Department of Health and since the applicant has stated that he does not plan to develop outside this boundary they have said that they have no objections and the Municipal Affairs Department, who issue regional development permits, state that he would be eligible for regional development permits. Now besides these things that other governments have said are all right the Planning Department have some concerns about some aspects of this rezoning. One, that we do see it as a spot commercial rezoning. The other aspect is that the commercial aspect of the C-1 Zone will allow apartment dwellings to be located in this area. The major concern of the Planning Department is the size of the commercial rezoning. There are approximately 7.4 acres and almost 3 of these acres are within the serviceable boundary and, with allowing a commercial development on 6,000 square feet of land, this would allow a number of commercial uses.

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

Robert Barnes: My name is Robert Barnes and I'm a lawyer practicing here in Halifax. I represent Mr. Godbout this evening. Mr. Godbout's purpose in requesting this rezoning is so that he can construct a combined retail residential complex on the site. It's his plan at the moment to construct a 2 storey building of approximately 8,000 square feet on each level. The lower level would be the retail outlet and it would be a building supplies and hardware outlet. The upper level would be comprised of approximately 10 apartments, probably 2 bedroom in size. The idea behind the additional residential use is to provide some security with reference to the retail and, as well, some additional income. As the earlier gentleman from the Planning Department did point out, it's certainly his present intention to keep density at or below the level of 20 persons per acre. The construction itself, where he's planning to put it is approximately 250 to 300 feet back from the Cladwell Road behind two residential complexes that were pointed out earlier. I think that, in a sense, precludes some of the problems that the Planning Department had with additional commercial subdivision and additional commercial use. Now in the Zoning Report there's a comment which we find somewhat objectionable and it's the one relating to the economic viability of this enterprise. There's a suggestion in there that the Planning Department has some doubt about whether or not such a business could succeed in the area. We doubt that the Planning Department has the necessary expertise, first of all, to know whether that business could succeed. The Zoning Report does indicate a number of other areas of concern. The major one, I think, that it's a spot rezoning of major magnitude. It may be that they don't like the size of the lot. They don't want the rezoning to take in the entire 7.4 acres. Whether they would be happier if it was only rezoned within the serviced area I'm not so sure but I will say that Mr. Godbout is not adamant that the entire 7.4 acres be rezoned. He's prepared to live with a rezoning of the serviced land which is approximately 2.9 acres. The question of spot rezoning, it's a difficult one to deal with because it is, I suppose, a spot rezoning and that's got certain negative or derogatory connotations about it but I think he finds himself in a sort of a Catch 22 situation because on the one hand he's told that he cannot have or should not have more than 20 people per acre density if he intends to use this, in any way, for residential purposes so he needs the acreage to come within those density requirements to some extent. And then he's told, when he applies to rezone, that no, you've got too much acreage. Just across the street there is an auto body shop and on the same side of the road about 2 or 3 lots up, there is a welding shop. There's the institutional use just up the road a little ways, there is industrial use not too far up the road, the Robb Engineering and there is one other which I cannot recall at the moment. The existence, in this proposal, of the small number of residential units I think is consistent with the residential flavour of the area. Quigley Corner, they suggest, might be hurt by this. If Quigley Corner is so weak that it cannot survive the existence of a building supply enterprise such as this, then maybe Quigley Corner shouldn't be the commercial area. The lot 7.4 acres is bush, the enterprise is going back into it. It's going to be tucked back into the hillside to some extent, it has to be levelled. The other comment that

Mr. Barnes: the Planning Department makes was the threat of some subsequent misuse if this much acreage was rezoned. The back of the lot is already R-4 and in this present R-4 Zoning a large number of apartments could be constructed, if he can get services to them, and I'm saying that's a very practical possibility. I'll give you a brief summary of the history because I think it's very important. Mr. Godbout bought this land in 1972. He intended to build a commercial enterprise and he paid the commercial price. It was not a residential area, primarily, at the time he bought it. This subdivision which was shown on the screen, as I understand it, wasn't there. There were these commercial welding and auto body shops there. There's no question that throughout his ownership he's intended to use it commercially. Now at some point this land was, in effect, downzoned because the zoning came in and the net effect is the same. It's been downzoned. He's not too sure when the zoning took place but he says it was without notice to him. In 1977 he applied for a building permit and it was denied, obviously. In 1978 he attempted to sell this property and the sale fell through because the County had placed the service line in an improper or incorrect position. He then attempted to sell it to someone who was prepared to live with the residential zoning and develop it in a residential way. The sale was thwarted because the County had put the service line in the wrong position, or at least in an inappropriate position and now he's coming back to Council and he's saying I want this rezoning, I want myself placed in the position I was in at the time I bought the property. The two lots which were pointed out down in the corner of this larger lot, with one having a house under construction and one with another house, both of these lots are owned by Mr. Godbout. The one under construction is being built by him for his own use. He intends to live there and the little house behind that he presently rents out. Now it's his idea, perhaps, that that little house will go some day. That's basically all I've got to say.

Councillor Lawrence: How many apartments are being proposed for this?

Mr. Barnes: He's proposing 8 to 10, about 8,000 square feet.

Councillor Lawrence: What size is the building?

Mr. Barnes: Well, as I say, 2 storeys, 8,000 square feet on each level.

Councillor Lawrence: Why would Mr. Godbout be interested in such a long setback?

Mr. Barnes: 250 to 300 feet. He's primarily faced, I suppose, with those two lots that are in front of him. One where he's building his own house and he's then subdivided another lot out behind that where there's also another small house, so he's got a bit of a narrow neck of land coming up from the Caldwell Road. That runs up probably 200 feet at least, so that would be his access so that he would be putting his commercial building in behind that and he'd be running it, more or less, across the face of the land there or running it parallel to the Caldwell Road, I suppose.

Councillor Lawrence: Another point I'd like to make is that the County was derelict in its duty by not informing Mr. Godbout of the rezoning. We really have no liability to notify each property owner of a change in zone. It's advertised in accordance with the Planning Act.

Mr. Barnes: I'm not saying you're derelict by following the procedures. I'm not trying to say that the County has wilfully neglected its duty or anything like that. I'm just pointing out that he did not get notice and it probably was advertised.

Councillor Cosman: I'm curious if any consideration was given to having a subdivision of the lot to accommodate that building because you're asking to rezone in the serviced portion, 127,000 square feet, to put up an 8,000 square foot building and there seems to be some type of poor economy in doing that. Was there any consideration given by your client to just subdividing the lot?

Mr. Barnes: There was some discussion about how much land he would need and this kind of enterprise generally needs a fair amount of land around it for storing supplies and whatnot. He may need some warehouse space at some point, I'm not sure. Obviously there'd be a requirement of a considerable amount of parking.

Mr. Godbout: My name is Ed Godbout. I'd just like to go back to when I purchased the land, maybe just go through the experiences that I've had with it, going back to '72, '73, it's in that neighbourhood that I bought the property and I had it checked out and it was definitely General Zoning when I bought the property. Going back to '72 across the road from this property there was this swamplike land. Today there's a subdivision on it. Next door there's a fellow that had a shop. A couple of doors up from him there was another fellow that had a shop. Across the road from him there was another chap that was earning his living. There was Industrial Zoning next to him. What I'm trying to say is it was a very country-like setting when I bought it. Now when I bought it I was definite, with my lawyer, that that was General Zoning. What I'm saying is I bought and paid at a commercial price and it was a General Zoning. There was some mention here earlier that that land was rezoned prior to my buying it, that's not so. My intention, when I bought the property, was to buy for the future and to spend so much money on it each year and eventually have the property paid for and eventually have my business operating out of this location. In '77, '78 I was ready to put up a building. I came over here and I applied for a building permit. I was turned down, I was told that there was a zoning change. After giving it some thought I decided to sell it to somebody that was building houses, a contractor. He came to get information and he was told the service boundary was 100 feet from Caldwell Road. Shot the deal right down. Councillor Deveaux brought Mr. Gallagher down. Mr. Gallagher at that time, was under the impression that the elevation was going the other way 'round, instead of going upgrade it was going downgrade, so once he seen it with his eyes, he said there's

Mr. Godbout: some mistake and he brought it back to 500 feet or so. It didn't help my sale, he was gone, so then I got the idea of perhaps going back to the commercial aspect of it. They told me here that if I spent 300 dollars and advertised it that we'd see what opposition we got so they've done that. I've had a lot of people drive up to me and say it is an essential service that I was intending there and wished me the very best. I only have 2 more points. What I'm asking for is what I bought and paid for. It was General Zoning when I bought it and I paid a good price for it and I require this zoning in order that I can keep on negotiating with Home Hardware and maybe make this here a reality.

Councillor Baker: If you're successful would you be requiring help?

Mr. Godbout: Yes, quite a number in future years.

Councillor Poirier: Mr. Godbout it states in this report that you plan to have a hardwood store, a Home Hardware store and the gentleman previous to you said something about there had been consultations with Home Hardware. Was it just consultations or is this something sure?

Mr. Godbout: We are definitely aiming at the Home Hardware franchise.

Councillor Poirier: Well it strikes me as if there are 3 businesses. There's a hardware business, there's a building supply business and there's an apartment business.

Councillor Sutherland: Considering the fact that the land was General when you purchased the property did it ever occur to you that maybe the appropriate thing to do would be to apply for a commercial zoning to protect your investment during the course of the years, let's say from '72 on.

Mr. Godbout: I was always under the impression that in General Zoning I was able to do a commercial business.

After further questioning of Mr. Godbout by Councillors, Warden Settle called for further speakers in favour of the rezoning to come forward. There was no response. Warden Settle then called for speakers opposing the rezoning to come forward.

Robert Lynch: My name is Robert Lynch, I live across the road from Mr. Godbout's new home at the corner of Himmelman and Sydney Crescent and when I bought this home, I paid good money for it. Now I bought this place last year, in May, hoping - which I didn't check and maybe that's my fault, that it was going to be a residential area. I work in the City of Dartmouth, I moved out of the City of Dartmouth to get away from the commercial, the apartment houses, the congestion, to Eastern Passage for a residential area and I am definitely opposed to having a tract of land in that shape go commercialized. I realize that up over the hill and not too many doors from me is a few commercial buildings. There's a man has a body shop there who makes his living there, fine, he was there before I was. There's a chap up there has a welding shop. Up over the hill from me is the institutional property and the fire hall. Commercializing that area of Eastern Passage, I think, in my opinion, is wrong. We have down the road, not too far from us, a golf course. Between that and us I think it should be all residential. I think the opposite side of Caldwell Road from where I live should be residential, not commercial. I don't think that it's the proper time to rezone a piece of land in that area in that shape for commercialization.

Councillor Williams: Sir your biggest fear then is that your property would go down in value if this land was rezoned?

Mr. Lynch: Yes.

Mr. Trider: My name is Paul Trider, I live on the Cow Bay Road. I don't know if I'd care to say I'm against it or for it. There is a few questions on my mind about the building being built. There is a small existing road, Murray Road, off Caldwell Road where this place is to be built. Is it big enough to take the traffic? Another thing is there is two schools in that immediate area and I have one small child attending there and, you know, you've got to look at the traffic problem. Talking about apartments, would they be properly suited for fire protection-wise such as sprinkler systems, so on and so forth along that route. Another part was the old A-23 building. There was talk or I heard talk at one time about subdividing it for people owning trailers at a later date. If that be the case, at a later time, why so many commercial buildings in the area? There are two there now in Cow Bay. Every time I turn around there's a new place here or a new business going up here. I'm not in a position to say I think it is good or I think it isn't good and I think there's a lot of possibilities there to look at. We've got an Old Age Home there and we've got two schools there, one elementary and one junior high.

Councillor Lawrence: I want to ask Mr. Trider where the Murray Road goes. It goes to Cow Bay and it doesn't seem to have any development on it in the photos we've seen or on the drawings we've got. Has it had development towards the Cow Bay end?

Mr. Trider: No, it is a dead end with no exit on it to that route. It is an access road off the Cow Bay Road. It is maintained by the Department of Highways.

Several Councillors questioned Mr. Trider and Warden Settle called for any more speakers opposing the application to come forward. There was no response.

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

"THAT the Application No. 12-79, request to rezone lands of Edward Godbout located on the Caldwell Road and Murray Road at Eastern Passage from R-2 (Residential Two Family Dwelling Zone) and R-4 (Residential General Zone) to C-1 (Commercial Local Business Zone) be not approved."
Motion Defeated.

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

"THAT the Application No. 12-79, request to rezone lands of Edward Godbout located on the Caldwell Road and Murray Road at Eastern Passage from R-2 (Residential Two Family Dwelling Zone) and R-4 (Residential General Zone) to C-1 (Commercial Local Business Zone) be approved.
Motion Defeated.

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

"THAT the rezoning Application No. 12-79 be approved from R-2 (Residential Two Family Dwelling Zone) to C-1 (Commercial Local Business Zone) of the land between the boundary of the Caldwell Road to the existing rear boundary of the R-2 lands."
Motion Carried.

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

"THAT Council adjourn."
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING

Monday, August 13, 1979

Present Were: Councillor Baker
Councillor Benjamin
Councillor Cosman
Councillor Eisenhauer
Councillor Fader
Deputy Warden Gaetz
Councillor Lachance
Councillor Lawrence
Councillor Lichter
Councillor MacKenzie
Councillor Margeson
Councillor Poirier
Warden Settle
Councillor Smith
Councillor Sutherland
Councillor Topple
Councillor Walker
Councillor Williams

The meeting was opened at 7 p.m. by Warden Settle with the Lord's Prayer and Mr. Kelly called the roll.

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

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

Public Hearing re Application No. 10-79 and Application No. 16-79

Warden Settle explained the format of the public hearings and called upon Mr. Gough of the Planning Department to outline the first application.

Mr. Gough: The first application No. 16-79 is from the residents of the Bell Park Subdivision being at Preston, Halifax County, request to zone from an unzoned status to R-1 (Residential Single Family Dwelling Zone). We wish to advise Council that this zoning amendment was advertised as prescribed under the terms of the Town Planning Act and we have received no written letters against nor have we received any letters in favour of the proposed amendment. The report recommends that the application to zone a portion of the Bell Park Subdivision at Preston from an unzoned status to R-1 (Residential Singel Family Dwelling) be approved by Council. To give a little bit of background to Council possibly we can say that there had been a portion of this subdivision that had previously been zoned Mobile Home Park and it had been zoned a few months ago back to R-1 since no Mobile Home Park had been developed. At the present time the majority of the subdivision is being developed in a residential nature. There's one single mobile home in the area and there is approximately seven houses.
Mr. Gough pointed out the area on a sketch projected on a screen.

Councillor Sutherland: What is the land use of Lot A-2? Is it single family?

Mr. Gough: Yes.

Councillor Sutherland: Is there any reason for exempting that?

Mr. Gough: I'm afraid I don't know.

Councillor Cosman: On the Lot A-2 was the advertisement inclusive of Lot A-2 or exclusive?

Mr. Gough: To the best of my knowledge, Lot A-2 was excluded from the ad.

Councillor Cosman: So it will not be changed as of tonight.

Mr. Gough: That's right.'

Councillor MacKenzie: Is there any other area in here that has any zoning or is it just General?

Mr. Gough: The land adjacent to this proposed subdivision would be unzoned until you get out close to Highway 7.

Warden Settle called for any person in favour of the zoning to come down to the stand and speak.

Bob McFarlane: My names is Bob McFarlane and I live on the Eastern Shore. I've been involved with development of that particular subdivision, Bell Street, and it's been common knowledge and a fair measure of concern of the people that are now living in the subdivision as well as prospective buyers for the subdivision that the subdivision be changed over to an R-1 zoning.

Warden Settle called for anyone opposing this application to come forward. There was no response.

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

"THAT the Application No. 16-79, request to zone a portion of the Bell Park Subdivision, located on Bell Street at Preston from an Unzoned Status to R-1 (Residential Single Family Dwelling Zone) be approved."
Motion Carried.

Application No. 10-79

Warden Settle called upon Mr. Gough of the Planning Department to outline this application.

Mr. Gough: Regarding Application No. 10-79, being Lots A, C and a portion of Lot G3D, lands of L.E. Shaw Limited and St. Paul's Home for Girls, located at or near Bedford Industrial Park, we wish to advise Council that there;s been no written objections pertaining to this proposed amendment nor has there been any letters in support of it and it has been advertised as prescribed under the terms of the Planning Act. The Planning Staff are recommending that the application to change from an Unzoned Status to I-1 (Industrial General Zone) be approved. Possibly to give you a littlebit of the background information the actual plant, as we understand it, had been built in the early sixties by the L.E. Shaw firm. It was outside the zoned area, which was within the Bedford Industrial Park, it was formerly known as Municipal Spraying at that time. The By-Law had been amended which meant that any industrial uses required rezoning. The plant had become vacant for approximately a year. The applicants now wish to sell the plant and the new owners propose to make renovations. In order to do this the rezoning was necessary since the zoning had been carried out approximately two or three years ago. The original staff report had been submitted to the Planning Advisory and the Council and there had been a request for an addendum which is attached to, it being the last page or two of the report. The addendum was actually at the request, I believe, of Councillor Cosman who had asked that the Department of the Environment be asked what their thoughts were on it and so on and we wish to advise, and it's being circulated throughout, that the Applicants have a permit and there's a water test which is also attached from the Department.

Mr. Gough pointed out the area on a sketch projected on a screen and on a sketch pinned to the wall.

Councillor Baker: Is this quite a ways from the road?

Mr. Gough: Yes, on the travelled portion of the road it would probably be the best part of half a mile.

Warden Settle called for persons in the gallery who wished to come forward and speak in favour of the application.

Robert Shaw: My name is Robert Shaw, I'm with Clayton Developments. My address is 30 Addison Place, Dartmouth. Clayton Developments being a subsidiary of L.E. Shaw Limited, I wish to speak for this. Pyramid Structural Concrete have operated on the site since, I believe, early 1964 at which time the industrial use was permitted under the General zoning. As was noted the amendment permitting industrial use in the General Zone in 1974 allowed the facility to continue on a non-conforming basis but the plant, for concrete production purposes at least, did stop production about late 1977. We now have, as a company, an option agreement with another company. We wish to sell the property and the point of the industrial zone suddenly came up as an encumbrance to that and, having investigated further, we found the situation as Mr. Gough has described with the maps, we find ourselves immediately to the right of an existing industrial zone but not capable of having an industrial zone so it required the public hearing and we made the submissions.

H.W. Klohn: I'm H.W. Klohn and I'm President of Strescon Limited and as Mr. Shaw already pointed out we have options on the Shaw property and on the St. Paul's property and , subject to decisions tonight and so on we intend to proceed and modernize the existing shop and expand it and start a new pre-stressed, pre-cast concrete operation here in Nova Scotia. We are in this business and have been in it in New Brunswick for the last 15, 16 years and have grown to be the largest pre-stressed concrete manufacturer in Eastern Canada east of Montreal.

Councillor Benjamin: I'm just wondering if you would inform us as to the amount of labour force you will have in this particular plant.

Mr. Klohn: Our studies show that we would start with approximately 30-35 people at the commencement of operation and we hope it will grow into a substantial labour force, possibly 80 to 100 people within five years.

Councillor Sutherland: Mr. Klohn, this might be a bit of an unfair question but I'm wondering how close to the shore of Rocky Lake could you see your development extending?

Mr. Klohn: The reason we took an option on the St. Paul's property is from the experience we gained in New Brunswick. We were of the opinion that the Shaw property in itself was too small to allow us to operate and expand properly and when we looked at the property we became convinced that we had to acquire more land and that's why we took the St. Paul's option. We asked for enough land so that we could allow a zone along the lake to leave in it's natural state, which we intend to do. We basically would operate from Duke Street towards the lake, but leave a piece of the trees and so on along the lakeshore untouched.

Councillor Sutherland: My second question is in connection with the lagoon system. There's nothing going to be involved, it's just a holding pond for your waste which flows back into the soil through a swamp area or whatever the case might be?

Mr. Klohn: That is right.

Councillor Cosman: Mr. Klohn, what is the nature of the effluent that will be discharged into the lagoon and what's the holding capacity of the lagoon?

Mr. Klohn: The amount of effluent is very, very small. The only time we would have any effluent is when we wash our concrete mixers out, which is in the evening before the plant closes down, and the effluent would contain some cement residues and that would be it.

Councillor Cosman: So that's a daily washing of how many gallons?

Mr. Klohn: I would guess possibly 40, 50 gallons of water a day would be the very maximum.

Jack Bathurst: My name's Jack Bathurst, Chairman of the Planning Committee, Bedford Service Council. Having noted that the environmental aspects have seemingly been thoroughly investigated and present no problems, and having noted that this type of development is in general conformity with the overall development in industrial and commercial areas that we foresee for the Bedford area, I would like to just say that the Bedford Service Council would be in full support of this application. It seems to conform to our general overall planning for the development of the Bedford area.

Warden Settle called for speakers in opposition to this application. There was no response.

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

"THAT Application No. 10-79, request to zone Blocks A & C, Lands of L.E. Shaw Limited and a portion of G-3D, Lands of St. Paul's Home for Girls, located in the Bedford Industrial Park at Bedford from an unzoned status to I-1 (Industrial General Zone) be approved."
Motion Carried.

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

"THAT Council adjourn."
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF SPECIAL SESSION OF COUNCIL

Tuesday, August 28, 1979

The Special Session was opened by Warden Settle with the Lord's Prayer and Mr. Meech called the roll.

Mr. Meech read the Report of the Finance & Executive Committee re the Green Paper entitled "Fiscal Justice" with their recommendations.

Councillor Lawrence inquired as to what the Municipality's attitude is to be on a whole considering the recommendations of the Finance & Executive Committee and Warden Settle replied that the County is in a deficit position. He pointed out that there is a 'grandfather clause' wherein no Municipality will suffer but will be guaranteed what is being received now but that leaves a growing Municipality hurt financially in terms of inflation.

Councillor Fader noted that any growth in a Municipality would be a burden on the taxpayers. He said that the Municipality could live with it for a few years provided there was no growth.

Mr. Meech stated that the Report does not come out totally against the Paper but one of the key things that shows up is that the Green Paper addresses itself to the business of trying to relate the grants to community form rather than on the basis of whether you're city, town or rural municipality. How the funds will be distributed and allocated is a problem. He feels that the key in the Paper is the move in the direction towards unconditional grants.

Councillor Cosman asked how the priorities would be ironed out. What type of internal problems would incur in rural municipalities with a lot of needs in terms of sewer and water dollars. Also what type of impact would this have on the grant structure for a new town, looking toward the incorporation of Bedford next July.

Warden Settle replied that he sees little fiscal justice in it because the grant per unit will be so much higher than a rural area and Mr. Meech interjected with the fact that an urbanized community would be entirely responsible for its fire protection, police protection, et cetera.

Councillor MacKenzie said as he sees it this will force the rural areas into the urban areas.

Councillor Deveaux suggested that the area rates will have to be raised to provide the same services as those being received at the present time.

Mr. Meech explained that, based on this proposal, the amount of funds that will be available to the County of Halifax for capital projects will be very minimal. While the County might be eligible for 1.9 million then taken off from that is the amount which is presently received under the Municipal Services Act and that's where you come up with what's available to the County. Each year the fund is, presumably, going up at the rate of 5 percent per year and then as a proportion of the debts are paid off presumably the amount will grow each year but in the case of Lakeside, Beechville, Timberlea if this paper was implemented and these are the only funds available to do that project, it will never be done, or it will be 10 or 15 years down the road.

Councillor MacKenzie stated that recently Council threw out the Municipal Development Plan and it seems to him that this Green Paper smacks of similar situations as the Municipal Development Plan and is dictating the way in which the County is going to develop.

Councillor Eisenhauer stated his concern is with the fringe areas of the urban municipalities.

Mr. Meech suggested that in the future he feels that the tax rate differentials that now exist between the towns, cities and rural municipalities will begin to narrow. The towns and cities have been saying for years that the present grant structure favours the rural municipalities and he sees that this paper is going to start turning this around.

Councillor Williams sees the Green Paper in a favourable light and feels that it would allow small communities to grow as they see fit.

Councillor McCabe felt that this would be detrimental to his rural area.

Mr. Meech replied that, looking at the figures, it's the urbanized parts of the rural municipality that are going to feel the impact.

Councillor Poirier observed that this Paper tells the rural area and the urban area what's going to happen but communities such as hers don't seem to fit into any slot. The grants are not going to be there to accomplish everything that is necessary.

Councillor Sutherland inquired whether it would seem fair to assume that areas such as Waverley and Lakeside, with unusual difficulties, could go to the Province to negotiate separate and apart from any Fiscal paper.

Warden Settle thought that the last three Ministers of Municipal Affairs have recognized the fact that those situations, which existed long before this Paper, should be negotiated separately.

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

"THAT an Ad Hoc Committee be set up comprised of the Chairman of the Finance & Executive Committee, Mr. Meech, Mr. Wilson, the Chairman of the School Board, the Warden of the Municipality and a representative for Municipal Affairs. The task of this Ad Hoc Committee would be to sit down in the next 10 or 12 days and assess what exactly is the impact of this Fiscal Justice Paper on this Municipality as a whole, because of its diversity, and as a result of that Ad Hoc Committee to come forward with a recommendation to go to the Union of Nova Scotia Municipalities."

Motion Carried.

Councillor Lachance said in supporting the resolution he feels that, as Halifax County is the largest Municipality in Nova Scotia there is an onus on the Councillors to establish some type of official response, be it Halifax County White Paper or whatever and show some leadership within the Union of Nova Scotia Municipalities to this paper. It's a major step and he agrees with Mr. Meech that this is a shift in policy back to the city core area where services can be supplied at less cost.

Councillor Sutherland reminded Council that the deadline given by the Provincial Department is August 31st and Councillor Lachance stated that he doesn't feel that they should be pushed into a situation without being properly prepared.

Councillor Wiseman noted that the whole idea behind this Paper would be to develop basically a user/pay system whereby the urban communities would be paying for the services that they get. Sackville has a tax rate that is comparable to the rate that's in the cities yet they haven't nearly the quality of service that the cities enjoy.

Mr. Meech suggested that this is something which should be examined.

Councillor Benjamin said that the Finance & Executive Committee is not recommending the rejection of the Green Paper but is expressing its concerns as it affects Halifax County. He feels that an Ad Hoc Committee can do more than the Finance & Executive Committee can do and have done. He would rather have the resolution of the Finance & Executive Committee accepted.

Councillor Lawrence suggested that Council should not panic on the deadline set by the Province. On the agenda for the Union conference there is a speech by the Minister of Municipal Affairs on the Green Paper and 3 hours set aside for questions. The conference is going to be influential on how the Department reacts to the reactions of all the Municipalities in the Province. She did not feel that the Province is going to solidify its position until they hear the things said at the conference.

Councillor Margeson stated his concern that the grants are going to be very inequitable between urban and rural communities.

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

"THAT a letter go to the Minister of Municipal Affairs stating Council's intentions."
Motion Carried.

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

"THAT the discussion of the Derelict Vehicle Program be deferred until next Council Session."
Motion Carried.

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

"THAT Council adjourn."
Motion Carried.