

"THAT the Property Tax Reduction items be approved."  
Motion Carried.

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

"THAT Council approve a By-Law under Section 3 (wa) of the Assessment Act to provide exemption of 1980 property taxes excluding area rates on property assessed to the Black Cultural Society at Westphal."  
Motion Defeated.

There was considerable discussion by Councillors concerning the tax exemption.

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

"THAT the Motion be deferred pending a recommendation from the Policy Committee regarding the exemption from taxes."  
Motion Carried.

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

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

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

"THAT the report of the Planning Advisory Committee be received."  
Motion Carried.

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

"THAT a Public Hearing be held June 23rd., 1980 respecting Rezoning Application No.33-79 - Request to rezone Block X1A-6 of the Lands of Giroux Enterprises Limited, located on the Lawrencetown Road, Halifax County, District 9 from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone).  
Motion Carried.

Mr. Meech read a letter to Council received from Albert P. Bohemier for Timberland Subdivision Residents and Donald J. Grady for Lawrencetown Citizens' Committee.

WARDEN LAWRENCE TOOK THE CHAIR.

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

"THAT Council accept the donation of Park Area, Silver Birch Drive, Lake of the Woods Subdivision, Timberlea as parkland."  
Motion Carried.

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

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

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

"THAT Council forward to Bedford Town Council for their action the Report re: Zoning Application No. 6-80 - Request by Atlantic Sand and Gravel Limited to zone Lands of Imperial Realty Limited, located in the Bedford Industrial Park at Bedford from an unzoned status to I-1 (General Industrial Zone) District 17."  
Motion Carried.

Councillor Lichter said he felt Bedford Council should have requested Halifax County Council not even do the groundwork on this application. That Halifax County should refuse any requests received from Bedford Council to have Staff do studies on other rezoning requests because this should cease Halifax County Council's involvement with Bedford's rezoning.

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

"THAT a Public Hearing be held June 30, 1980 respecting Rezoning Application No. 12-80 - Request by Industrial Estates Limited to rezone Lands of the Halifax-Dartmouth Regional Authority, located on the Cobequid Road at Lower Sackville from P (Park and Institutional Zone) to I-1 (General Industrial Zone). District 16."  
Motion Carried.

It was moved by Councillor Curren and seconded by Councillor MacDonald:

"THAT a Public Hearing be held June 30, 1980 respecting Undersized Lot Legislation 1966 - Lands of George Bullen - Lot 39, Bedford. File No. F-25-80-17."  
Motion Carried.

Mr. Gallagher came before Council and spoke re serviceable boundaries in the Lakeside/Beechville/Timberlea area. He said there was some controversy arose as to the interpretation of the serviceable area and the regional boundary. He couldn't explain why two areas were left out of the regional boundary because originally they were to have been included.

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

"THAT Council now direct that construction proceed on the water and sewer installation in Lakeside/Beechville/Timberlea area."  
Motion Carried.

Mr. Gallagher answered questions put to him, by several Councillors with respect to water supply for the Lakeside/Beechville/Timberlea area. He said a treatment plant for sewage is to be built at Nine Mile River.

Warden Lawrence informed Council that at the meeting of MAPC for the first time in the past 18 months the Regional Development Boundary is going to be altered to conform to the serviceable boundary now that servicing seems to be on its way.

Warden Lawrence read a letter to Council which was forwarded to the Minister of Education requesting a two million dollar grant to the County to help defray costs of the 35 per cent increase in the School Board budget. The Minister agreed to take the request to Cabinet and it will be discussed there for the possibility of some sort of special

assistance.

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

"THAT the Report of the School Board be received."  
Motion Carried.

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

"THAT the requested change in the parking area at the Gertrude Parker School be referred to the Management Committee."  
Motion Carried.

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

"THAT the requested extension to the driveway at Joseph Giles School be referred to the Management Committee."  
Motion Carried.

Mr. Meech read Item 3 of the School Board Report which stated that the Board has agreed to administer the school services to the Bedford Board of School Commissioners for the school term 1980 - 1981.

Councillor MacKay questioned the right of the School Board to make its own agreements with another School Board without consultation or approval of Council and Solicitor Cragg and Warden Lawrence advised that their powers derive from the Education Act.

There was considerable discussion with respect to the County retaining ownership of the Charles P. Allen High School and Warden Lawrence read a memo forwarded by Mr. Meech to Council regarding the impact of the financial implications.

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

"THAT Council support the recommendation of the Halifax County Municipal School Board and agree to retain ownership of the C.P. Allen High School on the condition that a successful application be made to the Public Utilities Board to amend the boundaries of the proposed Town of Bedford to exclude lands of C.P. Allen and beyond to the northeast and further that the Town of Bedford accept responsibility for its proportionate share of the capital debt as it relates to the number of students resident in the Town of Bedford relative to the total number of students attending the said school."  
Motion Carried.

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

"THAT Bedford retain ownership of the C.P. Allen High School and the County agree to pay tuition for its students who would attend."  
Motion Carried.

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

"THAT the Report of the Policy Committee be received."  
Motion Carried.

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

"THAT all designated areas which fall within District #12 be sprayed under the 1980 Highway Spraying Program and any which are in District 13 be excluded from the spraying program."

Motion Carried.

Councillor Lichter advised Council why his district opposes weed spraying of roadsides and Councillor Topple said that the County has gone on record opposing roadside spraying and the Department of Transportation should be not spraying the roadsides but employing people to cut the weeds.

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

"THAT Council approve the recommendation of the Housing Authority."

Motion Carried.

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

"THAT Honorary Certificates be issued at the discretion of the Councillors and that they be issued from the Warden's office and that a record of the recipients of these certificates be kept. In the case of a certificate being issued to residents of nursing homes or senior citizens' homes these certificates be signed by the Councillor for the District where these persons originally resided."

Motion Carried.

Councillor Margeson conveyed his best wishes to Members of Council going to the FCM next week.

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

"THAT Council approve a lease agreement with the Sackville Lions Club for the Kinsman Hall for a period of 10 years, guaranteed renewable at the sum of one dollar per annum and the Municipal Solicitor be instructed to prepare the appropriate lease agreement."

Motion Carried.

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

"THAT Council adjourn the Annual Session to June 17th."

Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF JUNE COUNCIL SESSION and ANNUAL COUNCIL SESSION

Tuesday, June 17, 1980

Warden Lawrence called the Council Session to order at 2 p.m. and opened with the Lord's Prayer after which Mr. Kelly called the roll.

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

"THAT Mrs. Hiltz be appointed as recording secretary."  
Motion carried.

Warden Lawrence called Mr. Gillis Carrigan, Assistant Superintendent of Schools, forward to introduce the students of Sackville High School who were present to make a presentation before Council in honour of the Centennial of Halifax County. Mr. Carrigan introduced Robin Barrett of Beaver Bank and Craig Gaul of Lower Sackville who are graduating students. The presentation had to do with structures of the 19th Century which are still in existence in Halifax County and the students showed slides of several homes and churches and related as much of the history of each building as they were able to ascertain from their research.

Warden Lawrence thanked the students and teacher involved in this project and Council showed their appreciation with applause.

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

"THAT the Minutes of May 20, 1980 - Regular Session and the Minutes of June 2nd, 1980 - Committee of the Whole be approved."  
Motion carried.

Warden Lawrence reminded Council that there had been a hearing of the Public Utilities Board on the previous afternoon and this morning on the ownership of the C.P. Allen School and asked Solicitor Cragg to give a report on what had transpired.

Solicitor Cragg advised that the meeting had finished half an hour earlier and it was the feeling of the Board that a decision would not be rendered in the immediate future and might even be rendered subsequent to July 1st.

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

"THAT Council discuss the budget items in Camera."  
Motion carried.

Letters and Correspondence:

Warden Lawrence asked Mr. Meech to outline the Letters and Correspondence at this time.

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

"THAT the Letters and Correspondence be received."  
Motion carried.

Councillor Margeson questioned the content of the letter from the Minister of Fisheries and stated that he felt it did not answer the intent of the letter forwarded to the Department of Fisheries concerning compensation for the great losses suffered by the fishermen due to storm damage in April.

Councillor Deveaux inquired whether the fishermen would have insurance to cover these losses and Councillor Topple suggested fishermen should insure themselves in the same manner a person in any other occupation would insure himself.

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

"THAT a further letter be forwarded to the Provincial Minister of Fisheries asking them to reconsider the issue of compensation for Halifax County fishermen for the loss of their gear during the storm of April 20th, 1980 and to ask what the Department's policies are on compensation for such storm losses and inquire as to the availability of insurance for this type of loss."  
Motion carried.

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

"THAT Council approve a recommendation that some elected members of Council form part of the Task Force which would look at the Development Boundary Issue and that the item in total be referred to Planning Advisory Committee for a report back to Council."  
Motion carried.

Councillor Stewart asked whether there was any indication from Mr. Meech when the Urban Committee will meet again to consider the Terms of Reference which will be brought to Council at the next Session and Mr. Meech replied that he was hopeful a meeting will be held before the end of June.

Councillor Topple reminded all Councillors that the Lake Major Watershed review briefing session is coming up Thursday evening at 7 p.m. at the Regency Room of the Dartmouth Inn.

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

"THAT the Management Committee Report be received."  
Motion carried.

Mr. Meech outlined the recommendations of the Management Committee Report.

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

"THAT approval be given to the Municipal School Board to lease facilities at Sidney Stephen Junior High School for special education pupils effective August 1, 1980 subject to a minimum 10 year lease concluded with the Bedford School Board."  
Motion carried.

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

"THAT Council approve borrowing resolutions in the amount of \$2,931,000 for sewer and \$1,562,000 for water for servicing in Lakeside, Beechville and Timberlea."  
Motion carried.

COUNCIL MOVED IN CAMERA FOR BUDGET DISCUSSION.

Warden Lawrence reminded members of Council that this would be the last Council Session for the County attended by Councillor Curren and advised that at this time he wished to say a few words.

Councillor Curren acknowledged a letter of June 3rd, 1980 from Mr. Mengi Shulman, Bedford Service Commission, in which he thanked the Council and the County for their efforts concerning Bedford over the last number of years. On behalf of the residents of the Community of Bedford Councillor Curren expressed the gratitude and appreciation for the participation of the County.

Warden Lawrence responded to Councillor Curren on behalf of Council.

COUNCILLOR MACKENZIE TOOK THE CHAIR FOR WARDEN LAWRENCE WHILE SHE ABSENTED HERSELF TO SPEAK WITH THE PRESS CONCERNING THE TAX RATE.

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

"THAT the Report of Planning Advisory Committee be received."  
Motion carried.

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

"THAT a Public Hearing be held July 7th, 1980 on Rezoning Request No. 35-79."  
Motion carried.

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

"THAT a Public Hearing be held July 7th, 1980 on Rezoning Request No. 9-80."  
Motion carried.

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

"THAT the Report of the Director of Planning and Development be received."  
Motion carried.

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

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

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

"THAT the Policy Committee Report be received."  
Motion carried.

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

"THAT Councillor MacKenzie be appointed a member of the Nominating Committee of the Halifax County Housing Authority."  
Motion carried.

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

"THAT Council approve the renewal of a lease agreement with the Porter's Lake Community Association for a period of ten (10) years at a rate of \$1.00 per year."  
Motion carried.

Mr. Meech advised Council that there was one other matter which should be clarified. The Agreement that was reached with the Town of Bedford with respect to the matter of the sewer maintenance area rates for the pollution control charge as well as the fire protection charge in 1980. These items had been ratified officially today so far as the billing procedure is concerned.

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

"THAT Council go on record as being in agreement to the arrangement with the Town of Bedford for the balance of 1980 as it relates to area rates for sewer maintenance, fire protection and pollution control charge."  
Motion carried.

WARDEN LAWRENCE RETURNED TO THE CHAIR.

Addition of Items to the Agenda:

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

"THAT Council ask the Assessment Department to provide a list of all the lands in the County of Halifax that are of unknown ownership."  
Motion carried.

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

"THAT Council request the Solicitor to draft a By-Law against dumping in Halifax County with a maximum penalty of a \$500.00 and a minimum penalty of \$100.00."  
(See motion to amend)

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

"THAT the motion be amended to read: the Solicitor draft a By-Law against dumping in Halifax County with a maximum penalty of \$1,000.00 and a minimum penalty of \$100.00."  
Motion carried.

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

"THAT a review of the Committee structure be referred to the Policy Committee in order to make Committees less cumbersome."  
Motion carried.

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

"THAT District Number 6 be included in the Taxi By-Laws."  
Motion carried.

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



"THAT Council ask the Director of Assessment to look into the possibility of providing Councillors with Assessment Reports which were provided before the Province took over the responsibility of the Assessors."

Motion carried.

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

"THAT Council approve the adjustment for the Clearwater sewer charges against the property of 103 Shore Drive, Bedford, Ralph E. Myers, the amount of the adjustment being 98 feet of the property frontage."

Motion carried.

Warden Lawrence advised Council that, because of the holiday, July 1st, being the first Tuesday of the month Council will be meeting on the 8th and the 15th of July. She also advised there would be a Regional meeting on resolutions for the Union of Nova Scotia Municipalities conference between County Councillors and the Aldermen of the two cities and will be held on Thursday at 1.00 p.m.

Councillor Margeson wished to have recorded his appreciation of the Warden's performance at the FCM Conference. He also requested information concerning the three schools which were to be started in his area and Mr. Meech replied to his questions.

Councillor Topple recommended improvements should be done to the existing sound system in the Council Chambers and the Management Committee should look at any consideration.

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

"THAT Council approve that District 3 be excluded from the Blasting By-Law on a temporary basis."

Motion carried.

It was moved by Councillor Eisenhower:

"THAT Council Adjourn."

Motion carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COMMITTEE OF THE WHOLE MEETING

Monday, June 23, 1980

|               |                       |                       |
|---------------|-----------------------|-----------------------|
| Present Were: | Deputy Warden Poirier | Councillor MacKenzie  |
|               | Warden Lawrence       | Councillor McCabe     |
|               | Councillor Williams   | Councillor Lichter    |
|               | Councillor Baker      | Councillor Benjamin   |
|               | Councillor Deveaux    | Councillor Margeson   |
|               | Councillor Stewart    | Councillor MacKay     |
|               | Councillor Topple     | Councillor Curren     |
|               | Councillor Adams      | Councillor Eisenhauer |
|               | Councillor Gaetz      | Councillor MacDonald  |
|               | Councillor Smith      | Councillor Wiseman    |

Warden Lawrence called Council to Order after the Public Hearing and noted that there were two items which needed to be dealt with and asked Mr. Meech to outline the gist of the Management Committee Report.

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

"THAT the Report of the Management Committee be received."  
Motion carried.

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

"THAT Council recommend to the Municipal School Board that they not enter into any contractual agreement with the Town of Bedford unless they agree to pay their share of the capital cost of the C.P. Allen School and that the Municipal School Board guarantee that any agreement providing for Bedford students to attend the C.P. Allen School not exceed a five year agreement."  
Motion carried.

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

"THAT the recommendation to the Municipal School Board be changed to cover a ten year agreement rather than a five year agreement."  
Motion defeated.

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

"THAT Council request the Superintendent of Schools to review the situation of the special education facilities intended for the Sidney Stephen School in light of the ownership of the C.P. Allen School by the County."  
Motion defeated.

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

"THAT a Public Hearing be held on the Millwood Planned Unit Development be held on July 29th, 1980 at 7 p.m."  
Motion carried.

It was moved by Councillor Eisenhauer:

"THAT Council adjourn."  
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING MINUTES

Monday, July 7, 1980

Present Were:

|                       |                       |
|-----------------------|-----------------------|
| Councillor Walker     | Councillor Smith      |
| Deputy Warden Poirier | Councillor MacKenzie  |
| Councillor Wiseman    | Councillor McCabe     |
| Councillor Williams   | Councillor Lichter    |
| Councillor Baker      | Councillor Benjamin   |
| Councillor Deveaux    | Councillor Margeson   |
| Councillor Stewart    | Councillor MacKay     |
| Councillor Topple     | Councillor Eisenhower |
| Councillor Adams      | Councillor MacDonald  |
| Councillor Gaetz      |                       |

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Deputy Warden Poirier opened the Public Hearing at 7 p.m. with the Lord's Prayer and Mr. Kelly called the roll.

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

"THAT Mrs. Hiltz be appointed recording secretary."

Motion carried.

Deputy Warden Poirier advised that the first Rezoning Application is Number 9-80 concerning the Halifax County Rehabilitation Centre. She welcomed David Nantes, the MLA for the area on the Dartmouth side, the former Warden of Halifax County, Ira Settle and Mr. Percy Baker. The format of the Public Hearing was explained to the Gallery and a member of the Planning Department was then requested to come forward and outline the first Application, Halifax County Rehabilitation Centre request to rezone land of the Halifax County Rehabilitation Centre located on the Bissett Road in Cole Harbour, Halifax County, District 7, from an unzoned status to Park and Institutional Zone.

MISS SMITH: Thank you Deputy Warden. This is Application number 9-80 and it's a request to rezone the lands of the Halifax County Rehabilitation Centre located on the Bissett Road at Cole Harbour from the existing Unzoned Status to Parks and Institutional Zone. This Application has been advertised as prescribed under the terms of the Planning Act and we have not received correspondence either in favour of or opposed to this Application. The property in question is located in this vicinity, it runs from Bissett Lake through to Cole Harbour and it's on the Bissett Road which runs here, this being the Cole Harbour Road and that being back to Dartmouth. This plan shows existing land use in the area. The lower end of the property, there's basically nothing surrounding it, vacant lands on either side and a small stream that runs into Cole Harbour. The area without any pattern on the sketch is unzoned. The area on the upper side of the Bissett Road is zoned R-2 (Residential Two Family Dwelling Zone) and that is the only zoning near the area in question. The Application was instigated by a motion of Council at the February 1980 Session and it was a request to rezone the lands to a more appropriate zone, in other words that being comparable to the land use in the area. The property in question, which is located on either side of the Bissett Road, contains roughly 300 acre plus or minus. The Planning Department are recommending approval of this application for

MISS SMITH: (cont'd) a number of reasons. First of all we feel that the lands of the Rehabilitation Centre and surrounding it are very environmentally sensitive since they are bounded by 2 bodies of water, being Bissett Lake and Cole Harbour. These lands are utilized predominantly for recreational purposes by the surrounding community as well as the Rehabilitation Centre itself. It should also be noted that part of this land has been designated, under the Halifax/Dartmouth Regional Development Plan, as a regional park and that would restrict the use of this land to institutional as well as recreational uses. Our other point in recommending approval of this would be that, because the property is now being used for an institutional purpose, in order to protect that and in order for the County to lend some support to protecting this environmentally sensitive area we would recommend that this Application be approved.

Deputy Warden Poirier asked Councillors if there were any questions and, upon receiving none, the Public part of the Hearing was called.

Deputy Warden Poirier called for speakers in favour of the Application to come forward and state their views to Council.

MR. IRA SETTLE: Ladies and Gentlemen I would like to say a few words on behalf of the Cole Harbour Area Planning Committee in support of this Application for rezoning lands of the Rehabilitation Centre. As stated by Miss Smith this is a large block of land. I think if you look at it in perspective it would be comparable, in some ways, to Point Pleasant Park and perhaps, with all due respect to Point Pleasant Park, I think it has somewhat better amenities. In other words it is not one solid block of wooded land, it has some considerable amounts of cleared land which was used for farming when the institution was serving a different role and it also contains very heavily wooded areas. I think one of the reasons - as you all know there has been a lot of work by the Cole Harbour Area Planning Committee during the past several months to make certain that adequate protection is given to the waters of Cole Harbour and one of the things that has been going on is the Committee working with the Lands and Forests people in trying to obtain title to lots of land which are not inhabited. I think the purpose of this is this can be done with little disruption to people. As you know the Committee itself has made a recommendation to our Planning Advisory Committee that some conservation zone be set out to take care of the lands where people are living now. We have polled 95 percent of those people and they would be quite content with such a zone, so that brings us then to this large block of land which I think would be the key and the centerpiece of any recreation area around the Cole Harbour area. I think zoning this Park and Institutional could serve 2 very valid purposes - Number 1. it would be a real dividing line between the urban growth, which is to the west of it, and the more rural area to the east of it. Number 2. many valid uses could be made of this land. I don't say that will happen tomorrow but it has been proven over the years the first thing we have to do to get advantage is to acquire the land, the other things come later. Many things could be done with this property. I made an inspection of it yesterday to be certain of what I was talking about and the more you see it the more you are impressed with what could be done. For instance not far from the site of where the County Home was back in the late 1800's and the early 1900's there's a bay there which could be made a very attractive place for swimming, boating and many other features and it is quite unique because most of the shore along Cole Harbour that extends into both the Cole Harbour area and into the Lawrencetown area is inclined to be rough and rocky. It's a beautiful bay there and in time to come it could be made a very useful thing for marinas, boating and many other things. Again I would ask Council to support this rezoning because I think in years to come it will serve a very valid purpose of not only protecting the harbour but providing recreation for the people in Cole Harbour and other metropolitan areas. Thank you very much.

Councillor MacKenzie noted that this land has been assembled over a period of years by the Municipality of the County of Halifax for the residents of all of Halifax County and discussions have taken place over the past number of years with regards to this land being made available as an industrial site. Conditions have changed in this part of the Municipality and the benefits are readily seen as Mr. Settle pointed out. He wondered if any compensation could be made available to the Municipality as a whole if this was taken over as Parks and Institutional as the people in that area will be the ones to benefit by such a rezoning.

MR. SETTLE: I think the first step would be to take the land and have it zoned in the proper zoning, what would come later would depend on this Council and perhaps Councils that follow it. One thing should be pointed out - In 1972 the County had plans to put on this land a large treatment plant with the effluent going into the harbour. This was turned down by citizens' groups and it was also turned down by the Department of the Environment. I think the people in Cole Harbour, the people in Westphal and the people in Eastern Passage have paid a huge sum to protect this land. The difference of putting a treatment plant there and going five and a half miles further was approximately two million dollars and this is all reflected in a pretty hefty sewer rate which all the people in those three areas are paying. They have already made a contribution to this land but I do feel, Councillor MacKenzie, that the matter of paying for this is a secondary matter and the first one is it should be zoned so that things that are not conducive to protecting the harbour would not take place there.

Councillor Deveaux stated that with the projected population growth in the Cole Harbour area perhaps a treatment plant will have to be placed in that area after all and Mr. Settle replied that most probably, in the future, the plant would have to be built at Osborne Head, the choice of the Department of the Environment for the present one in Eastern Passage.

Deputy Warden Poirier called for further speakers in favour of the Application to rezone the lands of the Rehabilitation Centre.

DAVID NANTES: Madam Chairman, Ladies and Gentlemen, I'd like to begin by saying thank you very much for giving me the chance to express a few words or share a few thoughts with you regarding this rezoning application. I think it's quite important and that's why I felt that it was important for me to come and appear before you this evening. I'd like to congratulate Councillor Stewart and also the Planning Department for their work to date and I'm pleased to see that the Planning Department indicates a positive recommendation for this rezoning. I think that the lands of the Cole Harbour Hospital, particularly the lands east of the Bissett Road, are a small part of what is a very significant area in Cole Harbour and also extending to Lawrencetown. We've seen, since the early seventies, expressions by many groups, including national conservation groups, regarding how environmentally sensitive the area is, significant in its natural resources are in terms of the salt marsh, beach areas of the Cow Bay area and the opportunity to provide for open spaces for recreation in the years to come. It has been identified since the mid seventies as part of the regional park system, a system that probably has been a little slow in coming into place, but because of decisions made recently at the Provincial level there has been allocated a budgeted amount of 1.3 million dollars for land acquisition in the Cole Harbour and Lawrencetown areas in the fiscal 1980-81 years. I think we're trying to recognize the controversy that's taken place in recent years where people felt that their lands were basically arbitrarily either being taken away from them or downgraded in value or use and we were treading on people's rights as individuals on the land they probably held for many generations. So I think our efforts to date in the program has started, the funds have been approved. There is currently an

MR. NANTES: (cont'd) active program going on by Lands and Forests land acquisition staff talking to people in the Cole Harbour/Cow Bay area and also, I understand, in the Lawrencetown area towards land acquisition, paying fair market value without the park designation hanging over the people's heads in terms of devaluating the land, so we have started to put in place what I think will eventually be the concept of the Regional Parks. We're further ahead in this particular one than any of the other 7 regional parks in Metro and I'm pleased with that. The importance of the hospital lands to tie into that, I think, are quite significant. (Mr. Nantes displayed a plan of the area and explained to Councillors which of the lands are owned by the Province and the intended acquisition of lands by the Province.) I just wanted to point out, really, the significance of the location of the lands to the east of Bissett Road and how much they form a focal point, as the former Warden said, and they are probably the key lands in the area around there. I think that plan puts into context and shows how important the hospital is to the general concept of what I think we are trying to achieve and what people in the area have worked on for many years. In the Cole Harbour/Cow Bay area we have been blessed with the fact that there has been little or no controversy over the land, over its acquisition program. The people are generally in agreement - I don't know whether it's fair to say a hundred percent in agreement but they are generally, there is a universal agreement among the people. I think the fact that the government has indicated a willingness to provide for land acquisition at fair market value without the regional park being a factor is probably part of the reason, so that program is underway. I solicit your co-operation in approving the rezoning in these lands, to protect these lands not only for the future but also, I think, for the patients of the Rehab Centre. They do make good use of the lands now and I'm sure will continue to do so over the long term. Now the former Warden made reference to Point Pleasant Park. I think that's a very good parallel in many ways, though he felt these lands probably have the potential of being greater than Point Pleasant Park. I hope eventually we'll see that happen but this is the opportunity to start to put in place, to put in public hands, the lands for obviously the first start of the regional park system. Hopefully we have the foresight today to provide for the people on that side of the harbour lands that some day will be called equivalent to Point Pleasant Park. Thank you very much.

Councillor Margeson asked Mr. Nantes to give his views on the reduced flushing action of Cole Harbour in recent years.

MR. NANTES: I would agree with you that there have been some problems and the flushing actions are probably not as good as they were many years ago. I would see, once we get well into this land acquisition program and are not faced with public controversy over the government land grab, if you will, we can start to look at the development of the area, development of the park and obviously one of the first things that probably should be looked into is the possibilities of improving in a couple of places where there are restrictions on that flushing action to help the long term development of the marshes. I would agree with you that it is a point of concern, a point that needs to be looked at very thoroughly.

Deputy Warden called for further speakers in favour of the rezoning application:

PERCY BAKER: Councillors, Ladies and Gentlemen all. I will be brief in my remarks however I do favour, personally, the lands being rezoned to Park and Institutional use and I'd like to also make it clear that I am not representing the Board of Management of our facility. I am a resident of the area and have been for the past 10 years and prior to that, I think it goes back to 1958, I have been associated with what was then the hospital and now the Centre and one would have to, and a number of you people do not know the area, you have not been over it as such. I have been, on many, many occasions,

MR. BAKER: (cont'd) Summer and Winter and to see that land turn into industrial or for residential - for somebody who has a love of nature, wildlife and so on, I think you would agree, if you went over those lands and up on the hills and looked down on the rolling hills and see the abundance of wildlife - I'm talking about Canada Geese, I'm talking about ducks, I'm talking about some deer as well that are there and if you look at the residents of the facility, we do cater to them, two thirds of the population of the Province of Nova Scotia, the recreation they get out of it, the field trips and so on. It's not used extensively by the residents of the area - it would be if it was developed into a parkland as such - but at the present time we have our concerns with some people who will come in and destroy the beautiful trees, they'll cut them down, half a tree, say at Christmas time, and look at it and leave them there. You look at the illegal hunting that goes on. I happened to be in the barn at the side of the road last November and I heard a shot and I looked out the window and I saw a nice big buck standing there. We have it posted no hunting with the permission of the County but to see animals destroyed in the presence of residents. They get very disturbed, very upset about it as well. I can see the great value to the public there as well, it's a growing area and if that was developed industrial or residential you can see the wildlife and so on being pushed out and you'll see the people of that area travelling miles for recreation when it's right at their doorsteps and I personally feel that it won't be a backward step to develop that. I say again this is my personal opinion and not necessarily that of the Board of Management of the Halifax County Rehab Centre.

Councillor MacKenzie stated that he is certainly not opposed to this being Park and Institutional. It's his concern is, is there any way the County could be compensated for this being park and institutional.

Deputy Warden Poirier introduced Mrs. Eaton of the Cole Harbour Heritage Society.

ROSEMARY EATON: Madam Chairman, Councillors, I think a lot of what I had to say has been covered by previous speakers. First of all I'd like to speak of the Cole Harbour Heritage Society but I will say that I am a landowner in Cole Harbour and I've lived at the site for 16 years so I have a stake in it as a resident. As Ira Settle said this land was once agricultural and, as a matter of fact, it's the largest tract of the woodland that was in Cole Harbour and I think we ought to hang on to the present use of it because it can be used, in its present use, for community gardens or even leased out to a farmer if necessary because there's so little left and at the cost of vegetables going up I think that many of the people who now live in Forest Hills and Colby Village might be very glad if there were community gardens where they could grow things. The purpose of the rezoning, as we understand it, is to protect the land under the present County By-laws in its present use, which is undeveloped. I feel rather like a sort of a broken record because I've been coming with others from the Heritage Society for the last 10 years under successive Provincial Governments and County Councils and have been talking about the values of Cole Harbour. I think the intention is to provide open green space for the new community of Cole Harbour and to provide a buffer zone around the harbour to protect the water quality and the wildlife, which is really unique in the Metro area as Percy said, and I have to say that it is the Regional Plan which has kept these areas green until July 1980. I hope this will be continued but I've heard from various sources that there is going to be a review of the Regional Plan and I would think that this area around Cole Harbour should not be just considered as a rural area as such and therefore the restrictions should be lifted. I know people don't like restrictions but it's the only way that we can keep the area so it can be used for those uses which it has now, which is recreation, wildlife and so on. There are now 15,000 people and somebody else mentioned it may go up to 30 or 50,000. It's almost as large as the City of Dartmouth and there aren't many green areas set aside so this land really is very

MRS. EATON: (cont'd) Important to the new community and also to the people of Metro. Other people have treated on the ways it could be used for swimming, for yachting, as a picnic site and campground, I am associated with our new museum in Cole Harbour and so I think that we in the Heritage Society have an interest in education and this area would be absolutely terrific for all the schools. They could study the salt marsh, walk down safely to the salt marsh and, looking ahead, whether the hospital will eventually still use the barn but it could be a museum in itself for a salt marsh study, and I say this really with all seriousness because in the metro area we have all these marine institutions like Bedford Institute and the universities and Research Council all to do with the sea and we've got this new 200 mile limit, so it's very important our students understand the sea and a place like Cole Harbour is a very good place to start. It is a unique environment and has been recognized as such because of the wildlife and without the water quality being kept in good condition wildlife won't stay with us. The land already does belong to the people of Nova Scotia though, I suppose, it's the Hospital Commission and the County Council and in the past the County and the Province have responded to representations to preserve the water quality by diverting the sewer as told and what hasn't been mentioned is that if it weren't for the ocean it is not so serious as it is in a very enclosed place like Cole Harbour, so if we have to have more development I would hope it would not go in Cole Harbour because it just can't take it. I walk out in the harbour just about every day, and this again is a personal note, and I see that the eel grass, which is a thing that grows in the harbour, is getting sort of killed out by the growth of algae which is due to this flushing that was referred to. If it is possible to improve the flushing that would be a good thing and I don't think that another sewer would help the situation any. Our society is really speaking from the sense of the public interest. I think that we know all the people that come to Cole Harbour and enjoy it, they come to the beaches, they come along the railway line and it's not only the residents. I think possibly there are more people outside Cole Harbour that appreciate it than people who live there. I think that our society asks that this County Council would exercise some vision towards the future. You know, you are guardians of this unique area and we hope that you will continue this policy of protective land use for the harbour and specifically, on this occasion, to accept the recommendation to zone the described lands as Park and Institutional. I am the Secretary of the Cole Harbour Heritage Society.

DEPUTY WARDEN POIRIER: I guess there are no questions Mrs. Eaton, thank you very much.

Deputy Warden Poirier called for other persons who wished to speak in favour of the rezoning.

RON COOPER: Deputy Warden Poirier, County Councillors, my name is Ron Cooper, I'm president of the Forest Hills Residents' Association. I've come here this evening to speak on behalf of the plan to have this zoned as park and institutional lands. Most of the previous speakers have mentioned all of the good reasons and the right reasons for so zoning this land and if possible I would like to add one or two. The Bissett Lake, which borders on the western side of this land, offers an opportunity for swimming and bathing which, at the present time, only exists on Settle Lake, quite a distance away from the eastern end of the community. Most of the area is an expanding residential area and presently, except for bikeways and pathways in Forest Hills, most of the green areas see to have been committed to sports activities. Now in order to have a complete community I think it's necessary to have also other recreational activities and the lands of the hospital would offer a wonderful opportunity for camping, youth groups, as was mentioned people to go down and have picnics, go down and visit on Sunday, go down and see the wildlife in the park area and I think this offers the County an opportunity to round out or give greater dimension to all the recreational areas in Cole Harbour. Thank you.



HENRY CHAISSON: I am Henry Chaisson, chairman of the Colby Village Residents' Association and I'm here to speak in favour of the rezoning of the land to park and institutional. One thing I'd like to add - the topic of the new flushing plant or whatever that might come in, that maybe had been talked about, it may be in the minds as a future thing for the area. One thing I'd like to point out, the growth of Cole Harbour, correct me if I'm wrong, came from the input of the Federal Government subsidizing and giving grants for homes in the area and I think the whole of Cole Harbour, maybe statistics would prove that the greater numbers came from this, and I don't think in the years to come, where CMHC is out of it and the Province of Nova Scotia have other grants and subsidies, that Cole Harbour is going to grow at a fast pace and I think with the system that they do have, with minor alterations or whatever, would be suitable or else they could go elsewhere. Thank you.

Deputy Warden Poirier called 3 times for further speakers in favour of the rezoning application and there was no response.

Deputy Warden Poirier called 3 times for speakers opposed to the rezoning application to come forward and there was no response. She then advised that the public portion of the hearing was closed.

Councillor Stewart thanked the MLA from Cole Harbour, the former Warden, Ira Settle and all residents who spoke in favour of the application. Their presence indicated the importance attached to the area by all those within the area.

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

"THAT Rezoning Application number 9-80 to rezone the lands of the Halifax County Rehabilitation Centre from an Unzoned Status to P (Park and Institutional Zone) be approved."  
Motion carried.

#### SECOND HEARING.

DEPUTY WARDEN POIRIER: We will now proceed with the next rezoning, number 35-79, Churchill Estates Subdivision Request to Rezone. The Churchill Estates Subdivision located on the Ketch Harbour Road, Herring Cove, Halifax County, District 5 from R-2 (Residential Two Family Dwelling Zone) to R-1 (Residential Single Family Dwelling Zone).

MISS SMITH: Thank you Madam Deputy Warden. This is Rezoning Application number 35-79 and it's a request to rezone the Churchill Estates Subdivision located on the Ketch Harbour Road of Herring Cove from R-2 (Residential Two Family Dwelling Zone) to R-1 (Single Family Dwelling Zone). This Application has been advertised as prescribed under the terms of the Planning Act and we have not received correspondence either in favour of or opposed to this Application. (Miss Smith pointed out on a map the area concerned in the Application and explained the land uses in the area.) The subdivision itself, the developed portion of it, is predominantly single family dwellings although there are two duplexes. There is a small block of R-4 zoning where the apartment building is located. This sketch outlines the zoning proposed by the Planning Department. What the residents have asked for is to rezone the entire subdivision to R-1. The Planning Department is recommending that the two duplexes be excluded from the Application so that they do not become a nonconforming status. This Application was initiated by the residents of the subdivision as well as the owner of the undeveloped portion of the subdivision and the reasons given for the Application was so that the water system is not overtaxed and to

MISS SMITH: (cont'd) ensure that the subdivision is fully developed as first intended by the developers, and that is for single family dwellings, and also not to detract from the Village of Herring Cove. The zoning that you saw for Herring Cove came into existence in 1973. The Planning Department is recommending approval of this Application. We do not feel that it is a major change from what is there now except that R-1 zoning is just slightly more restrictive than the existing R-2 zoning. R-2 zoning permits two family dwellings and associated uses. The request is for R-1 zoning which permits only single family dwellings and associated uses. I guess basically, to sum it up, the R-1 zoning would reflect the present use and the intended use so far as the residents and the developer are planning. As I previously noted we would recommend that the two existing duplexes be excluded from this Application and Council can do that as a Motion because it is possible to reduce the area to be zoned more so than it is to enlarge it, so if Council saw fit to exclude those dwellings - we are recommending that mainly because if we zone the duplexes to an R-1 status that means that the apartments that are in those buildings now would become nonconforming which means that if the buildings are ever destroyed the apartments could never be rebuilt, it would have to revert to the existing zoning and it may cause hardship on the people who own those properties. So in order to protect those two uses we would recommend that the duplexes be excluded from this Application.

There were several questions asked by Councillors of Miss Smith to which she responded.

Deputy Warden Poirier called for speakers in favour of the rezoning to come forward and state their names.

JACK INNES: Madam Warden, Councillors, my name is Jack Innes and I represent and am one of the principal owners of Gorham Properties Limited which owns the property which we're discussing this evening. We're totally in favour of this Application. We feel the residents were, in fact, told originally that they would be in a single family type of development. We feel that that is the proper use for the property. We are intending to develop it along those lines. I would like to make one slight correction of the information that seems to be available and that is there are no duplexes in the subdivision. There are two single family homes with basement apartments which I'm informed no longer are occupied, so these are not duplexes which is somewhat contrary to the information. However I leave that up to your decision. We feel that if, in fact, they are vacant at this time that the entire development should be zoned R-1 to prevent a recurrence of this situation. There are 2 reasons I believe that this should be the case. Discussion was heard regarding the water system. It's a good system but it was designed for 50 households. The balance of the approved lots in the development, 15 lots in all, 35 presently occupied, when built upon the water system is now constructed so that it will be fully utilized. Any future development of the unapproved portion, that is the portion of the development for which an Application will have to be made for approval will have to include construction of new well, pumphouse and water lines so that we would not, presumably, be able or the system would not take into account additional lots. Therefore I feel, and agree with the residents, that to have homes with basement apartments does constitute in effect two dwellings for each one of those houses from the point of view of water use and if in fact it is, and I'm just given this information tonight regarding the vacancy in these basement apartments, if they are vacant it's my view that they should not revert, if you will, to basement apartments and this is one very good reason. We run this water utility as owners. We became the proud owners of Churchill Utilities Limited, which I can assure you is not one of my favourite occupations at this point in time, sending out bills and buying fuses for pumps and whatnot, and I do think that, although it's a good system, it's brittle like any other water system and for that reason I think 50 homes is what it was designed for and 50 homes is what it should be used for. Secondly I think from the overall development that

MR. INNES: (cont'd) people were, in fact, told they were going into a single family dwelling situation. From a parking point of view it makes it bad when cars have to park on the streets and we feel that single family dwellings are just that, they are homes with one family in it that are maintained in that fashion and again I speak on behalf of this Application and I feel that, as owner if you will, its proper use for the land and we support the Residents' Association in this regard. Thank you very much.

COUNCILLOR MACKAY: Jack you're the present owners but how were the residents told or get the impression that they would be all single family dwellings without any basement apartments or duplexes involved?

MR. INNES: I've been advised by residents who tell me that at the time they were looking at the lots they were given to understand that it would be a single family dwelling situation. I must say that in looking at Deeds I've been given in that development some of them had building restrictions, some of them did not have building restrictions. At the risk of being heavy handed it was rather slipshod from that point of view. I believe that there were people told that they were going to be in that type of development and from the situations there and the interest that's been shown by this Homeowners' Association I have to believe them in this situation, and we're in full agreement with that of course.

COUNCILLOR MACKAY: The present two homes which were referred to as duplexes but in actual fact are basement apartments, have the owners of those two residences concurred with this rezoning to R-1 to the best of your knowledge?

MR. INNES: To the best of my knowledge they haven't opposed it. I've not been advised of any correspondence received against the Application but I personally haven't discussed the matter with them.

COUNCILLOR SMITH: How would you suggest that you would go about telling someone who has already put an apartment in their home, possibly expecting to reap some financial help to help them out in securing their home, that they can no longer use that as an apartment because you want to rezone it?

MR. INNES: Presumably these two dwellings in question would become nonconforming uses and once they ceased that particular nonconforming use would revert to R-1 but as long as they continue to have basement apartments those owners, occupied by tenants, I don't think you have the right to move the tenants out and rezone but as soon as they become vacant it seems to me they're going to revert to R-1. But again the Application is made for the entire development. If Council wishes to make those exceptions then I presume that's it. They may be in there under the misunderstanding that they are duplexes and they are not.

MISS SMITH: We were under the impression they were occupied at the time of our checking.

COUNCILLOR BENJAMIN: In the event that these two lots were to be zoned R-1, in other words they'd be nonconforming, if these basement apartments were left vacant for 12 months would this deem them unusable as a basement apartment from then on Mr. Solicitor?

SOLICITOR CRAGG: It would be 6 months, I believe. If they're unused as a basement apartment for a period of 6 months or more then they cannot convert to that use legally.

Deputy Warden Poirier called for further speakers who wished to speak in favour of the rezoning to come forward.

DENNIS CREAMER: Madam Chairman, Ladies and Gentlemen, my name is Dennis Creamer and I'm president of the Churchill Estates Homeowners' Association and I really can't add much to what's been said already except to say that all of the residents do support this application to rezone to R-1. I was one of the original owners in the subdivision and when I purchased my lot I was told that it was zoned R-2 but that all the dwellings would be R-1 and it wouldn't be used for an R-2 and I bought under that assumption and I think most other people in the area did as well. We circulated a petition in the area to all of the owners, and there are 21 homes, and there were 3 people who did not support it. They were the 2 who had the basement apartments and one person who said it didn't matter to him, he wasn't prepared to sign the petition. But the application did make provisions for those 2 people who did have basement apartments in that they were going to be exempted from the R-1 zoning. The residents do support the rezoning.

Deputy Warden Poirier called for further speakers in favour of the rezoning to come forward.

RONALD MERRICK: Madam Chairman, Ladies and Gentlemen, my name is Ron Merrick. I'm a resident and vice president of the Homeowners' Association of Churchill Estates. I have nothing substantial to add to Mr. Creamer's or Mr. Innes' address, just to extend my full support. I have one concern and that is in the event of the two duplexes, should they burn to the 50 percent deterioration rate what would be allowed to be constructed in its place. In other words would something beyond that of the basic single family dwelling or would it be a multiple type of structure. I wish to pose that question to Council and that is my concern and I'm sure a concern of some of the other residents.

MISS SMITH: If the building should burn they can have either side by side or over and under duplexes built.

Deputy Warden Poirier called 3 times for further speakers in favour of the rezoning application and there was no response.

Deputy Warden Poirier called for speakers opposed to the rezoning application to come forward.

ALFRED THIBODEAU: My name is Alfred Thibodeau and I have a basement apartment and it's vacant now but I might rent it in the future but when I was told about changing to R-1 instead of R-2 my apartment and the other building (inaudible) but from what I heard tonight after 6 month vacant they're no longer, you can't rent them, which I never heard about that.

COUNCILLOR TOPPLE: Mr. Solicitor I think there's some confusion over what's been said here. If those properties remain R-2 they would not have any restriction on them other than R-2, is that not correct? No matter how long they're vacant they could still be used for 2 family.

SOLICITOR CRAGG: That's correct.

Several questions were posed to Mr. Thibodeau by Councillors.

Deputy Warden Poirier called 3 times for further speakers in opposition to the Application to come forward and there was no response.

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

"THAT Rezoning Application #35-79 to rezone lands of Churchill Estates Subdivision, Herring Cove from R-2 (Residential Two Family Dwelling Zone) to R-1 (Residential Single Family Dwelling Zone) excluding the two duplexes be approved."

Motion carried.

It was moved by Councillor Williams:

"THAT the Public Hearing be adjourned."

Motion carried.



of open space in a strategic area of this part of Sackville. That equals about 14 percent of the land area of the Land Assembly as opposed to the County's minimum requirement of 5 per cent of land for park. The residential areas of Millwood will be clustered in areas adjacent to either the lake or the river in small neighborhoods or in close proximity. This housing will be primarily single family with some semi-detached and street town housing as well, primarily for home ownership. Access to the land Assembly will initially be provided by the Cross Beaver Bank Road, running between the Old Windsor Highway and back out to the Beaver Bank Road. But as development proceeds, a new collective street will be constructed between the Old Windsor Highway to meet an improved Cross Beaver Bank Road to the existing Beaver Bank Road. That new collector street will be the main access road for the residential development in the land Assembly. Sites within the Land Assembly will be reserved along this collective street and adjacent to the Little Sackville River park for community uses such as schools and other municipal uses. These will be provided through the Municipality at cost. The residential lots that will be developed will be fully serviced residential lots containing at least the following services: underground sanitary sewers, water lines, a central water supply, paved streets, concrete curbs, and all utilities. This master plan will provide for between 1500 to 1600 homes again primarily for home ownership with the idea being that the homes be built by professional private builders and/or lay persons such as families wanting to build their own homes. The lots will be sold at a moderate price to facilitate a serviced land supply in this growing area of Sackville. The Housing Commission chose the Planned Unit Development approach under the County's By-Law system to apply for the necessary development approvals for this Land Assembly. There are good reasons for this. In a Planned Unit Development Zone in an area like Millwood, which is a large Land Assembly going to be developed in several phases over several years, the complexities of development demand a more comprehensive type of approval. The Planned Unit Development By-Law provides the County, the Housing Commission, and also the residents with as much forward planning as possible of the proposed development that will take place in that area of Sackville. Basically what the Planned Unit Development Agreement that has been negotiated between the two parties does is: 1) it sets out the type of land uses and general location that would be allowable in this Land Assembly. 2) It sets out the general street plan. 3) It sets out all of the types of servicing systems that will be provided for those lots and 4) it sets out the rate of development and what would be the take-up in terms of the capacity of the various services. It also sets out all of the engineering and planning standards that will apply in Millwood. The legal Agreement contains those provisions. Also it sets out provisions for the take-over of park land and other services, all of the conditions and regulations by which they will be built and then subsequently taken over by the Municipality as a municipal resource. Finally it sets out all the aspects of phasing and approvals and encompassed in the approvals are not only the approvals of the County directly but the approvals of other agencies such as the Provincial Department of Environment with respect to storm drainage and the Provincial Department of Transportation with respect to the approval of the street system. The Planned Unit Agreement provides for both the

overall approval of the Land Assembly proposed development by these Provincial agencies and for the individual detailed approval of each phase. The first phase will contain when completed, perhaps 1500 to 1600 homes. It will have to be developed in several phases; I believe we are planning about five phases. It will have to be developed over perhaps a decade of time depending again on economic circumstances, the marketplace and the growth of this area of Sackville. The first phase has access initially from the Cross Beaver Bank Road as noted. The particular reasons for starting in this location are: 1) it is adjacent to existing development in the so called Little River Subdivision 2) it provides the access to the existing trunk water lines which now proceed up Cross Beaver Bank Road. Phase 1 will approximate about 400 hundred homes. About 1.9 million dollars has been committed to the investment in the servicing infrastructure of Phase 1 and another 15 million dollars would be spent in the construction of the residential structures. Phase 1 will provide an initial supply of fully serviced lots in the Sackville area in the context of planned growth within the area and will provide a supply of lots which has been absent from that area for the past recent years. The value in current dollars of the total development, with respect to services and the infrastructure and housing, would be in the order of 80 to 100 Million Dollars. This relates the current dollars to the value of the total development which would be phased over several years. That is a brief description of the intention of the Housing Commission and the method of approval which is being considered this evening.

Warden Lawrence called for questions by Councillors.

COUNCILLOR WISEMAN: I have a number of questions if Council will permit. The whole master plan formula seems like an excellent plan, but I do have a few concerns. Why are the grey areas being retained as reserved lands not serviceable at this point?

MR. CLARKE: The main area that is shown in gray is unserviceable at this time because its contour slopes, down toward the Old Windsor Highway, away from the trunk sewer which is located along the valley of the Little Sackville river. At some future date, perhaps even after the whole land assembly is developed, services would be extended up to the Old Windsor Highway to that area, at which time plans could be considered for its development. What we are showing in land uses are those areas which are immediately serviceable to the trunk sewer in the Little Sackville River. The master plan does state some guidelines for how they would be used for residential purposes or for certain community uses. We can't go beyond that until they become serviceable.

COUNCILLOR WISEMAN: Can you point out parcel #1 on the map?

MR. CLARKE: It is roughly in the area that may be called Maroon Hill on the Old Windsor Highway and there is a very steep cliffside along that frontage. It isn't in Phase 1.

COUNCILLOR WISEMAN: Will the services underground include the electrical wiring and telephone wiring and so on.



MR. CLARKE: No not the power or electrical utilities. These services would be provided by the normal service of the power company and they are above grade.

COUNCILLOR WISEMAN: Within the present Sackville Development there was approximately \$400,000 set aside for recreation, one hundred dollars of which would be recovered from the sale of each property. Is the same situation going to be in effect for Millwood?

MR. CLARKE: Yes, that concept will be applied to Millwood and the fund for capital expenditures in recreation will be developed as lots are sold and will be provided perhaps to local groups or in cooperation with the Municipality to provide some development of recreational facilities on the land.

COUNCILLOR WISEMAN: In Sackville \$108,000 of that recreation money, was spent to put in walkways for the community. Will walkways be treated under the same type of situation with Millwood?

MR. CLARKE: I would think not unless there are some extra special main walkways. Generally speaking we have covered the capital costs of walkway construction within the normal servicing costs of each Phase and charged them up directly to the lots. The recreation development funds so far have been used almost exclusively for the Scotia Stadium assistance, the development of part of that lot and the development of playgrounds.

COUNCILLOR WISEMAN: Are you suggesting that all of the recreation money will go to actual recreation facilities in the community.

MR. CLARKE: Yes, both outdoor facilities and perhaps indoor facilities.

COUNCILLOR WISEMAN: Will there be financing available from the Provincial Government or CMHC in order to assist private individuals in building their homes.

MR CLARKE: I really can't answer this because it depends on future programs being developed by both levels of government.

COUNCILLOR WISEMAN: Have you drawn up anything specifically for Millwood in the way of assistance for financing?

MR. CLARKE: No, not in terms of blocking off a certain number of lots for a particular program. We would hope to provide the lots at a moderate cost and whomever would operate under those programs would apply depending on where they purchased the lot.

COUNCILLOR WISEMAN: In the master plan it says that the sites for Municipal uses are not going to be serviced until Phase 2 of the development. Looking at the whole educational picture right now I know that the elementary schools are extremely crowded and we have a couple others that will be coming on stream some time in the next few years. Is there any possibility that at least one site, perhaps the site that

is suggested as an alternate Municipal site, could be serviced in case it would be needed. The population for Phase 1 is 1708 and using your figures of approximately 20%, there would be 340 elementary students just in Phase 1 alone and there is only one school.

MR. CLARKE: Yes, and actually the reason for the location in Phase 2, and in later Phases, for the Municipal sites was because on the plan the best location for them was along the Little Sackville River and the collector street. That is why physically they weren't attached within Phase 1 which was a problem in the plan because there were suggestions made that perhaps we would need some of these facilities for Phase 1. The master plan provides that if the Municipal site is required for Phase 1 it can be provided in Phase 1 on the alternate site shown on your map. If the existing school capacity in the area now is insufficient for Phase 1 the initial Municipal site will be made available on the request of the County in the alternate location.

COUNCILLOR STEWART: I have four areas of general concern which arose in the Forest Hills Housing Commission Development and are relevant to some degree here. One is storm drainage, another is the rules with respect to changes to the plan, a third is the schools, and a fourth is the prospective residents appreciation or understanding of what will or will not take place and where. With prospective storm drainage there is a major willingness here to tackle the whole thing in advance for the whole development. Do you have any specific remarks on this problem in the little Sackville River.

MR. CLARKE: the storm drainage will be professionally planned with respect to solving any problems created by the impact of development on it respecting increases in storm drainage. In the PUD Agreement between ourselves and the County there is wording which commits us to seeking not only the detailed approval of each of all the infrastructure we install from the Environment Department, but we must also obtain an over-all approval from the Department of Environment which is the agency responsible for this matter. We will design the area professionally and seek the responsible Department's approval.

COUNCILLOR STEWART: I noticed in the proposed Agreement it says the County accepts that there will be general compliance between the master plan and the subdivision designed plans. In the case of Forest Hills I don't think there was allowance made for division by division approval or Public Hearings. If there were going to be any changes to the master plan they would require some public input. Does it mean that each time one of the Main Phases or subdivisions comes up for approval, there will be a Public Hearing like this one with respect to it or in your opinion is this the only Hearing on Millwood.

MR. CLARKE: This would be the only Public Hearing unless there is a change made to the master plan under the terms of the Agreement. Recognizing that the overall plan is not a legal subdivision plan, there are limitations put on the degree of change and these are particularly stringent.

COUNCILLOR STEWART: One thing I am not quite sure of in the proposed

Agreement, it refers to Section 11 of the PUD By-Law which says for minor variations that staff can okay them, whereas as far as I can see in this proposed PUD Agreement there is no real reference to major variance/minor variance. The overriding thing that I could see was simply that when there was any dispute, basically the PUD agreement was followed as superior. For example, if on the map of Millwood the western-most yellow portion was to be changed, and for instance that Phase 1 was developed at that so you had a few thousand residents already there who had been looking at this map for two or three years. I just don't see in fact that our own PUD By-Law and perhaps our Solicitor would comment later on this, or in this proposed one it doesn't seem to come to grips with Public input for major changes or even what the major changes are.

MR. CAMPBELL: At one time staff and the Housing Commission had attempted to come to some agreement on the definition for major or minor variance. It is very difficult to come to a definition that says that a minor variation shall be the moving of a zone 25 ft, 30 ft., or 300 ft. It was decided that after considerable negotiations that we would refer back to the By-Law and leave that matter to both the development officer interpreting the subdivision plans coming in and to the County Council if those changes were interpreted by the development officer as being major. Section 3 deals with the matter of variances and it refers back to the County's original By-Law.

COUNCILLOR STEWART: That's perhaps the problem. I've seen in Forest Hills where we get into this after the fact many years later. If you look at our County PUD By-Law Section 11 it says with respect to a minor variant but it doesn't say what happens when there is a variation which isn't minor, or at least I couldn't find that in our By-Law.

MR. CAMPBELL: I think the solicitor will support me when I say that a major variation would have to be dealt with through Council and through either approval by Council directly or through a Public Hearing. That decision would be up to Council.

COUNCILLOR STEWART: I think it would be useful if the Housing Commission and the County in this PUD Agreement had some prior mutual acceptance that the change would be one that would require public input because before the development starts we get a very good conceptual plan like this, but it is not until you get down to each Phase in detail that you actually look at things in some respects.

MR. CAMPBELL: We attempted to do that. Planned Unit Development approach is an attempt to incorporate a contractual arrangement with a form of zoning. And that amount of flexibility or that amount of specificity in trying to develop a definition for minor and major variance that could be used for every situation was very difficult to draw up.

MR. CLARKE: Everyone has their own definition of a major variance, but we are committed to where there is a major variance notwithstanding the difficulty of defining that, we are willing to go to Council to sort it out.

COUNCILLOR STEWART: The third area is schools and I see in this agreement there is a calculation to the population and this shows where the schools will be. I think a very fundamental thing with the Forest Hills Development was that the impression seemed to be that the schools were there solely for the development, other parts of Cole Harbour in fact and parts of Westphal and Eastern Passage which interrelate to the school system. I would suspect in the Sackville area that the same applies, that the planning for the schools and the type of approach and the way they are discussed should indicate the fact that they will not necessarily be only for people living within certain boundaries because the School Board has its own boundaries.

MR. CLARKE: I agree with you there Councillor, especially in Millwood which is a smaller land assembly and will have to have great transference of students both inside and outside. Truly even in Millwood also there is no provision at all provided for High School students if you will, they will definitely have to go outside the area to be served. So likewise, children will have to come inside Millwood certainly to be served as well. The only thing as a responsible developer we can do in Millwood, I think, is to supply sufficient land to provide for the school for the accommodation of these students that would be generated.

COUNCILLOR STEWART: The last general concern is this public appreciation. It states very carefully in the proposed PUD agreement that the By-Law rules, then the PUD agreement, and then last or least important is this document. I assume it will be the case again what the public will see is that they will see the colors, they will see the wording, and I think mainly a finely worded document, but I do see a few things. One little example, which I will chuckle with in Section 5, it talks about marketing. The Municipality will be maintaining the street, responsible for street cleaning and policing and so on. Of course, people like me get calls about roads when it is the Province who looks after the streets in our Municipality and cleans them and its the Federal Government that is responsible for policing. There is just one little area where its not exactly accurate, but the biggest thing though, is when you look at your Municipal sites, so called your commercial sites, your apartment site they should stay as they are in the main because as you know the people look at these and real estate people say well look if you are going to move here you are going to be beside this wonderful open space and bang if it changes without reason or public knowledge there are problems.

COUNCILLOR WILLIAMS: Mr. Clarke, I am a rural Councillor and not used to the Housing Commission coming into my own backyard and doing a big favor for me. I sometimes wonder at the wisdom of the Housing Commission. Are you aware Mr. Clarke that in Sackville at the present time there are almost four schools pending to be built by this Municipality? The demand is there and the projects must go on and now we are confronted with another case. We're all aware we are in a financial bind as far as borrowing money and school programs and water/sewer services and that's on the school program. Madame Chairman the statement from Public Works Department isn't too encouraging. In the last report to Council Mr. Gallagher mentioned the fact there would

be problems in obtaining permits at a later date unless certain things are done. When we have a presentation on the staff report, perhaps that would be a more appropriate time. Maybe Mr. Clarke could give us an answer on what negotiation takes place with the Minister of Education or this type of people, when a program of this type comes into being. You know, we rural Councillors are faced with a problem too. We have schools and some of them are in bad need of repair, we badly need new schools, badly need additions to them and unfortunately in many cases we have to take a back seat when a project such as this comes along. Now the Housing Commission seems to get away with this and create a problem and then the County has to solve it. It is not fair to people to go in there and then find out that they have to go into overcrowded schools.

MR. CLARKE: I can only say in that regard, that the agreement does provide that 1) we have to provide the sites for schools sufficient to accommodate at least the number of students that would be generated from our development. That is just a basic responsibility of a land developer. 2) We also are committed to residential development at any time infrastructures become overtaxed. That would include schools as well, so we couldn't continue developing in Sackville if the school program could not keep pace. So that I would assume that again with the Department of Education's cooperation that the school supply would hopefully keep up with residential growth.

COUNCILLOR WILLIAMS: Yes, but Mr. Clarke you say that you would see that they keep pace. You can see, the fact that there are four schools now pending, that it is not keeping pace and there is no way in the world that it can keep pace. There is poor planning somewhere. I'm sure that people in your Department should be able to know why there is always the demand for schools after this housing.

MR. CLARKE: Yes, I am certainly not pretending to be qualified to speak about the whole aspect of schools, but I would like to point out Forest Hills as one good example, I believe, where there was a large supply of residential land and school construction and school development has fairly well kept pace with that residential development in that planned community. I think there will always be problems with schools and one way of helping to resolve or alleviate some of the problems is through planned development. Developments such as Forest Hills and Millwood would at least identify the need at a very early date. It does allow for planning to accommodate some of these community requirements.

COUNCILLOR MACDONALD: Mr. Clarke, one of my concerns is flooding control. As you know, in Sackville's older developments there is nothing but problems with homes on the bottom of hills, basements being flooded and so on. Another thing is that Millwood be built in an orderly fashion, not like the present Sackville development. We are still going back now and trying to catch up, sidewalks, everything. I hope that you are going to have sidewalks, curves, etc. I think it's probably easier to do it at that time than to come back in five or six years and try and catch up. Another thing that would bother me would be the outflow of direct water from houses going into the sewer line

which is happening now and is probably one of the problems in a slow down in development in areas. The excess water is surely hindering the homes being built and I am wondering if there is some way we could keep a close check on these lines coming from homes before they are covered over and make sure that just the sewage is going into these lines. I think this is a serious matter. People buying lots should be advised as to what is going to be handy to them. A lot of people bought lots and built homes and the first thing something went up along side of them and they said nobody told me that this was going up.

COUNCILLOR MACKAY: Mr. Clarke most of the questions or reservations that I probably held have been asked by others and have been answered quite eminently by yourself, with the exception of one area and that is with respect to parkland or green areas so designated. I realize and appreciate that the eventual concept will be for the Municipality to take it over. We have a present situation where green areas in Sackville and I suppose Forest Hills are now deeded over to the Municipality and we have some problem in chronic areas which have existed over the years associated with them. What type of negotiations are we going to encounter years down the line? Okay, say this area is ready now to be developed. This parcel X is to be turned over to the Municipality and if there are some inherent problems associated with it and the County says, probably in all good faith, with modifications made to the land we will accept it. What would be your stance on that? Agree to modifications within reason of course or would they just be developed and turned over as they presently exist?

MR. CLARKE: The Planned Unit Agreement certainly provides for the Park areas to be allocated on the master plan. Firstly and then when the Phase is developed and the legal plan prepared of each subdivision, those are submitted and approved by the County and that would include detail approval of the legal park lot that would have to be in that Phase. Once that approval is given and that approval would be a qualitative approval by the County, in other words they would look at the land and see whether it met their requirements with respect to Parkland and if it was going to be playground for children for instance, whether it was suitable land and assuming that land was approved at the Subdivision approval stage then within 60 days of approval under the Planned Unit Agreement the title to that land would be conveyed to the County. Any arrangements with respect to capital assistance for instance for recreation facilities in that particular land, I would think would be covered in a separate negotiation, either with the local community group that may be sponsoring the facility or with the County directly. But with respect to the ownership of the land that's quite cut and dried and allowed for under the agreement as part of the subdivision approval process.

COUNCILLOR MACKAY: I think any Councillor that represents any area in Sackville now and any that would have for the last few years probably are besieged or beleaguered with calls at various times because of flooding problems. Most flooding problems are because of trenches that have been dug and when you have a heavy rainfall the water comes down and floods basements and things like that and we have a chronic problem over the years. Further to sidewalks, I appreciate that they are