

in it. I think we shouldn't close our options. So I think it is very important, at this time, to retain the integrity of Cole Harbour and specifically the Forest Hills as part of Cole Harbour, so I would rather see us take a third of Section 6 there and Section 5 rather than the other way around. I think, with respect to this paper which you see in front of us which I say I support generally, I think it's important to stress in that, that maintaining the integrity of the County borders as such is extremely important because I think we shouldn't support any more parts of the County disappearing until we can actually just see the whole picture. The school question is very important. I know I've talked recently to most of the people in the 15 houses that are in the third that Dartmouth wants to annex and most of them would rather stay in the County because of the Giles School, however in the wider issue, whichever way it goes, that's a very important question which, if we don't ask it, certainly somebody else will. So I think perhaps that what may result from all this is that eventually there'll be another study to supersede the Doane Report of whenever it was, of '76, to look at the whole thing because I know one last thing about petitions, I've known personally - actually with any petitions for example it's very difficult to have the pros and cons. It's very hard to make a choice in the absence of all the facts and of course the facts are not known in many cases and there are certainly many aspects of any talk of this nature of annexation which take an awful lot of study and work to sort out. So anyway, in summary Ladies and Gentlemen, thank you for letting me speak here. I would say let's keep Cole Harbour together now but let's pay very much attention to the urban side of our County, the parts that are staying with the County in the future. Thank you.

Councillor Topple: Madam Warden, members of Council, I endorse a lot of what Councillor Stewart says however I'm not going to agree with him on everything, I don't think that's why I'm here, any more than I will agree with all the rest of the Councillors on different matters. I will support any particular area in the County when they're trying to achieve betterment for their citizens but not beyond what I can be expected to give my residents. I think this is the position I've always taken and I would like to suggest to Rick the same should apply as a new Councillor. We're here to represent the people of Halifax County and provide them with as much as we can within their capability to pay and I think this is the position we must take. I realize the problems we've had in Forest Hills and perhaps in Sackville we could say, and I think that although the County has been getting it in the neck in most cases I don't think the County have stood up and defended themselves. I don't think, perhaps, we were strong enough, the County's image was never good enough and I hope that's going to change in the near future. I think it's a case of bigger governments walking all over us, doing what they wished, and I believe that most of the problems we're faced with here - and I'm not afraid of pointing the finger - they're direct problems created by the Nova Scotia Housing Commission. I sat in on some of the hearings, or a portion of the hearings at the Board of Public Utilities and some of the comments I think the Solicitor should take note of. I think he will, perhaps, be presenting the Municipality's point of view, will you not? And I would look at some of the comments here in this report of Mr. Bayer, City Engineer, and I think some of the arguments he's using are not relevant in that they are really not correct. He makes the remark that the administering of problems would involve such things as lot approval, engineering standards, variation, school administration and taxation. He goes on to say people related problems would include such things as emergency calls, for instance the fire. Well the people in Cole Harbour, Westphal and in the City of Dartmouth and in the City of Halifax all use the same fire call number in an emergency, so I don't see how fire would be a problem. We have excellent fire protection in our area and I don't see that the people in the annexed portions, if they were to join the City, would get anything better. He goes on to say police protection - again I say that we have excellent police protection, I don't see that we would have anything better or those people would have anything better. Garbage collection, there's no problem with that. Snow removal, I think we have better snow removal than the City has presently. I think this could be evidenced right in the Wildwood Lake Subdivision. So I would tend to suggest to the Solicitor that those comments perhaps we should be indicating that there would be no additional benefits there. I think, too, he mentions the maintenance of sewer and water services. Well, there again I would have to say that the County seems to be doing a pretty good job. They don't own the systems and yet they're maintaining them so I don't think we're too bad in that regard either. I also noted he goes on further to say about the schools, that there is space at Mount Edward School for 160 children. I read a piece in the paper last week where the Superintendent of Schools in the City of Dartmouth would like to, perhaps negotiate some space with the Municipality of the County of Halifax. He was anticipating that they wouldn't have enough space and I would assume that he is suggesting that if this is annexed they might want the students from in that area to come into the Municipality to school. At least that's the way the article read. I think the other area in the report that I find, in one section there, conflicts with another, Finance Department's comments regarding annexation proposal. Due to the small size of the area involved the monies received from taxation or area rates would be insignificant in overall budget for the area and County, I don't think that's correct. If you look back to the page before the Recreation Department are saying secondly, due to the loss of taxation revenue from the properties annexed to Dartmouth, there could be an increase in the taxes for the remainder of the residents in Forest Hills in order to provide the same level of service, so one conflicts with the other and again I think the Service Commission projecting budgets were looking at the projections out of this particular area that the City are trying to annex and it would be a loss of revenue in that regard. Regarding the schools again I'm personally of the opinion that the Municipality should be looking toward sharing of schools with Halifax and the City of Dartmouth. I think the total municipal-

ties. We have to look in this direction now. The cost of schools is just getting out of hand and we're building schools when we have empty classrooms and I think it's time we did look at this. I, again, don't mind my children being bussed if it means bussing them to Halifax if they're going to get a good education and I think we have to look at dollars and cents today. I agree that they talk about properties being bisected, that's one of the advantages in going along with the change in annexation. I also would like to remark on Rick's comments before that keeping the total Forest Hills community together, I am also strongly convinced that we must keep the total Cole Harbour community together. I feel that that's the way the community has been going for years. I realize the situations some of the new residents find themselves in and I hope it can be resolved to the satisfaction of everybody expecting that, in the end, we'll all be working for the same cause, I think, in the community. We in Westphal are prepared to work with the community of Cole Harbour. The other concern I have is the proposal, Recommendation 2, which talks of our annexing of portions of the City owned lands, namely Wildwood Boulevard, the Nantucket properties and the Gerald Greenough Subdivision. I think I said before, in the other Committee meetings, that I was really of the opinion that we should keep the whole Forest Hills community together and perhaps, again, if we're tidying up boundaries, then these other communities could be considered but before that would take place I think it should be recommended to the Board of Public Utilities that those people in those particular subdivisions should be polled to their point of view or consulted on their point of view of joining the Municipality of the County of Halifax. I think that's not completely known, although I do know some of the residents approached us, some of the residents from the City owned lands in Wildwood Boulevard approached us when we made a presentation some years ago in Dartmouth about annexing part of the City, that they would like to be included. So without any further long drawn out discussion those are my comments for annexing the other way.

Warden Lawrence: Can I just ask the Solicitor when you are committed to appearing before the Public Utilities Board?

Solicitor Cragg: The hearing is reconvening, Madam Warden, on the 29th, which is Thursday. We possibly may be heard on the 30th as well. If we are heard on that date we should be prepared, at least some time during the 30th with commencing our portion of the hearing - in other words calling evidence. We have set aside, as well, the 13th of December and possibly the 14th. The matter may or may not be wound up by that time but conceivably we could be in to our portion of the hearing by the end of this week. We are going to reserve the right, as we have the right to, to be heard last.

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

"THAT Council adjourn and resume Wednesday evening."
Motion Carried.

Councillor Topple: Madam Warden again my concern is that when we do come back with this on Wednesday that it be in the order to go with the Solicitor to the hearing. I think that's important that we make a decision at that time to go with this point of view or a similar point of view to the hearing. I think that's important that we don't put it off again.

Warden Lawrence: That meeting begins Wednesday evening at 7:30 so that will be the second item on the Agenda that evening.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING MINUTES

Monday, November 26, 1979

Present Were:

Councillor Walker	Deputy Warden Poirier
Warden Lawrence	Councillor Williams
Councillor Baker	Councillor Deveaux
Councillor Stewart	Councillor Topple
Councillor Adams	Councillor Gaetz
Councillor MacKenzie	Councillor McCabe
Councillor Lichter	Councillor Benjamin
Councillor Margeson	Councillor MacKay
Councillor Curren	Councillor MacDonald
Councillor Wiseman	

Rezoning Application No. 15-79 - Request to zone and rezone Blocks D, E, and a portion of Block F, lands of Rocky Lake Quarry Limited located on Duke Street and Mann Street in Bedford Industrial Park, Bedford, Halifax County from R-1 (Residential Single Family Dwelling Zone), R-4 (Residential General Zone) and Unzoned Status to I-1 (Industrial General Zone).

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

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

"THAT Estelle Hiltz be appointed as recording secretary."
Motion Carried

Solicitor Cragg: Madam Chairman and Councillor Benjamin, this application was advertised as per the provisions of the Planning Act but it was advertised as a block and it was referred to as one particular application, as Application No. 15-79. Although there are three different parcels it was advertised as one application, therefore it will have to be dealt with as one application. The resolution will have to be one dealing with them all.

Warden Lawrence recapped the rules of the Public Hearing and requested Mr. Campbell of the Planning Department to outline the application.

Mr. Campbell: As the Warden has already outlined, this application is for three blocks of land within the Bedford Industrial Park in Bedford. The zoning is from R-1 and R-4 and Unzoned Status to I-1 (Industrial General Zone). This application was advertised according to the provisions of the Planning Act and one submission was received in response to this advertisement, which has been placed with the Clerk's Office. The background information as relative mainly to the fact of an application from Rocky Lake Quarry Limited, I'd like to point out that the name of the quarry doesn't have anything to do with the actual application. Our understanding is the intent is not to be a quarry operation but just that that is the name of the company involved. The application, as requested in a letter from the solicitor of this company states "We wish to advise that my client was of the opinion, until only recently, that all their land in the area of Rocky Lake was zoned I-1, Industrial Use. As you are aware Block F is presently, in part, zoned I-1 and the application would be consistent with this zoning. With respect to Blocks D and E as stated, my client was unaware of the change in zoning and, accordingly, are requiring the rezoning of I-1 as their use in the future would require I-1 zoning. You will note that Block D and E are immediately adjacent to Block F and other lands of Rocky Lake Quarry Limited which presently have the I-1 zoning and, accordingly, their zoning would be consistent." A number of comments in this refer to the block and I'll put up, on the screen, a land use plan showing where the blocks are located in reference to the solicitor's comments. There is no indication, from the applicant, as to what use might be placed on Lots D and E. The only other comment we have about those two lots that front on Duke Street is that the road going in between them, it has always been our understanding, is that it is intended to be taken over as a public highway. The Nova Scotia Department of Environment was generally satisfied with the rezoning of this property, it had no definitive statement on it. The Public Works Department of the Municipality state that they cannot see any reason why it cannot be favourably considered. The Atlantic Health Unit of the Province of Nova Scotia says that, since this development is in a serviced area they would not directly be involved unless, of course some development took place outside their serviceable area and it would have to meet with their approval. Municipal Affairs for the Province of Nova Scotia states that the lots in question are eligible for Regional Development Permits and, finally, the Planning Department of the Municipality, we recommend that this application be approved. Our main reason for approval is the area's location to the rail lines, also we have no figures on the potential for industrial development in this area but, as

can be seen from the existing land use map, this area is predominantly industrial or heavy commercial and we would like to encourage a centralized development of industrial uses.

Councillor Curren: Is there no concern that truck traffic, trucks loading or unloading, could not cause a problem to the access of the high school, number 1. Number 2, was the Municipal School Board consulted and did they have any comments and Number 3, what was the zoning of Lots D and E prior to the rezoning?

Mr. Campbell: The access as we understand it, will be taken over by the Province and be a provincial road. Whether or not it will cause conflict with the school in terms of safe access to and from the school, I would say that perhaps there is a potential there. The existing entrance, however, to the school is already heavily travelled and will be heavily travelled by the industrial uses that were already in existence when the school was built or when the site was chosen, so whether or not that causes a further threat or further possibility of conflict it's a difficult question to decide since the school buses and people travelling to and from the school already have to use a road which is basically an industrial access. The second question, to the best of my knowledge the School Board was not contacted on this application. Lots D and E, now if you'll look at page 4 of the Zoning Report you will see that the lots, Block D was zoned R-4, that would be General Residential. Block E was a combination of R-4, General Residential and R-1, Single Family Residential. The R-1 portion came as a result of the zoning of the unzoned lands in Bedford, so it's a combination of two zones.

Councillor Curren: Just one point on that, my question really was, prior to the rezoning of the lands to R-1, what was the zoning for that region, prior to the rezoning of that land.

Mr. Campbell: Oh, prior to that small portion being rezoned it was an unzoned status of a General zone. The R-4 zoning that is on Block E and D came into existence in 1973.

Councillor Deveaux: You mentioned earlier that portions of these lands in question or either all of them or a portion had been rezoned several years ago?

Mr. Campbell: Yes, a portion of Block F. Again looking on page 4 a large portion of Block F is already zoned Industrial. This area has had industrial activity in it, I believe, for more than 30 years.

Councillor Deveaux: Was there some rezoning that took place in D and E?

Mr. Campbell: Yes, a small portion of Lot E was zoned residential when the Unzoned lands of Bedford Application came before Council less than 12 years ago.

Councillor Deveaux: And that request from the people of Bedford?

Mr. Campbell: That request, yes, came through the Councillor for the area.

Warden Lawrence asked if there were any further questions from Council and there was no response. She called for speakers in favour of the application in the gallery to speak.

Gary Widmeyer: Madam Warden and Members of Council, my name is Gary Widmeyer, I am the comptroller of Rocky Lake Quarry Limited which may be known to many people here better in the area, in terms of the work that it performs, as Municipal Spraying and Contracting Limited, which is an associated company or one of the group of companies that is located in the Industrial Park. With me today, is Mr. Peter McKeigan who has assisted me with this matter of rezoning. As I said I am the comptroller and we are the Applicant company in terms of the rezoning.

Mr. Widmeyer went on to explain the history behind the company and property.

Up to 1974 the main industrial park area was in a G zone and Rocky Lake was of the opinion, until only recently, that the landholdings were zoned I-1 or G. This is, in fact, true for a portion of Block F of our application which is, in fact, presently in a part G and a part I zone. In 1978, when Council was attempting to eliminate G zones as best as possible to obtain better control via holding zones or an R zone, which would force controlled development in various areas of fast growth within the County, through lack of attention, I would say, on behalf of our company we missed that. The R-1 change took place with a portion of our land, shown in this application as, I believe, Block E. In explanation of the various blocks, originally Block D and E were connected and a number of years ago before the R-1 change took place, that entire block of land was part in a G zone and part in an R-4 zone. The sale of the 66 foot right of way for the access road which caused the event of breaking that original tract of land into D and E, as is shown on the application. As I say, originally it was all one tract of land. I comment very briefly on the report from the Planning Department which, in our opinion, was favourable in all respects in the recommendation, summing up, that therefore the Planning Department supports the zoning and rezoning of Blocks D, E and a portion of Block F to I-1 Industrial Zone. The Planning Department has already noted the general satisfaction of the Department of Environment, the comment that the Public Works has started its statement by saying that the lands subject to rezoning are located in the Industrial Park which is a recognition of the area and its intended

use. The Atlantic Health Unit verifies the proper services are, in fact, in place, these services were at the cost of Municipal Spraying and Rocky Lake. They were installed, so far as sanitary and water service, as part of our Industrial Park development. Municipal Affairs designates that the land is eligible for Regional Development Permits. I further submit some comments that were prepared in a joint brief from the Bedford Board of Trade and the Bedford Service Council, which was instituted and chaired by District 17 Councillor, Francene Cosman, at the time, and I quote from that report concerning the Municipal Development Act, on 2.2. "The location of land zoned for industrial uses, there are 6 presently zoned industrial in Bedford." Number 6 was quoted as being the Waverley Road Industrial Park adjacent to Rocky Lake. Their comments go as follows: "the area surrounding the Waverley Road Industrial Park should be considered in relation to Burnside Industrial Park in Dartmouth. The crucial factor in the area is the existence of good rail and road services. Also the area is not heavily populated." Recommendations: "that the area of Bedford, bounded by Rocky Lake, the Bi-Hi, Bedford By-Pass be zoned Industrial all the way to the Dartmouth City Limites, however the existing residential areas along the Waverley Road should adequately be buffered from the industrial area green belts, good design, adequate landscaping of new developments." I short I would comment that the main area in Bedford for industrial development is, in fact, our Industrial Park. It's contained in one main area and it is the future tax base or generator for taxes for our new town. The High School problem. I comment briefly on the Planning Department Report, the new Charles P. Allen High School and I quote: "That new Charles P. Allen High School is located on lands presently zoned R-1 and R-4 which are directly adjacent to Blocks D and E. It is unfortunate that the site chosen for this facility was next to a previously existing Industrial Park as the approval of this application would result in the school's proximity to an even larger parcel of industrial land." Our company certainly concurs with the comments from the Planning Department insofar as the school site was unfortunate but we ask not to be restricted or penalized because of it. Rather than being negative concerning the location of one close to the other I suggest that possibly in the future that, through business development and interest, that possibly ways may be found to be of asset to students in finding employment or various forms of plant tours or education as it relates to industry. Traffic was addressed to us a little earlier. I might comment insofar as Blocks D and E, that the best access to these lots is certainly Duke Street as it is a wider and more trafficked route, a better traffic route rather than to have to turn onto the side street that leads to the High School. I further suggest that traffic can be discounted somewhat because most of the students that will be attending the high school, unfortunately, must be bused, rather than walking or having to walk in areas of heavy traffic. I post to you the following zoning options we have considered. Certainly an R Zone is not logical for development or sale of R land between the high school and the industrial park for what resident would really wish to live there. Commercial zone was also discounted insofar as commercial zones by definition suggest both retail or wholesale outlets and I ask you what restaurant, beauty salon, service station or boutique would like to locate there. Rather than that we're suggesting that, as an industrial zoning, although the lot sizes of Block D and E are not adequate for any major plant, such as an oil refinery or a large manufacturing concern, the land use is certainly of a size and location suggesting a light industrial enterprise opportunity such as woodworking, printing, small assembly type of industry. Our rezoning application was submitted on May 10, 1979. Since that time, Bedford, or District 17, has been recognized as the Town of Bedford. It presently has a newly elected mayor and town council which will take office in July. We respect and support the new town status however, we would like to proceed with this zoning approval to promote land sales and further development on land which has approved zoning, we would like our approval now. The Mayor and Council Elect have been informed as to our application that is before you this evening and I hope that they will express their feelings. I understand their main concern is one of building permits being issued prior to their taking office insofar as there is no specific designation of the kind of enterprise that would be placed upon the industrial zoning, particularly in the location of the high school. Respecting their concern we have suggested to the Bedford Council and Mayor Cosman that we would undertake to delay the request for a building permit on that particular property, on Blocks D and E, until July 1st, 1980 and that any sale that would be generated in the meantime would obtain the covenant such that it would not be eligible for the request of a building permit at this time. I thank you, that's the completion of my presentation as it relates to the rezoning.

In response to questions by Councillor Curren, Mr. Widmeyer stated that in the By-Laws of the County, there are provisions that if, in the event an access is a public nuisance or will cause some problems along that line a permit can be refused and the same consideration would apply to access on that side street if the Town of Bedford felt it was going to cause a problem or nuisance and they may very well feel that way with the location of the school and if their By-Law is similar to the County's By-Law I would suggest they have the authority to prevent that.

Councillor Deveaux: We're looking at rezoning a portion of Block F which is general at the present time. Is that in use at the present time?

Mr. Widmeyer: Yes. Presently located on the unzoned portion of Block F are the main repair shops for Municipal Spraying and associated companies and G & H Steel leases a section of the property located in the unzoned portion of Block F.

Tom Innes: My name is Tom Innes and I live in Bedford and as Deputy Mayor of Bedford I would like to say a few words on behalf of Bedford's new Town Council. We did, in fact, as a Council

discuss Rocky Lake Quarry's application for this rezoning and came to a majority decision to endorse the application. As a Council we feel it is necessary for Bedford to encourage industrial and commercial development in Bedford to upgrade our tax base and we'd like very much to see development in this area where it is isolated in an industrial park and hopefully we would see a quality type of business go there so that it wouldn't upset the high school students at all. What we are basing our majority decision to endorse it on is that in the application for a building permit one of the considerations being underlined here in the requirements for an I-1 Zone is that a commercial or industrial enterprise would be built except when, in the opinion of the building inspector, the operation would create a nuisance or hazard to the public. We consider, of course, the high school and the students, the public and if, in fact, the applications were not applied for until we were in place, we would, in fact, as a Council be responsible for the permits and I'm sure that there would be no problem in anyone arguing against us refusing a permit if we felt it was detrimental to the students.

Councillor Gaetz: Is it not possible to put another access into this property other than Duke Street and then keep the traffic away so that it wouldn't interfere with buses and one thing and another going into the school?

Mr. Innes: What we were led to believe was that it was expressed to the County that another access be put into the school but Municipal, or Rocky Lake Quarry in this case, were instructed that if, in fact, they did not sell the right-of-way because of only a 300 odd foot distance to the sewer that they installed for the industrial park that it would be expropriated so it was sold to the County.

Solicitor Cragg: There's a procedure whereby the Building Inspector here, or presumably, the Building Inspector for the new Town can exercise his discretion in determining what a nuisance is. He has that authority and if someone doesn't agree with his decision they can appeal, in the Municipality's position, to the Municipal Building Board - but it's a very wide thing. The definition of nuisance, I know, in Black's Law Dictionary, is extremely wide.

Warden Lawrence called three times for any further speakers in favour of this application. Receiving no response she then called for speakers opposed to the application.

Betty Coolen: My name is Betty Coolen. I am representing the Board of Trustees for Charles P. Allen and 800 students and their teachers. We are talking in this case, of a 5 million dollar school and I am very concerned about the safety of these children. Now we are not talking about just bused students, we are talking about children driving and children, a lot of children, walking. I cannot be reassured that these Blocks D and E are not going to be industrial and safe with our children. I'm not here to protect the industrial park or otherwise, I am more concerned what is going to happen to our children coming and going from that school and what is apt to be in front of that school once they start going to school, because right now they are not attending this school yet. In the proposed road into the school, now I understand from previous comments that we cannot be reassured that there would not be access from these Blocks D and E to the road into the school. I feel that this is mandatory, this is nothing that can be considered a nuisance, this has to be reassured because if it comes up again and the question of nuisance isn't straightened away then we are going to have a nuisance and it will be a safety factor to the children.

Councillor Stewart: Madam, did you bring these concerns to your new Council?

Mrs. Coolen: Yes, they are aware of my position.

Councillor Topple: Were the trustees involved when the school was proposed for this site?

Mrs. Coolen: I am newly elected to the Board of Trustees and I understand at the time there was a great concern for the position of the high school. The trustees were active.

Councillor Deveaux: As far as the industrial park, certainly we took that into consideration but it is, in effect, across the street. The land where the school was built is R-1 and R-4 and, in essence, in my opinion anyway, the portion of the industrial park which is there at the present time, you could say, is in reality divorced from the school grounds.

There was further discussion between Councillors and Mrs. Coolen.

Norman Redbeck: Norman Redbeck is my name, I live at 4 Franklyn Court in Dartmouth. I happen to be the Chairman of the Lands Committee of St. Paul's Home for Girls which owns a large tract of land surrounding that school, in fact, did sell the land to the School Board. I can say, with full assurance to the Board, that we would be more than willing to give a second access to the school, which would be a continuation of Mann Street because it would be in the interest of the school, it would also be in the interest of St. Paul's Home for Girls' lands. Thank you Madam Warden.

Judy Manchester: My name is Judy Manchester and I live in Fall River and I'm here tonight in the capacity of a concerned parent. Many of the parents in our area feel that a poor choice of

site was made for the school. That's water under the bridge. We're trying to make the best of it now and we're looking forward to our beautiful school but we don't want to see what we have spoiled by having it surrounded by industrial development. The two lots, Block E and Block D, are the only parts that I personally take exception to but they're locked all into one package. I was very gratified to hear the last speaker's remark. It certainly is nice to know that we can have an alternative access road because there's another high school in the County that has problems with an access road. Those are the only remarks I wanted to make, thank you.

Warden Lawrence called three times for further speakers opposed to the Rezoning Application and there was no response.

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

"THAT Application No. 15-79, Request to zone and rezone Blocks D, E and a portion of Block F, lands of Rocky Lake Quarry Limited located on Duke Street and Main Street in Bedford Industrial Park, Bedford, Halifax County from R-1 (Residential Single Family Dwelling Zone), R-4 (Residential General Zone) and Unzoned Status to I-1 (Industrial General Zone) be approved."
Motion Carried.

Councillor Benjamin: I am very much opposed that we should have the entire zoning as it is portrayed here tonight as one solid block. I think that the application should have been split. I could vote for the rezoning of the lands known as F, that is quite in order with the industrial environment around it, but the D and E area should not be allowed to go industrial, knowing that the school is in behind that, in that road, is a very poor choice of planning. I'm surprised that the Planning Department would classify this as one solid block. I'd see it as quite distinct. There's a road in between, how it can be classified as one block of land is hard for me to realize. I would say that this application should be rejected tonight and that they reapply for the area down at the end which should be the industrial area. Block E and D should remain either as it is or even changed to commercial, but I point out to you that industrial land leaves us wide open for industrial uses. An industry could go in and use that land without the proper permit. Because it's their land they could store unsightly equipment on their land. We have a big corporate industry in the name of Municipal Spraying providing a lot of jobs, generating a lot of tax dollars for the area and we appreciate these corporate citizens that come in, but I say to you that corporate citizens have a responsibility as well. I'm not saying for one moment that Lot D and Lot E are going to cause an environmental nuisance but what I'm saying is that it is not compatible to the school site. The school site went in there knowing that it was R-4 and R-1, that's why the School Capital Committee chose the site, and now we're creeping over into their lands with industrial uses. I think that they're asking for troubles in the way of safety problems and I can't foretell what type of industry will go in there but I must say if it's R-4, R-1 I don't think they're going to have the objections from the parents whose children will be attending Charles P. Allen School. We realize it's industrial and I hope that this industrial use will be advantageous to the school but I'm sure the students could walk down that little 300 foot road, across Duke Street and go into the industrial development across the other side. We don't have to have the industrial site right on the doorstep of Charles P. Allen School and therefore I'd ask you Councillors to consider the possibility of rejecting the motion.

Warden Lawrence: Members of Council, Councillor MacKay wants to speak and Councillor Topple but perhaps before we go any further we should ask the Solicitor for the boundaries with which we are operating. As I understand it this is a composite rezoning request for three different blocks and it's always been my belief, the Solicitor can correct me if I'm wrong, that Council can rezone less than the total amount being asked for.

Solicitor Cragg: Madam you're correct. Councillor Benjamin I don't think the three lots in question were treated as one block of land but instead were treated as three blocks of land forming one application. That application can be treated in three different portions by one motion. In other words you can zone one Industrial and two others C-2 for example.

Councillor Topple: Madam Warden, Council, I listened to Councillor Benjamin but I'm afraid I must take the opposite point of view. I feel that we have a situation here, if you look at the properties along the front, the East Coast Building Supplies, an auto wrecking yard, that's a great thing to have, and LeGay Fibreglass, Municipal Spraying, Speedway Express - you look at the whole area, it's pretty much industrialized now and I've always treated most of these applications in the interest of the present status of the existing community and I think, if you look at it, this is pretty much an industrial area and in fairness to those industries who have developed here and have invested large sums of money, I think they must have some protection as well. Again I view the zoning in the area we're talking about, I believe it's R-4, which is something that Bedford seems to have too much of. This is perhaps helping the new Town of Bedford in getting rid of some of that R-4 zoning and giving them something that they can work with that is revenue producing. I further would suggest that the school is in the wrong place, if it comes to that, originally it was in the wrong place but I tend to agree with Councillor Lichter in his remarks before that it may be in an ideal place as far as the types of industries that may go there. I would think, again, that the Deputy Mayor of Bedford, in his comments he seems

to support this type of zoning and I would think it, again, is perhaps good for Bedford because tax dollars from industry are a lot nicer to have than from residential. I do know, when it comes to dealing with the principles involved, I remember dealing with Mr. Widmeyer in my own particular district who represented the Willow Contracting Company and I must say, from his comments here and from his actions in my district, he is a man of his word. Again I think the zoning does provide for that type of undesirable development whereby the Building Inspector can refuse a permit if it is considered for that particular area and I would assume that Bedford, with their new regulations, would have much the same type of control. I don't see that industrial zoning there is going to be any worse than if you reduced it to commercial. The commercial could, in some cases, produce the worst type of business in the area. I think the industrial zoning would perhaps give it a better type of development. I would support the motion. I think it's a good use for this particular property.

Councillor Curren: I want to remind Council that potentially there may be problems or situations that may develop here. I'm most concerned that the one authority that should have the greatest interest in the school location and that would be the Municipal School Board who will, after all, be opening and operating the school in a few short weeks, were neither consulted or represented tonight. I would point out that the Bedford School Board is not, as yet, an official board. I agree with the comments that the area is an Industrial Park and the developer certainly has a right, if you wish to use that terminology, to develop and certainly I have no concern with Block F. However, I do share Councillor Benjamin's concern regarding Lots D and E. The other point about the second access, if the second access will be considered I think it should be from Number 2 Highway and not an extension to Main Street.

Councillor Deveaux: Yes Madam Warden, for the benefit of Councillor Curren, I'm fully aware no final decision has been made as to who will be taking over the school. If it had already been decided it would be Bedford then perhaps it would be easier to make a decision this evening. There is one statement in the brief presented by Planning where it states in the 4th paragraph of page 9 that the owner was not aware that all his lands in the Rocky Lake area were not zoned industrial. I don't see what bearing that has on the decision this evening. Certainly, in my opinion, the owner - I feel that that is part of his duty, he should have been aware, when he bought the land, what was zoned Industrial or R-4 or whatever the case may be. I wholeheartedly agree with Mrs. Manchester. Regardless of which way you look at the situation, rightly or wrongly, and as far as I'm concerned it was done rightly, the school was built there and it was built by the Municipality of the County of Halifax and I feel we have a duty, we're duty bound to protect that area. It doesn't indicate to me that it's imperative for the people who have requested the rezoning to go across the street, at this time, and rezone two small portions of land. I have no objections to the portion in Block F. As I stated earlier we took into consideration what was across the street. I speak from experience, there's no guarantee, as has already been stated here this evening, with all due respect to the owners of the properties and I don't doubt their integrity by any means, but the whole parcel of land could change hands tomorrow. There's no guarantee what eventually will be placed on those parcels of land. Another portion I would question this evening, with all due respect to the newly elected Deputy Mayor of Bedford, Council here last week supported a request from them to ask the Provincial Government to put a moratorium on building of apartment buildings. If indeed the owners of these lands go ahead with their proposal at the present time, a woodworking or a printing shop or whatever the case may be, I feel quite safe in saying that probably an apartment building would bring in more revenue than two outlets of that type would. Finally it was stated that there may be an opportunity for school children to go to some of these outlets, whatever, as the ones that are proposed and it may be useful along those lines. Certainly, in my opinion, there's enough facilities there to keep the students busy without having to go out and work or look around in workshops in the area. There's no doubt in my mind this will increase traffic, regardless of what type of industry or commercial outlet goes into those two blocks and I really have no objections whatsoever to approving a portion of Block F.

Councillor Stewart: Your Honour Madam Warden, Councillors, Ladies and Gentlemen, I realize the position of Bedford Council Elect and our Planning Department and what's been suggested may be the best thing to do. However I've also heard it said that as far as building, actually, on these lands there's no rush and I also am cognizant of the fact that the people who spoke here tonight, involved with the School Trustees and other groups, have grave reservations here and it seems to me at times, if people are involved and, as I understand it, the school will serve not just Bedford but other areas as well, surrounding areas. I agree with Councillor Benjamin in the fact that I don't see why we have to cast the die with these blocks as a whole. In other words if Block F could be approved, for which I see no objection, Blocks E and D could surely be looked at later and if, in fact, people wish more input into it they could have it.

Councillor Benjamin: We have to realize that this is a Regional School and we have to realize that perhaps the outside areas in the County, our students are going to be bused to the Charles P. Allen School while students in the immediate area of Bedford will be, in all probability, walking along Rocky Lake Road, turning up Duke Street into the school. There are the people that I think we should be concerned with, the safety factor as pointed out before, and we know that somewhere along the line we have to realize that this school went there knowing the existing zones, which are R-4 and R-1 and now we are thrusting upon that school a hardship by changing the zoning to industrial and I don't think that is good planning on the part of us lay

people, as Councillors, trying to make a decision. Also it was pointed out, by the representation in favour of this at the start, that the industrial zone was serviced by rail and that is one of the factors why it should be industrial. Lot E and D are not serviced by rail. They will be serviced by trucks and those trucks will go the same route that our students will be travelling, whether they're walking or being bused, so we could be developing a situation that we'd regret.

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

"THAT the motion be amended to read Block E and Block D not be included."
(Motion ruled Invalid)

Warden Lawrence: The Solicitor is going to rule on whether that's a valid amendment, to delete Blocks D and E.

Solicitor Cragg: Madam Warden, I don't believe it is. As I stated before all three lots make up the application. We must deal with the application. I think, to give effect to the intent of your motion you could suggest, after having defeated this motion of course, that F, for example, could be zoned I, the other two blocks could be zoned something else, C-2, remain as R-4, what have you. But I don't think your amendment as stated is valid.

Councillor Williams: Now I know this area quite well and I have known it since the Army days so I'm quite well aware of the situation. I'm also wondering what has caused the great concern of the children at the present time, this walking from Bedford to this school. If I remember rightly, there are 3 or 4 trailer operators that haul motor homes, houses, you name it on that road. There's an elementary school just down the road from this site. Now it's not that far away. It's the same Number 2 highway and the elementary school's on the same road and the children have to walk to that and the same children eventually are going to be walking a little further to the high school. I can't buy this concern for the children - why haven't they had this concern before? What bothers me is we are losing this - in another 3 or 4 months time we are losing this whole kit and kaboodle piece of property. It belongs to Bedford and Bedford has told us they are willing to go along with this application. Now for some unforeseen reason we suddenly begin to balk and I can't understand why. A few months down the road Bedford will make the decision but I don't think we have to let Bedford make the decision. I think we're here tonight to make that decision. It's been advertised, duly advertised as one parcel of land, why are we changing it the night of the hearing? I certainly feel that the concern for the children walking from Bedford is not number 1 priority at the present time. The children have been walking to that elementary school for a good many years right now.

Councillor Topple: Madam Chairman, I would like to put it back to the Solicitor because we've done it before. I think what Councillor Benjamin is asking for can be done. This is an application and I understand that we can reduce the size of the zone but we can't add to, now is that not correct?

Solicitor Cragg: What we have here Madam Warden and Councillor Topple is one application. It's made up of three blocks of land. We can play with those three blocks of land within the one application. We can make the zoning - for example for E and D - something more restrictive, like C-2. We don't have to make it industrial. We cannot make it anything more restrictive than industrial, however. But we can't just take Blocks E and D and delete them from the application completely or defer them. If we wish to defer the whole application we can by motion at this time but, if we're not going to, if we're going to deal with the motion we must deal with the motion as it relates to the application, which happens to be made up of the three blocks.

Councillor Topple: So what you're saying, in other words, if the motion were defeated then another motion could come in approving of one block only.

Solicitor Cragg: You could for example, approve the I zone on Block F and some other zone, such as C-2 or C-1, for the other 2 or you could leave them R-4 but you can't just take them and leave them out. They can stay as R-4 but you must deal with the 3 lots because the 3 lots make up the one application. You can achieve different results by dealing with the one application in different ways.

Deputy Warden Poirier: I share Councillor Williams' remarks. Had I not heard from the Deputy Mayor of Bedford maybe I wouldn't think this way but apparently the Deputy Mayor is representing the Council of Bedford and he seems to be in approval of this application as put forth tonight. I also wonder if we're not a little over-concerned about something - maybe we're afraid of something that isn't really there. Councillor Topple has vouched for the developer, he's had some experience with him before, they've put this application through. I think when you are a developer and you own land you have some kind of a right to know what's going to happen to it, you need this and you need to be able to look down the road a little bit and I do think, if the school were there and this land was zoned industrial, there's no question in my mind with traffic signs, that there would be caution used by any driver. I feel that I would have to support the motion as it stands now.

Councillor MacKay: Madam Warden, fellow Councillors, Ladies and Gentlemen, I agree with some of the points that were raised here but I do believe the developer is being restrained at the present time. He has money in his lands, invested in it, and I can see no other use as investment for his land. I can't see it being developed as residential, I really can't see it being developed in light commercial with hairstyling or across-the-counter trade and I'm recommending very strongly that you support the use of this being industrial.

Councillor MacDonald: I support the motion.

Application of Hillyard S. Shaffer and Freda A. Shaffer - Request to rezone lands of Hillyard S. Shaffer and Freda A. Shaffer, located at 937 and 939 Herring Cove Road at Herring Cove, District 5 from R-2 (Residential Two Family Dwelling Zone) to C-2 (Commercial General Business Zone).

Warden Lawrence requested Ms. Smith of the Planning Department to outline the Staff's report.

Ms. Smith: This application has been advertised as prescribed under the terms of the Planning Act and we've received 7 letters in opposition to this application as well as numerous phone calls. If Council so wished Mr. Kelly could read these letters following my presentation. These letters were received from Mr. C. Dempsey, Mrs. F. Power, Mrs. M. Marsman, Mrs. George Power, Mrs. Josephine Lloyd, Kelly Lloyd and Mrs. Maurice Godbout. The property in question is located on the Herring Cove Road just slightly past a small lake referred to as Long Pond and the Halifax city limits would be just off the map down towards where Long Pond is so it's not that far from the city limits. General land use in the area is predominantly single family dwellings, as denoted by the "S's" on this plan. The only non residential uses in the immediate area would be Colt Industries Repair Shop to the bottom of the map and Halifax Automatic Sprinkler Limited which is located and shown on the plan as outlined in black. Existing zoning in the area is predominantly R-2 (Residential Two Family Dwelling Zone) as you can see from the small "v's". The area towards the bottom of the map that's blank is unzoned. Mr. Shaffer has advised us that he's requesting this rezoning in order to permit the renovation and expansion of his existing business, which is Halifax Automatic Sprinkler Limited which he's been operating from this site, being 937 Herring Cove Road, since 1967. The business involves sale and installation and servicing of fire protection sprinkler systems, some prefabrication basically, which involves the cutting and threading of a variety of pipes et cetera. The applicant wishes to reconstruct a new building on the second parcel involved in this application, the size of this new proposed structure being approximately 12,000 square feet. This new structure, aside from the previous business operation I just mentioned, would also involve a retail outlet for the sale of smoke alarms and fire extinguishing devices as well. The application was initiated when Mr. Shaffer applied for a permit to expand his existing building which has an area of roughly three thousand square feet and he discovered that he was of a nonconforming status because his business was located in an R-2 Zone. This zoning was instituted in 1974, mainly through the efforts of the Herring Cove residents as well as the Municipality. It was a very long and involved process and the application eventually ended up before the Provincial Planning Appeal Board who, at that time, substantially reduced the number of commercial zones along Herring Cove. Mr. Shaffer's property was not one of them, it has always been and it always was the intention that it be R-2 zoning. The two properties in question being at 937 and 939 Herring Cove Road comprise about 40,000 square feet together and if this rezoning application is successful the two lots will have to be amalgamated into one. The Department of Public Works has stated that the lots are capable of being serviced with sewer, although the water mains are not extended to that area. The Building Inspection Department has no objection, they have determined that this use is a commercial use and would therefore be permitted under C-2 zoning. The Department of Municipal Affairs have stated that they would also consider this use to be a commercial use and it would also, therefore, be eligible for a Regional Development Permit for the construction of a new building. The Planning Department is recommending that this application be rejected and our reasons are as follows: The zoning and rezoning of the Herring Cove Road, which was accomplished in 1974, was the result of detailed planning and considerable discussion and effort on the part of the residents in the area. In addition to this the zoning plan was adopted by Council and reviewed by the Planning Appeals Board so all three of those bodies have been, or were at that time, in favour of this area going to C-2. At that time Mr. Shaffer's business existed. Throughout the zoning process the residents of Herring Cove expressed strong feelings against commercial development along this area and have historically supported lack of commercial, or to keep commercial out of what is traditionally a very historic and scenic community - commercial uses of this type I should add. It is important that, although the amount of commercial zoning under the zoning plan was minimal, it's important to note that the Appeal Board, as I previously stated, further reduced what was originally proposed. They further reduced the C-1 zoning that was proposed under the original zoning plan so they also felt that commercial zoning should be restricted in Herring Cove. One of our final points is the fact that we feel that this type of operation, which may have leanings toward light industrial use, is not a suitable use for this location. We feel that it is not a local commercial use, it serves a retail market, that being the Halifax Dartmouth area, and as such should probably be located in an area that is presently developed with light industrial and commercial uses. We also feel that, because of the history of the Herring Cove area and the traditional feelings of the residents in the area, as well as the noise and unsightly appearance of this type of use, that again it should be located in a more suitable location. Thank you.

Ms. Smith, in response to an enquiry from Councillor Wiseman: We've not actually seen any kind of drawings of the design of the building, we've seen a rough sketch of what the area will be in relation to the lot size but nothing else. I gather from Mr. Shaffer that it is his intention to try to alleviate the problem of storage that he's presently experiencing and incorporate an area for storage within the new building, so that it won't be as unsightly.

Warden Lawrence called for speakers who wish to speak in favour of the application.

Hillyard Shaffer: Madam Warden, Councillors, Ladies and Gentlemen, my name is Hillyard Shaffer. I live at 25 Winston Drive in Herring Cove. The reason for asking for the rezoning is that our intent is to modernize the building in question and increase the size of it in order that we may house the present materials that we have around the exterior of the building to enable us to handle it in a way that the elements will not interfere with the operations of the company. The land was purchased in 1967 as a General Building Zone and it was intended to operate in the same manner in which we are today. I personally had taken a petition to several of the neighbours in the area which they appeared to agree with and thought it would be a great thing for the neighbourhood as a whole to improve the appearance of the area. Our intent is to expand the present building into a pre-engineered type of structure, and provide a showroom area for the special fire protection devices which we handle. This operation has been going on since 1968 and we therefore feel that it should continue. I appreciate the fact that in 1974 this area was zoned R-4. Unfortunately I did not live in the neighbourhood. My work took me to various parts of the Atlantic Provinces and of course gave me a limited amount of time to apply for what they refer to I believe, as spot zoning. At the present time we have 12 piles of pipe on the front portion of the building. Our intent is to house these on the inside of the building and improve the front and the complete structure.

Councillor Baker: How many people do you employ there Mr. Shaffer?

Mr. Shaffer: We have, at the present time, 9 people.

Councillor Baker: Are you hooked up now or do you intend to hook up to the sewer line?

Mr. Shaffer: We have a connection to the sewer line.

Councillor Baker: Do you have ample parking?

Mr. Shaffer: Yes, we do.

Councillor Baker: Would there be any annoyance to the people living handy, as much as in the past I might say, because I had a few complaints about banging pipes around and using other things outside the building. Do you intend to put those inside the building?

Mr. Shaffer: Our intent is to house the entire operation that we now have outside inside the building.

Councillor Baker: And to upgrade the building?

Mr. Shaffer: That's true.

Councillor Baker: What kind of building do you propose to put there?

Mr. Shaffer: It's a pre-engineered, well I'm not advertising, I could refer to it as a popular type building with a steel exterior.

Councillor Baker: There'll be no noise to the neighbours?

Mr. Shaffer: Not to any great degree, no more than traffic or any other noise that would be passing through the area, buses and whatnot.

In response to an enquiry from Councillor MacKenzie, Mr. Shaffer: Well, we have to look at the economics. It was our intent to modernize the existing buildings and expand onto the existing property, which would mean that the other buildings would probably have to be clad. That really depends on the economics but we do intend to have a complete new exterior in front of the building.

Councillor Baker: Mr. Shaffer, if this application is approved I would like to see trees planted along the boundary line from the road, between the neighbouring houses. Could that be done or would you do that?

Mr. Shaffer: I can assure you that will be done.

Councillor Topple: Mr. Shaffer, the land - was that land zoned after you were using it?

Mr. Shaffer: Yes. When we purchased the land it was zoned as General Building and this

building was rezoned as R-2 or R-4 in 1974.

Councillor Topple: At that time did you make any representation at the rezoning hearing?

Mr. Shaffer: No, unfortunately I didn't. I lived in Hubbards at the time and like I said I did a considerable amount of travelling and unfortunately I just was not in touch with local happenings in the area.

Councillor Topple: Is your business today expanding to the extent you feel you might need to expand on the property?

Mr. Shaffer: Yes. It could mean that we could conceivably employ anywhere from three to four more people.

Councillor Topple: Would you ever anticipate that you might some day have to move off the property if you need more room?

Mr. Shaffer: No, I wouldn't think so. The area we are contemplating would house anything that would be carried out in the Atlantic area.

Warden Lawrence called three times for further speakers in favour of the application and there was no response. She then called three times for speakers opposed to the rezoning request.

Mrs. Josephine Lloyd: Good evening, I'm Mrs. Josephine Lloyd and I live at 935 Herring Cove Road where we built our home 37 years ago. Mr. Shaffer's property is on both sides of my house and in the back. You've just heard him say he had nine employees, now can you imagine nine employees juggling pipes around all day long and then saying he's not bothering the neighbours? And he knows that every neighbour in the neighbourhood's been on his back. I've lived there - I've worked for the last 25 years to build what I have. If I have to get out the County's going to have to support me because I'm a part time worker.

There was considerable discussion between Councillors and Mrs. Lloyd.

Councillor Deveaux: If he does take his pipes and other equipment inside don't you feel perhaps that would cut down the noise level?

Mrs. Lloyd: This place where he is building, it's behind my house and it's unsightly. He has garbage galore piled there and there was an official out from the Municipality last, probably October. He told them he was cleaning it up by Christmas. It's still there.

Councillor Baker: Madam Chairman, this is why I suggested that if this building permit was approved that this stuff would be gathered up and put inside the building. Then we could probably use our Unsightly Premises Act and have the rest of the debris cleaned up.

Mrs. Lloyd: That won't cushion the noise will it? We had a very bad summer this year, with the racket from Shaffer's.

Councillor Baker: What I'm trying to do Madam Chairman, is improve the situation. That's why I asked to have trees or something planted so they could separate the property.

Arthur Canning: My name is Arthur Canning, I live at 950 Herring Cove Road and I should say first of all that I have especially come here tonight to speak for Mrs. Lloyd, Mr. Baker's sister. Now the situation here is that she seems to be in a very vulnerable position in regard to her home. I would just like to say that I have come to realize that the word zoning is the most important single word and situation that we have to deal with in our area of District 5. In the zoning controversy approximately 6 or 7 years ago the point was made by residents desiring R-2 zoning in our area, and more noticeably perhaps in the village proper, that the strip of highway from Esso Road to the Long Pond area, to the juncture of Herring Cove along the Ketch Harbour Road and towards Bear Cove anchored in the zoning for the whole Herring Cove area. I have begun to realize that this is true and that the village concept of Herring Cove and adjacent areas being protected to provide recreation and decent living space for people, adults, children and young people is correct and necessary. I believe I also see something somewhat additional in the fact that our present R-2 zoning anchors in the village concept of Herring Cove. I believe it also anchors somewhat in the whole District 5 to the Sambro and Grand Lake area even if necessary, and that any amount of commercial spot zoning becomes an accomplished fact and in reality on the Herring Cove Road from Esso Road down, the village and residential concept of living could be lost forever in this district. Therefore I believe we should retain our present R-2 residential zoning in the strictest sense, expand our recreational and improve opportunities for young people wherever possible, preserve what we have and what we have already accomplished. Thank you.

Councillor Deveaux: Mr. Canning, you realize, of course, if this application is turned down that legally Mr. Shaffer is able to continue his operation.

Mr. Canning: Well, I'm not saying exactly that myself I don't think. What I'm saying is, when I say in the strictest sense, I'm saying somewhat perhaps what Mrs. Lloyd is saying, that there's perhaps been a situation created here that's not too good. Now I think the point involved is that if one person suffers because of zoning or because of noise or different things that perhaps Councillors, officials involved with the area, would perhaps take a very close look at it, that's the way I look at it myself personally. Now as far as turning down the application, I would like to make a statement here that I was involved in the spring, and in the last year or so, in speaking in politics about work creation and the mistake I'm speaking of is I actually signed the paper for Mr. Shaffer to create new work, let's say. Since that I've come to the realization that I think I was wrong and I believe that the issue here is just so vastly important that it really does anchor in the whole area here and we just have to stop and take a second look at things like this.

Councillor Deveaux: Well, to the best of my knowledge if we turn down the application to expand he could still carry on legally in its present form. There's no way we could stop that, he's non-conforming, he has been for years so you're not really solving that problem. There is a possibility, and certainly it may be remote, I don't know, that by approving it maybe we will improve the situation. Now as far as the noise goes I agree with you. Now our Noise By-Law probably needs revamping or certainly needs to be enforced more than it has been in the past. We do have Noise By-Laws and they're there, hopefully, for the protection of the residents. There was mention made about the unsightly premises, now I understand by some of the pictures that were passed around in the Council that some of these unsightly premises don't all belong to Mr. Shaffer, that they're on other properties surrounding the area, is that correct?

Mr. Canning: That's right.

Councillor MacKay: Do you live very close to this business?

Mr. Canning: Yes I do.

Councillor Williams: Mr. Canning you heard Mr. Shaffer say that he'd be willing to put the pipe and equipment in back of the building so it wouldn't be unsightly from the front. Are you against this move? Don't you think that is a good gesture on his part? The fact is that he can still stay there regardless of what we do tonight.

Mr. Canning: I'm sure it's a very fine gesture as long as it doesn't bring additional zoning with it. As long as it doesn't bring a heavier type zoning with it.

Councillor Williams: The reason he's really asking though, don't you think that he's protecting his men? He's got nine men employed. Nine men most probably with families and children. Doesn't this mean something to you if he has to relocate or he has to get out? Doesn't it mean hardship?

Mr. Canning: I'm not saying anything about relocating sir.

Councillor Williams: Well, he certainly creates noise and he would have to relocate. If he just can't get what he's looking for today - he's going about it the proper way.

Mr. Canning: He has been other places with his business. You're making the point here that the neighbours should say that Mr. Shaffer is creating a nuisance. We're not saying he's creating a nuisance, all we're saying is, in this case, that we're asking that he not be given the additional zoning he's asking for. It has nothing to do with him creating a nuisance. Mrs. Lloyd is saying he's creating a nuisance. She has stated that openly here tonight. The point I ask you to appreciate is the fact that if she was saying it and if she was believable or not. If she she's a lady who's sincere about what she was saying.

Councillor Williams: Why, Mr. Canning, are you against him getting a C-2 zone?

Mr. Canning: Because I don't believe there should be any commercial zoning along that strip of the Herring Cove Road.

Councillor Williams: He's already there and he can't be removed so why not let him stay there and why not give him his zoning?

Mr. Canning: I'm not saying he can't stay there. You're noting that he's there Councillor Williams. I know he's there too, so do a lot of other people

Councillor Stewart: How long has Mrs. Lloyd been living there?

Mr. Canning: Somewhere between 35 and 40 years.

Councillor Topple: Mr. Canning, you're operating a non-conforming business as well, I understand.

Mr. Canning: Yes.

Councillor Topple: When the R-2 zoning was placed on the area, did you, at the time, oppose it?

Mr. Canning: No sire, I didn't oppose it.

Councillor Topple: You're not opposed to it, in other words?

Mr. Canning: No, I'm somewhat in between.

Deputy Warden Poirier: Mr. Canning, there's just one thing I'd like to ask you, is your business your sole source of income, that you have on the Herring Cove Road?

Mr. Canning: It is at the present time, yes.

Deputy Warden Poirier: If anything happened to your business, for instance if it were burned out, do you realize you'd have to have a rezoning?

Mr. Canning: I know that, yes. I'd be willing to suffer the consequences.

Warden Lawrence called for further speakers in opposition to the application.

Mrs. Godbout: Madam Chairman, Ladies and Gentlemen, my name is Mrs. Godbout and I reside in Sackville. I was brought up in the Herring Cove area and I was just wanting to bring up one point and that is, if Mr. Shaffer had been in the area for 12 years and he's never done one thing to make the area that he's operating on an attractive area, what makes us think that this rezoning is going to change his mind and he's going to start taking care of his land and making it look presentable?

Kelly Lloyd: My name is Kelly Lloyd, I live at 935 Herring Cove Road. First of all, Mr. Shaffer said that he had parking for his employees. He doesn't have any because they're lined up on the Herring Cove Road on both sides and he said he had 9 men working for him. Yes, he does, he has 2 in the shed, the rest are in Greenwood and there's so much grease in his yard that if anybody dropped a match our house would be burned up and the water is backed up in our cellar and there's rats running over from in his area. They're as big as cats.

Warden Lawrence called three times for any other speakers opposed to this rezoning application and there was no response.

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

"THAT the Rezoning Application No. 22-79 be rejected."
Motion Carried.

Councillor Baker asked to be excused from voting because of a conflict of interest.

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

"THAT Council adjourn for 5 minutes before discussing the next item on the Agenda."
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF SPECIAL COUNCIL SESSION

Wednesday, November 28, 1979

Warden Lawrence called Council to order and opened with the Lord's Prayer. Mr. Kelly called the roll.

It was moved by Councillor Gaetz and seconded by Councillor Adams:

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

Warden Lawrence: We're here this evening to discuss two items, the first of which, I believe, should be our submission as a Municipality to the Planning Act Review Committee (PARC) and the second is the Staff Report which we had tabled on Monday on the PUB hearings and the matter of the possible annexation of a portion of the Forest Hills development, so beginning with the potential submission to the PARC do all members of Council have this with them? It has a covering sheet on the front which is an introductory couple of paragraphs and then it goes into the point by point items.

It was moved by Councillor Wiseman and seconded by Councillor Gaetz:

"THAT Council go through the items section by section, with the Planning Staff outlining the meaning of each part."
Motion Carried.

PART I ADMINISTRATION: Section 2(1) and (2). Mr. Gough read this submission and answered questions of Councillors.

There was a great deal of discussion by Councillors.

It was agreed by Council that they move on to the next section.

PART II REGIONAL DEVELOPMENT PLANS: Section 4(1). Mr. Gough read this submission and answered questions to the best of his ability as he wasn't sure what Councillors meant.

Warden Lawrence explained the reasoning behind the submission.

Mr. Gough explained to Councillors that Council had requested Planning Staff to try to bring something back to Council and read a covering letter which the Planning Department had written to Council, enclosing the Report from the Planning Department.

It was agreed to move on to the next section.

Section 4(2). Mr. Gough read this submission and explained it to Council. It was agreed by Council to leave this submission in.

Section 5(1). Mr. Gough read this submission and explained it to Council. There was discussion by Councillors regarding this section.

It was moved by Deputy Warden Poirier and seconded by Councillor Smith:

"THAT Section 5(1) of Part II Regional Development Plans be deleted from the submission to the Planning Act Review Committee."
Motion Carried.

Section 6. Mr. Gough read and explained this submission. There was a great deal of discussion by Councillors concerning the responsibility for payment of this advertising.

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

"THAT this section be amended to read the financial responsibility for such advertising would be that of the Director of Community Planning."
Motion Carried.

It was agreed by Council that the submission to Section 6 be approved as amended.

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

"THAT submission to Section 6, as amended, be deleted."
Motion Defeated.

Section 7(1). Mr. Gough read and explained this submission.

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

"THAT Section 7(1) be deleted from the submission to the PARC."
Motion Defeated.

Section 10: Mr. Gough read and explained this submission. It was agreed by Council to leave this submission in.

PART III MUNICIPAL DEVELOPMENT PLANS: Section 12(2). Mr. Gough read and explained this submission. It was agreed by Council to leave this submission in.

Section 22: Mr. Gough read and explained this submission.

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

"THAT the submission re Section 22 be deleted from the submission to the PARC."
Motion Carried.

PART IV ZONING BY-LAWS: Section 33(2)(b). Mr. Gough read and explained this submission. It was agreed by Council to leave this section in.

Section 33(2)(c). Mr. Gough read and explained this submission. There was considerable debate by Council regarding this submission.

It was moved by Councillor Stewart and seconded by Councillor Tople:

"THAT Section 33(2)(c) and Section 33(2)(b) be deleted from the submission to the PARC."
Motion Defeated.

Section 34(1). Mr. Gough read and explained this submission. It was agreed by Council to leave this submission in.

Section 35(1). Mr. Gough read and explained this submission. It was agreed by Council to leave this submission in.

Councillor Margeson noted that he is still not satisfied with Section 11 under Part II Regional Development Plans.

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

"THAT Section 11 of Part II Regional Development Plans be deleted from the submission to the PARC."
Motion Withdrawn.

PART VIII NON-CONFORMING USES: Section 47(5). Mr. Gough read and explained this submission. It was agreed by Council to leave this submission in.

PART IX SUBDIVISION: Section 49(8)(e)(i) and (ii). Mr. Gough read and explained this submission.

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

"THAT Section 49(8)(e)(i) and (ii) be deleted from the submission to the PARC."
Motion Defeated.

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

"THAT the submission to Section 49(8)(e)(i) and (ii) be amended to read that the 10 percent apply only to the R-4 Zones."
Motion Defeated.

Section 49(13). Mr. Gough read and explained this submission. There was a great deal of discussion by Councillors regarding this submission and Councillor Deveaux felt that any change would defeat the rectification of the problem in his area.

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

"THAT the words 'Due to various situations which have arisen in the Municipality of the Halifax County as a result of the installation of Municipal services' and 'but which is

serviced by Municipal Sewer and Water' be deleted from the submission to Section 49(13)."
Motion Carried.

There was a good deal of discussion regarding this submission.

Councillor Wiseman suggested that the submission to Section 49(13) should be reworded in order to make sense and Warden Lawrence requested Mr. Campbell reword that paragraph.

PART X PROVINCIAL PLANNING APPEAL BOARD: Section 51(2). Mr. Gough read and explained this submission.

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

"THAT the first sentence of the submission to Section 51(2) be deleted."
Motion Carried.

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

"THAT the submission to Section 51(2) be altered to show that it's a Provincial Planning Appeal Board and to eliminate the word strictly."
Motion Carried.

Mr. Gough advised that the structure of the submission to Section 49(13) now reads: This Section should be changed so that a subdivision taking place on a private "lane" or private "right of way", which is not owned or maintained by the Provincial Department of Highways. This approval would allow the subdivision to be considered for approval by the Development Officer of the Municipality provided all other statutory requirements are met. Agreed by Council.

Section 52(2). Mr. Gough read and explained this suggested amendment. Agreed by Council.

PART XI GENERAL: Section 61(1). Mr. Gough read and explained this suggested amendment.

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

"THAT the amendment to Section 61(1) be deleted."
Motion Carried.

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

"THAT Warden Lawrence be responsible for making this presentation, on behalf of the County of Halifax, to the Nova Scotia Planning Act Review Committee."
Motion Carried.

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

"THAT Council adjourn."
Motion Defeated.

It was agreed by Council to carry on with the Report to Council by the Planning Department with regard to the Application of the City of Dartmouth for Annexation of a Portion of Phase 6 of the Forest Hills Land Assembly.

Warden Lawrence: This Report, which was tabled on Monday, I believe Councillor Stewart has some suggested amendments to it.

Councillor Stewart: Well Madam Warden, just a couple of things of detail. In our discussion on Monday evening the Report recommends a more equitable solution would be for the County to annex the remainder of Phase 6, 5, the Wildwood Subdivision, the 3 lots referred to as Nantucket Properties Limited and the Gerald Greenough Subdivision from the City of Dartmouth. I believe some of us, on Monday, just questioned why the 3 lots referred to as Nantucket and the Gerald Greenough Subdivision had to be included. I think the original intention, as far as I remember, was simply the remainder of Phase 6, 5 and the Wildwood Subdivision. Possibly Staff could just address this particular point.

Mr. Campbell: The reason that those areas were included, if we look at sketch number 5, an attempt there was to round out the communities. Some of the problems already given as evidence at the Public Utilities Board Hearing we agreed with, at least Staff agreed with the problems of split jurisdiction between certain communities or what people identify as communities and they may not know where to call for emergency calls or sewer maintenance et cetera. There are a number of things that could be problems for the people in those areas. One good example I guess you could take would be snowplowing. Dartmouth has its own public works department which does snowplowing and the County doesn't. The Province does it and in many cases now where a road is split by a jurisdiction the Province will plow up to the boundary, lift their plows and just continue on without plowing any further and that leaves a portion undone and then the City of

Dartmouth, or whichever has the jurisdiction, has to come along and finish it. For example, one street could start in one jurisdiction, go into another and then go back into the same jurisdiction so the Department of Highways would plow the middle of it and not plow the other two ends. Therefore we draw this boundary with the intention of attempting to avoid situations like that and include those particular lots and houses within there. We know that it increases the number of people affected from - I believe the Dartmouth Annexation proposes an application which would affect 15 houses which are in the County and this proposal affects approximately 53 houses, some or all of which might be occupied, I'm really not certain. So there is a difference in the number of people actually affected and who would be faced with going onto another jurisdiction if that particular recommendation was approved.

Councillor Stewart: Madam Warden, I understand. I guess one of the fundamentals was to try to keep the Forest Hills community together and I wasn't really trying to suggest too much that we rope in others unless, of course, they're desirous of the idea. I know the original, the acreage under submission, the 60 acres, the few people that live there, the 15 or so families, the ones that I talked to were quite happy to go in with the County and presumably the remainder of 5 or 6 would be. Councillor Topple had mentioned in some discussions awhile ago with people in the Wildwood area that they had been, at one point anyway, receptive to this idea but I don't believe anyone had actually spoken with these other small areas. I'm not necessarily against including them, I just meant that it wasn't my personal intention, actually that they necessarily be included. They should certainly be surveyed otherwise that's an obvious question because the more houses that are actually there the more it counts that the areas concerned, of course, be canvassed or whatever word you want.

Warden Lawrence: Councillor Stewart, are you making the suggestion that these small number of extra people being left in only if they are canvassed and agree to being left in, is that what you're saying?

Councillor Stewart: Well, I think so, they're not part of the Forest Hills Subdivision per se. Whereas really the Wildwood, even though part of it is in Dartmouth, is an integral part of that particular road system. You sort of have to include all of Wildwood Boulevard but you don't necessarily have to include the Greenough, although I certainly grant the reasons Mr. Campbell has given for including it.

Councillor Topple: Madam Warden, I would tend to agree with Councillor Stewart. I mentioned the other night that perhaps it should be suggested to the Board that we look at that area providing the people there are interested in coming into the County. I think the reason Staff have included that, it takes in all the property up to the City's watershed, or water boundary at the reservoir, is that not right? In other words, it doesn't leave any bit of the community outside their water supply. It would tidy up the boundary. I believe that's the size of it.

Mr. Campbell: Yes, it is up to a portion of land owned by the City of Dartmouth and that was one of the reasons. It didn't have too much to do with the actual watershed but it had to do with the fact that, well that was city owned land there and, in creating the line down along the back of the lots on Edmond Drive, we were not splitting any roads and in going along the south side of what's called Main here we did not interfere with the jurisdiction of Dartmouth there and, as I say, it rounds it out. As Councillor Stewart suggested, people were not canvassed however we did just briefly mention in the report that that recommendation is based on the fact that these people, provided that they are cognizant of the fact that that is going to happen and would wish to come into the County of Halifax, because we knew that that situation would occur.

Councillor Stewart: Madam Warden, maybe I could make a suggestion then. The best way to word that section is that basically it was keeping Forest Hills as an integral unit, which was the backbone of this, and it would make sense from other points of view to include these other areas and if they so wished we would support it but I don't think it need be an integral part of the boundary. In other words it makes geographic planning sense that Greenough be included but it isn't necessarily so from the main point, which is the Forest Hills Community. I think that way you could accomplish it and that would tie in with the residents. Obviously their wishes should be canvassed as Councillor Topple suggested.

Warden Lawrence: I presume that the Solicitor will take this advice from both of you.

It was moved by Councillor Stewart and seconded by Councillor MacKay:

"THAT Council endorse this Report as Council's position to be taken by the Solicitor to the Public Utilities Board."
Motion Carried.

Warden Lawrence reminded Council of the meeting with the Minister of Municipal Affairs scheduled for December 5th at 7:30 to discuss the planning and development of all the existing areas of the County.

It was moved by Councillor Walker:

"That Council adjourn."
Motion Carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COUNCIL SESSION

Tuesday, November 6, 1979

The Council Session was opened at 2 p.m. by Warden Settle with the Lord's Prayer and Mr. Meech called the Roll.

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

"THAT Mrs. Hiltz be appointed Recording Secretary."
Motion Carried.

Warden Settle informed Council that 3 portraits of previous Wardens were to be presented to the County by the relatives of these three previous Wardens and the people concerned came forward while Mr. Bensted received the portraits from the families of the former Wardens. George Burris spoke for a few minutes concerning the history of Halifax County Council and presented Warden Settle with his own portrait.

Public Hearing -

Warden Settle asked Council if they were agreeable to the public hearing being heard first as it was set for 2:00 p.m. and Council agreed.

Mr. Meech: Mr. Warden, the public hearing called for today deals with the Undersized Lot Legislation with respect to lands of Rose Marie Louise Giffin, Shore Drive, Bedford, identified as Lot #7. The lot in question contains an area of approximately .331 acres. There is presently a dwelling and a garage located on this lot. This application has received approval from the Department of Public Works and the Department of Highways and the lot is serviced by Municipal Sewer and Water. Attached in your Agenda is comments from the Solicitor with respect to this particular application and I believe the Solicitor has indicated his support.

Solicitor Cragg: Mr. Warden, I think the only comment that need be made is that this is an application which, if the Undersized Lot Legislation was applicable to, it should receive favourable consideration. The Applicant has already received a building permit and construction can commence. I think it's one that should be accepted.

Warden Settle called for speakers to come forward from the gallery who wished to speak in favour of the approval of this lot under the particular legislation.

Kenneth Giffin: My name is Kenneth Giffin. The land in question belongs to myself and my wife and of course I wish to speak in favour of this particular application. The characteristics of the lot have already been outlined, it's serviced, situated on Shore Drive in Bedford. Historically it was part of a subdivision in 1919. My grandfather purchased it in the 1930's for use as a summer home. It was deeded to my mother in the 1960's and continued for the same purpose as a summer home. It has now been deeded to my wife and myself. As I pointed out the area was originally an area of summer cottages but increasing urbanization has overtaken it to the point where they're all year 'round dwellings and this particular dwelling is now a bit of an anachronism. It is our intention to remove the seasonal dwelling, to erect an all year 'round home for myself and my wife. Our neighbours have been contacted and they support our plans. We feel that, in equity, a lot that has existed for 40 years we should be permitted to do no more and no less than the neighbours around us have been permitted to do with their lots and perhaps point out it would put the particular lot in a higher tax base from the point of view of the County. I would like permission to proceed with my plans.

Warden Settle called three times for anyone else to come forward who wished to speak in favour of this application and there was no response. He then called three times for persons who wished to oppose the approval and there was no response.

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

"THAT Lands of Rose Marie Louise Giffin, Bedford, be approved under the Undersized Lot Legislation (1966), Application #589-79-17."
Motion Carried.

It was agreed by Council that the proposal by Councillor Poirier under 7(a) be discussed at this time.

Councillor Poirier spoke at length concerning her constituents' problems with water and the non-action of the Province in this regard.

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

"THAT a resolution be sent to the Premier, with a copy to Municipal Affairs, to ask him to set a new and separate source of financing up for the Beechville-Lakeside-Timberlea area for their water and sewer services; this financing to include all the advantages and grants that have been lost over the years by

waiting for decisions and also something to cover the high rock content in the area."
Motion Carried.

There was a great deal of discussion by Councillors and Mr. Meech answered questions posed by members of Council.

Warden Settle noted that Mr. Curran of the Bedford Council has some concern about building and it was agreed by Council that Mr. Curran be heard at this time.

Mr. Curran spoke to Council about apartment building permit applications now before the Building Inspector for erection in Bedford and requested Council's consideration in placing a moratorium on construction of large apartment developments in Bedford until July 1, 1980 when Bedford will be looking after its own By-Laws. As no proper notice was given of this application it should therefore be turned back until such notice is given.

Several Councillors asked questions of Mr. Curran.

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

"THAT the Petition from the Residents of Bedford be supported in requesting that the Chief Building Inspector very carefully consider his discretionary powers in the issuance of that building permit."
Motion Defeated.

There was a great deal of discussion concerning this motion.

Councillor Fader at this time introduced the two newly elected Councillors.

Addition of Items to the Agenda:

Councillor MacKenzie	Senior Citizen Housing for District 11.
Councillor Margeson	Old cars.
Councillor Williams	Municipal Elections.
Councillor Lawrence	Report from Head of Public Works on procedures and efficiency of the Topsoil and Blasting By-Laws.
Councillor Deveaux	By-Laws and interest charges on sewer costs for Senior Citizens.

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

"THAT the Agenda be closed."
Motion Carried.

Councillor Fader gave a brief explanation of what the Task Force has come up with in regard to the Organizational Study.

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

"THAT whereas at a Committee of the Whole meeting of the Council of the Municipality of the County of Halifax on October 25, 1979 a certain Organizational Study was prepared and presented by representatives of Thorne, Riddell and Company proposing changes in the structure of the Municipality of the County of Halifax.

And whereas the Committee of the Whole approved in principle the aforesaid recommendations, including inter alia the combination of certain departments and personnel existing within the Administrative structure of the Municipality of the County of Halifax, at the present time, the creation of the position of an office of the Chief Administrative Officer and the streamlining of the existing Committee structure, it is hereby moved that effect be given to the aforesaid recommendation by preparing, as necessary, the appropriate legislation to effect said changes. Time shall be of the essence."
Motion Carried.

Mr. Radchuk outlined the suggestions and actions of the Task Force and answered questions of individual Councillors.

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

"THAT a Preliminary Report be prepared as a Supplement to the Organizational Study to be considered on the 20th of November regarding the question of an amalgamated School Board and its possible benefit to Halifax County."
Motion Defeated.

Councillor Fader thanked Council for the support given to the Task Force on the Organizational Study.

Mr. Radchuk explained to Councillors that the question of Councillor Lachance is not within their terms of reference.

There was a great deal of discussion by Councillors concerning the motion.

Solicitor Cragg explained to Council the amendments to the By-Laws.

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

"THAT the following be and the same is hereby adopted and enacted as a By-Law of the Municipality of the County of Halifax when and if the same has received the approval of the Minister of Municipal Affairs and that the Municipal Clerk be and is hereby instructed to forward the same to the Minister and request his approval hereof: By-Law No. 3."
Motion Carried.

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

"THAT a By-Law be drafted to accept meters in taxis in the Municipality of the County of Halifax in respect to districts where they're required and that the structure of a price would be 70/70 and in 6 months be increased to 80/70 and one year from the anniversary of the approval of this By-Law 80/80."
Motion Carried.

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

"THAT approval of Designation Agreement - Senior Citizens Project, Bedford be approved."
Motion Carried.

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

"THAT the Supplementary Report of the Chief Building Inspector respecting a Lesser Setback be approved."
Motion Carried.

At this time Council presented the Warden with a Chair in honour of the many years he has served the Municipality of the County of Halifax.

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

"THAT Mr. Meech write a letter on behalf of the Council to the Minister of Housing asking for immediate approval of the easement to put the sewer in Sunset Acres."
Motion Carried.

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

"THAT we request the Director of Public Works, Mr. Gallagher, to explore the possibility of using water from Miller's Lake for Oak Subdivision in Fall River."
Motion Carried.

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

"THAT the appointment of a Fire Ward in the Bay Road District 3 Fire Department, Mr. Carl Kaiser, be approved."
Motion Carried.

There was a great deal of discussion with regard to the Taxi By-Law.

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

"THAT the Districts of 7A, 15, 16, 17, 18, 19 and 20 be included in the Amendment to the Taxi By-Law."
Motion Carried.

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

"THAT the By-Laws of the Halifax County Regional Rehabilitation Centre be approved."
Motion Carried.

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

"THAT Rezoning Applications #15-79 and #22-79 be held on November 26th at 7 p.m."
Motion Carried.

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

"THAT the Report of the Chief Building Inspector be approved."
Motion Carried.

Mr. Meech noted that material had been handed out re the CN application which they intend to make to the Transport Committee with respect to closing out certain express offices and they indicated the particular communities which would be affected.

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

"THAT Council meet with the CN people and complete the Agenda on November 14, 1979 at 2 p.m."
Motion Carried.

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

"THAT Council adjourn until November 14, 1979 at 2:00 p.m."
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COUNCIL SESSION

Wednesday, November 14, 1979

The Council Session was opened at 2 p.m. by Deputy Warden Gaetz with the Lord's Prayer and Mr. Meech called the Roll.

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

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

Mr. Meech drew the correspondence to the attention of Councillors and discussed the important points.

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

"THAT the upgrading of the road leading to Elkins Barracks be referred to the Finance and Executive Committee for costing and report back to Council at the next Session with some direction."
Motion Carried.

Councillor Lichter spoke at some length regarding the letter from the Nova Scotia Department of Agriculture re Highway Weed Spraying.

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

"THAT Council express its concern to the Minister of Highways about the off again, on again kind of approach taken to highway weed spraying and indicate that it is Council's desire that, as it is spelled out in the Statutes of Nova Scotia, any highway spraying be done only, in the future, in any district, when the written consent of the elected representative, namely the Councillor, is obtained by the Department of Highways."
Motion Carried.

Councillor Topple noted that the letter sent to the Department of Municipal Affairs did not follow his motion, which was that the Council should meet with the Minister responsible for the Housing Commission and there was discussion by the members of Council and Mr. Meech in this respect.

A show of hands was requested of those Councillors who wished to attend the meeting with the Minister in charge of Housing as a delegation.

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

"THAT Council request the Minister to meet with Council on November 28, 1979."
Motion Carried.

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

"THAT Council send a letter to the Minister of Municipal Affairs stating that, in the opinion of Council, no constructive reply to the proposals regarding the Green Paper have been received and requesting if any action will be taking place with regards to those proposals."
Motion Carried.

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

"THAT Council accept the recommendation from Staff that the Lord's Day By-Law be rescinded and monies for applications received where no permits were issued be returned."
Motion Carried.

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

"THAT the Report of the Warden and the Report of the Halifax County Industrial Commission be received."
Motion Carried.

There was discussion by Council regarding the status of Metro Transit and Councillor Benjamin put forward the suggestion that rail, bus and ferry service could be utilized to take automobiles from the highways and conserve energy.

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

"THAT a letter of appreciation be sent to Search and Rescue, RCMP and the pilot of the helicopter who assisted in rescuing two young lads lost in the woods at Harrietsfield."
Motion Carried.