

Mr. Meech advised that the City of Halifax had never been officially approached and that they could not give us a position until such time as the County approached them. He further advised that at no time had he ever suggested that the City would not allow the Municipality to seek such approval. He did state, however, that the people living in this general area may object to the addition of two more stories. He advised that the area of the Social Services Building is zoned differently than that of the Municipal Building which is a conforming use; a C-1 zone. The only thing we have to worry about is a height restriction regulation which could be amended through the procedures of a Public Hearing at the City of Halifax as, would be done for any amendment to a zoning By-Law.

Councillor Lichter commented on the inefficiency of the present system in the Municipal Building and the run-around people were getting when looking for a particular service. He stated that reorganization had not solved that problem and he felt the only way to adequately solve it would be to build a new structure with everything under one roof. He felt that the cost was something that would have to be accepted.

Councillor Lichter had no misgivings with the building being located in Sackville as he thought that when and if Sackville separates or incorporates they would build their own building and the Municipal Building would remain the property of the Municipality. He added that if a motion was in order he would like to move, "THAT a new building be built and located in Sackville, keeping all Municipal Services under one roof and further that when and if Sackville incorporates or separates in any way, that the Municipality will request a ruling from the Public Utilities Board that the soil on which the Municipal Building is located remain Municipal soil."

Solicitor Cragg advised that the qualification on the end of the motion was in order as the PUB certainly can order that the property remain the Municipality's. He added that the Board could rule the other way as well but that common sense would dictate that the Municipality would retain ownership of it.

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

"THAT a new Municipal Building be constructed, within Sackville, adequate to house all Municipal Services and that at such time that Sackville may separate from the Municipality, a request will be forwarded to the Public Utilities Board that the Building, and the soil on which it is located, remain the property of the Municipality of the County of Halifax."
See Motion to Defer.

Councillor Margeson was interested in amending the motion to add that for a period of time suboffices be established in Sackville and Cole Harbour to determine the need in these areas, before any capital expenditures were made. However, it was determined that the suggestion of suboffices was at odds with the motion and was therefore not acceptable as an amendment.

Councillor Lichter felt that the pros and cons of sub-offices should be dealt with in more detail as to what kinds of services you would want at what cost.

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

"THAT this debate on the requirement of Municipal space be deferred subsequent to completion of the Public Hearing, Re: Poplar Drive Walkway."
Motion Carried.

LETTER FROM MAYOR COSMAN

This letter was regarding a request for a meeting between the Councils of the Town of Bedford and the Municipality of the County of Halifax to discuss the decision of cost sharing on the capital debt of the C. P. Allen High School.

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

"THAT the two Councils of Bedford and the Municipality meet to discuss cost sharing of the capital debt of the C. P. Allen School; the meeting to take place at 2:00 P.M. at the Municipal Building, as part of the April 7 Council Session."
Motion Carried.

The Council agreed to let Councillor Loncarevic of Bedford's Council speak.

Councillor Loncarevic thanked the Councillors and indicated his appreciation for the positive manner in which Mayor Cosman's request for a meeting had been received and expressed his feeling that much could be accomplished with such a meeting.

NEW BUSINESS

Councillor Smith asked that Dog Constables be appointed as it was time they were on the road and they could not act until they have been appointed.

The Councillors appointed Dog Constables for their areas as follows:

Councillor Smith: Ms. Joan Potter and Mr. Harley Mills, District 10.

Councillor Gaetz: Mr. Gordon Crowell Sr., Lawrencetown (all areas), Mr. Austin Mannett, West Chezzetcook and Mrs. Marjorie Fields, East Chezzetcook.

Deputy Warden Deveaux: Mr. Gerald White, District 6.

Councillor Walker: Mr. Danny Whitaker, District 1.

Councillor Poirier: Mr. Rick Leedham, District 2.

Councillor MacDonald: Mr. Mike Murdock, District 19.

Councillor MacKenzie: Mrs. Ethel Wilson, Mr. James Levy and Mrs. Margaret Pace, District 11.

Councillor Margeson: Mrs. Vivien Morris and Mr. Ivan Morris, District 15. Councillor Margeson advised that he would have another name to add to this list at a later date.

Councillor Adams: Mr. Gordon Watson, Mr. Robert Ritsey and Mr. Charles Perveau, District 8. Councillor Adams also indicated there would be a later addition to his list of Constables.

Councillor MacKay: Mrs. Shirley Major, District 16.

Councillor Eisenhower: Mrs. Faulkner, Upper Sackville.

Councillor Lichter: Mr. Bernard Isnor, District 13. (NOTE: it was later discovered that Mr. Isnor could not act as Dog Constable this year.)

Councillor MacKenzie brought to Council's attention during the appointment of Dog Constables that Councillors had not yet received notices of the tax rates and assessments for their areas as was the normal procedure, or reminders respecting dog constables, fire wards as well as other items that are usually dealt with at the Annual Session. He was bringing this to the attention of staff.

Mr. Meech assured him that staff would be taking care of this matter as it was part of the budgeting process for these areas.

Also during this time in the meeting Councillor MacKay advised that his appointed term with COMSERVE had come to its end and that, as he had found it difficult to attend the meetings because they had interfered with other meetings he had to attend, he did not wish to renew his appointment. He suggested that someone else be appointed to the position at the next Council Session and advised that the meetings were held once every third week, one in the afternoon and the next in the evening on a rotating basis.

Warden Lawrence advised that it would be on the agenda for the next Council Session.

Councillor Smith requested whether it was possible to have a card made up for the Dog Constables to leave at homes where the residents are not in when they call. She was advised by the Warden that such a card is available this year.

The Council Session was adjourned for a few moments prior to the Public Hearing, Re: Poplar Drive Walkway, at 7:00 p.m.

The Issue of the Poplar Drive Walkway is treated as a separate item in the form of a Public Hearing.

Subsequent to the Poplar Drive Walkway Issue the Council Session was brought back to order at 10:30 p.m.

Councillor Poirier requested that the next time the issue of Space Requirements for the Municipality is brought to Council that it be taken seriously and the proper amount of time be allotted to it. She requested that it be put on the agenda in an order that would permit it to be dealt with properly. She suggested that it be put on the agenda at a time when Councillor Baker is in attendance as he was a very concerned member of Council regarding this particular issue.

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

"THAT a Special Council Session be held on March 31, at 2:00 to deal with the left over items on today's agenda."
Motion Defeated.

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

"THAT Council continue discussion this evening dealing firstly with the deferred item, Re: Space Requirements, Municipal Building."
Motion Defeated.

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

"THAT the issue of Space Requirements be deferred until the April 7 Council Session and that it be situated on the agenda immediately following the meeting with Bedford Council."
Motion Carried.

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

"THAT Recovery of Transit Costs be item number three on the agenda of the April 7, Council Session."
Motion Carried.

RESOLUTION TO DEFER ANNUAL COUNCIL SESSION

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

"THAT the Annual Session of County Council be deferred until April 21."
Motion Carried.

ADJOURNMENT

It was moved by Councillor Gaetz:

"THAT the March 17 Session of County Council be adjourned."
Motion Carried.

The Session adjourned at 10:55 P.M.

ANNUAL COUNCIL SESSION

JUNE 16, 1981

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

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
 Mr. G. J. Kelly, Municipal Clerk
 Mr. Robert Cragg, Municipal Solicitor
 Mr. Ken Wilson, Director of Finance
 Mr. Gary Smith, Chief Accountant

SECRETARY: Mrs. Christine Harvey

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden Lawrence opened the Annual Council Session with the Lord's Prayer at 2:03 P.M.

ROLL CALL

Mr. Kelly then called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Mrs. Christine Harvey be appointed Recording Secretary."
Motion Carried.

REPORT, RE: 1981 BUDGETS AND TAX RATES

Mr. Wilson submitted copies of a memo regarding the 1981 Budgeted Expenditures as well as an attached summary of the reductions as requested by Council at its June 1, 1981 Committee of the Whole Budget Meeting. Based on the revised budgeted expenditures, and utilizing a total of \$1,500,000 of education reserves which were \$3,000,000 at the end of 1980, the residential tax rate would be .82 cents and the commercial tax rate would be \$1.53 per \$100.00 of assessment.

Mr. Wilson advised that the average increase in County assessments were

40% over the 1980 figures and based on this average assessment increase, the .82 cent residential rate represents an actual increase of 10% in the taxes over 1980 for a property assessment which increased 40%. The \$1.53 commercial rate represents an actual increase of 13% in taxes over 1981 for a property which increased in assessment by 40%.

Councillor Poirier questioned whether it would be wise to defer the purchase of the data processing equipment until the prices had dropped more substantially, to which Mr. Wilson replied he had received very good prices which would not get substantially lower for approximately 10 years and advised that he had reduced the number of units to be purchased.

Councillor Poirier also questioned in regard to the drop in the Social Services budget, if this would mean that anyone would be denied a place to go. Mr. Wilson advised that the Home Owners Program was keeping people in their homes for a longer period of time and that this would make a favourable impact on the Social Services budget.

Also discussed briefly, was the position of Senior Engineer which was presently being advertised.

Both Councillor MacKay and Councillor Stewart were concerned about the expenditure for the removal of the pond in front of the Municipal Building as well as the proposed resurfacing of the parking lot behind the building. It was determined that this expenditure was contained in the Other Improvements Section of the Engineering Department budget.

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

"THAT the issue of the removal of the pond in front of the Municipal Building and the resurfacing of the parking lot behind this building be referred back to the Management Committee in order that other avenues can be explored."
Motion Carried.

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

"THAT the proposed \$0.82 Residential Tax Rate and the proposed \$1.53 Commercial Tax Rate be approved by Council."
Motion Carried.

Councillors Lichter and Topple spoke in opposition to the motion. One of their main concerns was the great inequalities in assessment increases. While the average assessment increases were 40% Councillor Topple's assessment increase was 53% and Councillor Lichter's increase was also in the vicinity of 53%. Councillor Lichter felt that although services could not be cut back substantially the inefficiencies of the services could be deleted. He also felt that further savings could be realized by cutting back on staff. He did not feel that the appeal process was realistic for those with higher than average assessment increases as it was difficult to find the time to attend an appeal hearing and there were no guarantees of satisfaction.

Councillor Topple reminded Council that the Area Rates were to be added to the Residential Rate.

Councillor Benjamin advised that regarding assessments he was in the same position as Councillors Lichter and Topple. However, he spoke in favour of the motion to approve the Rates.

Councillor MacKay felt that the Residents did not want to cut down their level of service and that level of service had to be supported by a corresponding rate. He felt that no cut-backs could be made in the areas of Education or Social Services and he did not feel that the Municipality was top heavy with regard to its staff.

Councillor Stewart and Councillor MacDonald also spoke in favour of the motion and commended Mr. Wilson on his efforts regarding the budget cuts and the subsequent preparation of the Tax Rates. Councillor Stewart supported the Appeal Process regarding the assessments and Councillor MacDonald indicated that if the tax rate was cut any further this year it might be twice as high next year.

Councillor Poirier and Deputy Warden Deveaux felt that all cuts should have been made earlier and advised that this was a very reasonable rate and should be approved with a view to cutting back in the future.

Subsequent to the passing of the motion Mr. Wilson proceeded to outline the Area Rates Summary Sheet for 1981 which had also been distributed to Council. These summaries covered all Districts within the Municipality. Mr. Wilson advised that these area rates had been reviewed and signed by the appropriate Councillors.

Mr. Wilson further advised that one area rate which was not included in the list was a school area rate for Districts 1, 2, 3 and 4 from the Sir John A. MacDonald School. He advised that it would be up to the individual Councillors in these districts whether or not that rate will be levied. He indicated that this issue had been discussed at the meeting held this morning with representatives from the Walker Commission who had advised that there would be difficulties with setting school area rates in 1982 but advised that it might be advantageous to let them go through this year, with the hope that the School Area Rates issue will be resolved next year.

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

"THAT the Area Rates be approved as presented by the Finance Department."
See Motion to Amend.

Councillor Topple requested the information he had asked for at the last Council Session regarding the breakdown of the expenditures for the School Area Rates which should have been received at the School Board from the Trustees.

Mr. Kelly distributed a Breakdown of the Proposed Expenditures which the School Board has requested from the Trustees. The information was

not very detailed and consisted of the following:

1. Cole Harbour: \$32,500.00 for Supplies and Equipment
2. Eastern Passage - Cow Bay: \$3,500.00 for Supplies and Equipment, \$300.00 for Conveyance and \$200.00 for prizes.
3. Suburban Dartmouth High School District (Cole Harbour High and Gordon Bell): \$10,000.00 for Conveyance and \$20,000.00 for Extra Curricular Activities.
4. Westphal-Lake Loon: Requested Budget was not received.
5. Sir John A. MacDonald High: \$20,327.00 for Supplies and Equipment.

Councillor Toppie was not satisfied with this breakdown as it was not detailed enough and he did not feel that Extra Curricular Activities and Conveyance was in accordance with the uses of this money allowed in the Education Act. It was his feeling that any money received from the School Area Rates should be spent on bettering Education. He advised that the Solicitor had confirmed that Council could refuse to accept a School Area Rate if it so desired and expressed his wish that the Area Rate not be levied in his district; District 7A.

Councillor Stewart agreed with Councillor Toppie in regard to the proposed expenditures not being allowable under the Education Act but advised that Councillor Toppie's refusal to have the rate levied in his district would affect both his own district and Deputy Warden Deveaux's district as well. He felt that the Education Act should expand its allowable uses of the money and advised that a good deal of the money had already been spent as the year was half over. He suggested that the Area Rates be approved with reservations in all districts. He indicated that it would be difficult to define accurately those students who can and those who cannot participate in Extra Curricular Activities depending on what district they live in.

Mr. Meech advised that the rate could be approved now and the money could be held until the expenditures are defined in more detail.

At this point in the meeting it was necessary for Mr. Wilson to leave as he had another appointment pending. Therefore, Mr. Gary Smith took his place to provide Council with any necessary information.

Councillor Toppie amended the motion, seconded by Councillor Adams:

"THAT District 7A be exempted from the levying of the School Area Rate."

Motion Defeated.

Councillor Gaetz advised that Suburban Dartmouth School System served both his district and that of Councillor Adams, but advised that the area rate had not been included in his summary and requested why this was so. Mr. Smith advised that the Assessment Department had been unable to define which areas within those two districts were serviced by this school system as there were so few students from those districts attending the schools.

Deputy Warden Deveaux was not in agreement with this and felt that if the school system served all these districts then the school area rate should be levied in all those districts. However, he did support the setting of the school area rate in all the Eastern districts as it was his opinion that the Trustees were doing a good job and all the legalities regarding the administration and the advertising of the Annual Ratepayers Meeting had been observed. He also went into a detailed explanation of the importance to students both moral-wise and physically of the Extra Curricular Activities which would be supported by this area rate.

In answer to a question from Councillor MacKay, the Solicitor confirmed that it was legal and proper to exempt one area from the rate if this is what the majority of Council supports in its vote on the amendment.

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

"THAT the decision regarding the setting of a school Area Rate for the Suburban Dartmouth High School, in Districts 6, 7 and 7A, be deferred pending a full and detailed Report from the School Board regarding the proposed expenditures."
Amendment Defeated.

Councillor Topple advised that he would go along with the Area Rate if it was justified to him.

The Solicitor advised that the motion to defer was in order even though as suggested by the Warden, Councillor Smith and Deputy Warden Deveaux, it would delay the issuance of tax bills.

Councillor Stewart suggested that an additional tax bill could be sent out at a later date if the School Area Rate was applied, however both Mr. Meech and Councillor Poirier indicated that the cost of sending an additional bill would be extremely high.

Councillor Adams spoke in favour of the motion to defer.

Councillor Poirier advised that there are some District 3 students in School District 137 and asked what would happen in a case like this regarding School Area Rates. Mr. Smith, however, was not aware of this, whereas Warden Lawrence advised that perhaps these students can be identified for the next year.

Councillor Lichter advised that he and Councillor McCabe had agreed to a \$.07 area rate for the Musquodoboit Hospital which would represent a \$37,300 expenditure for 1981. He further advised that Districts 12 and 13 had been hit the hardest with assessment increases of 58.4% and 55%, the two highest increases in the County.

Councillor Lichter amended the motion, seconded by Councillor McCabe:

"THAT the \$.07 Area Rate for the Musquodoboit Hospital be deleted from the Area Rate package providing that the \$37,300 committment for 1981 will be paid from the General Rate which would cost

approximately one half of one cent on the General Rate."
Amendment Defeated.

Councillor Lichter further pointed out that this would be an opportunity to help out those two districts who had been hit the hardest by the assesement increases. He advised also that this hospital was the only one in the County maintaining itself almost totally on an Area Rate with little government assistance other than \$3,000 per year.

Prior to the Amendment being defeated, several Councillors spoke on it. Councillor Smith suggested that if the Council was to endorse adding that cost on the General Rate, it might also be willing to help out the Hospital in Musquodoboit Harbour. Councillor Poirier advised that the Management Committee had passed a resolution to grant money to the Fair in Musquodoboit Harbour and advised that it was too late to make Area Rate changes at this point in time. Councillor Gaetz suggested that Councillor Lichter look to the Provincial Government for assistance in this matter.

Councillor Margeson endorsed Councillor Lichter's request.

Councillor Topple requested that Mr. Gary Smith include Districts 8 and 9 in the School Area Rate to be levied to Districts 6, 7 and 7A.

Councillor MacKay requested if there had been any further development regarding the sewer maintenance, fire protection and pollution control plant in Bedford and was advised by Mr. Smith that there had been no further development on this matter as yet and that the Budget and Rates had been prepared on the assumption that Bedford would be taking ownership of its own collector system, effective January 1, 1981. He further advised that if this was not the case, then there would have to be an additional recovery charge from the Town of Bedford for the maintenance of the collector system for the period since January 1, 1981.

On this subject, Mr. Meech advised that his last indication was that Bedford was going to apply to the Public Utilities Board to have the ownership question resolved but that he was not aware whether or not they had made this application yet. However, again in response to a question from Councillor MacKay, Mr. Meech advised that it was his assumption that if neither Bedford nor the Municipality made application to the Public Utilities Board, we would revert to the old assesment, including Bedford's assesment in the overall cost.

Councillor MacDonald commented briefly suggesting that some formula by which the Municipality could give further assistance to Senior Citizens and people on fixed income, tax-wise, would be desireable.

At this point in the Session Deputy Warden Deveaux took the chair enabling Warden Lawrence to make an amendment to the main motion with regard to School Area Rates in her District.

Warden Lawrence advised that the Annual Ratepayers Meeting at Sir John

A. MacDonald School when the \$.01 Area Rate was requested, was a perfectly valid meeting, at which all the current legal boundaries of rules and regulations had been followed with respect to advertising, etc. She advised that at this meeting, there was no indication to any of the Ratepayers or Trustees that Council could not or would not accept a request for a School Area Rate as they had never refused before. Therefore, they had every expectation that if they requested by majority vote, everything would go through. At this time, the Council is aware that it does not have to accept a School Area Rate and this can be communicated to the Ratepayers and Trustees next year but the Warden felt Council should follow through this year.

It was moved by Warden Lawrence, seconded by Councillor Margeson:

"THAT the \$.01 School Area Rate requested at the Annual Ratepayers Meeting, for the Sir John A. MacDonald School be applied to the Area Rate for District 3, thereby raising \$5,000.00 of the requested \$20,000.00."

Motion Carried.

Councillor MacKay was opposed to the amendment and advised that the amendment should be withdrawn and replaced by another; that the rate be levied in Districts 1, 2, 3 and 4, rather than just District 2. Councillor Poirier concurred with this stating that she would pay the Area Rate in her District only if all four Districts were paying the rate. She had originally seconded the amendment as this had been her understanding of it but had withdrawn as it was clarified the amendment was not asking for the levy of the Rate in all four Districts serviced by the Sir John A. MacDonald School. Councillor Poirier and Councillor MacKay questioned how you would be able to stop the other three quarters of the students attending the school from the other three Districts from benefitting from the Area Rate.

Deputy Warden Deveaux advised that Warden Lawrence must have taken this factor into consideration when making her amendment.

Councillor Gaetz felt that as the meeting had been properly advertised it was the fault of the people who had not attended, that the rate had been voted in. He advised that there had been a Ratepayers meeting advertised several years ago for the Eastern Shore District High School at which a \$.01 Rate had been requested for Recreation purposes. He advised that a large amount of Ratepayers had attended the meeting and therefore the Area Rate had not been voted in.

Councillor Topple suggested that if the amount of money being requested was advertised rather than the rate, that a lot more people would show up at these meetings.

Councillor Smith advised that for the meeting held at the Eastern Shore District High School a concerned taxpayer had delivered notices to the homes of all taxpayers and this is what had initiated the large response from the public. She advised that the present method of posting notices in public places only was not effective and advised that it should be carried out in the same manner as was done for the

Eastern Shore District High School.

Councillor Williams advised that he was opposed to all School Area Rates in general and advised that the Walker Commission was also opposed to the levying of these Rates.

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

"THAT the Area Rates be approved as amended to include the additional \$0.01 School Area Rate in District 3."
Motion Carried.

ADJOURNMENT

Subsequent to this the Annual Council Session was adjourned at 5:00 P.M.

M I N U T E S & R E P O R T S

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A P R I L C O U N C I L S E S S I O N

Tuesday, April 7 and 21, 1981

&

PUBLIC HEARING April 27, 1981

Committee of the whole

April 14 + 30 / 81

COMMITTEE OF THE WHOLE

SPECIAL COUNCIL SESSION

APRIL 14, 1981

PRESENT WERE: Deputy Warden Deveaux, Chairman Councillor Topple
Councillor Williams Councillor Adams
Councillor Poirier Councillor Gaetz
Councillor Baker Councillor McCabe
Councillor Stewart Councillor Lichter
Councillor Margeson Councillor Eisenhauer
Councillor Smith Warden Lawrence

ALSO PRESENT: (MEMBERS OF THE LAKE MAJOR WATERSHED WORKING COMMITTEE)

Hugh Porter, Consultant	Mathew Thomas
Maurice Lloyd	George Beals
Paul Campbell	Brian Johnson
Jim Vaughan	Arnold Johnson
Tom Rath	Althea Tolliver
Conrad Sarty	Hamid Rasheed
Peter Casey	
Keith Birch, Chief	Dorothy Smith, Development
Bill Campbell, Policy	Brant Wishart, Development
Chris Reddy, Policy Div.	Val Spencer, Policy Div.
Anne Muecke, Shubenacadie Lakes Advisory Board	
Gloria Kelly, Halifax Herald/Mail Star	

INTRODUCTIONS

Deputy Warden Deveaux called the meeting to order at approximately 7:00 p.m. At that time, introductions of the above noted persons were made.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Cathy McKay be appointed Recording Secretary."
Motion Carried.

NORTH PRESTON, LAKE MAJOR, LAKE LOON/CHERRYBROOK, EAST PRESTON
MUNICIPAL DEVELOPMENT PLAN

Deputy Warden Deveaux opened the meeting, stating that the Warden would be arriving later on in the meeting, due to a previous commitment in her District.

Deputy Warden Deveaux: The purpose of the meeting is for the

presentation of the Draft Municipal Development Plan for North Preston, Lake Major, Lake Loon/Cherrybrook. The presentations will be made by members of the Lake Major Working Committee. These people will be: Mathew Thomas, George Beals, Arnold Johnson, Brian Johnson, Althea Tolliver and Hamid Rasheed. The intention of this evening's meeting is to make a presentation and once the presentation has been completed, the questions and comments will be entertained from the members of Council. It is not the intention of this evening's meeting to have any decisions made except with regards to setting a hearing date later on this evening for a public hearing.

Deputy Warden Deveaux then called for a motion to enter into the "Committee of the Whole Session".

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

"THAT the Special Council session enter into a "Committee of the Whole meeting."
Motion Carried.

Deputy Warden Deveaux called for members of the Lake Major Watershed Working Committee to make their presentations.

The presentations made by the members of the Lake Major Watershed Working Committee took approximately two hours to complete. During this period, minutes were not recorded. Those wishing to become familiar with the specific portions of the Plan from which the presentations were taken, can refer to the bounded copies of the Plan stamped "DRAFT".

There were six actual presentations made by the Committee, those who made the presentations and what each person specifically presented are outlined below.

Mr. Mathew Thomas	Introduction
Mr. George Beals	Transportation
Mr. Brian Johnson	Land Use Policies
Mr. Arnold Johnson	Environmental Health Services
Althea Tolliver	Other Municipal Concerns: (Human Resource)
Mr. Hamid Rasheed	Implementation

At the conclusion of the presentations, Val Spencer of the Policy Division made the following remarks:

Ms. Spencer: Basically, what the Plan is talking about is a well rounded review of things that come forward for rezoning and come forward for public hearings and contracts. We are very pleased with the Plan because we think we have created no non-conforming uses. Everything has been accommodated. We can foresee that it has been given some kind of special zoning or special exemption and hopefully there have been no non-conforming uses created. However, if something or someone has been missed somewhere, along the line, this policy allows Council to give that person the appropriate zoning to safeguard

their business. At the time of adoption of the Municipal Development Plan, County Council will also be asked to adopt the Zoning By-Law at the same time. In addition, Council will be asked to pass one minor amendment to our existing Subdivision Regulations. The amendment in no way affects any other part of the County whatsoever except for this one area. All it basically does is refer to the fact that there is a Municipal Development Plan going on in part of the County and that lot sizes as set out under the Zoning By-Law in the Plan for that area should be taken into account when we are talking about subdividing lots in the future. In terms of the overall Subdivision Regulations, the intention is to keep them for this area. There is a very low area of subdivision in this area right now and there doesn't seem to be a real need to write new Regulations pursuant to this. There is a possibility that they may be forthcoming in another process. The policy does ask that when we get new ones, they be applied to this plan area automatically. In addition to Subdivision Regulations, there are a number of other By-Laws that will be enforced and all the policy asks is that Council will continue to control and provide further controls as the need occurs under a number of other By-Laws that it administers. A small amendment to the Building By-Law will be required to say that there is a Plan in affect in this one part of the County and building applications, setbacks, sideyards, etc. will be tied in automatically with this Plan and Building By-Law.

In accordance with Section 43(1) and 49(4) of the Planning Act, the Development Officer appointed by Council shall administer the Zoning By-Law and the Subdivision By-Law and grant development permits. With the coming into effect of this Municipal Development Plan, the Regional Development Plan will no longer be in effect and will no longer be administered in that Plan area. There will be no Regional Development Permits required in that Plan area. The Regulations of the Regional Development Plan regarding lots or numbers of lots, will not be enforced in that area. All of that will be replaced by a Municipal Development Permit which will be administered by our own Planning Department.

Councillor Williams: I feel Council will do everything it possibly can to support the hopes of the people who are involved in the Plan. I fully support the project and would like to congratulate the panel for doing a tremendous job.

Councillor Baker: I feel there are a number of considerations as far as sewer services are concerned i.e. how to treat it, where to dispose of it, environmental concerns, etc., however, I also will support the plan.

Councillor Stewart: I also support the Plan and am impressed with all the work done by the people who have been involved in the process. I have one concern I wish to express with respect to Policy #29, Re: Sewage Treatment in Cole Harbour - Environmental Impacts. I would like to suggest that the possibility of one central system which could serve Westphal; an on-site disposal system rather than into the watercourses. It would be a backward step if we caused pollution to the harbour, especially when the Province is also spending its money to

purchase land around the harbour.

Hugh Porter: The particular system, as illustrated on the Plan referred to, is not the recommended solution. It is only one approach to it. This is a very complex matter and there are significant conflicts involved. Further serious investigations would have to be carried out. It may be appropriate for some of the communities to adopt a lower cost, "cluster servicing system", whereby a group of 35-40 houses are involved and the effluent goes into a common septic tank, then into a specially designed soil absorbent system.

In this particular community, this is showing some significant cost saving (50% or greater). All these things must be considered before the final decision is made as to what type of system or what is the most economical or environmental interest system. The actual scheme presented is an example of a possible solution.

Councillor Topple: After three and a half years of hard work, I don't think a lot of us realize what went into the Plan. Some of the meetings held were long, drawn out, difficult and frustrating. This Plan before you tonight is a Plan developed by the people in the communities. A Working Committee was set up of persons from these communities as well as various Provincial and Municipal Staff and persons from the City of Dartmouth, the Department of Health, the Department of Environment, etc, all worked together to come up with a Plan. It should also be noted that Mr. Porter, the Consultant has done an enormous amount of work on the Plan. The Municipality should be thankful to all those persons for their contribution and involvement in the Plan.

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

"THAT the meeting move from Committee of the Whole back to the Special Council session."
Motion Carried.

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

"THAT the Council of the Municipality of the County of Halifax intends to adopt a Municipal Development Plan and Zoning By-Law for the North Preston, Lake Major, Lake Loon/Cherry Brook, East Preston Plan area; Further that, under Section 15(1) of the Planning Act. a Special Council session be called for a Public Hearing at 7:00 p.m., May 25, 1981 at which time Council shall consider any objections to the aforementioned documents."
Motion Carried.

Councillor Adams: I would like to extend my congratulations to the Working Group and Planning Staff for their time and effort put into the Plan. I feel it has been an honor to be involved in the planning process. It has been a long task, but well worth every effort put into it.

Deputy Warden Deveaux: I would like to thank those who have made the

fine presentations and everyone who has shown an interest and made an appearance.

ADJOURNMENT

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

"THAT the meeting adjourn."
Motion Carried.

The meeting adjourned at approximately 9:50 p.m.

PUBLIC HEARING

APRIL 27, 1981

PRESENT WERE: Deputy Warden Deveaux, Chairman
Councillor Baker
Councillor Poirier
Councillor Stewart
Councillor Topple
Councillor Adams
Councillor Gaetz
Councillor Smith
Councillor McCabe
Councillor Lichter
Councillor Benjamin
Councillor Margeson
Councillor MacKay
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor
Ms. Dorothy Smith, Planning Staff
Mr. Robert Gough, Director of Development
Mr. Gordon Kyle, LeGay Fiberglas Limited
Mr. Kenneth Morrison

SECRETARY: Mrs. Christine Harvey

Deputy Warden Deveaux brought the Public Hearing to order at 7:05 P.M.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Mrs. Christine Harvey be appointed Recording Secretary."
Motion Carried.

REQUEST TO ZONE AND REZONE LANDS LOCATED AT OAKFIELD

Ms. Dorothy Smith: This is rezoning application number 34-79 and is a request by residents of the Oakfield area to rezone lands located at Oakfield, Highway No. 2, Halifax Co., District 14, From: G (General Building Zone) and an unzoned status, To: R-1 (Residential Single Family Dwelling Zone) and P (Park and Institutional Zone, date of application, February 18, 1981. The purpose of the application submitted in the form of a petition signed by 48 property owners in the area, is to ensure that the predominantly single family residential character of the area remains intact.

The resident's group originally requested that the entire area be zoned R-1. However, this presented some problems as the area contains a

number of diverse land uses including the Oakfield Golf and Country Club, the Oakfield Picnic Park and Oakfield Estates, a large farm owned and operated by the Laurie Family.

After consultation with all interested parties, the Planning Department recommended to the residents group that they amend their application to better reflect the land use patterns of the area, a suggestion to which the residents agreed:

1. The Oakfield Picnic Park: The Oakfield Picnic Park is a park owned and maintained by the Province of Nova Scotia. Therefore, there was little point in zoning the park to an R-1 status. Accordingly, the residents group agreed to amend their application to exempt this area from the R-1 zoning and now wish to have it zoned P (Park and Institutional zone). It should be noted that the P Zoning would only apply to that area which is presently owned by the Province of Nova Scotia and being utilized as a picnic park.
2. Oakfield Golf and Country Club: The Oakfield Golf and Country Club was approached by the Planning Department in order to ascertain its view on the zoning and rezoning request. The club informed the Planning Department that they endorse the resident's request to zone club lands to R-1 and did not wish to have their property zoned P. It should be noted that a Golf Course is a permitted use under R-1 zoning.
3. Oakfield Estates: Oakfield Estates is a farm in the area encompassing approximately 1,500 acres. Mr. Michael Laurie, Manager of the farm, expressed opposition to the R-1 zoning being applied to the farm property. He was concerned that portions of the farm would become non-conforming, meaning that any structures connected with these uses could not expand, and, if they were ever destroyed, could not be rebuilt.

Therefore, the Planning Department discussed with both Mr. Laurie and the residents group the possibility of creating a new zone for Council's consideration that would be applicable to the Estate. Both parties agreed to a suggestion that the Planning Department investigate the feasibility of drawing up an Agricultural or Mixed Resource Zone for discussion.

However, after consultation with Agriculture Canada (Federal), the Agricultural and Marketing Department (Province of N.S.), the School of Agriculture in Truro, the Nova Scotia Federation of Agriculture, local field representatives of the Provincial Government involved in various facets of agriculture, and other Municipalities in the Province who had implemented Agricultural Zones, it became apparent that it would not be possible to devise an Agricultural Zone that would reflect the interests of all concerned parties in this particular case and the Municipality as a whole. Any new zone approved by Council must be suitable for more than one site specific location within the Municipality, since once it acquires legal status, it may be utilized throughout the County. However, in this case a zone that would be suitable for

Oakfield Estates would be of little value elsewhere in the Municipality. Minimum separation distances between barns and residential uses applied to the Oakfield case would not be realistic elsewhere. If on the other hand, realistic separation distances applicable to the Municipality as a whole were utilized, either buildings on the Laurie farm or inversely a number of residential units would become non-conforming.

Therefore, the Planning Department, in the interests of all parties in this particular case, and for the Municipality in general, decided to forego the attempt to create an Agricultural Zone at this time.

With the use of a map, Ms. Smith pointed out the locations of all areas being considered for zoning and rezoning, giving some of the history of each parcel of land, much of which was originally part of the Oakfield Estate Farms, but through the years was sold.

The Planning Department recommends that this application be approved in part by County Council.

1. Oakfield Picnic Park: It is recommended that the park be zoned P (Park and Institutional Zone) as this form of zoning accurately reflects the use to which the property is now being put.
2. Oakfield Estates: It is recommended that those lands of Oakfield Estates that are presently being actively farmed, including those structures associated with the farm operations, be excluded from the rezoning application. (Ms. Smith used the map to point these areas out to the Councillors. If active portions of the Estate are zoned R-1 (residential Single Family Dwelling Zone) they will become non-conforming. If an Agricultural or Mixed Resource Zone is drawn up and applied to the Estate, either a portion of the farm or a portion of the residential development in the area will become non-conforming.

Oakfield Estates has been in existence for 120 years and the majority of residents in the area originally purchased their lots from the Estate's holdings. The residents were, therefore fully aware of the existence of the farm at the time they purchased their lots and constructed homes on them. In addition, the Laurie Family has maintained excellent relations with their neighbours and Mr. Laurie has indicated that he has no plans to utilize the property in a manner which could remotely be considered obnoxious. To place a zoning designation on the farm at this time would, in the opinion of the Planning Department, create undue hardship for the Estate and would severely restrict its operations.

3. Remaining lands: It is recommended that the remaining land be zoned R-1 (Residential Single Family Dwelling Zone). Such a designation would be compatible with a large section of the land use of the remaining area and provide an adequate buffer zone that will alleviate the resident's concerns about undesirable land uses locating in the area.

In recommending the rezoning of this area to R-1 the Planning Department is not necessarily suggesting that the undeveloped sectors within the area are only suited to R-1 use or that they are suited for development at all. The purpose of the proposed R-1 zoning is that it will provide the Municipality and residents with a degree of control over what type of development occurs in the area, as any development other than R-1 will have to apply for rezoning, and this will be subject to public scrutiny.

Deputy Warden Deveaux: Are there any questions or comments regarding Dorothy's presentation?

Councillor Benjamin: Would Dorothy please state what the notification was to the residents to advise them of this hearing tonight other than advertising in the paper.

Ms. Smith: We advertised it twice in the newspaper and did not receive any submissions, either in favour of or opposed to the application which is legally all we are required to do under the Planning Act. However, we also posted two signs in the area and Mr. Ken Morrison representing the people who signed the petition, was advised in writing; as well, I spoke to him personally about the date of the Public Hearing. He was the person we had been corresponding with from the beginning.

In response to a question posed by Councillor MacKay, Ms. Smith advised that a church is a permitted use in an R-1 zone. Councillor MacKay was concerned about this as there was a small church in the area designated for R-1 zoning.

Councillor MacKay further advised that there was a Cooking School in that area which would probably be considered a Commercial Enterprise. He questioned whether that would fall under the nonconforming use.

Ms. Smith: I have spoken with the gentlemen who owns the Cooking School who has advised me that he has recently expanded by adding a piece to his house. He is aware of this application and of what a non-conforming status means and he is satisfied to have the area zoned R-1. He did not want Commercial Zoning. The Cooking School runs at night and is not particularly intensive. He understood that if the property was destroyed by more than 50% of its value that he could not rebuild but he was not concerned.

Councillor MacKay: Are there any other Commercial Enterprises in that area that you are aware of?

Ms. Smith: None that we could identify, but sometimes there is no outward sign of any activity going on and we are not aware of them but I do feel that we have got everything that is going on as most of the area is vacant land and the Golf Course is a permitted use in an R-1 zone.

Deputy Warden Deveaux: Are there any further comments from Council? Hearing none, we will move on to the Public Hearing portion of our

meeting. I will call on anyone in the Gallery who wishes to come forward and speak in favour of the application for rezoning.

Mr. Kenneth Morrison from Oakfield came forward to speak.

Mr. Morrison: I would just like to state that I am in favour of the application to rezone to R-1.

Deputy Warden Deveaux: Does any member of Council have any questions for Mr. Morrison. None. Thank you, Mr. Morrison.

Deputy Warden Deveaux: Is there anyone in the Gallery who wishes to speak in opposition to the application? Hearing none, we will move on to a motion from Council.

Councillor Gaetz: Who owns all of this land? Are the owners in favour of rezoning?

Ms. Smith: This property (pointing to a location on the map) is owned by the Golf and Country Club. We have written to them for their permission to include their lands in the application. They are aware of it and have consented to it. This is Provincially-owned. We have had discussions with Mr. Paul Yewloff from the Department of Lands and Forests, who did not voice any objection to our proposal. Some of the property is privately owned and the majority of the owners signed the petition for the application. The only other land affected is part of the land owned by the Oakfield Estate and they are aware of the application as well and as I said we held numerous discussions with Mr. Michael Laurie who was very helpful and co-operative. They do, at this point carry on a bit of a logging operation here but that is a non-conforming use and they can still continue to do that. That would be the only affect to their land and they did not voice any objection.

Councillor Poirier: Miss Smith, is the Golf Course a Commercial Enterprise?

Ms. Smith: It is permitted in an R-1 Zone as it is considered a private club and is very compatible with residential development.

Councillor Benjamin: We have a representative from the Cooking School in the Gallery and to clarify the situation as far as non-conforming use goes, I would like the Solicitor or Miss Smith to break it down into a little more detail because they have concerns that should the building be a total loss, would that include the part that they are now using for the Cooking School or just the full extent of the loss pertaining to, for example: if the loss were to develop at the rear of the house but did not include the business section, would this terminate that business if that loss were greater than 50%, regardless of the business portion of the house being destroyed on its own?

Ms. Smith: As far as I understand if any part of the building itself is destroyed by more than 50% then it could not be rebuilt for commercial purposes and the use would have to be discontinued.

Councillor Benjamin: In the event that this is a non-conforming use, does it allow the owner to re-sell at any time and carry on that same business?

Ms. Smith: Yes it does, it also allows for a change of use. A new purchaser could change that use to a more restrictive use as deemed by a Development Officer or a Building Inspector and would depend on what kind of facility they wished to operate, whether or not it was more restrictive than what is being operated there now; for example: a Beauty Parlour.

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

"THAT application #34-79 to rezone lands located at Oakfield, District 14, from G (General Building Zone) and an unzoned status to R-1 (Residential Single Family Dwelling Zone) and P (Park and Institutional Zone) as presented by Planning Staff be approved." Motion Carried.

REQUEST TO REZONE LANDS OF LEGAY FIBERGLASS LIMITED

Mr. Gough: I wish to advise that the application from Legay Fiberglass Limited, located on the Old Cobequid Road, Waverley, Halifax County, District 14, From: C-2 (Commercial General Business Zone), G (General Building Zone) and an unzoned status, To: I-1 (General Industrial Zone), Application No. 20-80, received: September 3, 1980, has been advertised as prescribed under the terms of the Planning Act and there have been no objections. We also wish to advise that the Planning Department's recommendation is that the application to rezone the 2.62 acre lot adjacent to the Canadian National Railway right-of-way in Waverley, be approved by Council.

Mr. Gough pointed out the location of the lot in question and its surrounding area and facilities on a map provided for that purpose.

Legay Fiberglass Limited has operated from their present site in Waverley since September 1970. This industrial facility is located on Block A, a 1.6 acre parcel of land situated on the Eastern side of the Cobequid Road where it intersects with the Canadian National Railway line.

Production was halted in 1976 after a fire destroyed the original structure. Upon applying for a Building Permit to reconstruct, it was determined that the existing zoning of this property (C-2 and General Building) would not permit construction of a new facility due to the implementation of the Industrial Uses Section of the Zoning By-Law established in 1974. On October, 1976, Legay Fiberglass Limited applied to have Block A rezoned to I-1 (Industrial General Zone) as per the Municipality's Zoning By-Law. This request received approval by County Council on February 15, 1977.

The manufacturing business operated by Legay consists of a process which combines polyester resins and chemical catalysts to produce moulded, fiberglass-reinforced, plastic products. The products include

holding tanks ranging from 100 gallons to several thousand gallons in size, boat hulls up to 41 feet in length, septic tanks and various assorted fiberglass products involving virtually the same manufacturing procedures. In addition to the above, there are requirements for outside storage of moulds and finished products as has been necessary in the past.

The applicant has indicated in correspondence on file at this office that they do wish to expand the existing manufacturing facility. Because this expansion requires the construction of an addition to the existing building, further property is required. The applicant wishes to have this adjoining property zoned to conform with Block A. Although an expansion may take place within two years, Legay Fiberglass have not specified the size or configuration of this addition.

By use of the map, Mr. Gough pointed out the land uses in the surrounding area and the zoning presently applying to them.

The Department of Transportation have advised that they have no objection to the possible extension of the Legay Fiberglass plant or the rezoning but that they would have to look at the permit when the application was made. The Department of Health have also advised that they have no objection to the rezoning of the above-mentioned property. If an addition is required they would then be required to submit plans for a larger on-site sewage disposal system. The Department of the Environment have also advised that the planned operation has been found to be environmentally acceptable and the Department have also advised that they found the present owners to be very co-operative and in the event that there is to be any filling done they would require a permit since there is the possibility that some of the land might be wet.

The Planning Department recommends approval of the request for rezoning, for the following reasons:

1. This lot is separated from the Cobequid Road by a Canadian National Railway right-of-way and it is not easily viewed from the adjacent roadway. Dense forestation further separates and forms a buffer between this lot and neighbouring, residential properties. Therefore, it is felt that an expansion to this facility will not negatively affect these properties.
2. Legay Fiberglass have been operating in the Waverley area for 10 years with little or no objection from district residents. The nature of this manufacturing facility results in an industry which is relatively quiet and which makes virtually no demands on the environment in the form of water or air pollution.
3. The intention of expansion as proposed by Legay Fiberglass Limited would be to increase manufacturing activity and in general production levels. A positive side effect of this increase would be a requirement for further staff. It would be conceivable that a large portion of these workers would be found in the Waverley area.

Deputy Warden Deveaux: Any questions or comments from Council? Hearing none, I will now ask for anyone in the Gallery who wishes to come forward and speak in favour of this application for zoning and rezoning.

Mr. Gordon Kyle, from Armdale, Halifax, the Managing Director of Legay Fiberglass and a principal of the Company came forward to speak on behalf of the Company in favour of the rezoning.

Mr. Kyle: We intend in the next couple of years to expand. We don't have any Building Plans at the present time, but we do anticipate a requirement for more land and to move on to that land over the next couple of years as the plastic industry expands, which we anticipate that it will. The intended use and the anticipated building would be similar to what we have on the property now. We consume all our raw material and turn it into finished product. I will be pleased to answer any questions regarding the operations or intentions of the plant.

Councillor Benjamin: I have only received one slight objection to the Legay application that is before Council and I have been assured by Mr. LeGay and would ask you, Mr. Kyle, to comment, pertaining to the odor which one resident is concerned about. There were three areas of concern this resident had in mind. Odor, traffic and appearance. I have checked with Mr. Legay who has assured me that there would be a clean-up and a neat property and this has been done. He advised that any expansion would curtail any odor from the plastics. Would you care to comment?

Mr. Kyle: Regarding the odor: in general the plastics industry is concerned about some of the products of the process respecting not only the odor as detected by residents in adjacent areas to manufacturing plants, but more specifically relating to the health of the people in the plant when they are working. It is a serious concern of the industry. We are also doing our part in the plant to improve the type of product, the raw material suppliers are improving the type of materials used to decrease the amount of a chemical released during the Curing Process, styrene. Every day the amount of styrene being released is diminished, as it is the element coming under very close scrutiny by the Health Department and Labour Department, and limits are being put on the amount allowable to be generated during the process. In addition, we are tending towards what are known as Closed Moulding Processes, which generate significantly less fumes in the curing process than do the traditional Open Moulding Processes and we anticipate that any expansion or future work that we take on will be increasingly towards Closed Moulding Processes with the improved chemicals which release less styrene during the Curing Process.

Councillor Benjamin: Would the expansion of your plant incorporate a sprinkler system in the future?

Mr. Kyle: If we get water, it certainly will.

Deputy Warden Deveaux: Do any other members of council have any questions for Mr. Kyle? Hearing none, thank you very much Mr. Kyle.

Once again is there anyone else in the Gallery who wishes to speak in favour of the application for rezoning? Hearing none, I will now ask if there is anyone in the Gallery wishing to speak against the application to rezone? Hearing none, we will now move on to Council and the floor is now open for a motion regarding the application at hand.

Councillor Benjamin: I would like to point out that we have in the owner, Mr. LeGay, one of the best Corporate Citizens of Waverley and his contribution to the sports in our village and also in endeavoring to provide employment in the area, is greatly appreciated by the Waverley residents.

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

"THAT application #20-80 to rezone lands of Legay Fiberglass Ltd., Waverley, District 14, from C-2 (Commercial General Business Zone), G (General Building Zone) and an unzoned status, to I-1 (General Industrial Zone) be approved."
Motion Carried.

PARKING REGULATION AMENDMENTS

Ms. Smith: I will go over section 11 of the existing Zoning By-Law for parking. This section begins with a statement that the owner of a building shall provide off-street automobile parking space according to the following: a parking space for one vehicle of one hundred sixty sq. ft. (160) of accessible storage space for every dwelling unit exclusive of the front yard and entrance or driveway and such space shall be in the dwelling or upon the land appurtuant thereto."

The second section deals with spaces for theatres, auditoriums, churches, church hall and stadiums, etc. and requires one parking space for every twenty seats. The third section deals with hotels, guest homes, tourist homes and other similar buildings and it requires one vehicle for every three guest rooms or suites. The fourth section deals with parking requirements for commercial uses and requires that 50% of the total area of the lot be provided for parking.

The proposed amendment originated from a problem which developed in the Cole Harbour area where there were a number of Commercial Uses located adjacent to the Cole Harbour Road that were causing traffic and pedestrian problems because of a lack of adequate parking. Both of these uses do have adequate parking as per the existing By-Law but obviously the traffic generated by these uses exceeded the spaces allocated as 50% of the lot. It was decided to re-evaluate our parking requirement standards and tie the parking requirements into land use. For example: If you had a commercial retail building which generated excessive traffic, you would have, as per the proposed amendment, a requirement to provide a specific number of parking spaces. Whereas if you had another kind of use, that was not as intensive and generated less traffic as a commercial facility, you would not be required to have as many parking spaces.

Amendment:

We are proposing to define parking space as, an area of not less than one hundred sixty (160) square feet, measuring eight (8) feet by twenty (20) feet, exclusive of driveways or aisles for the temporary parking or storage of motor vehicles and which has adequate access to provide ingress and egress of a motor vehicle to or from a street or highway by means of driveways, aisles or manoeuvring areas. We also propose to delete the existing section 11 of the Zoning By-Law and substitute it with the following requirements: For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule:

- a) A dwelling containing not more than three (3) dwelling units.

One (1) parking space for each dwelling unit, exclusive of the front yard, entrance or driveway.

- b) All other dwellings, including apartment buildings.

One and One-half (1.5) parking spaces for each dwelling unit, exclusive of the front yard, entrance or driveway.

- c) Senior Citizens apartments.

One (1) parking space for every two (2) dwelling units, exclusive of the front yard, entrance or driveway.

NOTE: The Planning Advisory Committee requested that information be supplied to Council regarding parking at Senior Citizens Apartments in the two Cities of Halifax and Dartmouth. I contacted both cities and found that they require one (1) space for each five (5) units. They advised that they found this inadequate but felt that our proposed amendment would be more than adequate.

- d) Hotels, Motels.

One (1) parking space for each unit.

- e) Elementary and Junior High Schools.

One and one-half (1.5) parking spaces for each teaching classroom.

- f) High Schools, Trade Schools, Colleges, Universities.

Four (4) parking spaces for each teaching classroom.

- g) Churches, Church Halls, auditoria, theatres, arenas, private clubs, and other places of assembly.

Where there are fixed seats, one (1) parking space for every five (5) seats, or ten (10) feet of bench space. Where there are no fixed seats, one (1) parking space for each one hundred (100)

square feet of floor area devoted to public use.

h) Offices, Banks, Clinics, Professional Offices.

One (1) parking space for each two hundred and fifty (250) square feet of floor area.

i) Retail and service commercial.

One (1) parking space for each one hundred and eighty (180) square feet of commercial floor space.

j) Shopping Centres and Shopping Malls.

Parking area shall be three (3) times floors area exclusive of common malls between stores.

k) Restaurants, nightclubs, taverns and lounges.

One (1) parking space for each one hundred (100) square feet of floor area.

l) All other commercial uses.

One (1) parking space for each three hundred (300) square feet of floor area.

m) Industrial Uses (excluding those located in the IP Zone).

One (1) parking space for every One thousand (1000) square feet of floor area plus One (1) parking space for every Twenty five (25) feet of building frontage.

NOTE: It was advertised as requiring one (1) parking space for every two employees. We have had discussions with the Industrial Commissioner, Mr. Lorne Denny, about this, who felt that to tie a parking requirement for an Industrial Use to the number of employees was unreasonable. This was also discussed with the cities of Halifax and Dartmouth. There could be a problem with tying the employee ratio to parking requirements because for instance you could have a 10,000 square foot building and if you had only four employees you would need only two parking spaces, as per the way we had advertised it and originally requested it. In reconsidering that, it should be noted that a 10,000 square foot building could change use to something more intensive, which requires more employees and more parking spaces because of the public visiting it. The change we proposed is more restrictive but we feel it would be more in line, taking into account any proposed change for a building's use, and what we have suggested is noted above.

Councillor Benjamin: Pertaining to Senior Citizen's Housing, I wouldn't think that people who visit Senior Citizens would require very much parking space.

Ms. Smith: If you look at the Provincial and North American standards for this type of thing, what we have proposed is average or a little higher than average, and it is true that the Senior Citizens uses whether they be nursing homes, apartments or whatever, generally do not require as much parking as a normal apartment building would, although they do experience peak traffic periods such as weekends. But in discussing this situation with the Cities of Halifax and Dartmouth, this is certainly adequate.

Councillor Benjamin: What size would your front yard, entrance and driveway be? I assume that can be used for visitor parking.

Ms. Smith: Usually those uses do not permit parking in the front yard.

Councillor MacKay: Miss Smith, you mentioned that the one for Industrial Uses is not as advertised. It is more restrictive and normally under rezoning you can become less restrictive but not more restrictive than advertised.

Solicitor Cragg: The change from what was advertised is more restrictive and would be appropriate to be passed tonight. If it were less restrictive it would not be appropriate to deal with it tonight.

Councillor MacKay: In a case like this, if a person were proposing an Industrial Use, he would be required to use more of his land for parking or purchase more land at an additional cost. That is more restrictive. If it were less restrictive he would be less inclined to come here and make his feelings known. Not knowing this was changed, he may not show up at a Public Hearing but if he knew about the proposed change he would be here to object to the proposed amendment to the By-Law as regards Industrial Uses.

Solicitor Cragg: The amendment dealing with Industrial Uses, I think did not relate directly to planning but more with the number of people on a given piece of property. The proposal tonight more strictly adheres to the planning principals by dealing with lot coverage of the total size of a building on a particular piece of land and I think it would be much more appropriate.

Councillor Lichter: I agree with the Solicitor that legally we have the right to advertise one way and then become more restrictive, however, morally I don't think that I am doing my job properly when I consider the same arguments that Councillor MacKay has put forth. The issue is that we are increasing the number of parking spaces required, not how much the increase is. I am sure that there would be people here tonight to object to the amendment but they did not have the opportunity, because it was not advertised that way. It also seems that there is some discrimination in that paragraph. If you put the narrow portion of your building on the front, facing the road, you get away with fewer parking spaces regardless of the actual square footage. What is the rationale for that?

Ms. Smith: Usually a Road Frontage Property is more valuable, so if