

SUPPLEMENTARY MANAGEMENT COMMITTEE REPORT

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

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

Interest Charges

Mr. Meech reviewed this item which had been partially dealt with previously when Mr. Wilson had reported to Council. It dealt with information provided to the Management Committee from Mr. Wilson who felt that interest should be charged to all unpaid tax bills subsequent to August 24th which would be the last interest-free payment day.

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

"THAT interest on unpaid tax bills continue to be deferred until August 31st, 1981."
Motion Defeated.

Prior to the defeat of the motion, Councillor Smith indicated her understanding that should the motion pass, all those who do not pay their tax bills would be charged one months interest and not two months.

This initiated some response from several Council members who felt that the Municipality would be loosing too much money if that were the case. Those who spoke in opposition to the motion were Councillor MacKay, Councillor Lichter, Councillor Topple, Councillor Gaetz, Councillor Baker, Deputy Warden Deveaux, and Councillor Benjamin. Councillor Margeson was in favour of the motion because he felt it would provide some incentive to get in and pay the bill in order to save another months interest.

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

"THAT taxpayers will have to August 24th, 1981 to pay their 1981 property taxes before interest is added retroactive to July 1st, 1981."
Motion Carried.

The above motion was discussed briefly by Council before being carried.

Temporary Borrowing Resolution

Mr. Meech advised that the Management Committee received temporary borrowing resolution 79-1 for \$117,957.21 for the following schools:

Ross Road School	\$ 17,957.21
Beaverbank-Kinsac Elementary	\$100,000.00

The Committee recommended to Council for approval the temporary borrowing resolution 79-1 for \$117,957.12.

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

"THAT Temporary Borrowing Resolution 79-1, for \$117,957.21 be approved by Council."
Motion Carried.

Partial Tax Exemption By-Law

Mr. Meech advised that the Management Committee have reviewed request from the East Preston Day Care Centre and the North Preston Medical and Child Care Society for property tax exemption.

The recommendation of the Committee was that Council approve that the East Preston Day Care Centre be included in the 1981 Partial Tax Exemption By-Law to provide a tax reduction of 1981 property taxes of \$305.30 and further recommended to Council for approval that the North Preston Medical and Child Care Society be included in the 1981 Partial Tax Exemption By-Law to provide a reduction of 1981 property taxes of \$184.60.

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

"THAT the East Preston Day Care Centre be included in the 1981 Partial Tax Exemption By-Law to provide a tax reduction of 1981 property tax of \$305.30 and further that the North Preston Medical and Child Care Society be included in the 1981 Partial Tax Exemption By-Law to provide a reduction of 1981 property taxes of \$184.60."
Motion Carried.

APPROVAL OF DISTRICT OFFICERS

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

"THAT the District Officers included in the agenda be approved as revised, (with the following changes):
Motion Carried.

Changes to District Officers:

District 18 - Councillor Phil Eisenhauer

- Mr. Ambrose Smith, Fire Chief to be replaced by Mr. Mike Casey, Fire Chief.
- Mr. Neil Anderson, Fireman, to be replaced by Mr. Maurice Allison, Fire Chief.

District 5 - Councillor Baker

- Mr. Bob Moody to be added as the Fire Chief and Fire Ward.

District 2 - Councillor Poirier

- Mr. Ed Banks, Fire Chief
- Mr. Charles Cirtwell, Deputy Fire Chief

District 11- Councillor MacKenzie

- Mr. Raymond McInnis to be replaced by Mr. Kenneth Publicover, Fire Chief.
- Insert the title Deputy Fire Chief after the name Gordon Ernst.

District 15- Councillor Margeson

- Mr. Charles Hines, Fire Chief
- Mr. George Hall, Fire Chief

District 9 - Councillor Gaetz

- Mrs. Phyllis Goldsworthy as Deputy Returning Officer # 2 to replace Mrs. Ross Born.

District 7 - Councillor Topple

- Remove Mr. Henry King as Fire Ward

District 7A - Councillor Topple

- Remove Henry King as Fire Ward.
- Add Brian Shand under Fire Ward.
- Replace Joan Holman as Dog Constable with Mrs. Charles Wright.

District 12 - Councillor Lichter

- Councillor Lichter advised he would call in the names of Fire Chiefs and Fire Wards as his list was incomplete and letters had gone out to Fire Departments requesting completed up to date lists; all responses have not been received from his Fire Departments.

District 10 - Councillor Smith

- Councillor Smith also requested that she be able to call in some new names as she knew there were two wrong names but did not know who to replace those names with as yet.

District 8 - Councillor Adams

- Add the title Deputy Fire Chief behind the name of Dougal Steele.
- Replace the name Leon Romey with Leon Downey.
- Remove the name of Charles Perveau as Dog Constable; no replacement.

District 16- Councillor MacKay

- Councillor MacKay advised that he had not yet reviewed his lists of District Officers and requested that he be permitted to advise of the changes by the next Council Session.

REPORT, RE: SPECIAL ELECTION

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

"THAT the Report regarding the Special Election, prepared by Mr. Kelly, be received."
Motion Carried.

Mr. Meech then proceeded to outline the report which advised that the Municipal Act requires Council to pass a motion declaring the seat of Councillor Stewart vacant and which recommended that a special election be held on District 7, Saturday, October 3, 1981 which is within the time period required under the Municipal Elections Act. The report also advised that an advance poll will be held Monday, September 29, 1981 and nomination day would be Monday, September 14, 1981. The report advised that the recommended candidate's deposit be \$200.00. As well, this report advised that the Municipal Elections Act requires Municipal Council to appoint a returning officer who is responsible for conducting the special election.

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

"THAT the Council seat for District 7 be declared vacant and that Mr. G. J. Kelly, Municipal Clerk be appointed Returning Officer and that the recommendation October 3rd for the Special Election and September 29, 1981 for the advance poll and September 14th, 1981 for the nomination day be endorsed by Municipal Council."
Motion Carried.

Warden Lawrence also advised that still outstanding was the issue of Councillor Stewart's Committee Role. She advised that Council would have to deal with the issue of whether or not to leave those vacancies there until someone is elected to District 7 or whether the appropriate Committee should consider making nominations to fill those Committee Vacancies in the interim.

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

"THAT the vacancies on the Committees which were previously filled by Councillor Stewart remain vacant until a new Councillor is elected for District 7."
See motion to Amend.

It was amended by Councillor MacKay, seconded by Councillor Gaetz:

"THAT the vacancy on Metropolitan Authority previously filled by Councillor Stewart be filled as soon as possible."
Amendment Carried.

The Motion as Amended:

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

"THAT the vacancies on Committees previously filled by Councillor Stewart remain vacant until the election of a new District 7 Councillor with the exception of the Metropolitan Authority."
Motion Carried.

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

"THAT Deputy Warden Deveaux be appointed to the membership of the Metropolitan Authority until the time of renewed appointments to Committees."
Motion Carried.

APPOINTMENT OF DELEGATES TO THE U.N.S.M. CONFERENCE

A list of the voting delegates for 1981 along with their alternates for the September 9 - 12, 1981 U.N.S.M. Conference was supplied to Council, as recommended by the Warden.

These were as follows:

1981 Voting Delegates

Alternates (Non-Voting)

Warden E. A. Lawrence
Deputy Warden Deveaux
Councillors: Benjamin
 Topple
 Walker

Councillors: Baker
 Gaetz
 Eisenhauer
 MacDonald
 Wiseman

Deputy Warden Deveaux advised that although he had agreed to be a voting delegate he would gladly step down if someone else would prefer to have that opportunity.

Therefore, Councillor Gaetz indicated that he would be agreeable to changing positions with the Deputy Warden. This was also agreed by Council.

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

"THAT the voting delegates and their alternates be as recommended by Warden Lawrence above, with the exception that Deputy Warden Deveaux will be replaced with Councillor Gaetz as a voting delegate and Deputy Warden Deveaux will then attend as an alternate in the place of Councillor Gaetz."
Motion Carried.

APPOINTMENT OF A RURAL COUNCILLOR TO URBAN SERVICES COMMITTEE

Subsequent to discussion:

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

"THAT Councillor Gaetz be nominated for appointment to the Urban Services Committee."

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

"THAT Councillor Adams be nominated for appointment to the Urban Services Committee."

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

"THAT Councillor Lichter be nominated for appointment to the Urban Services Committee."

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

"THAT nominations cease."
Motion Carried.

Subsequent to a ballot box vote, it was determined that Councillor Gaetz would be the Rural Representative on the Urban Services Committee.

APPOINTMENT TO COMMUNITY CONTACT COMMITTEE

A letter was included in the agenda from the Department of Municipal Affairs, Community Planning Division in regard to the Community Contact Committee. This letter requested that Council appoint two new members to the Community Contact Committee; one resident from District 9 and one from Districts 1 or 3.

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

"THAT Mr. Sherman Veinotte from Porters Lake, District 9 be nominated for appointment to the Community Contact Committee."

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

"THAT nominations for appointment to the Community Contact Committee from District 9, cease."
Motion Carried.

Therefore, it was determined that Mr. Sherman Veinotte was elected by acclamation to the Community Contact Committee.

It was decided that since Councillor Walker was not present to represent District 1 that the Representative from either Districts 1 or 3 would be nominated at the next Council Session.

ADDITION OF ITEMSRelationships between Councillors and Fire Departments

Councillor Smith advised that she had previously asked for and would like to receive an update on the relationship between Councillors and Fire Departments.

This subject was discussed at length and the Councillor was advised that this item had been discussed at both the Policy Committee and at the Fire Advisory Committee levels which resulted in the recommendation that Councillors and Fire Departments work together to work out minor differences and to acquaint each other with facets of their respective jobs and jurisdiction and that any major difficulties be brought to the attention of the Fire Advisory Committee which is composed of one half Fire Department Representatives and one half Councillors and should be able to reach a fair and equitable decision. As well, the Warden advised that a new Select Committee of the Province had been established to look into the matter of Volunteer Fire Services and this Committee would like to hear presentations from any interested parties on all matters affecting Volunteer Fire Departments. The recommendation from the Fire Advisory Committee in this regard was that a Committee of the Whole Council Session be called in which all Councillors could present their opinions and input into the presentation to the Select Committee.

Councillor Eisenauer spoke at length regarding the presentation to the Select Committee advising that the following issues would be included in the presentation to that Committee:

Improved Provincial Funding to provide:

1. A minimum standard of equipment;
2. a level of service;
3. and an improved training program for fire fighters.

This information did not answer Councillor Smith's concerns in respect to the relationship between herself and her three Fire Departments.

Mr. Meech advised the Councillor that Mr. Cragg had provided him with a legal opinion which stated that Council has the ultimate authority over any Fire Departments within its boundaries.

Enersave Program

Councillor Margeson had requested a report on the "Enersave Program" at the August 4, 1981 Council Session.

Mr. Kelly included in the agenda a memo in this regard which advised that earlier in the year, the Nova Scotia Municipal Energy Management Project undertook a study respecting the energy and fuel consumption use and related costs, etc. to the Municipality. He advised that the report has not yet been completed.

Councillor Margeson advised that this report was not very informative. It was moved by Councillor Margeson, seconded by Councillor MacDonald:

"THAT the "Enersave Program" be referred to the Management Committee for further study."
Motion Carried.

POLICY COMMITTEE REPORT

This Report had been received earlier in the Session to discuss the issue of Decentralization of the Social Services Department.

Amendment to the By-Law Respecting Dogs

Mr. Meech outlined the Committee report advising that the Committee had reviewed an amendment to the By-Law Respecting Dogs, Re: Section 13 (e). A copy of the amendment was attached to the agenda. Subsequent to its discussions of the amendment, the Committee recommended to Council that the amendment be approved by Municipal Council. The addition to Section 13 called section 13(e) would be as follows: "Which is permitted to disturb the peace and quiet of a neighbourhood, or any other persons, by barking, or by making any other loud or unusual noises."

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

"THAT the Dog By-Law be amended by adding the above mentioned section 13 (e) as prepared by Solicitor Cragg and recommended by the Policy Committee."
Motion Carried.

Prior to the passing of the motion there was some brief discussion of it, in which it was determined that the penalty for the a dog disturbing the peace in the above-mentioned manner would be \$50.00 to be paid by the owner. It was also confirmed that this By-Law would be enforced by the By-Law Enforcement Officer, Mr. George Mountain.

Public Hearings, Re: Volunteer Fire Services

Mr. Meech outlined this section of the Policy Committee Report advising that the Committee had discussed the Public Hearings to be held by the Select Committee of the Legislature established to inquire into Volunteer Fire Services. The Committee also discussed the recommendation of the Fire Advisory Committee that the Municipality submit a brief to the Committee respecting such provisions as a minimum standard of equipment, the establishing of a certain level of services and an adequate training program.

The Committee agreed that a brief should be submitted to the Select Committee and this matter should be given further deliberation. The deadline for the written briefs was September 15, 1981. The Committee recommended that a Committee of the Whole Session meeting be held on Tuesday, August 25th to further discuss this item.

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

"THAT Municipal Council submit a brief to the Provincial Select Committee to inquire into Volunteer Fire Services and that a Committee of the Whole Council Meeting be held August 25th, 1981 at 7:00 P.M. in the Municipal Council Chambers in order that Council may have input into the brief."
Motion Carried.

REPORT OF THE BUILDING INSPECTOR

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

"THAT the Building Inspectors Report be received and the application for side yard clearance at 138 Henneberry Dr., Cole Harbour, contained therein, be approved by Council."
Motion Carried.

REPORT FROM THE SECRETARY OF THE BOARD OF HEALTH

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

"THAT the Report of the Secretary of the Board of Health, Mr. Dale Reinhardt, be received by Council."
Motion Carried.

Arsenic, Lake Echo

Warden Lawrence outlined the Report which advised that at the August 13, 1981 County Board of Health meeting, considerable discussion took place concerning a possible problem with arsenic in a number of wells in the Lake Echo Area of the County.

A copy of a report from Mr. David Grantham, showing the results of the sampling program was attached, as well as a letter from the Honourable Thomas McInnis, Minister of Transportation concerning a cost-sharing program for people with affected wells.

Mr. Reinhardt's letter advised that the Board of Health would continue to monitor the situation and requested that it be discussed by Council.

The Warden suggested that the matter be referred to the Policy Committee.

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

"THAT the Report of the Secretary of the Board of Health, Mr. Dale Reinhardt, in regard to arsenic contamination of wells in Lake Echo, be referred to the Policy Committee."
Motion Carried.

ITEMS TO BE ADDED TO THE AGENDA OF NEXT COUNCIL SESSION

Councillor MacKay requested that four items be added to the next agenda; Transit, Parkland Curfew, Relief under the EMO Disaster Plan for Storm Drainage Problems in Sackville and other areas of the County and Status Structures on Municipally Owned Lands.

Councillor MacDonald reminded Mr. Meech about his intended investigation into the issue of Mobile Home Policing and requested that this item be placed on the upcoming Council Agenda.

Councillor Adams requested whether it would possible for any information to be forthcoming by the next Council Session in regard to his suggestion that the possibility of an amalgamated Transit and School Bus Conveyance Service be investigated.

Deputy Warden Deveaux requested that the U.N.S.M. Resolutions be placed on the next Council Agenda in order that those Councillors who may wish to express their concerns or opinions in regard to any of the Resolutions may do so. This would enable the Voting Delegates to have an idea how Council stands as a whole on some of these Resolutions.

NEW BUSINESSReports of Department Heads - Councillor Poirier

Councillor Poirier requested that Council consider hearing one half of the Department Head Reports at one Council Session and the remaining half at the next Council Session in order that Council Sessions would not be dragging on until the extreme late hours of the evening and also so as not to be rushed near the end of a Council Session and not giving the appropriate consideration to some items.

Both the Warden and Mr. Meech agreed that this should be considered and Mr. Meech advised that he would attempt to implement this practice by the next Council Session.

Time of Council Opening - Councillor MacKenzie

Councillor MacKenzie reminded Council of the time when Council had decided to begin its Council Sessions at 2:00 P.M. in order that Council would go into the evening, thus, permitting taxpayers to attend issues that would be of concern to them. He advised that since this practice had been implemented, he had not noticed any significant amount of taxpayers present at any meetings except when a particularly important Public Hearing might be held, on occasion.

He felt that Council could consider going back to the old time of Council Opening at 10:00 A.M. However, he was not prepared to make a motion on this issue at the present time but submitted it for Council's consideration.

By-Law, Re: Motorcycle Disturbances - Councillor Poirier

Councillor Poirier requested that the matter of the considerable disturbance caused by Motor Cycles in the late hours and on Municipally-owned Parkland near Residential Housing be considered in the form of a By-Law to control this disturbance.

Interest Charges, LWF Fire Hall - Councillor Benjamin

Councillor Benjamin advised that the LWF Fire Hall had recently had an interest charge levied on them for equipment purchases which they had not thought to be applicable. He requested that this item be referred to the Policy Committee for investigation.

It was agreed that the Policy Committee would request background information on this matter and would discuss it in the near future.

Installation of Culverts In New Subdivisions - Councillor MacDonald

Councillor MacDonald advised that there were flooding problems in Sackville partially due to the lack of culverts being installed or not being installed properly when subdivisions are being constructed. It was moved by Councillor MacDonald, seconded by Councillor Margeson:

"THAT a letter be written to the Minister of Transportation requesting information in regard to who has the ultimate responsibility for the construction of proper drains and culverts when subdivisions are being constructed."
Motion Carried.

ADJOURNMENT

It was moved by Councillor Smith:

"THAT the Council Session adjourn."
Motion Carried.

Therefore, Council adjourned at 10:45 P.M.

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

of the

S E C O N D Y E A R M E E T I N G S

of the

F O R T I E T H C O U N C I L

of the

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

S E P T E M B E R C O U N C I L S E S S I O N

T u e s d a y , S e p t e m b e r 1 a n d 1 5 , 1 9 8 1

&

P U B L I C H E A R I N G S e p t e m b e r 2 8 , 1 9 8 1

PUBLIC HEARING

SEPTEMBER 28, 1981

PRESENT WERE: Deputy Warden Deveaux, Chairman
Councillor Walker
Councillor Williams
Councillor Baker
Councillor Topple
Councillor Adams
Councillor Gaetz
Councillor Smith
Councillor MacKenzie
Councillor Lichter
Councillor Benjamin
Councillor Margeson
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. Brant Wishart, Planning Department
Mr. Bob Gough, Planning Department
Mr. Keith Birch, Planning Department
Mr. Robert Cragg, Municipal Solicitor
Mr. J. G. Kelly, Municipal Clerk
Mr. Earl MacKenzie, Cove Rd. Avenue
Mr. Hubert Earl, Caribou Road
Mr. Brant Whebbing, Foundation Maritime Ltd.
Mr. Eric Myers, Eastern Passage

SECRETARY: Mrs. Christine Harvey

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

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

Deputy Warden Deveaux then outlined to those present in the Council Chambers, the procedure for the Public Hearing.

ZONING APPLICATION, # 8-81Presentation By Staff

Mr. Brant Wishart advised that Application #8-81 was a request to zone portions of Sackville Acres Subdivision and Caribou Wilds Subdivision located off the Old Patton Road, Upper Sackville, District 18 from an unzoned status to R-1 (Residential Single Family Dwelling Zone) and T (Mobile Home Park Zone).

Mr. Wishart advised that the Planning Department recommended that this application to zone Sackville Acres and Caribou Wilds Subdivisions from an unzoned status to R-1 should be approved and further recommended that Lot 17A of Sackville Acres Subdivision be zoned to both R-1 and T zone.

With the use of a projected overhead map, Mr. Wishart proceeded to outline the various areas in question, also advising of the zoning of the surrounding areas.

He advised that in April of this year, a petition signed by 34 property owners within the Sackville Acres and Caribou Wilds Subdivisions was submitted to the Planning and Development Department requesting that the subdivisions in question be zoned from their unzoned status to R-1 (Residential Single Family Dwelling Zone). However, the petition was not accompanied by the \$300.00 deposit that is required of all zoning-rezoning applications and therefore could not be processed.

In June, Sackville Acres Development Ltd. forwarded the deposit to the Planning and Development Department and negotiations commenced with all parties concerned as to what R-1 boundaries should be recommended to Council.

However, as a result of the inability of the Planning and Development Department, the residents and Sackville Acres Development Ltd., to come to an agreement as to what boundaries should be recommended to Council, Sackville Acres Development Ltd. indicated their desire to withdraw the \$300.00 deposit.

On August 10th the Councillor for District 18 appeared before the Planning Advisory Committee and, in consultation with staff, outlined the impasse that had been reached on the application.

As a result of this discussion, the Planning Advisory Committee moved:

"THAT the County implement this particular zoning for the betterment of all concerned."

In regard to the existing land use, Mr. Wishart advised that the developed portions of both subdivisions are composed of single family homes with one exception; a mobile home is located at the end of Colgrove Road. Mr. Wishart further advised that at the southern end of Maywood Drive, outside the boundaries of the proposed zoning, is situated a farm while land use along the Old Patton Road onto which Caribou Road accesses is primarily composed of single family dwellings

and mobile homes. Approximately three quarters of a mile from the subdivisions in question lies the Springfield Lake Development which is predominantly composed of single family units with a number of intermingled cottages near Springfield Lake.

Mr. Wishart advised that the Caribou Wilds and Sackville Acres Subdivisions are presently unzoned and that the only zoning in the area apart from the General Building Zone extending to a depth of 500 feet on either side of Highway #1, is found in the Springfield Lake Development. This subdivision, at the request of area residents, was zoned to R-1 and R-2 in March 1980.

Mr. Wishart further indicated that it is the policy of the Planning and Development Department to support applications such as this from residents requesting restrictive zoning as a means of protecting stable residential areas from the intrusion of incompatible land uses. At the same time, the Department is reluctant to zone established conforming uses to a non-conforming status. Therefore, the Planning and Development Department recommends that County Council:

- A. Zone those portions of Caribou Wilds and Sackville Acres Subdivisions as indicated on the attached map to R-1 (Residential Single Family Dwelling Zone). The recommended boundary will offer the residents and present lot owners protection from incompatible land uses and yet leave enough property unzoned to allow the developers concerned, choice as to what land use mix they may desire for future stages of their subdivisions.
- B. Zone Lot 17A, Sackville Acres Subdivision to both R-1 (Residential Single Family Dwelling Zone) and T (Mobile Home Park Zone). This dual zoning will permit the mobile home on the site to retain its conforming status and yet allow the construction of a permanent single family dwelling at a later date.

Questions From Council

Councillor Benjamin questioned whether the charge to the residents of \$300.00 was being waived and Mr. Wishart advised that it was not exactly being waived but the Municipality is taking it upon itself to implement this particular zoning.

Councillor Benjamin also asked whether it was possible for a Developer to request a zoning when an application for a subdivision of this magnitude is applied for and whether the Planning Department provided any guidance to the Developers at that initial approval stage. Mr. Wishart advised that Developers are often told, at that time, of the Municipality's zoning By-Law and of the possibility of applying for a Residential Zone which would suit their particular needs.

Councillor Benjamin, therefore, felt that this would have been the time when this subdivision should have been zoned because people would have purchased their land thinking it was residential when in fact other non-compatible uses could be brought in.

The Councillor also questioned whether there were any other trailers in the subdivision at any place on these lots. He was advised by Mr. Wishart that there were none.

Councillor Gaetz questioned whether it was customary to make two zones of a single building lot like that and Mr. Wishart advised that it has been done on several occasions when there have been unique circumstances such as this one, where you have a trailer established in a perfectly legal and conforming status and when at a later date zoning is put into effect; this is done to avoid creating a hardship for the trailer-owner by making it non-conforming when he did establish legally with the expectation that he could legally remain.

Councillor Gaetz then questioned whether the owner of the Mobile Home could leave it there, when and if, he builds a home. Mr. Wishart indicated that he could not leave the Mobile Home on the lot as it would violate the building By-Law in regard to having too many buildings on a lot. The purpose of the dual zoning is to allow the Mobile Home Owner to remain on his property in a conforming use and if at a later date, he decides to remove the trailer and put up a single family home, by already having the R-1 in effect on the property, he could do so without the necessity of coming back to the Municipality for a Public Hearing to build a home.

Speakers in Favour

Mr. Earl MacKenzie, 32A Cove Road Avenue: Mr. MacKenzie advised on behalf of the Residents in the area; they are all in favour of the proposed zoning to protect their investment in the area, which is substantial and due to the fact that when they first purchased their lots, they were under the impression that it was under R-1 Zoning. Thirdly, he advised that it would become the type of area, they wanted for their families in the first place.

Councillor Benjamin questioned Mr. MacKenzie as to whether there were adequate play areas in the subdivisions at the present time and whether the residents would like to earmark a section for recreation uses.

Mr. MacKenzie advised that there was no such recreation area set aside at present and that, the residents may seem short-sighted in not setting such an area aside right now, but their main objective this evening was really to get this zoning matter through cleanly and clearly in order to protect their investment.

There were no further questions for Mr. MacKenzie.

At this point in the hearing Deputy Warden Deveaux advised it had been brought to his attention that two letters had been received this evening pertaining to the present zoning application. He advised that both letters were in favour of the application.

Mr. Brant Wishart came forward to read both letters in support of the application to zone portions of Sackville Acres Subdivision and Caribou Wilds Subdivision; one letter was from Barbara Ellford and one from Bernadette Kelly.

Mr. Wishart advised that the application and subsequent Public Hearing had been duly advertised under the provisions of the Planning Act and although the above-mentioned letters had been received in support of the application, none had been received in opposition to it.

Mr. Hubert Earl, 1828 Caribou Road: Mr. Earl advised that when he had purchased his lot, he was told that the area behind his lot was a green belt and would never be occupied; he questioned whether this was still the case.

Mr. Wishart advised that this area was not a green belt as far as the Municipality was concerned but that the Developer might have it set aside for that use.

Mr. Earl then advised that when he purchased his lot he had been advised that it was to be used as a single family dwelling only. He has since come to realize that he should have checked with the Municipality to ascertain that it was an "R-1 Zone". He felt that he had been taken in by a play on words and expressed his hope that the Municipality would take steps to alleviate this problem in the future.

There were no questions from Council for Mr. Earl.

There were no more speakers in favour of the proposed zoning.

Speakers in Opposition

None.

Comments and Motion From Council

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

"THAT Halifax County Council approve this application to zone Sackville Acres and Caribou Wilds Subdivisions from an unzoned status to R-1 Zoning and further that Lot 17A of Sackville Acres Subdivision be zoned to both R-1 and T Zone."
Motion Carried.

Councillor Eisenhauer further thanked all those residents who attended the Hearing and showed an interest in the application as well as the Staff members who worked to bring the application to Council.

Prior to the passing of the motion, Councillor MacKenzie questioned the Planning Department in regard to Maywood Drive; he asked whether there were any provisions made in the plan for a turning circle in that area or if alternate plans had been made for vehicles to leave that area.

He was advised by Mr. Wishart that there would be a turning circle completed prior to the final plans for the subdivision being approved.

Also, in regard to the Green Area in Caribou Wilds Subdivision which had earlier been commented on, Councillor Eisenhauer advised that there was a Green Area being proposed by the Developer, though it does not have official status as far as the Municipality is concerned at the present time.

REZONING APPLICATION, # 11-81

Prior to the commencement of this application, the Deputy Warden advised that since this particular application affected his District, he would like to take part in the discussion. Therefore, he requested that Council nominate someone to Chair the remainder of the Public Hearing.

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

"THAT Councillor MacKenzie be nominated to Chair the remainder of the Public Hearing."

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

"THAT nominations cease."
Motion Carried.

Therefore, Councillor MacKenzie took over the duties of Chairman for the remainder of the Public Hearing.

Presentation by Staff

Mr. Brant Wishart again came forward to outline to the Council Application for Rezoning # 11-81, a request by Foundation Maritime Ltd. to Rezone Lots X, Y and Z, William Myers Subdivision, located on Eastern Passage Road at Eastern Passage, District 6, from C-1 (Commercial Local Business Zone) to I-1 (General Industrial Zone).

Mr. Wishart then advised that the application has been duly advertised under the provisions of the Planning Act and that no correspondence has been received either in favour or in opposition.

Mr. Wishart advised that Foundation Maritime is a general contracting firm who also carry out various marine construction jobs such as bridgebuilding, wharf construction, etc.

They have stated, that should their application prove successful, they intend to construct three buildings on the site in the form of an office building, garage and warehouse, each having an approximate area of 3,000 square feet.

In addition, they have stated that they intend to move floating equipment off the site, store equipment such as cranes, compressors, piledriving equipment, shovels, pumps, etc., as well as materials associated with construction work in the open air.

In order to make such equipment less visible, Foundation Maritime has stated that they intend to plant rows of trees and shrubs to act as a screen.

Mr. Wishart then, with the use of an overhead projected map, went on to describe the lot and surrounding areas, advising of the existing zoning of the surrounding area and the lot in question. As well, photographs were distributed to Council for their perusal. (please see the report of the Planning Department for further detail and clarification).

Mr. Wishart advised that the Department of Transportation has no objection to the rezoning request. As well, he advised that the Engineering and Public Works Department, when asked for their comments, advised: "These lots are currently capable of being serviced with water and sewer. The stated intent is to construct an office, garage and warehouse on the lots. An I-1 zoning on these lots would not exceed the sewer design capacity of the sanitary sewer. There is no objection from Engineering and Work's point of view, why rezoning cannot be granted."

Mr. Wishart further advised that the Planning and Development Department of the Municipality recommends approval of the application for the following reasons:

1. The lots in question are located in close proximity to Texaco Canada and Autoport. Therefore, although there are a number of residential units in the immediate vicinity of the lots in question, major industrial uses predominate the land use of the area.
2. The proposed use for the lots in question is a harbour related industry, a use for which few sites are available. A harbour oriented use at this site can, therefore, be considered one of the highest and best uses of the property.
3. The applicants have indicated that they intend to screen the property from public view through the use of planted rows of trees and shrubs.

Questions From Council

In regard to the close-by Cemetery, Councillor Margeson advised that it was a good idea to have trees surrounding the area but he wondered if it was the intent to have trees completely surrounding the outskirts of the cemetery.

Mr. Wishart advised that there were a few trees in the area but to state that they were acting as a buffer now, would be stretching the truth; however, Foundation Maritime have stated that they would be planting a buffer in and around this area and he assumed that this would protect the cemetery instead of fencing. He advised that they have not talked this over in great detail with Foundation Maritime as to the extent or coverage that would be provided but this had been indicated during a telephone call.

Councillor Margeson questioned whether this assurance had been written into Foundation's application, to which Mr. Wishart advised that they have stated in their application that adequate buffer would be planted.

Deputy Warden Deveaux advised that he too had been concerned about the Cemetery. He advised that the cemetery was only small and was more of an historic cemetery which he would like to preserve in that manner. He hoped the County would eventually take it over as a green area. However, since it is privately-owned, he has been advised by the Solicitor that there is no way to include in the motion that a right-of-way be established there. However, he further advised that he had been speaking to the owners who would point out later this evening, when they make their presentation, that they have agreed to provide access to that graveyard.

Speakers in Favour

Mr. Brant Whebbing, Rockingham: Mr. Whebbing advised that he was representing Foundation Maritime Ltd. He advised that this company has been established in Halifax for many years. However, two years ago the Company's property was sold to the Waterfront Development Corporation and they have, since that time, been looking for an alternate property. He advised that the property in question in Eastern Passage was suitable in size and since it was also bordering on the waterfront his company offered to purchase it. As the property was not zoned for their intended use, they requested this rezoning.

He further advised that there were approximately 10 people in their Halifax Office; in addition, during some periods of the year, they may have another 10 in their workshop.

In regard to the question of the access to the cemetery, he advised, that they are prepared to give pedestrian access to it.

Mr. Whebbing also advised that while located in Halifax, approximately thirty years, they have received no complaints regarding any type of pollution or other aspects of their operation.

Councillor Margeson advised that Foundation Maritime were good corporate citizens and he saw no problem there. He advised that he saw the pictures which were circulated to Council and advised that he noticed there were already trees surrounding the graveyard and he expressed his appreciation that Foundation Maritime were intending to add to that treed buffer zone.

In regard to the office space which would be constructed, Councillor MacKenzie questioned whether it would be only one office or an office tower, consisting of several offices. Mr. Whebbing indicated that 3000 sq. ft. of office space would be sufficient for the Company's requirements.

Deputy Warden Deveaux advised that the area was presently zoned C-1 and that in conjunction with the MDP Plan the majority of land in that area would be C-1 while land across the road from it would be I-1. He advised that if in the future, Foundation wished to expand their facilities over and above their present operations, they would once again have to come forward and apply for another rezoning. However, his understanding when speaking to Planning Staff was that with regards to any other operation on the present property, that could be taken care of once the MDP comes into effect, under contract zoning.

There were no more questions from Council for Mr. Whebbing.

Mr. Eric Myers, Eastern Passage: Mr. Myers advised that he was one of eighteen heirs covered under this Myers Property. He advised that the family were not planners, but after getting together and discussing whether or not to sell, they had decided that the proposed use of the land, as intended by Foundation Maritime Ltd., would be one of the better uses for it; especially in light of the fact that the land was located on the waterfront and since the Harbour was one of the greatest assets of the entire Halifax-Dartmouth area. They felt an industrial-marine base type of use would be of far greater value for this land than to use it for residential or commercial uses.

It was the recommendation of Mr. Myers and his family that Council approve of the proposed rezoning so that the land could be put to this most excellent use and not used for a Green Area, Residential use, City Hall or Court House or Parking use as has been done with some of the other valuable lands of Municipalities around us,

There were no questions from Council for Mr. Myers.

There were no more speakers in favour of the application.

Speakers in Opposition

None.

Comments and Motion From Council

Deputy Warden Deveaux spoke on behalf of the application, advising; as pointed out by the owners of the land, the intended use of the land by Foundation Maritime Ltd. would be the best use for this land and as well if Foundation Maritime had a requirement of expanding their facilities they would again be obliged to approach the Municipality with another application for rezoning.

He advised that there was some concern originally by some members of the PPC Committee as to the Environmental hazards that might occur but these have since been looked into and have been found to be acceptable. As well, he pointed out, as Councillor Margeson had already stated, Foundation Maritime are known to be a reputable corporation.

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

"THAT Lots X, Y and Z of William J. Myers Subdivision located on the Eastern Passage Road at Eastern Passage, District 6, be zoned from C-1 (Commercial Local Business Zone) to I-1 (General Industrial Zone)."

Motion Carried.

ADJOURNMENT

It was moved by Councillor Gaetz:

"THAT the Public Hearing Adjourn."
Motion Carried.

Therefore, the Public Hearing adjourned at 7:50 P.M.

INDEX

September Council Session - 1981

Air Reserve Squadron - Shearwater	2-3
Anti-Dumping By-Law	35
Cobequid Planned Unit Development	4-5
Chief Building Inspectors Report	5&13-14&34
Community Contact Committee	14
Cable T.V.	21
Cross Walk Guards	38-39
District School Board	35-36
Dutch Settlement School	39
Flood Reduction Program	4
Flooding - Sackville	7-8
Flooding - Lake Echo & Timberlea	16-18
Fire Prevention	18
Fencing - Swimming Pools	37-38
Heritage Canada Annual Conference	37
Halifax County Industrial Commission By-Law	40
Interest Rates	26-27
Letters & Correspondence	26
Motion - Appointment of Recording Secretary	1&25
Motion - Approval of Minutes	1&26
Motion - Air Reserve Squadron - Shearwater	2-3
Motion - Planning Advisory Committee Report	3
Motion - Public Hearing Application #8 - 81	3
Motion - Public Hearing Application #11 - 81	3-4
Motion - Planning Advisory Committee Supplementary Report	4&33
Motion - Flood Reduction Program	4
Motion - Cobequid Planned Unit Development	4-5
Motion - Chief Building Inspectors Report	5&13-14&34
Motion - South Shore Regional Recreation Association ...	5-7
Motion - Flooding in Sackville	7-8
Motion - Management Committee Supplementary Report	13
Motion - Suburban Street Paving Program	13
Motion - Community Contact Committee	14
Motion - Rail Service	14-15
Motion - Storm Drainage Problem, Cole Harbour	15
Motion - Transit, Herring Cove	15-16
Motion - Flooding, Lake Echo and Timberlea	16-18
Motion - Fire Prevention	18
Motion - Paving Program	19
Motion - Transit	19&28-29
Motion - Cable T.V.	21
Motion - Adjournment	24&41
Motion - Letters & Correspondence	26
Motion - Interest Rates	26-27
Motion - Transfer of Funds	31

INDEX September Council Session - 1981

Page 2

Motion - School Area Rates	32-33
Motion - Public Hearing Application #9 - 81	33
Motion - Public Hearing Application #14 - 81	33
Motion - Management Committee Report	34
Motion - Union Agreement	34
Motion - Policy Committee Report	34
Motion - Anti-Dumping By-Law	35
Motion - Policy Committee Supplementary Report	35
Motion - District School Board	35-36
Motion - Heritage Canada Annual Conference	37
Motion - Fencing Around Swimming Pools	37-38
Motion - School Bus Driver Training	38
Motion - Cross Walk Guards	38-39
Motion - Dutch Settlement School	39
Motion - Halifax County Industrial Commission By-Law	40
Planning Advisory Committee Report	3
Public Hearing - Application #8 - 81	3
Public Hearing - Application #11 - 81	3-4
Planning Advisory Committee Supplementary Report	4&33
Paving Program	19
Public Hearing - Application #9 - 81	33
Public Hearing - Application #14 - 81	33
Policy Committee Report	34
Policy Committee Supplementary Report	35
Recording Secretary - Appointment	1&25
Rail Service	14-15
South Shore Regional Recreation Association	5-7
Suburban Street Paving Program	13
Storm Drainage Problem - Cole Harbour	15
School Area Rates	32-33
School Bus Driver Training	38
Transit - Herring Cove	15-16
Transit	19&28-29
Transfer of Funds	31
Union Agreement	34

REGULAR COUNCIL SESSION

SEPTEMBER 1, 1981

PRESENT WERE: Warden Lawrence, Chairman
Councillor Walker
Deputy Warden Deveaux
Councillor Baker
Councillor Poirier
Councillor Topple
Councillor Adams
Councillor Gaetz
Councillor Smith
Councillor MacKenzie
Councillor McCabe
Councillor Benjamin
Councillor Margeson
Councillor MacKay
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. Robert Cragg, Municipal Solicitor

SECRETARY: Mrs. Christine Harvey

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden Lawrence brought the Council Session to order with the Lord's Prayer at 2:05 P.M.

ROLL CALL

Mr. Meech then called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES - AUGUST 24, 1981 - PUBLIC HEARING

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

"THAT the minutes of the August 24, 1981 Public Hearing be approved."
Motion Carried.

LETTERS AND CORRESPONDENCECanadian National Institute for the Blind

The first letter was from the Canadian National Institute for the Blind, to Mr. Wilson, acknowledging and thanking the Municipality for the recent grant in the amount of \$1,400.

Musquodoboit Valley Memorial Hospital

The second letter, also addressed to Mr. Wilson and from the Musquodoboit Valley Memorial Hospital was also an acknowledgement of funds in the amount of \$4,000 for 1981.

Canadian Red Cross Society

The third letter from the Canadian Red Cross was also an acknowledgement of a recent grant for 1981 in the amount of \$1,860.

Department of the Environment - Cobequid Industrial Park

Included in the agenda was a letter to Mr. Kelly from D. V. Rennehan, Secretary to the Minister of Environment acknowledging the receipt of Mr. Kelly's letter of August 12 1981, regarding the Cobequid Industrial Park in Windsor Junction. This letter assured that Mr. Kelly's letter would be brought to the Minister's attention.

No action was taken in regard to this letter as it was information only.

Letter From J. Michael Forrestall, M.P. Re: Squadron 420 Air Reserve

There was a copy of a letter from J. Michael Forrestall's Secretary to Mr. Kelly, included in the agenda which acknowledged receipt of a copy of Mr. Kelly's letter to Gilles Lamontagne, Minister of National Defense regarding the 420 Air Reserve Squadron at Shearwater.

The letter advised that Mr. Forrestall's Secretary had written the Minister asking for his serious consideration of the Municipality's request and also advising that she would be in touch as soon as a response is received from the Minister.

Letter from Minister of National Defence

The response, mentioned above, was also included in the agenda as a supplementary item. This letter was from R. L. Lacroix, Executive Assistant to the Minister of Defence to Mr. Kelly and advised: "...the results of the transportation arrangements for the members of the 420 ARS will be monitored on a regular basis and after the specified trial period of one year they will be subjected to a detailed analysis.

The formation of another Air Reserve Squadron at Shearwater would not be viable at this time nor is there a requirement for such a squadron; conversely, an Air Reserve Augmentation Flight (ARAF) will soon be formed and will utilize virtually any of the remaining 420 ARS members and others who qualify for enrollment. We are confident that ARAF will play a useful function in the support of existing Shearwater operations."

Subsequent to brief discussion:

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

"THAT copies of the letter to Mr. Kelly from Mr. Lacroix be sent to the Honourable, Mr. Forrestall, Mr. Reagan, Mr. McEachern and Mr. David Nantes and that a letter be sent to Mr. Lacroix requesting that the Municipality be provided with future information regarding what will be taking place in reference to the ARAF."

Motion Carried.

REPORT OF THE PLANNING ADVISORY COMMITTEE

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

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

Motion Carried.

Rezoning Application #8-81

The first item in the Planning Advisory Committee Report was a request to hold a Public Hearing to zone portions of Sackville Acres Subdivision and the Caribou Wilds Subdivision off the Old Patton Road, Upper Sackville, District 18 from an unzoned status to R-1 (Residential Single Family Dwelling Zone) and T (Mobile Home Park Zone).

Subsequent to Councillor Eisenhauer's brief explanation of the implications of this application:

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

"THAT a Public Hearing be held Monday, September 28, 1981 at 7:00 P.M. to deal with Rezoning Application #8-81, as recommended by the Planning Advisory Committee."

Motion Carried.

Rezoning Application #11-81

The second item in the Planning Advisory Committee Report was a request to hold a Public Hearing also September 28, 1981 to deal with Rezoning Application No. 11-81 a request by Foundation Maritime to rezone Lots X, Y and Z, William J. Myers Subdivision located on the Eastern Passage Road at Eastern Passage, District 6; from C-1 (Commercial Local Business Zone) to I-1 (General Industrial Zone).

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

"THAT Rezoning Application #11-81 be dealt with at a Public Hearing, September 28, 1981 at 7:00, as recommended in the Planning Advisory Committee Report."
Motion Carried.

SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEE

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

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

Canada-Nova Scotia Flood Damage Program

The Supplementary PAC Report indicated that at the August 31, 1981 Meeting of the Planning Advisory Committee, the Committee met with Mr. H. Doane of the Canada-Nova Scotia Flood Reduction Study and Mrs. Anne Merritt of the Sackville Rivers Advisory Board to discuss the Flood Damage Reduction Study for the Little Sackville River Watershed.

The recommendation resulting from that meeting was: "That the Planning Advisory Committee endorse a study of the Flood Damage Reduction Program and it be recommended to Council that they proceed in liaison fashion with the present Storm Drainage Task Force, the Sackville Rivers Advisory Board and our own Planning Staff, and the Committee await the recommendations of the Flood Reduction Program, then forward the same to Council."

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

"THAT Council approve the recommendations of the Planning Advisory Committee in regard to the Flood Reduction Program."
Motion Carried.

Cobequid Planned Unit Development, Re: Environmental Control Council

At the August 31, 1981 meeting of the Planning Advisory Committee the Committee also discussed the resolution passed by Council on July 2, 1981: "That Council defer its decision regarding the proposed Cobequid Industrial Park, pending recommendation from the Nova Scotia Environmental Control Council and that the Environmental Control Council be requested to carry out its study with all due haste."

The Planning Advisory Committee was concerned that the matter may take months to come to a conclusion and therefore submitted the following resolution: "That Council be requested to write the Minister asking that he take action in forwarding the Planned Unit Development Agreement to the Environmental Control Council before the end of September."

Subsequent to brief discussion regarding the Environmental Control Review Process:

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

"THAT Council write to the Minister asking that he take action in forwarding the Planned Unit Development Agreement to the Environmental Control Council before the end of September."
Motion Carried.

BUILDING INSPECTORS REPORT

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

"THAT the Building Inspectors Report be received and that approval be given to the four applications for lesser setback and side yard clearance, as recommended in the Building Inspectors Report."
Motion Carried.

The applications approved were as follows:

1. Application for lesser setback of 15', Recommended for approval subject to a permit from the Nova Scotia Dept. of Transportation, property at Johnson Avenue, Lot 171, Greenwood Heights, Timberlea, Applicant: Sharon Cookson.
2. Application for lesser side yard clearance of 5' Property at Shad Bay. Applicant: Mr. Peter Gough.
3. Application for lesser side yard clearance of 6.9', Lot 45R, Sackville Development, Lower Sackville, Applicant: Mr. Donald J. Wells.
4. Application for lesser setback of 13', Lot Z2, Hackett Cove. Applicant: Hudson Legalley.

Approval was not recommended for the following request for lesser setback: Application for lesser setback of 13.8', Lot 39, Carter and Romans Subdivision, Lawrencetown, Applicant: Mr. Gary Henbrey.
(NOTE: It was agreed that this item would be further discussed under the New Business section of the agenda.)

REPORT ON SOUTH SHORE REGIONAL RECREATION ASSOCIATION FACILITY

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

"THAT the Report regarding the South Shore Regional Recreation Association facility be received."
Motion Carried.

Mr. John Markesino had included in the agenda a report on this Recreation Association, that had been compiled in consultation with Mr. Dennis Dorris, President, Councillor Ron Walker, and Mr. Ron Maida Regional Recreation Supervisor. This report gave information regarding the status of the organization, facility use and the operation of the facility. (See Report for details)

Mr. Meech briefly reviewed the background of this issue advising of a previous motion which was not carried in Council, which requested that a grant be given to the South Shore Regional Recreation Association Facility equal to the total amount of taxes owing on this property, including back taxes; this was in the vicinity of \$4,600.00. At the time the issue had been dealt with, Council had requested that a report be prepared to give information on what the property's facilities were being utilized for.

The Report indicated that the South Shore Recreation Association Facilities are for Community and Recreation Purposes in the Municipality.

Mr. Meech advised that the issue now was whether or not to approve the grant to this Association to pay the present and back taxes on the property.

Mr. Meech further advised that the issue has become even more complicated as the Assessment Department has, for the first time, based on a particular section of the Assessment Act, assessed the property the same as some other properties in the County which, although they are in the name of the Municipality, have for the first time become assessed and taxed. These other properties were deliberately left in the name of the Municipality so that they would be tax exempt.

Mr. Meech indicated that he had a meeting with the Director of Assessment to further discuss this matter, to attempt to convince him that these properties should be recognized as exempt status properties. The Director of Assessment was intending to report back but has not yet done so.

In the meantime, Mr. Meech advised that, at a Staff level, in co-operation with Mr. Markesino and the Municipal Collector from the Finance Department, they are attempting to identify all those properties within the County of Halifax determined to be for Community or Recreational purposes and to identify in whose ownership these properties are.

Subsequent to that, the matter will again be brought before Council who will have to make a policy decision as to whether these properties will continue to be taxed 100% or whether grants will be provided equal to taxation.

In regard to the South Shore Recreation Association, he advised that the 1981 taxes had already been reduced from the Commercial to the Residential Rate.

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

"THAT the tax decision regarding the South Shore Recreation Association Facility be deferred subsequent to a report regarding the study of all Recreational Facilities in the County as related by Mr. Meech."

Motion Carried.

Mr. Meech advised that although the ownership of this facility is in the name of the South Shore Recreation Association, the issue becomes complicated due to the fact that it is serving the same purpose as other facilities that are in the name of the Municipality of the County of Halifax.

Councillor Tople advised that there was a commercial assessment this year of \$700,000 on the District 7, Service Commission Rink Building and he felt that they should also consider asking for a tax exemption as well. He therefore, agreed that a study of all County Recreation facilities would be beneficial.

However, Mr. Meech indicated that since the Rink was in the ownership of the Service Commission, he felt it should have been exempt from assessment.

Mr. Meech also clarified for Councillor Walker, the fact that this study would be based primarily on Recreational facilities.

Councillor Walker pointed out that since this was the first year the the Service Commission Rink was assessed and taxed, that it had benefitted before from tax exemption whereas the South Shore Recreation Facility had not.

Councillor Margeson advised something which should be considered in relation to future property tax exemption were: examination of the lease of the property to indicate whether the taxes should be paid by the owner or operator of the property.

ADDITION OF ITEMS

Flooding in Sackville

Councillor MacKay related to Council the vast flooding and subsequent damage which occurred in Sackville during the recent heavy rainfall July 21, 1981. He advised that according to the Emergency Measures Plan, the Federal and Provincial Disaster Relief Fund, there has to be in excess of \$800,000 damage to be eligible for financial assistance. Councillor MacKay felt that the damage done to the Sackville and the Bedford areas combined probably would not total that much damage. He also advised that any relief that is made available applies only to the uninsured portion of the damage and he indicated that Homeowner Insurance Plans do not cover flood damage, with the exception of Allstate who has recently began to include this flood damage coverage.

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

"THAT the flooding experienced in Sackville and other areas of the County on July 21, be investigated by the appropriate persons of EMO to determine whether these areas are eligible for relief under the Federal Emergencies Relief Fund."
Motion Carried.

Prior to the motion being passed there was discussion of it; Councillor Wiseman advised that in her area of District 20 there were numerous calls and complaints regarding varying degrees of flood damage caused by that particular storm, July 21. She further advised that she had conducted a study of the damage on Riverside Drive which indicated damage in the vicinity of \$18,600. She advised that much of this damage could have been avoided had there been adequate catch basins, etc. She indicated that there was a definite need for some kind of compensation to those residents who have suffered from flooding damage.

Councillor Wiseman, however, differing from Councillor MacKay felt that there probably would be \$800,000 of damage done as a result of that recent storm or if not, that the damage would come very near to that amount.

Councillor MacDonald spoke briefly, expressing his hope that insurance companies would soon take some responsibility for flood damage; including it in their homeowner policies.

Councillor Margeson related a flooding problem which had recently occurred in his area and had cost one land owner in excess of \$4,000.

Councillor Benjamin questioned whether steps had been taken to avoid a reoccurrence of surface run-off going into the sewer systems in Sackville and throughout the Municipality. He also questioned that if the Municipality is responsible for the maintenance of the Bedford Section of the Sewer System, would the Municipality also be responsible to ensure that flood water does not back up or is not pumped into the sewers. He requested some direction from the Engineering Department in the appropriate procedure to initiate a quick study which could determine a method to alleviate this problem in the future.

Mr. Meech advised that the Municipality was already attempting to identify the solution to its inflow and infiltration problems which have occurred over the past years. He further advised that property owners are not permitted to connect their drainage lines to the sanitary sewer lines; this has been one of the Municipality's concerns with regard to this problem. He did advise that he would raise the issue with the Engineering Department.

In regard to the Bedford section of the sewer system, he advised that it is questionable whether the Municipality has any legal ability to give direction to individual property owners in Bedford, unless it is in co-operation with the Town of Bedford.