

year. The addition of storm drain volume could result in floods more severe than ever before. Storm drains are proven causes of siltation. When sediment traps are used the situation is alleviated to a degree. If they are to be effective these traps must be designed to work successfully during the severest possible flood situation after Millwood development is completed. Sediment traps only work properly with constant maintenance. Provision must be made for this maintenance. The Sackville River Advisory Board is well aware that higher standards will in some cases raise the cost of development we do feel, however, that the cost of any preventative action during development will be minimal compared to the cost of remedial action in the future and will ensure the good will of those who choose to make their homes in Millwood as well as those who may feel the effects further downstream. Thank you.

WARDEN LAWRENCE: Thank you very much Mrs. Merriot.

MR. AMBER: Section 4-8 A of the master plan says that the minor storm system will consist of the local pipe systems designed by the rationale using a one to five year storm frequency. The use of the rationale method for peak flows in urban areas is acknowledged as satisfactory. The return period of a storm that is noted there of one to five years as a designed standard has been agreed to with the Nova Scotia Department of Environment. This means that the storm runoff is to be designed on a basis of a storm that has a probability of happening at least once every five years. Is that satisfactory?

MR. GALLAGHER: This has been agreed to by the Department of Environment.

MR. AMBER: There has been a lot of discussion here about estimation of runoff and peak flows and I want to point out that there has been for some time a Federal effort to reduce flood damage. It is called the Flood Damage Reduction Program. An agreement has been signed with the Province of Nova Scotia as well as other provinces in Canada and within this agreement there have been a number of areas within the Province designated as high risk for damages due to floods. In support of this, there have been contracts let to consultants to come up with peak runoffs, either estimated or from existing data. In turn, accordingly to the lie of the land try to estimate where the flood line lies. The standard they are using is to designate a line on the flood plane with a one and twenty year return and a one and hundred year return. What I wanted to say is that a consulting firm has been contracted to estimate peak flows and this has in fact been done for the Sackville and Little Sackville River. I feel that Planning Department should talk with these people and find out what they have come up with and this perhaps could be compared with the estimates from the rationale method.

COUNCILLOR BENJAMIN: It would appear that you are in support of this project and yet you have strong misgivings almost implying that perhaps the plan as presented may not be the best possible plan. As an environmentalist and concerned about this project do you see anything in that plan, for example in the orange areas which would undoubtedly the high density development going next to the run off areas, as being

detrimental and should be reversed and smaller area density of people should be near the water and the thicker density of peoples, such as the condominiums should be away from the water area.

MRS. MERRIOT: It probably would be the finest way to do it. But as I understand the plan, these are areas that are slated also for infilling which would make them very very expensive for low density housing.

COUNCILLOR BENJAMIN: Would they not require greater land clearing of the existing foilage and so forth in order to provide for that high density of structure?

MRS. MERRIOT: This is partly why we are wanting some clarification on the buffer zone to be left around the river. We feel that there should be a definite amount stated on either bank perhaps, rather than saying that it will be 50 to 100 feet wide. Because this would allow where the river bends you could come within 10 feet on one side and 40 or 90 on the opposite. These are some of the things we feel have to be looked at in order to protect the river.

COUNCILLOR STEWART: I think an Advisory Board is a fine thing if it is a watchdog function and I can tell you from experience in Cole Harbour specifically in Colby Village which has been going for ten years now. Bisset Lake has been silted all these years and has lost its wildlife and so on. Because of the up stream development still going on in Forest Hills it is still silted. I think though you have to look at what the objective is, if the objective of the residents is to develop Millwood you are going to have some trade-offs because I assure you you can't build an area like that without causing environmental damage. It can be minimized as with foresight but as you have heard tonight there are still many areas here that it appears there are more questions than answers. I would notice in the diagram of Millwood it appears that at least some of your runoff is going into Feely Lake and I guess the southern part goes into the Sackville River, but basically to do the things you want to have done and to actually ensure the rivers aren't hurt does cost a lot of money. I think one of our problems as Mr. Gallagher alluded to is in the past the policy of everybody was if there is a stream there you just dump everything into it and if it is in the way you just cover it over, damn, pipe it or what have you. It seems these things seem to take time and would certainly take money. The only positive thing that I could suggest is that Mr. Campbell of our Planning staff hinted that there might be some benefit in amending Section 11 of the proposed Agreement in which it is the only one that comes to grips with this. The Housing Commission shall approve the overall approval of environment before the whole thing starts and possibly there could be a suggested amendment that only does this happen but that the issue comes back to Council in which case bodies like yourselves could have an input. I would think that that wouldn't delay the project any if there was a concensus that there was some benefit in making that amendment, I would be perpared to do it. I think if you don't look at this drainage as an environment thing right from the start on an overview it is going to be game over because once it is done as this Task Force is finding, it's going to be extremely expensive to fix some areas in Cole Harbour and it is unfortunate again

that in spite of Millwood having been talked about for three years or more there is still many major questions that haven't been answered and I guess you have to weigh up whether you go ahead any way and hope that we follow up with them or else you don't. I would like your reaction to those comments.

MRS. MERRIOT: Well what we hope to do is to be able to work with Council to act as a watchdog committee as you said and also to help perhaps to formulate some sort of not restriction but guidelines for developers to curtail siltation. We can certainly not let it go on the way it has been going on. I can show you one area right now along the Little Sackville River where there has been large infilling for a new construction. At the bottom of that infilled hill which is estimated to be 15 feet high there is about one foot and a half of silt. There was no control on those people when they built which was only less than two years ago to prevent that silt from running down to the river and into the river. There is nothing there now really to make them do anything about it. We have to have some sort of guidelines that we can present to people and say when you do this you have to do this. Also, it is to protect everybody. It's a protection for all concerned so that damage does not occur to the river or to the property of the builders.

COUNCILLOR STEWART: My point is that the point of working with us to do this is gone, you have missed it. Unless we amend this a little bit so that this aspect comes back to Council and whether Council would agree to that I don't know.

MRS. MERRIOT: I feel that we still have time before the development starts to bring in some sort of guidelines.

COUNCILLOR STEWART: I think what I am saying and I may be wrong but basically when this is approved by this Council then you would be trying to convince the developer and the Housing Commission. There would be no supporting power of this Council. There is no mechanism once this is approved. The whole idea of the Planned Unit Development once it is approved within the guidelines of the Agreement is that they get on with it. Therefore, I am saying possibly this section 11 might be looked at.

COUNCILLOR MARGESON: Thank you Warden and friends, just a quick question and based on your knowledge and your research. In connection with rivers or brooks, would a good figure be 100 feet from the center of the river on both sides?

MR. AMBER: That at times might be a very site specific number. I don't know the origin of that 100 foot buffer that is in the report now. One would have to go out there and look and see if it is satisfactory.

COUNCILLOR MARGESON: Well, then it would be based on your field knowledge rather than any set number.

MR. AMBER: You would have to, I think, look at the bank stability and

type of cover that is on the bank and the slopes too.

COUNCILLOR MARGESON: And the curves, and the flow , and the velocity and so on.

Warden Lawrence called for further questions. She then called for further speakers in favour of this Agreement. Hearing no response, she asked for speakers in opposition. Hearing none, she declared the public part of the hearing closed and called for a motion.

COUNCILLOR TOPPLE: It appears to me that there is an awful lot of unanswered questions on this proposal. I can't find any fault with the design on the part of the Housing Commission, I think that it is perhaps a pretty nice development. Although as I said before at the meeting we had with Municipal Affairs and the Housing Commission that I felt the Housing Commission in the market today should be looking toward a different direction in developing housing and my main concern was we should be going to infilling in the existing communities. I think it is time the Housing Commission got together with the Municipalities to try to develop servicing for existing communities and I feel that to go this far out with another, an isolated development, it is isolated in that it is an independent community and the Housing Commission not having any power or any map that the area I represent starts here. I have to look at these residents are coming from and I think we can all see where they are coming from. They are coming from Halifax and Dartmouth and I believe our Provincial and Federal governments are committed to a plan of energy conservation and I can't see that they are serious if they are proposing that we get on with this development. I would suggest also that the residents that will be moving into that area will continue to work in the cities. I think if you look at the traffic going out those highways in the evening you will see that an awful lot of that traffic is residents from that area that are working in the cities. I am also concerned because I am here not as an area representative, not representing that area at least, and I think I have a responsibility to this total Municipality in that I have to look at the cost to this Municipality. As I mentioned before this Municipality is subsidizing, without question, the housing developments of the Nova Scotia Housing Commission, which is really a thorn in my side. I feel that the Housing Commission have put a lot of, in my view, good honest developers in Sackville out of business. It was mentioned also that these lands were proposed for development by other developers. I think that if we had allowed the development to go on perhaps using the Housing Commission to help in providing the services in the area so these developers could get on I think the development would follow the market trends. Again, I think I mentioned this before you take away the subsidized mortgage and you will see what sort of housing demand there is. If you again look at the for sale signs on a lot of this subsidized housing you will also note that the people are not able to stay in those homes and again a lot of them are boarded up because they could not stay in. I really am not convinced that there is a big demand for housing as the real estate developers say. I have noted that they are all trying to help one another to sell rather than to get out and sell on their own. Because I don't think properties are selling. There are lots of signs but I don't think the

market is there. Again, I would have to say that I feel that schools are a major cost and I think Councillor Williams alluded to it in that report and I think if that means anything we are actually putting Sackville in a bad position. Now I don't wish to say the funding should not be going in Sackville. I think perhaps there is no reason why some development could not be taking place in Sackville. I think the time is right to try and develop in the inter areas there. I am concerned that we are setting up isolated communities on the extremes of other communities. We all have problems in areas we are not permitted to develop. It is a known fact that we are going to curtail other development if you go ahead with these types of developments. The sewer systems are creating problems now. I would like to see us overcome a lot of our problems we have today. I think we have to look at the school situation in the total Municipality. I travel through the total Municipality and I find that schools in some areas do not come up to the standard of the schools in the local area. I think that is where we should be addressing ourselves, to giving all students in the Municipality an equal education. I think that is the responsibility we have. We should utilize the Housing Commission in all our communities, good planning is certainly necessary. They have the best of planners there is no doubt about that. I have never knocked any of their plans, I just think they are not in the right place. I think we should be more concerned about that. I am also concerned about the position we find Sackville in if we are to go ahead and approve this development. In the map Mr. Clarke had if you noted, the total development of Sackville is on one side and Millwood was on the other. With the industrial park going in I can see it shaping up as a beautiful little city all by itself. After that report was presented and an indication I read in the press, that there was no way for Sackville to go, there was a committee set up to decide on which way they should go and that is after that report was presented. I don't think you can say that we should not be concerned whether or not there will be a city in Sackville. It requires certain industrial base, I agree. I think again we have a responsibility to all the residents and I have not changed my position on this. I don't go to bat for my residents over and above what the other residents in the County get. But I expect that they will have the same things. I don't agree that it won't cost the existing taxpayers more money it certainly will. We have already subsidized part of this housing. I think we are going too far with subsidized housing today personally. I think if we allow the market to progress as the demand comes on we will have better types of development and I think the housing is not a plus for the Municipality. I don't care what anyone says, it is not, as it is it's a known fact that it is a negative factor as far as taxes are concerned. The fact of the matter is we will be spending a lot of money providing services at this time which is recoverable ten years down the road. Someone has to put the money in at this time not later on. I don't think the schools in Beaver Bank and other schools would house the children. The indication that I had was that schools were already needed for those areas of Beaver Bank and soon and perhaps they are. In existing parts of Sackville we are looking at additional schools. With the feelings I have now I would have to vote against the motion at this time. It is not that I am opposed to Sackville getting some other development. I think perhaps the development could continue

in Sackville, but I can't approve a project of this with so many expensive questions unanswered. I think there is too many unknowns which came out here tonight. There is no question about it we are not sure of anything. I would leave it at that and I would have to say I certainly will vote against going ahead with Millwood at this time.

COUNCILLOR MACKAY: I would like to speak in favor of the motion. In trying to be realistic and objective about the whole thing and looking at it both pro and con I know that there are a lot of questions not answered and I think that in life in general there are a lot of questions that are going to arise that you are never going to pin point down. We cannot create the ultimate utopia. I try to look at some of the pro and cons that were brought out tonight you have an hindrance to the individual developer. If you look at the serviceable boundaries for Sackville on the map, and if you look at infilling there is very little infilling that can be done. If you look at the bottom of the serviceable boundary it is bound by the 101 Highway and to the left of that, it is designated as a regional park, if you look to the left hand side it is outside of the serviceable boundary and the top of the map is outside of the serviceable boundary, to the right of the map it is the designated industrial park and also the Town of Bedford. If we are not infilling I don't know what we are doing. We are basically infilling the part of the serviceable boundary. If you talk to the individual developers in Sackville and I had the opportunity being in the construction business to talk with some of them, they just plain can't afford it. If you look at the objective of the Nova Scotia Housing Commission it is to develop serviceable land at a reasonable price for the low to middle income bracket. That, if you face facts, is what Sackville is made up of. Sackville, if you look at it, and it was brought out that you see most of the people of Sackville travelling to and from Dartmouth and Halifax as a place of employment so Sackville I think was designated and created as a bedroom community. I think that we are going to have to do an awful lot to create any change in that regard because basically we will remain a bedroom community. There is a very definite environmental question. There is no reservation on any behalf of any of the Sackville Councillors in that event and that is why they were trying to put some safeguards into it. As far as the Nova Scotia Housing Commission as a developer, yes in the initial parts of the First Lakes development in Sackville we did have some problems. I think everyone realizes, recognizes and appreciates that. The Nova Scotia Housing Commission has shown themselves interested in perfecting future development. If you look at the storm drainage problem there is no question about that. Infiltration, I think well maybe, that it is just the impetus, the shot in the arm that we need to finally get on with this study. If you look at probably the future of Sackville that is why we are now in the process of creating a Municipal Development Plan. We know what the future will be and we know what direction we can go in. If you look at some of the pros, there is no question we need an economic stimulus, this just might be the stimulus we need. Yes, it was brought out that housing starts are down 44 percent in the metropolitan area and I was surprised to see that it was 44 percent. I assumed that it was much higher than that and that is why at the last Council Session I asked for the building permit applications for the first half of the year in

comparison with the last couple of years. We certainly need it and I think that the whole metropolitan area needs it. Business, construction, everything generally is down. The economic tide is not very favourable at the present time. If we look at residential rates we look at \$1.02 or a \$1.14 for the Municipal Tax Rate we look at \$1.08 for the area rates in Sackville. Yes, it was brought out that there was 3000 feet of trunk sewer that users of the system are paying for. We are doubling the capacity of the Millwood treatment plant at 2.4 million dollars and we are going to pay for it in Sackville whether we have more users or not. We are looking at a very high rate for fire service, in fact, the highest in the whole Municipality at \$.31 per \$100.00. In most areas that is at least one quarter or one half less. We are trying to put more users on the system. Looking at recreation we have the infrastructure for one of the finest recreation commissions or organizations in the community. Looking at building new facilities, we want more people to pay for them. We are looking at a Metropolitan Playing Field, that just taxpayers alone, on area rates are paying \$300,000 for. We want more people on the system to help reduce the overall cost. We are looking at commercial, we are looking at businesses that located in Sackville on the premise that Millwood would be there. Many of them are gone down the tube and there are others that are going down the tube. If you look at transit for example, right now we have free transit on the transit demonstration project we are going to have to wrestle with it next year and start to pay for it. Putting more people on the system reduces the overall costs. Trying to condense it and trying to be realistic about the whole thing and not just looking at an isolated situation of Sackville but just the Municipality itself. If you look at the Metropolitan area and if you take a 25 mile radius and just draw that circle right around and look what areas are easily developed and attractive for the average homeowner you are going to come up with Sackville and Cole Harbour. Going out Cole Harbour way it is very restrictive because of the environmental sensitivity of the situation that exists over there. Sackville is the area that is going to develop whether we like it or not, and when I say we, I mean residents of Sackville and in the Municipality as well. People have to live somewhere, there is no question about it. You look at the vacancy rate of apartments in Halifax City I think it is down to 5 percent vacancy or less. There was a report in the newspaper in the last week. Probably, there are some things that are detrimental about it. I think when you add up everything and you try to weigh them one against the other the positive side out weighs the negative side. There is going to have to be a school built. Some of the students will be absorbed into the Beaver Bank Elementary. The Middle Sackville School was declared surplus but held in reserve for Millwood. If you are talking about schools in the Municipality that are pathetic you ought to come out to District 16, they are the worst. We do have terrific facilities in some parts of Sackville. Yes there is going to be costs if you look at the long term down the road 15 to 20 years I can't answer and I don't think there is anyone among us that can answer. Life has to go on and we have to have homes and we have to have business. This is a stimulus for prospective clients to locate in the present industrial park and the proposed industrial park. We have to ensure that these coincide with each other. You can't have industry without the labor force or vice versa.

That is what we are hoping to do is produce a labor force and produce housing for that labor force at the same time. You can go over to Colby Village and they are building houses like crazy, but they don't sell for under \$80,000. Go down the south end of Halifax, they are building houses down there and try to buy under \$100,000. People like myself and many other people among the residents of Sackville and the average person in the Metropolitan area cannot afford such houses. To sum it up, may I say that I speak very positively in favor of Millwood. With only the reservation of the drainage problems which might exist. We sort of have a motto in the Municipality, being the celebration of the 100th Anniversary, that 100 years of progress have passed so please don't let's regress at the eleventh hour, don't turn it down now. Vote in favor of it.

COUNCILLOR ADAMS: I suppose while the Millwood project may be a good one and I think that perhaps I would support it in principle. Tonight I have some difficulty supporting the motion that we would proceed with Millwood. I have to be concerned for the County as a whole as to overall future costs to our taxpayers particularly when we know we have pretty well extended ourselves in the most costly aspect of our Municipality and that is education costs. Councillor Williams made the point quite clear as did the Ministers of Housing and Municipal Affairs to this Council. We face a crucial situation in regards to future cost for new capital projects and those services related to education. In simple language we cannot afford three new schools. My other concern is that I have heard a great deal of discussion here tonight about areas relating to the development that have unclear answers, such as, will this Municipality suffer an inability to develop in other areas if Millwood were to get under way over the next eight to ten year period. If so, can we afford that kind of hold up across the county and at what costs. There is a question of availability of housing across the County of Halifax and the bigger question is why are we having delays in completing other housing projects of the Commission in some other parts of the County, such as the Eastern section. There are several unanswered questions as I have said and gray areas that I would like to see clarified relating to the Millwood project. Perhaps to put some icing on the cake we have had representation here tonight in favor of this development but who want more built in protection for water courses that may be affected by the development. I feel that Council should consider a deferral until more points are made clear.

COUNCILLOR EISENHAUER: I would like to point out to Council on the map that the area I represent starts up here outside the blue boundary and it runs to Councillor Walker's area and it runs to Warden Lawrence's area. Now what is happening, let's go back to 1975 when the Regional Plan came into effect. They determined the development boundary and within that boundary there was to be no development whatever unless it was on a serviced lot. My big concern then was who was going to extend the services so these things could be built. The Housing Commission let us know that they were going to develop that area and the area was extended and it is on the area rate today. I want to show what has happened and where the schools are being built. Remember the plan was modified that you could have one lot per year if you were inside the development boundary. My concern was that Council will have to extend



services before development takes place. We haven't done that yet we are still catching up with Timberlea and areas like that. It is more feasible for this county to take the advantage to get caught up with our sewer to use the sewer lines that are now in place. That is economics. Let us talk about business. Those who were on Council the last session went through the Municipal Development Plan and you can go through Sackville along the serviced areas and you can see many vacant lots. We went and rezoned them to R-1 or some residential area. Remember the people that came in here, we had building supplies, car dealers, they were all waiting to develop that land. There is nothing on the land today and they don't want to sell. They are waiting for the people to come. Now we had two shopping centres and they have a high vacancy rate. We collect a tax on the building itself. There is one shopping centre in this area that is 75 percent vacant and has been that way for the last three years. You can't get anyone to stay in the area and you can't get it filled up. Look at Millwood alone, there is going to be very little business but if you look at the community itself the business will come if the people will come. One of the other problems is that people still go into Halifax to shop because there is more variety and quality. You can't do that if you don't have people to come to shop. From Council's point of view and from my point of view who are outside this area I am getting all the schools and my schools are being over taxed and there is no problem as far as people are concerned. I have areas that are looking for sewer and water. It is costing this County in my opinion far greater by not approving developments like this than letting it go. Let us get caught with Timberlea, get our capital debt down or in line with other areas in this County and then perhaps we will be in a position to extend further. I feel that from an economic point of view that it is feasible for us and far less expensive to let Millwood go than it is to sit by and let development take place helter skelter. For the last five years only one lot per year has been allowed to develop. It is going to cause a demand outside that area. So the lots range in the subdivision between \$7000 and \$20,000 each unserviced and that is pretty big money to buy an unserviced lot. What we need and there are people going around looking for lots to list under \$50,000 because they are hard to find. I guess what I am trying to say is that the economics of where the schools are going if we don't do anything with Millwood is costing us far more money than if we approve it and let the development as it is supposed to.

COUNCILLOR MARGESON: The Nova Scotia Housing Commission and our staff have been working for three years on a Planned Unit Development because of some errors in other things in the previous developments they wanted to work with us and this Council for a good Planned Unit Development. It has taken three years to get to this stage of the game and I feel that it is time now that we approve this. I can tell right now, Madame Chairman and members of Council, and the Councillors should be aware of this that the Nova Scotia Housing Commission could scrap this plan for development right at this period in time and go to work on this project tomorrow without the approval of this Council. If we strike a snag in our plans I'm quite confident that our staff and the Nova Scotia Housing Commission will take care of the problem. Some Councillors have mentioned that the people drive back and forth from Sackville.

Certainly, we are doing our best, we now have an Industrial Park started and if an Industrial Park starts in our community then we are going to reduce the traffic on the highway. You have got to give us an opportunity to do this and if you keep turning things down when we make a request for this then we can't go ahead with the planning we would like to do. I want you to remember Bedford, and I want you Councillors to listen carefully to what I am saying. Some of you fellows are talking amongst yourselves and I could go down there in front but I want you to remember what happened to Bedford. The people of Bedford wanted some things done for them and these things were not granted. Now we have had absolutely no opposition to the Planned Unit Development from anyone in our Sackville area. You listened to people here this evening that represented 25,000 people and they were all in favor of it. We have heard their good reasons for Millwood so let's agree 100 percent in this Council tonight to go ahead with Millwood.

COUNCILLOR WILLIAMS: I personally would feel that the project should go through but I think that before the project goes through the questions must be answered, the questions from the environment, the questions from our own school Board staff who made statements that have not come from the School Board. I for one would like to see more questions answered as far as the education, the school system and the demands of schools when Millwood comes on. We are told they are going to use vacant schools, the report definitely says two elementary schools and one Junior High School. This is what we have to judge our vote on. I for one want to know if this is true or if it is false. The only way we can do that is by getting it through to the School Board staff as to who made these remarks and what their expectations are. I will vote tonight but I will vote against the motion although I would rather see a motion to defer this until a later date.

COUNCILLOR MCCABE: I am a rural Councillor but I am going to support this motion. I would be very optimistic if I was a Councillor from Sackville to get this on the floor.

WARDEN LAWRENCE: Council before we vote on this there was one point made earlier in the discussion which could lead to an amendment to the motion. It was a point of error in the master plan if you recall in Section 5 on Marketing. The last paragraph on that page says, "It is the intention of the Nova Scotia Housing Commission to have Municipal government to take over the ownership and maintenance of streets and services and to provide services such as policing, fire protection and street cleaning. Now I do believe we should alter that to eliminate the reference to ownership and maintenance of streets because we will never do that, to eliminate policing and street cleaning because those are not applicable to our Municipality. I would be happy if someone would put forward an amendment to the motion to do that.

It was agreed by Councillor MacDonald and Councillor MacKay that the following amendment to the original motion be made.

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

"THAT the Planned Unit Development for Millwood be approved conditional upon approval by Council of the Department of Environment's comprehensive design of storm drainage and protection for Feeley Lake and Little Sackville River and contingent on the alteration of the sentence in Section 5 Marketing to read: 'It is the intention of the Nova Scotia Housing Commission to have the Municipal government to take over the Public lands and services which are normally the responsibility of the Municipality referred to in the agreement, as soon as a majority of homes are occupied in any Phase.'" Motion Carried.

COUNCILLOR GAETZ: I have a question and it does concern me that when we were on the Building Committee we had an awful lot of requests to have a school built in Q Section. Now I am not all that familiar with Sackville but the reason we couldn't put a school there was because it didn't have sewer or water. I wonder why the Councillors in Sackville have not pushed to have that completed before they go into another development. Now this is part of the previous set up so far as I know. It sort of bothers me that we had a lot of pressure on us at the time to try to get a school up there, it was impossible.

WARDEN LAWRENCE: I think that area is outside the serviceable boundary, Millwood is inside the serviceable boundary.

COUNCILLOR GAETZ: I understand that, but there were a lot of homes up there and they needed a school. As Chairman of the Building Committee I had calls and requests about that. So far as Councillor MacKay is concerned I think he is referring to Hillside Park.

COUNCILLOR DEVEAUX: Are we voting on the amendment.

WARDEN LAWRENCE: We are voting on the motion, the mover and seconder have agreed to incorporate the amendment in the original motion.

COUNCILLOR DEVEAUX: I was wondering if you could just read that amendment again the portion that refers to services.

Warden Lawrence read the amendment.

COUNCILLOR DEVEAUX: When we are talking about services are we including sewer and water, or sewer in particular.

WARDEN LAWRENCE: Yes, both.

COUNCILLOR DEVEAUX: What happens if we come across the same problem we have been experiencing over the years with infiltration. Does that mean that when that Phase is completed we have to take over that sewer regardless of how many problems we may be experiencing with the sewer system.

WARDEN LAWRENCE: Well I think the original paragraph is not that different than what we have amended in fact.

COUNCILLOR DEVEAUX: The way I read that we would have to take it over regardless of what condition it is in.

WARDEN LAWRENCE: The reason for the amendment is to cut down on the number of items, items which are not normally our responsibility.

COUNCILLOR DEVEAUX: There are items in there that should not have been in there.

WARDEN LAWRENCE: Services are a part of the original wording and by services they mean primarily sewer and water.

COUNCILLOR DEVEAUX: I say once again, we run against the same problem we have been experiencing since the original services were installed in Sackville and Cole Harbour and we still have to take them over because of the problems being experienced. This way I read that amendment we wouldn't have any choice but to take them over at the end of each phase. One of my biggest concerns this evening was the storm drainage plan which our Planning Department requested. That is part of the motion at the present time. The other one was of course schools and future costs of schools to the Municipality. Listening to Mr. Clarke he clearly stated, or at least that is the way I read it, if Council in the future when it comes time to approve a school wishes to turn it down that would halt proceeding as far as future development goes. Certainly if we reach a bind where it is financial impossible to proceed then I would hope Council in its wisdom would do so. There are a number of points brought out this evening that certainly I could argue and we could probably argue all night. I have had private developers in my area in the past and they have taken off and left problems with flooding and drainage and what have you. By the same token I had hoped over the years to bring the Housing Commission in my area at least they stay in the Province and you can get back at them if any problems are around after they finish development. In that sense I certainly I think would appreciate this. Problems we are having with the sewer certainly they could increase, but hopefully they won't. It has been stated this evening there has been a laxity on our part for not having solved those problems in the sewer system in the years gone by. The Environment in all honesty have lots of problem with the environment through development. We can't really always depend on their decision in my opinion. As Councillor MacKay has stated we are not going to get a utopia no matter what we are going after. I have been concerned over the years and I have stated recently on occasions about concern for the remainder of Halifax County having to pay for projects and amenities that are enjoyed by some of the urban area and I will never change my mind in that respect. If I want something extra in my area tomorrow you know I would expect that if my people really want it they are willing to put an area rate on to pay for it. I would hope that the same would apply in Sackville or any other district in Halifax County and I will always stick to my guns along those lines. My biggest concern right now is future maintenance of parklands and I would hope perhaps that can be ironed out next month. It is unfortunate that never came to Council prior to this public Hearing. I don't agree with some of the statements made about it is a good time to sell houses. All in all, as I stated there are some unanswered

questions which I am sure will be taken care of as development takes place and based on that I see no reason for not supporting the motion as it is put forward.

COUNCILLOR ADAMS: The Public Hearing is scheduled for the 29th of July it is now the 30th, are we legal?

WARDEN LAWRENCE: We have another ten minutes. All in favor of the motion please stand. Opposed. I declare that motion carried.

It was moved by Councillor MacK<sup>y</sup>:

"THAT the Public Hearing adjourn."  
Motion Carried.

I N D E X

JULY COUNCIL SESSION 1980

B)	Bedford Tax Rate - Motion .....	5
	Bedford's Membership - Metropolitan Area Planning Commission - Motion .....	5
	Black Cultural Society - Motion .....	7
	Bell Park Academic Centre - Classrooms - Motion .....	8
	By-Law - Setbacks - Motion .....	11
C)	Conflict of interest legislation - Motion .....	3
	Caldwell Road School - Playfield - Motion .....	4
	Chief Building Inspector - Report - Motion .....	11
D)	Derelict Vehicle Program - Motion .....	3
	Director of Planning & Development Report - Motion .....	8
F)	Forest Hills Planned Unit Development Agreement - Motion .....	1 - 2
	Forest Hills - Naming of Phase III Elementary School - Motion .....	4
	Fire Department - Contracts - Motion .....	4
H)	Humber Park Sewer System - Motion .....	8 - 9
L)	Lakes Advisory Board - Motion .....	2
	Library Board - Appointment of Members - Motion .....	5
	Lien Law Funds - Transfer of Interest - Motion .....	11
M)	Motion - Appointment of Recording Secretary .....	1 & 7
	Motion - Approval of Council Minutes .....	1
	Motion - Planning Advisory Committee Report .....	1 - 2
	Motion - Forest Hills Planned Unit Development - Agreement .....	1 - 2
	Motion - Lakes Advisory Board .....	2
	Motion - Special Task Force, Re Regional Development Plan .....	2
	Motion - Derelict Vehicle Program .....	3
	Motion - Rezoning Application #13-80 .....	3
	Motion - Correspondence .....	3 & 7
	Motion - Proposal, Re transit .....	3
	Motion - Conflict of Interest Legislation .....	3
	Motion - Naming of Phase III Elementary School, Forest Hills .....	4
	Motion - Management Committee Supplementary Report .....	4
	Motion - Senior Citizens Housing, Sackville .....	4
	Motion - Playfield, Re Caldwell Road School .....	4
	Motion - Approval of Temporary Borrowing Resolution .....	4
	Motion - Budget, Re Recreation Department .....	4 & 5
	Motion - Bedford Tax Rate .....	5
	Motion - Agreements, Re Sidewalks .....	5 & 9
	Motion - Policy Committee Supplementary Report .....	5
	Motion - Green Areas, Sackville Lakes Development .....	5
	Motion - Bedford's Membership, Re Metropolitan Area Planning Commission .....	5

continued

Index

Motion - Set-Back Regulations .....	5
Motion - Appointment of Library Board Member .....	5
Motion - Adjournment .....	6 & 12
Motion - Black Cultural Society .....	7
Motion - Letter re Senior Citizen Housing .....	7
Motion - Constitution, Re Union of Nova Scotia Municipalities .....	7
Motion - Municipal School Board Report .....	7
Motion - Surplus school property .....	8 & 11
Motion - Classrooms, Re Bell Park Academic Centre .....	8
Motion - Director of Planning & Development Report .....	8
Motion - Management Committee Report .....	8
Motion - Humber Park Sewer System .....	8 - 9
Motion - Contract, Re Fire Departments .....	9
Motion - Office space, Re Social Assistance Department .....	9
Motion - Approval of Right of Way .....	9
Motion - Policy Committee Report .....	9
Motion - Policy & Procedures, Re School Capital Program .....	9 & 10
Motion - Urban Area study .....	10
Motion - Transit Buses .....	10
Motion - Additon, Re Schools .....	10
Motion - Acquisition and Maintenance of Public Lands .....	10
Motion - Chief Building Inspectors Report .....	11
Motion - Transfer of interest, Re Lien Law funds .....	11
Motion - Closing of Municipal Offices .....	11
Motion - Proposed By-Law, Re Setbacks .....	11
Motion - Concern, Re removal of Squadron .....	11
P) Planning Advisory Committee Report - Motion .....	1 - 2
Policy Committee Supplementary Report - Motion .....	5
Policy Committee - Report - Motion .....	9
Public Lands - Acquisition and Maintenance - Motion .....	10
R) Recording Secretary - Appointment - Motion .....	1 & 7
Regional Development Plan - Special Task Force - Motion .....	2
Rezoning Application # 13-80 - Motion .....	3
Recreation Department - Budget - Motion .....	4 - 5
Right of Way - Approval - Motion .....	9
S) Senior Citizen Housing, Sackville - Motion .....	4
Sidewalks - Agreements - Motion .....	5 & 9
Sackville Lakes Development - Green Areas - Motion .....	5
Senior Citizen Housing - Letter - Motion .....	7
Surplus School Property - Motion .....	8 & 11
Social Assistance Department - Office Space - Motion .....	9
School Capital Program - Policy & Procedures - Motion .....	9 & 10
School Addition - Motion .....	10
Squadron - Concern re removal - Motion .....	11
T) Transit - Proposals - Motion .....	3
Temporary Borrowing Resolution - Motion .....	4
Transit Buses - Motion .....	10
U) Union of Nova Scotia Municipalities - Construction - Motion ..	7
Urban Area Study - Motion .....	10

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF JULY COUNCIL MEETING

Tuesday, July 8, 1980

Warden Lawrence called Council to order at 2:00 p.m. and opened with the Lord's Prayer. Mr. Kelly called the roll.

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

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

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

"THAT the Minutes of the Public Hearing, May 26th and the regular Session of June 3rd be approved."  
Motion carried.

Councillor MacKay noted that in the meeting of June 3rd he had asked for an item on the Agenda with respect to school additions, Centennial Elementary, Sackville Heights Elementary and Humber Park Elementary. They were not included in the June 3rd Minutes and are not included on the Agenda for today. In making the request Councillor MacKay had asked that all background information be made available and if it were not possible to be circulated today he requested that they be put on the next Agenda for Council next Tuesday.

Councillor Smith noted that in the Minutes for June 3rd it stated that the Warden called the meeting to order and it should have been the Deputy Warden.

Councillor Stewart suggested that the third item on the Planning Advisory Committee Report might be dealt with out of order as there were people in the gallery who were in attendance for that item and Council agreed to hear it first.

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

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

Warden Lawrence requested Councillor Topple outline the Report from Planning Advisory which has to do with the variance in the Forest Hills Planned Unit Development Agreement

Councillor Topple: Madam Warden the request is for a minor variance in the layout of the shopping centre in Forest Hills and I believe what it really involves is a change in the outline, the boundary on the one side and a reduction in the other. It's not an expansion of the shopping centre, it's just to correct some boundary. I don't think it affects the density of the area, it does not provide any addition to the shopping centre and there's a letter from the Residents' Association of Forest Hills of non objection. Further to that I don't think there's much more I could say.

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



"THAT Council approve the variance in the Forest Hills Planned Unit Development Agreement in accordance with the Report of the Planning Advisory Committee."  
Motion carried.

Councillor Margeson noted that the solicitor's letter stated that they would be willing to post a bond but no amount of bond had been mentioned and Warden Lawrence called upon Mr. Birch to come forward and explain the question of the bond to Council.

Mr. Birch stated that it was the intention that the bond would be for the amount of work to be done and would be reduced accordingly as the work is done in order to ensure that any plan drawn up and approved by the residents will in fact be carried out. It is possible to state at this time the actual amount until the work is drawn up and costed.

There was a great deal of discussion regarding the proposed Lakes Advisory Board and Councillor Topple advised Council that the Planning Advisory Committee felt that perhaps some type of Board or Committee was necessary to look at the possibility of keeping those lakes in good condition.

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

"THAT Council approve in principle the setting up of a Lakes Advisory Board as recommended by the Planning Advisory Board."  
Motion carried.

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

"THAT the Motion be amended to read consideration be given to a Lakes Advisory Board having jurisdiction over watercourses and lakes in the County of Halifax and further that Councillor Benjamin be consulted on the matter."  
Motion defeated.

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

"THAT the Planning Advisory Committee investigate the merits of setting up an overall Lakes and Rivers Advisory Board."  
Motion defeated.

Warden Lawrence interrupted the Session to recognize Mr. Purcell, the Director of Assessment, on his retirement.

Mr. Meech outlined the second item in the Planning Advisory Committee Report re the Halifax-Dartmouth Regional Development Plan Review.

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

"THAT Council accept the invitation of the Minister of Municipal Affairs, establish the Special Task Force to review development and regulations outside the Regional Development Boundary and appoint Warden Lawrence, Councillor Lichter and Councillor MacDonald as members of this Task Force, and that the Task Force report to the Planning Advisory Committee in three months which, in turn, shall report to Council."  
Motion carried.

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

"THAT Council write the Department of the Environment and request additional funding for the Derelict Vehicle Program and that the Municipality explore other possibilities in order that this program be an ongoing one."  
Motion carried.

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

"THAT the subject of the Derelict Vehicle Program be referred to the Policy Committee for review."  
Motion carried.

Councillor Margeson suggested that perhaps the landfill site could be open in the evenings for the disposal of large items.

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

"THAT Rezoning Application No. 13-80, Request to rezone Lots 55 and 56 of the Irene Davis Subdivision, Davis Street, Lower Sackville, Halifax County, District 19 from R-1 (Residential Single Family Dwelling Zone) to C-2 (Commercial General Business Zone) be rejected and a public hearing not be held".  
Motion defeated.

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

"THAT a Public Hearing on Rezoning Application No. 13-80, Request to Rezone Lots 55 and 56 of the Irene Davis Subdivision, Davis Street, Lower Sackville, Halifax County, District 19 from R-1 (Residential Single Family dwelling Zone) to C-2 (Commercial General Business Zone) be held on August 11th, 1980 at 7 p.m."  
Motion carried.

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

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

"THAT the correspondence be received."  
Motion carried.

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

"THAT the proposal from the Municipal Affairs re transit be referred to Policy Committee and a report to come back to Council."  
Motion carried.

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

"THAT the Conflict of Interest Legislation proposal of the Union of Nova Scotia Municipalities be referred to Policy Committee and come back to Council with a Report and Recommendations."  
Motion carried.

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

"THAT the name "George Bissett" be given to the Phase III Elementary School in Forest Hills."  
Motion carried.

Councillor Stewart noted that this is a very appropriate name for the school. The name Bissett was one of the first families to settle in Cole Harbour 200 years ago.

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

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

Mr. Meech outlined the items in the Supplementary Report of the Management Committee.

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

"THAT Council request the Housing Commission to do a need and demand study for Senior Citizens Housing in the community of Sackville."  
Motion carried.

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

"THAT Council approve the construction of a playfield for the Caldwell Road School and the construction costs be included in the 1980 school capital budget."  
(See motion to amend)

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

"THAT Council approve the construction of a playfield for the Caldwell Road School with the exclusion of the fencing and the construction costs be included in the 1980 school capital budget."  
Motion carried.

There was a great deal of discussion by Councillors regarding the fencing of school properties and the precedent this would set for future requests for fencing.

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

"THAT the issue of fencing on school properties be referred back to the Management Committee for further study."  
Motion defeated.

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

"THAT Council authorize an additional \$20,000 temporary borrowing resolution for work being undertaken at the Rehabilitation Centre and secondly an additional \$30,000 temporary borrowing resolution with respect to improvements to the water system at Uplands Park."  
Motion carried.

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

"THAT Council approve an additional sum of \$9,000.00 to be placed in the Municipal Budget for the Recreation Department to cover the janitorial wages and costs for the Summer recreation programs that will be conducted at the various schools."  
Motion carried.

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

"THAT Council approve the reduction of the Bedford Commercial tax rate from \$1.04 to \$1.02 and the reduction of the Bedford Residential tax rate from \$.55 to \$.54."  
Motion carried.

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

"THAT Council authorize the Warden and the Municipal Clerk to execute agreements with the Department of Transportation to undertake the installation of sidewalks, specifically in the Eastern Passage community and Cole Harbour."  
Motion carried.

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

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

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

"THAT Council accept officially from the Nova Scotia Housing Commission the green area identified as Lot P-6 in the Sackville Lakes Development."  
Motion carried.

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

"THAT Council recommend that Bedford have two members appointed to the Metropolitan Area Planning Commission."  
(See motion to amend)

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

"THAT the motion be amended to read Council recommend that Bedford have one member appointed to the Metropolitan Area Planning Commission."  
Motion carried.

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

"THAT the issue of set-back regulations around lakes be deferred until next Council Session."  
Motion carried.

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

"THAT Warden Lawrence appoint a replacement for Councillor Curren on the Library Board."  
Motion carried.

Councillor Margeson advised Council that the date appearing on the letter from Forest Hills Residents Association should be corrected to read a meeting was held July 3rd, 1980 instead of January 3rd, 1980.

Councillor Adams noted that according to the newspaper Halifax County hasn't given financial support to the Farmers' Market for the current year and recommended that funding of the Farmers' Market be continued this year as was for past years. Mr. Meech replied that there will be a recommendation coming from the Management Committee next week.

Councillor Margeson requested an update on the Beaverbank schools at the next meeting of Council.

It was moved by Councillor Williams:

"THAT Council adjourn."  
Motion carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF JULY COUNCIL MEETING

Tuesday, July 15, 1980

Warden Lawrence called Council to order at 2:00 p.m. and opened with the Lord's Prayer. Mr. Kelly called the roll.

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

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

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

"THAT the Correspondence be received."  
Motion carried.

Mr. Kelly outlined the Correspondence for Council.

Deputy Warden Poirier pointed out that in a letter from Mayor Cosman of Bedford to Warden Lawrence she said "appreciate your gift", that she didn't mention the Council, just the Warden and perhaps Mayor Cosman should be made aware that there is a Council in Halifax County.

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

"THAT the request of the Black Cultural Society to appear before Council on August 19, 1980 be referred to Management Committee."  
Motion carried.

Deputy Warden Poirier tendered a verbal invitation to Councillor Tople to attend the next Management Committee meeting at which this subject will be discussed.

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

"THAT the letter from the Senior Citizens Housing Committee be referred to Policy Committee."  
Motion carried.

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

"THAT the copy of the draft of the Revised Constitution of the Union of Nova Scotia Municipals be referred to the Solicitor for a review and be circulated through Policy Committee for a report back to Council on August 5th."  
Motion carried.

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

"THAT the Report of the Municipal School Board be received."  
Motion carried.

Warden Lawrence asked Mr. Meech to outline the items contained in the Municipal School Board Report.

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

"THAT Council accept the following schools as surplus: Upper Tantallon, Lower Tantallon, Lucasville, East Preston, Seabright, Glen Haven and Upper Sackville."  
Motion carried.

Councillor Topple questioned the position of the Cherry Brook School. Although it has supposedly been declared surplus in years past Mr. Sparks, as Trustee for that building, is still receiving tax bills for it.

Mr. Meech advised that he will endeavour to come back to the next Council Session with a report on the position of the Cherry Brook School.

Councillor McCabe stated that if a letter were written to the School Board concerning the status of Cherry Brook School it could be put on the agenda and the information will be made available to Councillor Topple.

Councillor MacKay raised the point of maintenance of these schools in the interim and Warden Lawrence advised that there is an item in the Policy Committee Report which makes some recommendations on the method of disposing of these schools and the maintenance is a valid point

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

"THAT the recommendation of the Halifax County Municipal School Board re the addition of 6 additional classrooms be added to the Bell Park Academic Centre be referred to Policy Committee."  
Motion carried.

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

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

DEPUTY WARDEN POIRIER TOOK THE CHAIR

Councillor MacKay requested that, for the next Council Session, the Chief Building Inspector be requested to provide the dollar volume of the building permits issued to date this year and the comparison with the same period of 1979.

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

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

Councillor Topple noted that the Board of Health has been quite concerned about the Humber Park sanitary sewer system for some time and it is quite urgent that something be done as soon as possible. He stated that the Department of Transportation has been out and fixed a lot of the roads to reduce infiltration in the area.

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

"THAT approval be given for the Municipality to take ownership of the existing sewer system of Humber Park Subdivision and also the necessary capital expenditure associated with carrying out the proposed upgrading of the system. Also that all available financial assistance be obtained for the project and that repayment be on a per household charge and a repayment schedule over a period of 20 years."  
Motion carried.

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

"THAT Council authorize the execution and approval of the contracts between the Municipality and Lakeside, Black Point Firefighters and the Sackville Fire Department."  
Motion carried.

Mr. Meech outlined the necessity for more office space for the Department of Social Assistance as they are now working out of the basement and attic of their present building.

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

"THAT Council approve additional office space for the Department of Social Assistance and the necessary adjustment of the Department's 1980 budget to include the rental fees for the balance of the current year."  
Motion carried.

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

"THAT Council approve an agreement between the Municipality of the County of Halifax and the Department of Transportation to carry out sidewalk construction in Sackville, the Municipalities share of the cost to be recovered by an area rate."  
Motion carried.

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

"THAT Council approve the request for a grant of right of way from the Municipality to John A. Lewis and Nora Lewis, the owners of Lot B-1, Reginald White Subdivision conditional on the fact that if a public highway is located and a 66 foot road reserved the grant of right of way would revert to its original status."  
Motion carried.

Mr. Meech read the report of the Management Committee re Beaverbank Schools for the information of Councillor Margeson.

Councillor MacDonald inquired into the feasibility of having an architect on staff in order to be able to use the same plans for each school building, thus perhaps saving a great deal of money.

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

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

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



"THAT Council approve the report on Policy and Procedures re School Capital Program."

Motion carried.

Councillor Topple suggested that a lot of taxpayers' dollars could be saved by having an architect on staff who would do other projects as well. If he's a qualified architect the County has a right to use him and his plans as often as required if he's on staff.

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

"THAT Council approve the proposed terms of reference re study of the urban area of the Municipality and that application be made to the Department of Municipal Affairs for funding for the urban area study."

Motion carried.

Mr. Meech advised that the estimated cost for the study is \$40,000 and a cost sharing of 75/25 is being considered as the cost sharing arrangement.

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

"THAT Councillor Stewart be the representative of the eastern area working group on the Urban Area Advisory Board."

Motion carried.

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

"THAT Councillor MacKay be the representative of the Sackville area working group on the Urban Area Advisory Board."

Motion carried.

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

"THAT Councillor Lichter be the representative of the Rural area working group on the Urban Area Advisory Board."

Motion carried.

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

"THAT Council accept the recommendation of the Minister with respect to the buy-out of the Halifax and Dartmouth buses by the Metropolitan Transit Commission."

Motion carried.

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

"THAT Council approve additions to Centennial, Sackville Heights and Humber Park Elementary Schools and that application be made to the Department of Education to have these schools released from the moratorium."

Motion carried.

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

"THAT the Report re Goals, objectives and policies for the acquisition and maintenance of public land and cash contributions be deferred to the next Council Session."

Motion Carried.

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

"THAT Council approve the Municipality advertise for proposals for leasing of surplus schools to Community organizations and should there be no response then tenders should be called for the properties."

Motion carried.

Warden Lawrence designated Councillor Gaetz to be the new member on the Halifax County Regional Library as a replacement for the former member, Councillor Curren.

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

"THAT the Report of the Building Inspectors be approved."

Motion carried.

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

"THAT Council approve the transfer of \$1,700 from interest earned on the Lien Law funds to each District's Parks & Public Lands special capital account for 1980."

Motion carried.

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

"THAT Council approve the closing of Municipal Offices on Halifax Natal Day, July 28th, 1980."

Motion carried.

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

"THAT Council request the Planning Advisory Committee to prepare a proposed By-Law with respect to setback around lakes and waterways, said Committee to report back to Staff who will then report back to Council."

Motion carried.

#### ADDITION OF ITEMS TO AGENDA:

Councillor Topple	County Constable
Councillor MacDonald	Update on policing of Mobile Home Parks
Councillor MacKay	Mini bike law
Councillor Walker	Senior Citizens' Housing
Councillor Margeson	Halifax County Exhibition
	Centennial Float
	Fish
	Street lights

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

"THAT a letter be sent to the Minister of National Defence expressing the concern of Halifax County regarding transfer of 880 Squadron from CFB Shearwater to Summerside and asking what alternatives, if any, have been considered by the Department of National Defence since the decision of not to replace the Argus at Summerside several years ago and that copies of this letter be sent to Alan McEachen, Deputy Prime Minister, the Honourable Gerald Regan, Minister of Labour and Mr. Mike Forrestall, M.P. for Dartmouth/Halifax East."

Motion carried.

Councillor Topple suggested that if the Federal Government can't look after us then we'd better start looking after ourselves and we should do everything in our power to encourage the Americans to come to the area.

It was moved by Councillor Gaetz:

"THAT Council adjourn."

M I N U T E S   &   R E P O R T S

of the

F I R S T   Y E A R   M E E T I N G S

of the

F O R T I E T H   C O U N C I L

of the

M U N I C I P A L I T Y   O F   T H E   C O U N T Y   O F   H A L I F A X

A U G U S T   C O U N C I L   S E S S I O N

T u e s d a y ,   A u g u s t   5   a n d   1 9 ,   1 9 8 0

S P E C I A L   C O U N C I L   S E S S I O N   A u g u s t   1 1   a n d   2 5 ,   1 9 8 0

Public Hearing Minutes

August 11, 1980

Present Were: Deputy Warden Poirier                      Warden Lawrence  
                  Councillor Baker                                Councillor Deveaux  
                  Councillor Gaetz                                        Councillor Smith  
                  Councillor MacKenzie                                    Councillor McCabe  
                  Councillor Lichter                                       Councillor Margeson  
                  Councillor MacKay                                        Councillor Eisenhauer  
                  Councillor MacDonald                                    Councillor Wiseman

---

Warden Lawrence opened the Public Hearing with the Lord's Prayer.

Mr. Kelly then called the roll.

Warden Lawrence stated that there was one re-zoning application to be heard, it being a request by G. & N. Gaunce Enterprises Limited to rezone Lots 55 and 56 of the Irene Davis Subdivision, Davis Street in Lower Sackville, from R-1 (Residential Single Family Dwelling Zone, to C-2 (Commercial General Business Zone). Warden Lawrence welcomed everyone in the gallery and explained the procedure followed in a Public Hearing. She then asked Miss Smith to outline the re-zoning application. Miss Smith outlined the re-zoning application.

MISS SMITH: The Planning Department is recommending rejection of this application for the following reasons. We feel that the lots are located outside what we consider the commercial core of Sackville. I have some figures on the commercial core that you might find interesting. Presently there are 216 acres of existing C-1 zoning, of that only 104 are occupied by commercial uses. This leaves approximately 111 acres that are either used for residential purposes now or are completely vacant. There is a total of 306 acres of Commercial General or C-2 zoning there of that 133 acres is presently used for commercial purposes. The rest, about 172 acres, is either used for residential purposes or is vacant. Out of the total two zones which would be about 522 acres of commercial zoned land on that strip, approximately 244 acres are still either used for residential purposes or are vacant. We feel that this land should be utilized for commercial. If we rezone two lots here on this street we would basically be setting a very dangerous precedent on this street. We would have two commercial lots at the end of the street which would encourage other applications from other properties on this street to go commercial as well. That would be to the detriment of the residential character of the street. The Classification that is requested C-2 zoning permits a wide range of commercial uses that we feel would not necessarily be compatible with the uses on the street. C-2 zoning permits commercial general uses and excludes residential uses. We have a petition signed by a number of residents. This was brought in by the District Councillor at the Planning Advisory Committee meeting that

discussed this application.

Warden Lawrence then asked if there were any questions for Miss Smith.

COUNCILLOR LICHTER: Yes Madam Warden, I just want to ask Miss Smith if I am correct in saying that originally the owner asked for a C-1 zone.

MISS SMITH: Yes.

COUNCILLOR LICHTER: The Public Works indicated that they would not favor a C-1 zone for the simple reason that it would exceed the 18 person per acre sewer capacity, is that correct?

MISS SMITH: Yes, the two lots together would be about 26,265 square feet. That would permit approximately 13 apartment units on that property if it was to go C-1 Zoning. As Dr. Gaunce did not plan to use any part of that property for residential purposes we thought that a more appropriate classification would be the C-2 zone which would accommodate the commercial.

COUNCILLOR LICHTER: I asked the question because I think it is important to understand that Dr. Gaunce was actually forced into a C-2 request if he was able to carry out his application and not a C-2 zoning hearing. Thank you.

MR. BIRCH: Madame Warden, I wish to make it quite clear we object to commercial zoning period, be it C-1 or C-2. It was just that when the zoning application was made because of sewer restriction from a Public Works point of view they would be happier with an application for C-2 zoning. From a planning standpoint we are opposed to a commercial zoning because of the reasons that Miss Smith has outlined.

COUNCILLOR EISENHAUER: Yes, Miss Smith, in R-1 areas doctors can operate a business, can a dentist operate?

MISS SMITH: Yes, he would be classified as a professional and that was an avenue we did pursue when Dr. Gaunce initially submitted his application. I wrote him to find if in fact he understood that if he lived in that dwelling, being a professional person he could legally operate an office from that dwelling. He apparently does not wish to live there and would like to have more than just a little office. He intends to have a dental laboratory and hygienist and so on. This would not be a permitted use under the R-1 zoning application.

Warden Lawrence then asked if there were any further questions. She then opened the Hearing to the public. She asked for anyone who wished to speak in favour of the rezoning.

ROBERT HINES: Madame Warden, my name is Robert Hines and I am the solicitor for G & N Gaunce Enterprises Limited. This company is really a management company which was incorporated quite some time ago by Dr. Gaunce to manage his dental practice which is presently carried out in the Downsview Mall in Lower Sackville. The cost of carrying on a business, whether it is a businessman or a professional in most malls

is becoming very prohibitive. The rent structure which is presently being charged by most landlords is made up of base rent plus a proportion of common area expenses. Together which for many professionals and businessman is becoming very prohibitive. Many of the practitioners in a mall environment are becoming very upset with the type of individuals which are on occasion attracted to the malls. These individuals throw litter and some commit criminal acts. These factors are some of the ones which prompted Dr. Gaunce to look elsewhere for a place from which to carry on his dental practice and when we say associated functions we are talking about one person who simply cleans teeth and a small room used to repair dentures and that type of thing. The areas in Lower Sackville that Dr. Gaunce were looking at were too expensive for an individual to purchase. It is unfortunate right now that we don't have some sort of Professional Centre out there that we can all practice from, but many of us are looking elsewhere then the mall environment. Dr. Gaunce was looking for a spot and he found this property on 24 Davis Street, which was aptly described. An agreement of purchase and sale was entered into in March which had the condition therein that the agreement was subject to rezoning application by June 15th. Unfortunately the agent did not foresee how long it would take the zoning application to be heard. On June 13th Dr. Gaunce was faced with the proposition that either delete the condition and buy the place or forget about it. Well, at that point we thought deeply about it and Dr. Gaunce decided to buy the building and in July we in fact purchased the property for G. & N. Gaunce Enterprises Limited. There is not much more I can say, other than Dr. Gaunce has no intention of changing the structure in such a way it would envisage a commercial property. He simply wanted to carry out his dental practice from the building. It is unfortunate that there are not some sort of regulations or rules in the County's Planning regulations which allow for some sort of contract zoning because I can say in all honesty and sincerity that Dr. Gaunce would be the first one to come forward with such a zoning with the condition that he would not change the structure or put up a business. Unfortunately we can't do that and our initial application for C-1 was not in accordance with sewer regulations. Dr. Gaunce gladly changed his application from C-1 to C-2. We realize that under an R-1 zoning as it presently is Dr. Gaunce could carry on his practice unfortunately he owns a home up in Beaver Bank and it may very well be he will be forced to move his home down there if he wants to carry on his practice. This location as shown on the plan is not unknown to commercial because basically it is surrounded by commercial development. I can say certainly there is no intent on Dr. Gaunce's part to try and slip one through on anybody and this application is a sincere one as has been stated.

Warden Lawrence asked if there were any questions for Mr. Hines from the Councillors.

COUNCILLOR MACKAY: Mr. Hines you had stated that on June 13th that there was an agreement in the purchase - sale agreement that if the location was not rezoned by June 13th that Dr. Gaunce would not purchase it but when it came to that point in time he decided he would go ahead. At what point in time was the rezoning application first submitted?