

around that corner, once you hit the top of the hill, you can see the welding place but before you hit the top of that curve you can't see the welding place. If there's a truck coming out of it, and there's trucks that do come out of there from time to time during the daytime, you don't see that truck until you hit the top of that hill. Now coming out of Mr. Latter's yard where the office is, you can see both to your right and to your left if you proceed cautiously and I don't think anybody in their right mind coming out of a driveway, would not proceed cautiously on a matter like that. It is very expensive to insure a car in the taxi business, roughly around \$1200 a year, that's what I'm paying for each car. I'm not going to go out like a fool and take a chance of smashing up my car and then come time next year, the insurance is going to cost me \$2000 to insure the same vehicle. On that committee that we formed, I will be part of that committee. Mr. Latter stated that a rule will be made to make sure that cars will not be going up into that office unless it's absolutely necessary and it would probably be only on company business. If they're called to go up for a call. If the drivers don't abide by the law, the committee will make a ruling on it to..., we don't know what we're going to do on it yet, but it is a possibility that the person may be dismissed. We have to meet about this and we will make up some kind of a regulation so that they know what exactly we're going to do with a driver if he does proceed up into that driveway when he's not supposed to be there. I hope Mr. Latter gets what he is asking for. It's my life, it's my job, and I enjoy it and if he goes out of business, so do I.

Councillor Stewart: Mr. Latter mentioned that he had 1100 calls in one night, now what makes you think that he would necessarily have to go out of business if that particular location had to be moved?

Mr. Betts: If the cost involved in moving an operation like that is too much. Now, 50 cars, you're not talking about Casino or the Y or companies with 200 or more cars that can just up and move when they want to move. Satellite only has 50 cars. If he's got to move, there's a cost involved and the cost may be too great for him to move period. It's not just a simple operation of picking up the base set and walking down the street and throwing it into an office, it's a cost factor and if it's too great, he won't do it.

There being no further questions, Mr. Betts stepped down.

IN OPPOSITION:

George Menzies, Cobequid Road, Lower Sackville: I'm not out to put a lot of taxi drivers out of work I'm just against the spot rezoning. To clarify a few remarks that have been made, the school bus driveway is approximately 20 feet past Birch Grove Drive which I would say is no more than 250 yards from Mrs. Latter's property. The 21 names on the petition that were offered from Birch Grove Drive, you have a letter from Mr. Churchill, of the Home Improvement Association, which would cover 40 or 50 residents. Another point is that my yard is usually full of cars. There is 4 adults living in my home and they all have cars and we've all come pretty close to getting creamed coming out of our driveway. I don't know about Mr. Latter's but we've come close.

Mr. Menzies pointed out the welding shop belonging to Mr. Beaver on the map. He pointed out the location of the proposed street which was turned down because it was on the curve. He stated that this was not only on a curve but that it was on top of a hill. Mr. Menzies stated that there have been a lot of accidents there, over 20. The last one was at 4:00 o'clock in the morning last Friday morning. There was a telephone pole laying in my yard in three pieces. Mr. Ben Hach, the former owner of the property which now belongs to Mr. & Mrs. Latter, applied for a taxi dispatch license and it was for Mr. Latter of Satellite Taxi. Mr. Menzies stated that the Latters did not buy the property blindly, they knew the application had been turned down by the Highways Department, the Planning Committee, and by the Safety Committee. Mr. Latter has been operating the dispatch from his house. Nobody is against that. There were 5 taxis in their yard at 4:00 o'clock today. Maybe there was a meeting going on, I don't know. I'm just dead against this spot rezoning. Traffic has increased yearly on the Cobequid Road. The new industrial park will further increase traffic. Maybe Council can limit the number of cars which might be parked on the property. Mr. Latter knowingly operated the station, was taken to court, found guilty and fined. He is still operating and now he applies for a license. Where do you draw the line? The property next to Mr. Latter, I believe, is 9 acres of vacant land. If he is granted this spot rezoning, what happens to the 9 acres? The thin edge of the wedge is in.

Councillor Poirier asked if the original application was made in order to sell the property to Mr. Latter and Mr. Menzies replied that he did not know.

Councillor Benjamin asked Mr. Menzies if he objected to the welding shop already located there. Mr. Menzies replied that this shop was also a traffic hazard. Mr. Menzies stated that most of the accidents which had occurred had been at the curve. Although no one has been killed as yet, he feels that this will happen before long. People have been seriously injured and as traffic increases, more people will be involved in accidents.

Councillor Smith asked how many of the accidents had been the result of taxi drivers. Mr. Menzies replied that he could not say that any of the accidents had involved taxis. There was further discussion on the subject of traffic on the Cobequid Road. Mr. Menzies stated that once the zoning has gone through there will be no control on the number of taxis present at this property and his concern is the increased traffic.

Councillor Wiseman reviewed Mr. Menzies reasons for opposing the rezoning application and Mr. Menzies agreed with her summation.

There being no further questions, Mr. Menzies stepped down.

There being no further speakers, Deputy Warden Deveaux declared the public portion of the hearing closed.

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

"THAT application no. 19-80, Request by Murray & Jane Latter, to rezone Lot B, 388 Cobequid Road, Charlemay Subdivision, Lower Sackville, District 20, from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone) be approved."

See Motion to Defer.

Councillor Wiseman spoke of the reasons for opposing as stated by Mr. Menzies and also stated that she had received a call from another gentleman from another Taxi company who operates his business from his home. This man told Councillor Wiseman if this rezoning is approved, then he will be following in the Latter's footsteps seeking the same treatment. She then spoke about the reasons given by the Latters' and others for approving the rezoning; unemployment being the main reason. She believes he does not want his home used as a taxi stand, only as a dispatch office. Councillor Wiseman stated that if Contract Zoning were a possibility, Council could make a contract with Mr. Latter which could control the situation so that there would be no commercial zoning and there would be no increased traffic on that piece of road. She stated that Mr. Latter runs a reputable business which is well-used in Sackville.

There was some discussion around the Planning Act and the time limit involved in deferring this rezoning. Solicitor Cragg advised that there is no right of appeal to the Planning Appeal Board if this matter was deferred at this time. He also advised that if Mr. Latter continues to operate with the present zoning he will be subject to further prosecution.

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

"THAT application no. 19-80, Request by Murray & Jane Latter, to rezone Lot B, 388 Cobequid Road, Charlemay Subdivision, Lower Sackville, District 20, from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone) be deferred until such time as the MDP has been implemented."
Motion Carried.

ADJOURNMENT

It was moved by Councillor Baker:

"THAT the Public Hearing adjourn."

INDEX

DECEMBER 2/1980

Ashlar Masonic Building Company - Tax Reduction -----	5
Arsenic - Inspection, Lake Echo -----	9 & 12
Birch, Keith - Placed on Permanent Staff -----	15
Cable Television - Guidelines -----	4
Dog License Fee -----	6
Dangerous & Unsightly Premises By-Law - Amendment -----	7
Fergusons' Cove - Boundary Change -----	13
Leslie Thomas Playing Field -----	6
Lesser Side Yard Clearance - Approval -----	8
Motion - Appointment of Recording Secretary -----	1 & 11
Motion - Sackville Advisory Board, Re Legislative Power & Recognition -----	1-2
Motion - Approval of October 21/80 & November 4/80 Council Minutes	2
Motion - Metro Transit -----	2-3
Motion - Letters & Correspondence -----	3-4
Motion - Guidelines, Re Cable Television -----	4
Motion - Management Committee Report -----	4
Motion - Loan, Re Tangier & Area Volunteer Fire Department -----	4
Motion - Management Committee Supplementary Report -----	5
Motion - Tax Reduction, Re Ashlar Masonic Building Company -----	5
Motion - Policy Review, Re Tax Exemptions & Reductions -----	5
Motion - Leslie Thomas Palying Field -----	6
Motion - Mandate, Re, Management Committee -----	6
Motion - Policy Committee Supplementary Report -----	6
Motion - Dog License Fee -----	6
Motion - Meeting, Re N. S. Power Corporation Officials -----	6-7
Motion - Amendment, Re Dangerous & Unsightly Premises By-Law ----	7
Motion - Amendments, Re, Rehab Centre By-Law -----	7
Motion - Policy Committee Report -----	7 & 13
Motion - Terms of Reference, Re Shubenacadie Lakes Advisory Board	8
Motion - Approval of Lesser Side Yard Clearance -----	8
Motion - Need & Demand Study, Re Senior Citizens Housing, Herring Cove -----	8
Motion - Rodent Control -----	8-9
Motion - Inspection, Re arsenic, Lake Echo -----	9&12
Motion - Discussion , Re Tax Reduction, Sheet Harbour Snow Mobile Club -----	9,10&14
Motion - Condition, Re Taxi Caps -----	10
Motion - Adjournment -----	10&16
Motion - Planning Advisory Committee Report -----	12
Motion - Public Hearing, Re Lands of Royce Hefler, Lr. Sackville	12
Motion - Public Hearing, Re lands of Robert Marshall, Porters Lake	13
Motion - Boundary Change, Re Fergusons' Cove -----	13
Motion - Extension of Deadline, Re Planning Act Review Committee	13
Motion - Amendments, Re Taxi By-Law -----	13

Motion - Management Committee Supplementary Report -----	14
Motion - Sewer System, Re Bedford -----	14- 15
Motion - Closing of Municipal Offices -----	15
Motion - Keith Birch - Placed on Permanent Staff -----	15
N. S. Power Corporation Officials - Meeting -----	6-7
Policy Committee Supplementary Report -----	6
Policy Committee Report -----	7&13
Planning Advisory Committee Report -----	12
Public Hearing - Lands of Royce Hefler, Lr. Sackville -----	12
Public Hearing - Lands of Robert Marshall, Porters Lake -----	13
Planning Act Review Committee - Extension of Deadline -----	13
Recording Secretary - Appointment -----	1 & 11
Rehab Centre By-Law - Amendments -----	7
Rodent Control -----	8-9
Sackville Advisory Board - Legislative Power & Recognition -----	1-2
Shubenacadie Lakes Advisory Board - Terms of Reference -----	8
Senior Citizens Housing - Need & Demand Study, Herring Cove -----	8
Sheet Harbour Snow Mobile Club - Discussion, Re tax reduction -	9,10&14
Sewer System - Bedford -----	14&15
Tangier & Area Volunteer Fire Department - Loan -----	4
Tax Exemptions & Reductions - Policy Review -----	5
Taxi Caps - Condition -----	10
Taxi By-Law - Amendments -----	13

MUNICIPAL COUNCIL SESSION

DECEMBER 2, 1980

PRESENT WERE: Warden Lawrence
Councillor Williams
Councillor Baker
Councillor Stewart
Councillor Adams
Councillor Smith
Councillor McCabe
Councillor Benjamin
Councillor MacKay
Councillor MacDonald
Councillor Walker
Deputy Warden Deveaux
Councillor Poirier
Councillor Topple
Councillor Gaetz
Councillor MacKenzie
Councillor Lichter
Councillor Margeson
Councillor Eisenhower
Councillor Wiseman

SECRETARY: Sherryll Hussey

Warden Lawrence brought the Session to order at 2:00 p.m with the Lord's Prayer and the Session adjourned at 8:30 p.m.

This session of Council was held at the Sackville High School, Sackville and is the final community visit of Council in the Centennial Celebrations.

Mr. Kelly then called the roll.

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

"THAT Sherryll Hussey be appointed recording secretary."
Motion Carried.

Warden Lawrence welcomed those people present in the audience and introduced several people active in the local area.

Warden Lawrence then introduced the members of Council and the County staff to the audience.

It was agreed by Council that a presentation from the Sackville Advisory Board would be heard before Council began.

Mr. Frank Sutherland, president of the Sackville Advisory Board gave the presentation welcoming Council to the area. Mr. Sutherland reviewed the history and structure of the Sackville Advisory Board. He then stated that his reason for being here was to ask that Council support the Sackville Advisory Board in their approach to Municipal Affairs for some legislative power.

Councillors voiced the opinion that this should be deferred to the Urban Advisory Board and that no action should be taken on this until the Urban study had been completed.

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

"THAT the Municipality approach the Department of Municipal Affairs with regard to granting the Sackville Advisory Board some legislative power and recognition."
Motion Lost.

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

"THAT this matter be referred to the Urban Advisory Board for discussion and further investigation and report back to Council."
Motion Carried.

Councillor Wiseman voiced her support of this move by the Sackville Advisory Board and stated that she felt that this would in no way undermine the efforts of the Urban Study but rather aid in reaching recommendations and conclusions.

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

"THAT the minutes of the October 21, 1980 and November 4, 1980 Regular Session be approved as amended."
Motion Carried.

It was agreed that Councillor Stewart's request to comment on a matter of concern to him be dealt with next.

Councillor Stewart stated that his concern stemmed from the fact that Halifax City seemed to be slowing the establishment of Metro Transit. He stated that the City had voiced three additional concerns at the last meeting which he would class more as housekeeping items rather than items of major concern. He indicated his displeasure with the obstacles placed by the City of Halifax to the successful implementation of Metro Transit and stated that he felt that it was time to look at alternate means of establishing a transit system without Halifax.

It was moved by Councillor Stewart, seconded by Councillor Adams:

"THAT the Municipality of the County of Halifax initiate discussions with the City of Dartmouth, the Town of Bedford and the Department of Municipal Affairs with regard to the organization of Metro Transit without the City of Halifax."
Motion Carried.

Many Councillors voiced support for Councillor Stewart's comments while others stated that they could not see that the establishment of Metro Transit would be financially feasible without the inclusion of Halifax City. It was noted that this motion, would if nothing else, aid in letting the City of Halifax know that the other members of Metro Transit are becoming impatient with the delays.

It was moved by Councillor Margeson, seconded by Councillor Williams:

"THAT this item be referred to the Policy Committee for discussion and report back to Council."
Motion Lost.

Mr. Meech then outlined the Letters and Correspondence.

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

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

The first letter dealt with Public Participation in the Halifax-Dartmouth Regional Development Plan. This also included the original letter to Mr. MacIssac with the five nominees for the position. It was agreed by Council that Mr. Frank Stevens, Musquodoboit Harbour, Mr. Wayne Patterson, Colby Village-Cole Harbour and Mr. Ron Barkhouse, Beaver Bank be the names submitted to the Minister for nominees to the Public Participation members in the Halifax-Dartmouth Regional Development Plan Review.

Councillor Gaetz voiced opposition to the selection of the nominees stating that he was not in favor of those selected.

The next letter dealt with the construction of the Post Office and other Federal Departments in Lower Sackville.

The next letter was received by the Warden from the Mayor of the Town of Lunenburg extending congratulations to the County on their Centennial Year.

The next letter was from Mr. John M. Buchanan thanking the Council for their thoughtfulness in advising him of their approval of the Senior Citizens Tax Rebate Program.

The next letter was in response to a letter written to Mr. Romeo LeBlanc concerning the increased use of volunteer groups in the operation of fish hatcheries. Mr. LeBlanc indicated that if a proposal from a volunteer group should be forthcoming consideration would be given to the proposal.

The next letter dealt with a letter to Mr. C.J. O'Brien concerning a request for a Need and Demand Study in the Cole Harbour - Forest Hills area. It also included that consideration be given to the use of the basement of the Housing Commission Sub-Office by the Cole Harbour New Horizons Club.

The next letter dealt with a reply from CRTC concerning a request that an advertisement of Reed Career Service be investigated. The letter indicated that this matter had been sent to the CRTC headquarters for investigation.

The next letter concerned the request from the Municipality to have cable television services for the residents of Cow Bay and East Preston areas in Halifax County. The letter indicated that the CRTC cannot

force Dartmouth Cable to extend the service to the residents of Cow Bay and East Preston areas but they would continue to encourage the extension of these services.

Deputy Warden Deveaux stated that he had further investigated this matter and had ascertained that the guidelines for extension were water and sewage servicing. He voiced the opinion that this did not make sense as television viewers existed outside this area.

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

"THAT a letter be forwarded to the CRTC, with a copy to the Honorable Gerald Regan, regarding the CRTC considering the discontinuation of the use of sewer and water servicing as guidelines for the extension of cable television and that in future population alone be used as the guideline."
Motion Carried.

The next two letters were letters of thank-you from members of the Black Cultural Society for the County's approval of a grant of \$50,000.00 to the Society as well as the consideration of tax exemption when the time is appropriate.

The next letter dealt with the Community Services Program and the final letter dealt with the Municipal Grant Act.

Mr. George Doucette, President of the Sackville Chamber of Commerce and Principal of Sackville High School then welcomed the Council to Sackville and distributed Sackville Coat of Arms pins to the members of Council.

Councillor Margeson then suggested that a copy of the letter received from Romeo LeBlanc concerning the increased operation of fish hatcheries with volunteer groups be sent to all Fish and Game Associations. Council agreed that this would be a good idea and directed Mr. Kelly to do so.

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

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

The first item dealt with was concerning a request from the Tangier and Area Volunteer Fire Department for a loan of \$22,000.00 for the purchase of additional fire fighting equipment.

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

"THAT Council approve a loan of \$22,000.00 for the purchase of additional fire fighting equipment by the Tangier and Area Volunteer Fire Department to be repaid over a six year period."
Motion Carried.

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

"THAT the Supplementary Report of Management be received."
Motion Carried.

The first item dealt with was an application for a tax reduction by the Ashlar Masonic Building Company.

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

"THAT Council approve a tax reduction from the Commercial to the Residential rate on the assessment of Ashlar Masonic Building Company, Musquodoboit Harbour."
Motion Carried.

Councillor MacKenzie made comment on the fact that a request for a tax reduction by the Sheet Harbour Snow Mobile Club had been referred to the Policy Committee for further investigation. He stated that he felt that this organization was eligible for a tax reduction as they are a non-profit organization and do community work.

Councillor MacKenzie asked if the use of tax reduction forms approved by Council had been implemented.

Mr. Kelly replied that they had and that this application had only been received a week ago.

Councillor Tople stated that he felt that it was necessary to remember that the amount given out in tax reductions and exemptions must be regained by some other means. He felt that this matter should be considered when giving such concessions.

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

"THAT the Policy Committee review the policy concerning the granting of tax exemption and reduction and that they make available to Council the amount in dollars given in such concessions in the year 1980."
Motion Carried.

Councillor Walker then inquired as to what the decision on the Leslie Thomas playing field had been. Mr. Meech stated that the Management Committee had agreed that the request for reimbursement for damages occurring to the adjacent recreation area due to the construction of the Leslie Thomas Playing Field be accepted. Mr. Meech stated that the original request for reimbursement had been far in excess of what the Management Committee had agreed upon. Mr. Meech informed the Council that the Management Committee had agreed that the Lake District Recreation Association should be reimbursed in the amount of \$10,000.00 and that a condition was attached to this reimbursement, namely that the County would be no longer liable for further damages.

Councillor Walker voiced the opinion that such a decision should be made by the Council as a whole.

It was moved by Councillor Walker, seconded by Deputy Warden Deveaux:

"THAT the decision concerning the Leslie Thomas Playing Field be brought before Council at the next Session."

Motion Carried

Mr. Meech pointed out that the capital cost allocated for the playing field had not been used up and that the \$10,000.00 in reimbursement would come from the capital cost allocation.

There was discussion on the authority of the Management Committee to approve such an expenditure. There was also discussion concerning the origination of the drainage problem occurring on the playing field.

It was moved by Councillor MacKay, seconded by Deputy Warden Deveaux:

"THAT the Policy Committee review the mandate of the Management Committee and report back to Council with the areas of authority of the Management Committee."

Motion Carried.

Mr. Meech then indicated that he would like to table a report concerning the Poplar Drive Walkway and bring this matter to the next Council Session. Council agreed to this.

It was moved by Councillor Eisenhauer, seconded by Councillor Wiseman:

"THAT the Policy Committee Supplementary Report be received."

Motion Carried.

The first item discussed was Dog License and Fees.

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

"THAT Council approve the establishment of the 1981 dog license fee at \$10.00 per dog."

Motion Carried.

There was lengthy discussion on this matter with some Councillors voicing opposition to this motion stating that they felt it was unfair to those dog owners who looked after their dogs.

A number of Councillors voiced the opinion that the across the board fee would be much easier to administer and much easier for the dog owner compared to the present license fee structure.

The next item dealt with was streetlighting. This was an information item concerning an invitation extended to members of the Nova Scotia Power Corporation to attend the next meeting of the Policy Committee to discuss concerns voiced by various Councillors with regards to street lighting.

Councillor Margeson suggested that the Power Corporation officials meet with the Council as a whole rather than just the Management Committee.

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

"THAT the Nova Scotia Power Corporation officials be invited to attend a meeting of Council to discuss the concerns of Councillors with regard to street lighting."
Motion Carried.

The next item discussed dealt with amendments to the Dangerous and Unsightly Premises By-Law.

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

"THAT the following amendment be approved by Council: Clause (a) of Section 2 of the Dangerous and Unsightly Premises By-Law is amended by deleting the words "Planning Advisory Committee" in lines one and two substituting therefore the following "Policy Committee,"
Motion Carried.

It was moved by Councillor Topples, seconded by Deputy Warden Deveaux:

"THAT Section 7 of the Dangerous and Unsightly Premises By-Law be amended to provide a minimum \$100.00 fine and maximum \$1000.00 under the By-Law."
Motion Carried.

It was moved by Councillor Adams, seconded by Deputy Warden Deveaux:

"THAT the feasibility of posting signs informing the public of the changes to the Dangerous and Unsightly Premises By-Law along the Highways be referred to Policy for study and report back to Council."
Motion Carried.

The next item dealt with were the Rehab Centre By-Laws.

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

"THAT Council approve the following amendments to the Rehab Centre By-Law: 'The Chairperson shall be chosen annually among the Councillors of the Municipality of the County of Halifax, The Vice-Chairperson shall be chosen annually among the four representatives appointed by the Council, and the Chairperson shall serve no more than three consecutive annual terms as Chairperson.'
Motion Carried.

Councillor Gaetz voiced his opposition to the amendments stating that he felt that they were discriminatory to those non-council members of the Rehab Centre Board.

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

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

Mr. Meech outlined the report of the Planning Advisory Committee stating that the only item involved concerned the Shubenacadie Lakes Advisory Board. The Planning Advisory Committee met with Anne Muecke, Chairperson of the Shubenacadie Lakes Advisory Board to discuss the terms of reference for this group. It is the recommendation of the Planning Advisory Committee that these terms of reference be approved by Council. It is also noted that there will be financial responsibility on the part of the Municipality as a result of support of the Shubenacadie Lakes Advisory Board.

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

"THAT Council approve the terms of reference for the Shubenacadie Lakes Advisory Board."
Motion Carried.

The next item dealt with was the Building Inspectors Report.

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

"THAT approval be given to the application of a lesser side yard clearance of 7.1, located at Lot 2, S. Smith Subdivision, Blind Bay, Applicant Charlie Smith."
Motion Carried.

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

"THAT the Nova Scotia Housing Commission be requested to do a Need and Demand Study for Senior Citizens Housing in Herring Cove and Chezzetcook."
Motion Carried.

It was pointed out that the Housing Commission expected some work to be done by the local Councillor. Mr. Meech explained the procedure followed by the Nova Scotia Housing Commission in determining if a Need and Demand Study was necessary. He noted that any work done by the Councillor of the area would be back-up work and assure the success of the Need and Demand Study.

Councillor MacDonald stated that this matter was to be dealt with in the near future by the Legislative Assembly and he would prefer to wait until a decision had been made by this governmental group before any discussion of this took place at Council.

Councillor Adams introduced a concern that he felt could be the end of a viable industry in his area. He stated that trichinosis had been found in many of the hogs produced in his area. He stated that the problem had become progressively worse and appeared to originate from a rodent problem in his area. He stated that a previous baiting program had not been successful due to a lack of areas baited.

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

"THAT an update report be made available on the status of Rodent Control in the County for the next Council Session."
Motion Carried.

There was lengthy discussion on this matter with Mr. Meech pointing out that the present Rodent Control Officer also dealt with Unsightly Premises. He indicated that the workload may be such that sufficient time is not available to do justice to a job so extensive as Rodent Control. He indicated that the Rodent Control Officer was merely in an advisory position with liaison with the Department of Health. He also indicated that the Provincial Department of Health had indicated that they felt rodent control was a Municipal responsibility. However, they would support rodent control financially.

It was agreed that a report be forthcoming on the financial aspects of a rodent control program.

Councillor Adams introduced another problem which has been causing him great concern. This was a matter of arsenic contamination in Lake Echo. He outlined a study that had been carried out in 1977 in which arsenic contamination had been present on 31 of 50 lots tested. He stated that no follow up had been done on these tests.

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

"THAT the Board of Health be requested to approach the Atlantic Health Unit concerning the possibility of a follow-up inspection survey for arsenic contamination in the Lake Echo area."
Motion Carried.

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

"THAT a status report be forthcoming from the staff concerning the Pinegrove and Echo Forest Park Subdivisions."
Motion Carried.

Councillor MacKenzie stated that he was concerned over the decision concerning the Cole Harbour Snow Mobile Club.

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

"THAT the Sheet Harbour Snow Mobile Club be granted a reduction from the Commercial tax rate to the Residential tax rate."
See motion to refer.

There was lengthy discussion on this matter with many of the Councillors voicing concern over the community service aspect of the Snow Mobile Club. There was also concern voiced over setting a precedent that all snow mobile clubs would request tax reduction in future.

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

"THAT this matter be referred to Policy Committee and that they make a ruling on whether or not reduction in taxes should be granted to sporting or athletic clubs."
Motion Carried.

Councillor Walker requested that further information be made available on the snow mobile club for the Policy Committee as well as the constitution of the club.

Councillor MacDonald raised a concern with regard to taxi drivers. He stated that often the drivers were rude, their cars not well kept either in cleanliness or mechanically. He indicated that it was his feeling that something should be done about this and suggested that a taxi commission could handle this.

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

"THAT this matter be referred to the Policy Committee for study and recommendation to Council."
Motion Carried.

Councillor Wiseman requested an update on the progress of the Sidney Stephen Junior High School situation.

Mr. Meech outlined the situation stating that the Bedford School Board had deferred decision on this matter until such time as all other contracts concerning schools have been finalized. Mr. Meech indicated that the main area of disagreement was the length of time which had been named as the leasing period for the C.P. Allen School.

It was noted that should a change be made to this period of time the contracts would be finalized speedily. It was agreed that as the information was not available at this time that discussion on this possible suggestion be deferred until a later date.

It was also pointed out that perhaps the C.P. Allen School would facilitate the TMR children rather than the Sidney Stephen School.

It was moved by Councillor Gaetz:

"THAT Council adjourn."
Motion Carried."

COUNCIL SESSION

DECEMBER 16, 1980

PRESENT WERE: Warden Lawrence
Councillor Poirier
Councillor Williams
Councillor Baker
Deputy Warden Deveaux
Councillor Stewart
Councillor Adams
Councillor Gaetz
Councillor Smith
Councillor Margeson
Councillor MacKay
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman

SECRETARY: Sherryll Hussey

Warden Lawrence called the Session to order with the Lord's Prayer at 2:00 p.m. and the Session adjourned at 5:10 p.m.

Mr. Kelly then called the role.

It was moved by Councillor Gaetz, seconded by Councillor Williams:

"THAT Sherryll Hussey be appointed recording Secretary."
Motion Carried.

The first item on the agenda was the Presentation by the students of the C.P. Allen School. The students reenacted a Council Session held in the 1880's. Mr. Gillis, Superintendent of Schools, introduced the students and the presentation. Mr. Julien, a teacher at C.P. Allen School, introduced and narrated the presentation. He gave a brief description of the time period and the matters that were of importance to Council at that time.

The mock Council dealt with such things as Petitions, Motions and Committees.

Warden Lawrence thanked the students for their presentation and invited them to attend a present day Council Session at any time.

Due to the inclement weather Warden Lawrence suggested that only the matters of utmost importance be dealt with. It was agreed that Items 7 and 8 on the agenda be deferred. These being: Meeting with Department Heads and Meeting with Kevin MacDonald, Director of Assessment.

Councillor Smith requested an update on the matter of a plebiscite suggestion which had been forwarded to the Liquor Licensing Board. Mr. Kelly informed Council that no reply had been received on this matter. Councillor Smith requested that the letter to the Liquor Licensing Board be placed in the agenda.

It was moved by Deputy Warden Deveaux, seconded by Councillor Baker:

"THAT due to the inclement weather that Council adjourn at 5:00 p.m."
Motion Carried.

It was agreed that the Correspondence items would be dealt with on a Council-interest basis.

The first letter to be dealt with concerned the arsenic contamination of wells in the Lake Echo area. Councillor Adams expressed concern over this matter and stated that he felt that further sampling should be undertaken. Councillor Benjamin stated that this matter had not been discussed by the Board of Health. Councillor Benjamin also indicated that the onus for the rectification of an arsenic problem lay with the individual. Councillor Adams asked if research was being carried out to find a method of extracting arsenic from wells. Councillor Benjamin stated that this was a difficult task and no method had been found as of yet.

It was moved by Councillor Adams, seconded by Councillor Margeson:

"THAT the Atlantic Health Unit be requested to carry out a sampling program for wells located on Ponderosa Drive as indicated in their letter."
Motion Carried.

The next letter dealt with the matter of purchase of materials for the Robert Borden Junior High School Library. The Department of Education is willing to cost share an amount of \$18,000.00.

The next letter was a thank-you from the Canadian Cancer Society for the \$40.00 donation made by each Councillor and also an indication that receipts would be issued.

It was moved by Councillor Topple, seconded by Deputy Warden Deveaux:

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

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

"THAT a Public Hearing be held on Rezoning Application #30-79, request to rezone Lot 7 of the E.N. Thomas Subdivision, Lands of Royce Hefler located at 989 Highway No. 1, Lower Sackville, Halifax County, District 19."
Motion Carried.

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

"THAT a Public Hearing be held on Rezoning Application #21-80, request to rezone lands of Robert Marshall located on the Myra Road, Porters Lake, Halifax County, District 8."
Motion Carried.

Mr. Meech outlined the report re Recommendation of Changes in the Ferguson's Cove area in the PAC report.

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

"THAT approval be given to the changes suggested by Mr. Ruffman and the Development Officer and that the Federal Government and Land Registration System be asked to correct the present City of Halifax southern boundary on the map and to consider identifying the area known as Ferguson's Cove."
Motion Carried.

It was moved by Councillor Toppie, seconded by Deputy Warden Deveaux:

"THAT a letter be forwarded to the Minister of Municipal Affairs requesting an extension to the deadline for submission to the Planning Act Review Committee, on the Interim Report, of one month."
Motion Carried.

It was moved by Councillor Eisenhauer, seconded by Councillor Smith:

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

Mr. Meech introduced the first matter stating that the Amendments to the Taxi By-Law had been discussed and agreed upon at the Policy Committee.

It was moved by Councillor Eisenhauer, seconded by Deputy Warden Deveaux:

"THAT the amendments to the Taxi By-Law be approved as set out by the Solicitor."
Motion Carried.

Councillor Toppie asked how this By-Law would be enforced. Solicitor Cragg replied that the RCMP would enforce this By-Law. Councillor Toppie noted that the RCMP were unable to enforce this By-Law due to their work load. Mr. Meech indicated that this matter was being discussed by the Policy Committee.

Councillor Toppie suggested that a Taxi Commission might be the solution to many of these problems. Mr. Meech stated that at present a report was being prepared to be discussed by the Policy Committee on this suggestion.

It was moved by Councillor Margeson, seconded by Deputy Warden Deveaux:

"THAT approval be given to a partial tax exemption for the Sheet Harbour Snow Mobile Club for 1980."
Motion Carried.

There was lengthy discussion on this matter with Councillors voicing concern over the question of the Snow Mobile Club being a community service group. Councillors felt that no information had been made available to ascertain the community service aspect and that granting partial tax exemption for this Club would lead to further requests by such clubs.

Mr. Meech pointed out that under the Assessment Act this group was eligible and also that a decision on this could not be forestalled until a study of the eligibility for tax exemption was completed.

It was moved by Councillor Topple :

"THAT this item be referred to the Policy Committee for further study."
Motion Lost for want of a seconder.

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

"THAT the Supplementary report of the Management Committee be received."
Motion Carried.

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

"THAT the respective Councils of the Town of Bedford and the Municipality of the County of Halifax make application to the Public Utilities Board requesting an extension of the previously approved agreement with regard to ownership and maintenance responsibility for the trunk sewer mains, Mill Cove treatment plant and associated equipment (i.e. pumping station) and the present method of recovering capital charges for the said works for a six month period to the end of June 30, 1981 during which period the Municipality and Bedford will develop a long term agreement for the sharing of costs related to the trunk system and the sewer treatment plant which agreement will then be retroactive to January 1, 1981 in determining Bedford's share of the operational costs."
Motion Withdrawn.

There was lengthy discussion on this item with various Councillors raising a number of concerns. It was pointed out that at the Management Committee meeting it was indicated that any agreement made with Bedford with regards to the water and sewage system would result in more tax dollars for the County taxpayers. It was also indicated that no agreement that would cost Sackville residents more should be made. There was some discussion on the possibility of the County retaining the entire system. However, Mr. Meech pointed out that as

Bedford had become a town and as it was usual procedure for a Municipality to have control over the ownership and maintenance of their internal sewer and water system it would be unlikely that the County would be allowed to retain the entire system.

There was discussion on the legalities of the situation as it relates to the County making a separate appeal to the PUB for the agreement to remain the same until such time as a long term plan had been negotiated with Bedford. The members of the Management Committee stated that they were under the impression that the County had no choice but to turn over the ownership and maintenance of the internal sewage system to Bedford as this would happen effective January 1, 1981. Solicitor Cragg stated that this would only happen if an appeal were not sent to the Board of Public Utilities.

There was also discussion on the present method of payment between Bedford and the County. Mr. Meech pointed out that there was no guarantee that this would remain as it was. There was discussion on three possible ways of repayment them being: 1) Area Rate 2) Proportionate Share 3) Assessment.

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

"THAT an appeal be forwarded to the Board of Public Utilities requesting that the present agreement with the Town of Bedford, the status quo, be extended until June 30, 1981 to enable the County of Halifax to reach a long term agreement with the Town of Bedford."

Motion Carried.

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

"THAT the Municipality of the County of Halifax Administration Offices be closed on Friday, January 2, 1981."

Motion Carried.

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

"THAT Keith Birch, Chief of Planning and Development be placed on permanent staff effective immediately."

Motion Carried.

Warden Lawrence informed the Council that the Minister had made his decision concerning the Special Rural Task Force. She indicated that two recommendations had been forthcoming to Metro Authority and MAPC. The first being a recommendation to allow Ministerial Dispensation for single family residential uses on public roads for districts 10, 11, 12, and 13. The second recommendation had been the suggestion to allow an industrial use on five acres. She indicated that the first recommendation had been approved by Metro Authority and MAPC, but the second had not been as of yet.

Warden Lawrence also indicated that Metro Transit was not moving forward due to a boycott by the City of Halifax of the meetings. She

indicated that a meeting was to take place with the Minister of Municipal Affairs to discuss possible options. This meeting was to include the Town of Bedford and the City of Dartmouth.

It was moved by Councillor Williams:

"THAT The Council Session adjourn."
Motion Carried.

MINUTES & REPORTS

of the

SECOND YEAR MEETINGS

of the

FORTIETH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

JANUARY COUNCIL SESSION

Tuesday, January 6 and 20, 1981

&

PUBLIC HEARING January 12, 1981

family dwellings, truck garage, MTT sub-station and Sackville Heights Junior High and an Elementary School. The remaining land use north of the property in question and off the Beaver Bank Crossroad is predominantly single family dwellings and mobile homes.

The zoning in the area somewhat reflects the land use only moreso, it is very much mixed on the northern side of Highway # 1 being largely residential single family dwelling zone and C-1 (Commercial Local Business) Zone. The lower side of the highway is predominantly R-2 (Residential General, Residential Two Family Dwelling) Zone. The lower side of the highway is predominately R-1 and there is one commercial lot here and the property in question is located here.

The applicant has indicated to us that the purpose behind this rezoning application is that he proposes to construct a low density type of commercial building such as a professional centre or an office complex - those two particular uses are being actively considered. I should point out that those particular uses would be permitted under the R-4 zoning category and Mr. Hefler is aware of that.

Lot 7 is approximately 30,000 square feet and has 100 feet of frontage on Highway # 1. The lot had a single family dwelling on it however that has been removed. Before going into our recommendation on this application I would just like to go over a brief history of how the zoning in the area became as it is now shown. Over the years the Planning Department received numerous applications for, what at that time we would have classified as spot rezoning applications on this area of Highway # 1. Just below the Beaver Bank connector road area of Highway # 1. Just below the Beaverbank connector road the strip which is on either side of Highway # 1 and runs down to the Cobequid Road for just a couple of miles is known as the Sackville strip. On either side that commercial strip is zoned C-1 (Commercial General Business) Zone. The planning Department has taken the view that because the strip is not filled to capacity with commercial development that we should be very careful in spot rezoning areas adjacent to this strip because by spot rezoning we detract from the strip in terms of permitting commercials to go there. We also soften what we consider to be stable residential areas in the fringe. In this particular strip of Highway # 1 is in fact in that particular kind of situation. There have been approved by Council over the past two years approximately 7 spot rezoning applications in this area, some of which are not shown on the map which is displayed here. By approval of these spot rezoning applications, the area has been infiltrated by considerable commercial development which has significantly changed the character of this area from what was a residential neighbourhood to a mixed use neighbourhood which includes single family dwellings, two family dwellings, apartment and a number of uses.

When it came time to consider our recommendation for this application we had to take this very much into consideration. We looked at the lower side of highway # 1 and saw that it was predominantly still intact including schools but the upper side suffered severely through spot rezoning and in considering this recommendation we had to take into account the properties adjacent to and their zones and whether or

not we felt that particular property was still suitable or desirable for R-1 development. We came to the conclusion that it certainly was not still a desirable location for single family residential development, however, we also did a study which I just referred to previously on the commercial available land on the strip in Sackville and we determined that there was about 284 acres of either vacant or land that is developed with residential uses in the commercially zoned land within the Sackville strip and we are still very reluctant to encourage further spot commercial rezoning.

The Public Works Department in their comment on this application have commented on the C-1 (Commercial Local Business) Zone and because that zone permits apartments as does the R-4 zoning category, the Public Works Department are concerned about the design density for that area and they did not support the change to C-1.

Finally we took this application to the Planning Advisory Committee and we recommended and we are recommending now that the C-1 zoning for this property not be approved and that Council approve an R-4 (Residential General) Zone category which is a slightly more restricted zoning designation than the C-1 (Commercial Local Business) Zone.

We have been in contact regarding this issue with Mr. Hefler on a number of occasions and he does not object to this designation and as I said the uses he is proposing for this property which may or may not be immediate are a low density kind of office complex and he would also like to have the option of constructing apartment units there at some point which the R-4 zoning will again allow.

Warden Lawrence: Are there any questions for Miss Smith?

Councillor MacKay: Madam Warden, in this matter I would like to be excused from the debate and the decision because of a conflict of interest which I have with Mr. Hefler.

Warden Lawrence: We will grant you that exemption.

Councillor Margeson: Madam Chairman and Friends, in your discussion of both the pieces of land that are available and commonly called Sackville Commercial Strip, you did not state whether this land was owned by Mr. Hefler and has been owned by him for some time. In other words, he is not buying land, he had owned this property for some time so that normally he would not go down on the Commercial Strip and buy a piece of land if he owned this one, would he?

Miss Smith: Yes, I suppose this would be true, however, I think we could not look at this solely as a reason for recommending approval of the C-1 zoning, I think what we have to consider is the fact that by more spot rezoning we are detracting from or giving businesses opportunities to locate in areas other than the core and in order for the core to be viable and successful we feel that we should try to encourage commercial uses to go within the core of Sackville as opposed to areas outside of the core such as this. Although, I think one of the motivating forces behind these kinds of applications is property

value. It is obviously much cheaper, and I am not saying in this particular instance that is the situation, but I think it has been our experience that the areas that are located in the peripheral of cores tend to have, if they are rezoned residentially, lower property values and it certainly is a lot easier to buy property that is lower in value and rezone it to commercial zone and locate there then it may be to purchase property in the strip or any core if it is established. So I think that is probably one of the motivating forces behind this kind of sprawling out further.

Councillor Margeson: What causes land to be more expensive in the commercial strip?

Miss Smith: I would say demand.

Councillor Margeson: But you just said a minute ago there wasn't any demand there because you had 284 acres not in use.

Miss Smith: The existing commercial zoning also makes it more attractive.

Councillor MacKenzie: Madam Warden, would this be an area that would, as far as planners are concerned, be developed as a commercial area now that you have started spot zoning, commercial zoning? Would you endeavour to make this total area commercial?

Miss Smith: I would say that that is a question that would be addressed by the Municipal Development Plan Process that is being developed in Sackville at the moment. I couldn't comment on that.

Councillor Stewart: Miss Smith, looking at your literature here, it appears on a number of occasions that spot rezonings in the past the Planning Department had recommended against them and the Council has agreed to them and it looks like people get what they want eventually. It is a shame in effect that people can buy at residential prices and get it rezoned to commercial because in fact what you do is put some developers at a disadvantage compared to other developments, so I commend your efforts in the past and I assume the Sackville Councillors were happy with the way the Council decisions went at the time and presumably the Municipal Development Plan will now stamp the area one way or another in the future.

Councillor MacDonald: Miss Smith, this lot having an apartment building situated directly behind it I can't see any other way but it going R-4 or Commercial so this property is an exception in itself due to where it is situated so it is not feasible for a residential building anyway.

Miss Smith: As noted on the display map, the apartment building is located here, the Green Gables store here, the trailer park here, and excepting for this small lot next to it, it is virtually surrounded by commercial.

Deputy Warden Deveaux: Yes, Madam Warden, I was wondering if to the

immediate right of the lot in question, I understand there are apartment buildings there, why would that be zoned commercial or was it zoned for some other reason.

Miss Smith: That zoning was done a very long time ago and I really couldn't say why it was zoned commercial, although C-1 zoning designation is a rather broad category. It permits apartment units as well as a broad range of retail commercial local uses.

Deputy Warden Deveaux: If you go back to the intersection of the Beaver Bank Crossroad and the No. 1 Highway, this page 4 you have on your O.H.P. but on page 2 the only commercial one shown is a lot on the corner, the other two although shown as commercial on page 4, on page 2 they are shown as single families.

Miss Smith: There are single family dwellings there and they are also zoned commercial.

Councillor Eisenhauer: I guess that particular lot that Deputy Warden Deveaux is speaking about is a duplex house. That was rezoned within the last two years and I have been on the Council that zoned some of these lots in the past and it is my understanding that the Beaver Bank Highway which is not shown there on the map and is just down the road a piece and Highway No. 1 is put forth as a strip, however, the meetings that I have attended as a result of our last plan is that the business people in that community do not see that as being the end, it was just the present day four lane highway stops there. However, the regional plan has a four way highway going right through to Lucasville Road intersection which would service the whole Millwood Development and the feeling that I received and of course I voted in that way was the community saw this as being a continuation of the existing strip and there was no way it differs. The appearance seems to be the same as the other strip that has four lanes and I guess that answers the question from Councillor Stewart. Each time the Planning Department say they do not recommend, we had to go by what we felt was coming out of the community and what they saw as the commercial areas.

Councillor Margeson: Madam Chairman and friends, you're recommending R-4 in place of C-1, Miss Smith, and the apartment building is right along side of this and the pictures just went right by my desk here showing a building that had been removed and that was a residential single family dwelling.

Miss Smith: Yes, that was the house that was on the property and it has been removed.

Councillor Margeson: Do you know if we had any problems with people who were living there because of being close to commercial or anything of that nature.

Councillor Margeson: Did they have any problems with highway noise or anything?

Miss Smith: I am afraid I could not identify that.

Councillor Margeson: Could you identify where the lane coming down out of that school comes out, please? Just about opposite or a little bit to the east? Do you know for sure if it is somewhere there? Is it towards Stanley Street for example?

Miss Smith: As far as I know it is in this location.

Councillor Margeson: That makes a fairly busy spot there you see when school children are coming and going.

Miss Smith: That was a consideration that was taken into account in our recommendations for all these applications.

Councillor Margeson: But I think the school children are south of Stanley Street and you are showing on the map where that comes downs there and I have a feeling that road that comes out of the school is not south or east of the lake. Could you identify that easier on another map?

Miss Smith: No I do not have any map that shows the actual driveway from the school.

Councillor Margeson: It is in Bill MacDonald's district, he might be able to identify that for me but the other question that you led me to was the R-4. Suppose Mr. Hefler wanted to use that as a parking lot or if the present apartment building wanted to extend his parking lot, could that be handled under the R-4.

Miss Smith: Yes.

Councillor Margeson: And what about the person who has the small residential building. Does that belong to Mr. Hefler too, that piece of property?

Miss Smith: The property next door, as far as we are aware, he does not own it or at least at the time of the writing of the report.

Councillor Margeson: Okay, thanks. Perhaps Bill you could identify where that school comes out there.

Councillor MacDonald: The school comes out by the Cutter's Corner. If you could point that out on the map, the beauty parlour and barbershop. Towards the Beaver Bank Road.

Councillor Margeson: In other words it is a bit to the east of Stanley Street.

Councillor MacDonald: I also mention that in the spring they are putting a sidewalk along there so it will make it much safer for the children to travel. That is a big improvement.

Councillor Gaetz: If there is so much commercial there, what is wrong with having that one? It bothers me to think that we have so many commercial uses there and then we are telling this man that we just

can't have it. Well, we haven't said that yet but that is what is recommended.

Miss Smith: We have lots of commercial zoning but if you look at the zoning map I think that the land use map will show you that there is commercial land there that is not being used for commercial purposes but it is still as, Councillor Eisenhuaer pointed out, used for single family purposes.

Warden: Anyone who wishes to speak in favour of this application?

Mr. Hefler: Madam Chairman, Council members, my name is Royce Hefler and I own the land in question. Actually, I really don't know the difference between C-1 and R-4, that is what the land could be used for if it were C-1 and I am pretty well familiar now with the land use for R-4. I don't know if this would hinder me in any way and I have been asked many times what I am going to do with the land. Well, it is hard to say what I am going to do with the land, I have to get it zoned and then I will start to find something to do with the land. I do not want to do anything with it that will jeopardize anything in the area or the apartment building that is alongside of it because I do own the apartment building and naturally I wouldn't want to do anything with that piece of land that would take away from the apartments. The land is there and we are not getting too many taxes off it now so I think that it would be good for both the County and myself if it were zoned in some manner that I could get better use of it than what it is zoned for at the present time and really that is the only reason why I asked for a rezoning for the property so that I can develop it in some manner which would be in keeping with the surrounding properties and see if we could get something better on the property.

Councillor MacDonald: Yes, Madam Warden, Mr. Hefler would you be satisfied with R-4 zoning?

Mr. Hefler: Well, Councillor MacDonald, this is why I mentioned it, I don't know what R-4 would do for me or for the County shall we say. I think today we have to look at tax dollars as well as everything else and I am not sure what's out there in the future and what we should be doing with that piece of land.

Councillor MacDonald: You wouldn't want to see a gas station there? I think R-4 would cover all the development you would want to take place there being in front of that apartment building.

Mr. Hefler: I don't imagine, but you see I didn't sit down with anyone or no one has pointed that out to me as yet and I am not sure what C-1 does cover. There may be some little thing that C-1 may cover that may go nicely that R-4 would not and that is the one thing that I am not sure of, whether I am happy with R-4. I am happy with it to what I understand.

Would there be any problem in the R-4 zoning for say a type of court house or any government house of any kind?

Miss Smith: Any type of office would be permitted.

Mr. Hefler: I am satisfied with R-4.

Councillor Margeson: I just wonder if our Solicitor might carry it a little bit farther. Would a court house be something that would be acceptable under an R-4.

Mr. Cragg: Yes, I think it would be.

Mr. Hefler: I would like to ask one question. You mentioned apartment buildings and there are regulations governing square footage for each apartment that one might plan for that lot, would there be anything along there to prevent me from using the maximum amount of apartments for that particular lot?

Warden: There are parking requirements for apartments, I think.

Councillor Poirier: Thank you Warden. Mr. Hefler, would you prefer a C-1 as that is what you applied for?

Mr. Hefler: That is what I applied for and I guess I was turned down before.

Councillor Poirier: But you have not been turned down yet tonight.

Mr. Hefler: No, that is why I am asking these questions.

Councillor Poirier: You have other property nearby, you are sort of a long term resident there, are you not? The name is sort of familiar to me but I don't know the area that well. It seems to me that anything that someone like yourself would put up near other property of your own and other businesses of your own, you are certainly going to put up something to protect what is already being used as single family dwellings. It almost seems like spot rezoning to keep a single family dwelling there now. I would certainly go along with a C-1 if that is what you would feel better with.

Mr. Hefler: Well, if C-1 is better for everyone then I would go along with it too.

Councillor Poirier: Our Solicitor says there is a very fine line that is why I asked these questions. It just might be a fine enough line that whatever Mr. Hefler wants to do with this it might not be quite allowable and if it is so fine and there is already so much commercial there, I can't see where there would be that much difference, with all due respect to the Planning Department.

Mr. Hefler: You can rest assured that it won't be worse than what is there, it will be better. I am going to be governed by other things as well because of the zone - governed by the sewer line, governed by other things.

Warden: Called three times for other speakers in favour of the rezoning application. Hearing none, is there anyone who wishes to speak against the rezoning application? Hearing none, I will declare the public part of this hearing closed and I ask for a motion on the subject of this rezoning, please.

It was moved by Councillor MacDonald seconded by Councillor Eisenhauer:

"THAT application # 30-79 - Request by G. Royce Hefler to rezone Lot 7 of the Ian Thomas Subdivision located at 989 Highway # 1, Lower Sackville, from R-1 (Residential Single Family Dwelling) Zone to C-1 (Commercial Local Business) Zone be approved."
Motion Carried.

Councillor MacDonald: This lot is situated in front of an existing apartment building and it is not a desirable spot for a residential dwelling. I think the zoning to C-1 is desirable and Mr. Hefler is a quality developer and I am sure he will erect a very presentable structure, whether it be an office building, a professional centre or an apartment building.

Warden: The rezonings once approved by Council, perhaps I could point out, are subject to an appeal period but following that period the zoning decision made by the Council this evening will stand if there have been no appeals lodged in the next 30 days from the date that the result of this decision is published in the paper.

Warden: The next rezoning application that we have scheduled for this evening is application # 21-80, a request by Robert Marshall to rezone lands located on the Myra Road, Porter's Lake, from T (Mobile Home Park Zone) to an unzoned status. This is in District 8.

Miss Smith: Thank you. This is rezoning application # 21-80 and it is a request by Robert Marshall to rezone his property located on the Myra Road, Porter's Lake, from its existing T (Mobile Home Park) Zone back to its original unzoned status. The property in question is located on the Myra Road. This plan shows the land use in the surrounding areas of the property in question. The property in question is located here. The area for which rezoning has been requested is a five acre parcel of that lot. As you can see land use in the area is predominantly residential and consists of single family dwellings and cottages, mobile homes and there are a couple of businesses, stores, an excavation company and also a church. In July of 1969 Mr. Marshall applied to the Planning Department to have this previously unzoned property zoned to T (Mobile Home Park) Zone and at that time the purpose behind the application was that the intention was to develop a small mobile home park on this property. We even received a layout for the proposed lot, however, the mobile home park project did not progress and the property was never used for mobile homes. Mr. Marshall recently received an offer on the property as we understand from someone who wishes to purchase the property and build a single family dwelling on it. It is a very nice property and as I said, it

borders on the Myra Road and runs right down to the Lake. It is treed and undeveloped at this point. Unfortunately the existing zoning designation being T in the middle part of the lot prohibits the use of the property for a single family residential development excepting for the areas as noted on the map. The person intending to buy the property does not want to built there, he wants to build where the area is zoned T. In order to permit this, we have this request to unzone the property and put it back into the unzoned status. The Planning Department has no objection to this rezoning. There is no zoning in the area and because the trailer park has not progressed we feel this zone is really redundant at this point and would recommend approval of this application.

Councillor Wiseman: The dimensions shown on the map - 865 x 800 feet, is that just the length of that piece of property that is to be rezoned or is it the length of the whole property between Myra Road and the lake?

Miss Smith: I believe those dimensions are just for the piece to be rezoned.

Councillor Wiseman: I see, you have it marked there that 5 acres is the total amount of the land. With unzoned property, what is the procedure with that, for instance, can a person automatically build a single family home on the property?

Miss Smith: Yes, it is a permitted use, of course all other requirements of the Department of Health and Building Inspection have to be met.

Councillor Wiseman: Can they put a fina tank farm on their property without having any rezoning or public hearings or anything?

Miss Smith: Yes, industrial uses are permitted in that district without rezoning. But the same could be said for all the adjacent properties surrounding the lot as they are all in the same situation.

Councillor MacKenzie: Madam Warden, there is a property on Porter's Lake for instance and as I understand it there is a cottage on that. How will you be able to get to that property?

Miss Smith: There is a right of way that runs right down the property.

Councillor MacKenzie: So this won't interfere with the size of the property to be unzoned as far as size is concerned?

Miss Smith: I wish to make a correction with respect to a previous statement I just made about the industrial. Industrial uses in District 8 are not permitted. Sorry, they are not permitted without rezoning and in the other surrounding Districts they are. So, a fina tank farm would not be a permitted use. Commercial uses, generally of any sort, would be permitted. In particular, salvage yards and industrial uses and mobile home parks would require specific zoning.