

Transit, Sackville - Deputy Warden MacKay

Deputy Warden MacKay indicated some discrepancies between the figures contained in a recently prepared Report relative to Transit and the actual ridership, revenue, etc. Deputy Warden MacKay wished to make a motion in that regard.

Councillor Deveaux advised that many of the Deputy Warden's concerns had been discussed at a recent Urban Services Meetings at which members of MTC had been in attendance. He also advised that these concerns would be addressed at a Policy Committee Meeting March 19 which would also be attended by members of MTC and Mr. David Darrow who will be presenting a Report to the Committee.

Deputy Warden MacKay agreed to wait for the March 16, 1982 meeting.

Taxation of Recreation-Community Land - Deputy Warden MacKay

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

"THAT the Regional Director of Assessment for the Halifax County Assessment Region be strongly urged to consider exemption from Taxation, under the provisions of the Assessment Act and the relative chapter, any property owned by the County of Halifax which is leased to any non-profit organization which is otherwise subject to taxation and which is directly and solely used for the purpose of the non-profit organization."

Motion Carried.

Prior to the passing of the motion and brief discussion by Council, Mr. Meech advised that the Regional Director of Assessment had already been questioned on this issue and had received a ruling from his Solicitor that his ruling was correct. However, it was agreed by Council to follow through with the resolution.

Dartmouth City Council Resolution - Councillor Adams

Councillor Adams advised he had recently read an article in one of the local newspapers which indicated that at a recent budget meeting of Dartmouth City Council, \$600,000 was allocated for the purpose of purchasing any available land surrounding Lake Major, and Long Lake in order to protect the Dartmouth Water Supply. However, Councillor Adams advised that this was contrary to the County's Lake Major Municipal Development Plan which is now in place in which prime consideration is given to protecting the Dartmouth Water Supply.

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

"THAT the Municipal CAO contact Mr. Moire of the City of Dartmouth requesting the actual contents of the City of Dartmouth Council Resolution in regard to allocating funds to purchase land surrounding Lake Major and Long Lake in Halifax County, in order that Halifax County Council can respond to the resolution."

Motion Carried.

Regional Metropolitan Government - Councillor Margeson

Councillor Margeson questioned whether there had as yet been any response to a letter written to the Minister of Municipal Affairs regarding the implementation of a Committee to investigate the issue of Regional Metropolitan Government by the first of July.

Mr. Kelly advised that no response had been received as yet.

Councillor Margeson, therefore, requested that the letter be followed-up by Mr. Kelly.

ADJOURNMENT

It was moved by Councillor Smith:

"THAT the Regular Council Session adjourn."
Motion Carried.

Therefore, Council adjourned at 9:20 P.M.

ANNUAL COUNCIL SESSION

MARCH 16, 1982

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

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor
Mr. Keith Birch, Chief of Planning & Development
Mr. Ed Mason, Director of Social Services
Mr. Paul Miller, Solicitor, Waverley Ratepayers Assoc.
Ms. Valerie Spencer, Planner
Mr. Bill Campbell, Planning Supervisor, Policy Division
Mr. Clarence Lucas, Chairman, Eastern Passage, Public
Participation Committee
Mrs. Elizabeth Kwindt, Chairperson, Eastern Passage-Cow
Bay, Public Participation Committee
Mr. Jim Henneberry, Chairman, Cole Harbour-Westphal,
Public Participation Committee
Mr. Chris Reddy, Planner
Mr. Bayard, Metro Aggregates Limited
Mr. Lockhart, Chairman, Waverley Ratepayer's Assoc.
Mr. Morris Lloyd, Underwood-MacLellan Consultants Ltd.

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

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

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Christine E. Simmons be appointed Recording Secretary."
Motion Carried.

APPROVAL OF MINUTES

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

"THAT the Minutes of the March 2, 1982 Regular Council Session be approved as amended."
Motion Carried.

PRESENTATION BY PUBLIC PARTICIPATION COMMITTEESEastern Passage and Cow Bay

The first speaker to make a presentation was Mr. Clarence Lucas, the Chairman of the Eastern Passage Public Participation Committee.

Mr. Lucas advised that over a period of eighteen months, approximately 40 meetings were held regarding the Municipal Development Plan for both Eastern Passage and Cow Bay. He advised that several Public Meetings were held, the last of which had been March 8, at which a large representation of the residents were present.

Mr. Lucas gave a brief history of these meetings and he outlined several of the designations in the plan such as the Commercial Designation, the Community Facility Designation and a Special Area Designation, as well as a plan amendment designation which would apply in the event that DND Properties such as Shearwater and Hartlen's Point are ever, in the future, transferred from the ownership of DND to private industry or a less senior level of Government.

The next speaker was Mrs. Elizabeth Kwindt, the Chairperson for the Cow Bay Public Participation Committee. She advised that during the formation of the Eastern-Passage, Cow Bay MDP Plan, there had been two Public Participation Committees, mainly due to the vast differences in the communities of Cow Bay and Eastern Passage; Cow Bay was mainly a Rural Community.

She further advised that three people on the Committee and Councillor Deveaux attended all the meetings. A questionnaire had been put together and delivered door to door to determine what the people of the Community had in mind for the Community's future. The answers obtained from the questionnaire were the basis for many of the Policies contained in the Plan.

Mrs. Kwindt advised that in the Public Meetings there had been a great deal of support for the Plan and she urged that Council also support it.

Ms. Valerie Spencer, then proceeded to outline to Council the Eastern Passage-Cow Bay Plan with the aid of a Generalized Future Land Use Map of the area.

Ms. Spencer advised Council, that in developing the Plan a lot of discussion took place regarding the many changes that have taken place in the area over the last ten to fifteen years and of what the people would like to see happen in the future, within the same time-frame. She advised that the most predominant influence on Eastern Passage over the past ten to fifteen years has been industry, especially the development of Texaco and Auto-Port. The area has been serviced with sewer and water and the adjacent Cole-Harbour area has been the fastest growing population centre in the Municipality.

Ms. Spencer advised that the major portion of Residential Development within the Plan area is to be controlled by the Residential "A" Designation which covers the most solid portion of residential development in Eastern Passage and controls the entire Community of Cow Bay. She further advised that in that area it could be foreseen that continuing emphasis would be on residential development which reflects the differences between Eastern Passage and Cow Bay, two entirely different communities.

Ms. Spencer advised that in Eastern Passage support was being sought for the growth of the residential community in response to the heavy industrial development which has taken place there.

She further advised that in Cow Bay support is being sought for continued existence of a rural community which does not have sewer and water services and does not want them. This community is caught between two areas of serviced development and has certain existing health problems. The Residential "B" Designation covers lands which do not have public road access at the present time and are undeveloped. The concept has come before Council previously in terms of taking a look at new developments which would extend into that area. She advised that in the By-Law for this area, the Planning Department requires a large lot size for preliminary development and if a developer wishes to submit his plans for a review of Health, Environment, and Transportation capabilities he can do so by rezoning it down to a lot size comparable to those permitted in the community of Cow Bay. The designation occurs on lots that are greater than 500 feet back from the road. She advised that it is, therefore, foreseen that most of the development will occur more than 500 feet back from the road. The Planning Department does, therefore, expect that most of the development will continue to take place on Health size lots and probably in the Community of Cow Bay.

Ms. Spencer advised that in the Eastern Passage area there has been a Commercial Designation placed on considerable amount of land surrounding the historic community business district and many properties undergoing a change of use, due to the heavy industry uses going up around them. There is a great deal of support for new goods and services. The only limitation placed on Commercial Development is that it be restricted to 5,000 sq. ft. in area for a

building. It was felt by the PPC that this was comparable to the scale of the community which right now has no large commercial facilities and it was also necessary to protect the areas appearance and the appearance of the fishing village which is next to it.

Larger Commercial uses or light industrial uses are encouraged to locate in the area just outside of Eastern Passage. It is entitled the Industrial Mix Designation and it is intended to promote clean, light Industry, warehousing type facilities and the larger commercial uses which cannot be accomodated in the Village.

The Industrial Designation encompasses Texaco, and Auto-Port, some private industries and also a good many homes and small businesses. Due to the nature of land uses contained in the designation there are a number of different applicable zones. The oil refinery, Texaco, receives a heavy Industrial Zone, Residential Properties have been given the protection of the Residential Zoning. At present, in certain portions of this area which fall along the main road, there is a great deal of mixing between businesses and residential uses. A mixed use zone has been provided for this to allow those residents the opportunity to maximize the use of their properties.

An important designation within the Eastern Passage area is the Community Facility Designation which occurs in two locations. One, a strip of land separating heavy industry from the remaining portion of the community; secondly on the A-23 Property owned by the Municipality. The intent of the Community Facility Designation is to safeguard large parcels of land for community use in the future and much of that is done in direct response to the heavy industrial development which has occurred in the community. These facilities are becoming more and more important as heavy industry grows in the areas. There are development concerns on each of these parcels. A portion of the Community Facility Designation next to Texaco or south of Texaco, is owned by Texaco Incorporated. Some light industrial development is permitted to occur by contract with a Public Hearing. She advised this has been discussed with Texaco, to their satisfaction. Consideration was also allowed on the A-23 Property within the vicinity of Gulf Steel and Engineering, again by Contract procedures and with a Public Hearing.

The guidelines through the Contract procedure is that in general, the integrity of those large pieces of property is safeguarded for future community use. She further advised that there were a number of facilities on the properties now including Senior Citizen's Housing, High Schools, Ball Fields, Churches, Cemeteries, & Rectories.

There is also a Special Area Designation covering the Regional Parkland of McNab's and Lawlor Island and the Regional Parkland along the shore of Cole Harbour. There are special considerations built into the plan concerning McNab's Island due to rumors of industrial development going into that area. From the point of view of Eastern Passage, it is going to have an impact on the Community whether the land is used for industry or if it is developed as a Park since access will have to be gained, to the Island, through the Community. The plan does have policies to allow the Public and the Municipality to become involved in access decisions whether it is by a bridge or a

Private portions of land which have been zoned Special Area include the Silversands Beach, which was once a popular recreation area and Devil's Island which is reported to be haunted.

For properties which are privately owned the plan does not take the right to development away from the people who own them. They have been zoned for limited residential use and in the case of Silversands Beach the planning Department does intend to look into the possibility of some Provincial purchase. It is an environmentally sensitive area and the Department would like to see some money spent, if possible, to upgrade and maintain this beach.

The final designation is the Plan Amendment Designation which covers two portions of property, one at Hartlen Point where the large Golf Course is; the other is CFB Shearwater itself. She advised that the Federal Government is not subject to Municipal jurisdiction; however, in the past Federal properties have been released and developed and if in the future any lands within these two designations become available for development, the plan requires an immediate amendment and a Public Planning process to decide the best use of those properties.

Ms. Spencer then brought Council's attention to the Special Fishing Zone which is an important historic focus to Eastern Passage. Policies have been developed which call for its upgrading and there will not be any consideration for commercial or industrial development by means of contract.

Cole Harbour - Westphal

The Chairman of the Cole Harbour - Westphal Public Participation Committee, Mr. Jim Henneberry, came forward at this time to make a brief presentation to Council on behalf of the draft Municipal Development Plan for Cole Harbour - Westphal.

He advised that the Committee, with the assistance of the Municipal Planning Staff, have been able to come up with a plan formulated to meet the needs of the communities of Cole Harbour and Westphal. He indicated his opinion that since the plans were formulated for individual areas rather than one Municipal Development Plan for the entire Municipality of the County of Halifax, this was the reason for approval of the plans at the Public Participation Committee stage.

Subsequent to Mr. Henneberry's brief introduction, Chris Reddy took the floor to briefly outline the Plan and the Designations for the Cole Harbour - Westphal Area.

Mr. Reddy indicated that the Cole Harbour - Westphal Area has been a very rapidly growing part of the Municipality. Subsequent to the 1961 annexation by the City of Dartmouth, the population in the area was less than 2500 people. However, between the years 1976 to 1980 the population grew by approximately 96%; today we are looking at a population of 14,400 people in this area.

Mr. Reddy advised that the Lake Major area, for which an MDP has already been approved, takes in a portion of District No. 7. The overall area is composed of District 7 and District 7A. In terms of linkage to the City of Dartmouth, there are two major routes going through the community which help to create the community form, seen here today, (referring to a land-use map).

He further advised that most development in the community has been in the form of single family residential types of housing. Decisions by the County and the Province in the past have contributed to this form of development. The vast majority of housing in this area has been developed by the Nova Scotia Housing Commission in the Forest Hills PUD area and also by Clayton Developments to the south and on the lower side of Cole Harbour Road.

Mr. Reddy advised that the Public Participation Committee placed the priority on Residential Development so that the existing community form can be supported and continue to grow. For that reason a Residential "A" Designation has been established where there is central sewer and water service, as well as approximately 500 feet back from any existing road and also covers some of the existing smaller serviceable areas where there are services in the ground now.

He advised there are areas as well, which for the most part, have been controlled since 1966 by Municipal Legislation and since 1975 by the Regional Plan. The effect of that control has been to create a situation where no more than one lot per year could be developed. With this new plan the Municipality would be removing that control.

The Planning Department is aware of potential problems in these areas which are outlined as a Residential B Designation, in terms of potential for arsenic and the possibility of shallow soils or clay. In this regard, there was some concern which has been dealt with in terms of an initial zoning of two areas. If, for any reason, that is not satisfactory there is a potential with due consideration to rezone to a public health size lot which is 20,000 sq. ft. The considerations which would be examined are considerations of Transportation, Public Health, and Environment (in terms of the water supply).

Commercial Designation: a great deal of this community has been influenced by the existing road network. Highway No. 7 and the Cole Harbour Road have developed as distinct commercial areas. The community itself is not zoned overall, and there is little zoning throughout. On the Cole Harbour Road a commercial zone has been developed and it is the intent of the plan to support it.

The approach that has been used is to limit the overall size because it is a strip and there are single family houses abutting the rear of lots on Cole Harbour Road. There is little depth to these lots, so there is some concern over the size. On Highway No. 7, the uses have a tendency to serve a more regional market, based on the travelling public; people travelling through and using Highway No. 7 to gain access to the Eastern Shore and beyond. Consequently the approach there has been somewhat different. A larger size of commercial development can be

considered and somewhat different uses. The Cole Harbour Road again permits offices and a variety of other uses that are more the interest of the community whereas on the number 7 Highway there are a variety of uses such as Trailer Sales Outlets already in place and which could continue to grow.

He further advised that the overall area is highly influenced by a number of Environmental concerns. The Department is well aware of the Cole Harbour-Lawrencetown Regional Park, which has been an item of some controversy for a number of years. The Province of Nova Scotia has an on-going purchase program in the area and are fast approaching completion of it.

Adjacent to that there is an area called Long Hill, and Lawlor's Point which are considered to be very important to the Community in terms of a view from Long Hill to the water. Lawlor's Point is the only piece of privately-held land intervening between two portions of the Regional Park. In this area, the concern is that it be dealt with in a special flexible manner. Consequently, this has been Designated Special Area.

The area to the North, falls into the Lake Major Water Shed. Lake Major serves as the principal water supply for the entire Eastern side of Halifax Harbour and as such it is very important that water quality be maintained and at the same time that people owning property in that area, be allowed to develop to some degree. Consequently there is provision for a Conservation Zone which would allow single family development on a fairly substantial lot with due regard for setbacks from the watercourses in the area as well as from the edge of the Lake. On publicly-held land a conservation zone which would not permit development other than for water-distribution purposes.

Finally, there are a number of Community Facility Designations which include many very important features in the Community. On Highway No. 7 there is the Nova Scotia Home for Colored Children, the Community Campus area along the Forest Hills Drive, which includes two schools, an arena, large playfield and some open parklands, the area abutting Settle Lake and including the Heritage Farm Museum. On the Bissett Road to the South, going down from the Cole Harbour Road into the Cow Bay area, there is the Halifax County Rehabilitation Centre.

Mr. Reddy further advised that the overall priority through the plan is to continue to place priority on residential development while providing for a continued and future commercial growth.

Subsequent to the above presentation by Mr. Reddy, Councillor McInroy, extended his appreciation for the fine work done on the plan both by the Public Participation Committee and the Planning Staff.

Warden Lawrence also extended appreciation, on behalf of Council, for the work and the tremendous amount of time put into both plans. She advised Council was hopeful, the plans would meet with Public approval at the Public Hearing Stage, as well as Provincial Government approval.

Councillor Topple echoed the comments of Warden Lawrence and Councillor McInroy in congratulating those persons who had participated in the development of the Municipal Development Plans.

Mr. Bill Campbell advised that the Municipal Development Committee, within the next two weeks, would be preparing a final draft document to be presented to the next Council Session, at which time a date would be recommended for a Public Hearing, around the first to the tenth of May. Mr. Campbell also questioned whether it would be possible to change the date of the next MDP Meeting to the 30th of March as the Chairman of the MDP Committee would be unable to attend the meeting scheduled for the 24th. This request was agreed to by Municipal Council.

Mr. Campbell indicated that he had recently received clarification from the Department of Municipal Affairs and concurrence from the Municipal Solicitor that if Councillors did not attend a Public Hearing regarding a Municipal Development Plan and Council defers making a decision on that particular document to another meeting or another time, then only those Councillors who were in attendance at the Public Hearing can vote on a motion to approve the document.

This statement initiated much comment from several Councillors who were not in agreement with this ruling. Many members of Council felt as almost all Councillors were on the MDP Plan Committee and the Councillors of the areas in question were well informed regarding the plans, they should be able to vote on the motion to approve the plan, whether or not they were absent from the Public Hearing.

However, subsequent to discussion, it was determined that this issue was a provision of Parliamentary Procedure and must, therefore, be followed.

Several Councillors then felt the concerns of Council should be discussed prior to the Public Hearing, perhaps this evening. Therefore, subsequent to still further discussion it was agreed by Council to further debate the Municipal Development Plans under "New Business" subsequent to dealing with the remaining items on the Council Agenda.

ADDITION TO AGENDA - Councillor Topple

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

"THAT all Items relative to Business to be discussed, be on Councillor's desks at the beginning of a Council Session."
(See Motion to Amend).

Councillor Topple advised that his motion was initiated due to an incident at the last Council Session at which time information from Mr. Kelly had been distributed to Council at approximately 7:30 at night. He was disturbed that this information had not been made available to the Press. He felt it could have been submitted prior to the Session and if the Press had been in possession of this information, they may have remained to hear the debate in regard to it.

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

"THAT debate on the above motion, moved by Councillor Topple, seconded by Councillor Adams, be deferred until the April 6th, 1982 Regular Council Session."

Motion Carried.

PRESENTATION BY WAVERLEY RATEPAYER'S ASSOCIATION

Councillor Benjamin recognized a delegation of citizen's from Waverley, the Waverley Ratepayer's Association and the Riverlake Resident's Association; he advised these citizens had strong objections to action being recommended by the Planning Advisory Committee. This was item, No. 1 in the Planning Advisory Committee Report in the agenda.

Councillor Benjamin requested that the Chairman of the Waverley Ratepayer's Association, Mr. Eill Lockhart, be permitted to appear before Council and make a presentation in objection to the Metro Aggregates Proposed development.

Council agreed to hear Mr. Lockhart's presentation.

It was confirmed, in response to questioning from Councillor Gaetz, that there were also representatives in the Council Chambers from Metro Aggregates Ltd.

Mr. Lockhart requested that Solicitor Paul E. Miller be permitted to speak on behalf of the Waverley Ratepayer's Association. This was also agreed to by Council.

For Information, the Report of the Planning Advisory Committee advised:

"At the March 1, 1982 meeting of the Planning Advisory Committee, representatives of Metro Aggregates Limited, the Waverley Ratepayer's Association and Councillor Benjamin were present to hear discussion of the Committee on the aggregate operation proposed for Waverley by Metro Aggregates Limited.

Information related specifically to the aggregate operation was presented to the Committee on February 22, 1982 for review and a "Land Use Report" was prepared by Planning & Development Staff and presented at the March 1, 1982 Meeting. The foregoing correspondence was reviewed by the Committee and the following resolution was passed:

THAT the Committee recommend to Council that the Metro Aggregates Limited Planned Unit Development Application be accepted and that Staff begin negotiations.

The Committee's decision was based on the following:

- (a) In recent past, the County has experienced a number of situations where there has been a desire expressed by developers to locate industrial type operations in the County and the County has been faced with problems from the residents not wanting it. The County should be encouraging a more positive attitude towards Industrial Development.

- (b) Metro Aggregates does not have to go the route of a Planned Unit Development agreement, however, they have been very considerate and asked the opinion of the residents in an attempt to take protective measures through a Planned Unit Development agreement.
- (c) In terms of soil conditions, it appears that the only use for the proposed site is industrial, therefore, this type of operation (rock crushing - quarry) should be encouraged to take place."

Mr. Miller came forward and advised Council that, at this particular Council Session, he was appearing on behalf of the Waverley Ratepayer's Association.

At this point in the Session, it was clarified by Councillor Benjamin and reinforced by Warden Lawrence that this was not a Public Hearing.

Mr. Miller then advised he had reviewed the PUD Proposal on behalf of the Waverley Ratepayer's Association and indicated that in his opinion and the opinion of the Waverley Ratepayer's Association, it did leave some things to be desired. He went on to indicate several of the concerns the residents had with respect to the proposal and which Council would be requested to discuss later.

1. The Environmental Issues;
2. Planning Issues (traffic, etc.);
3. No Draft PUD Document is available at this stage;

It was clarified to Mr. Miller by Warden Lawrence that there was no Draft PUD Agreement due to the stage Council is at the present time. Council was not present tonight to approve a PUD but to approve a process to be entered into by Staff.

Mr. Miller went on further, continuing his list of resident's objections.

4. There is no provision in the PUD proposal of the nature of environmental monitoring;
5. There is no indication of the Developers consideration towards environmental protection bonds;
6. No studies are in the document at this stage regarding potential traffic impacts;
7. There is an area of concern regarding blasting practices; there is no indication in the document of the accumulative effects of the blasting practices of this proposal along with the neighbouring Municipal Contracting Blasting practices.

Mr. Miller also advised that at this point there have been no approvals in principle by either the Departments of Environment, Health or Transportation and there have not even been any applications for approvals to these respective Departments at this stage. He further advised that the Waverley Ratepayer's Association had been informed that the Shubencadie Lakes Advisory Board has corresponded with the Developer expressing concerns and requesting further clarification and information on this proposal. He advised that todate this information has not been provided.

With respect to the requirements of the Department of the Environment, the Waverley Ratepayer's Association had, last Friday, been presented with a document from the Department of Environment. He read to Council one paragraph of the document under the heading "Public Information Program" which indicated: "In consideration of the Public concerns that have been demonstrated in association with other proposals to develop and operate rock quarries, the proponent is encouraged to conduct a Public Information program in the communities which may be affected by the proposed quarry operation. The public information program should be conducted prior to submission of the environmental impact statement to this Department. The purpose of Public Consultation is to allow the proponent to explain the proposal and to aid in the definition of issues by obtaining opinions and advice from area residents. The information obtained from Public Consultation at an early stage may lead the proponent to alter his environmental assessment or design features of the proposal in order to address public concerns. The results of any public information program are to be included in the proponent's environmental statement. It must be shown that the proponent has considered the issues raised by the public and the E.I.S. must provide sufficient information and analysis to support the way in which the issues are handled by the proponent."

Mr. Miller advised that the above approach by the Department of Environment could have saved Municipal Council and the Residents much time and animosity in the past.

Mr. Miller went on to outline the public participation in the proposal to date advising that there have been only three public meetings with the Developer; one, with the Waverley Executive and two meetings with a Committee from the Waverley Executive. To date, there have been no general meetings between the Waverley Residents and the Developer even though such meetings have been requested by the Waverley Ratepayer's Association. There have been no meetings with Lakeview Residents even though, Lakeview Area Residents are the closest residential area to this proposed Development. There have also been no meetings with the Riverlake Resident's Association even though this Association has made known its concerns regarding the impact of this Development on the Lakes.

Mr. Miller expressed his hope that if the project progresses, these meetings will be held. He advised it was now a requirement of the Department of Environment and he hoped that the Municipality would also see this Public Participation, at an early stage, as a requirement.

Mr. Miller advised it was not the intention of the Waverley Ratepayer's Association to unduly delay action on this proposal. However, the Association is hopeful that this proposal would not be rushed through the approval process without proper preliminary input, study and evaluation. He also advised that from what they have learned about the operation to date they are opposed to the Metro Aggregate Quarry Operation and are hopeful that County Council will reject it and the Planning Advisory Committee recommendation.

However, the residents are also cognisant of the fact that Council must balance the interests of the residents with the interests of the Developer. They are also aware that County Council might feel it is in everyone's best interest for the proposal to be fully aired at a Public Hearing in accordance with the PUD By-Law. If it is Council's decision that the issue go to a Public Hearing, the Residents request that it be called only after the proper information has been supplied to the Departments of Health, Environment and Transportation and the informational requirements of the Shubenacadie Lakes Advisory Board are also met and only after there has been meaningful input at Public Sessions between the residents of the area and the Developer.

Mr. Miller's final comment was to relate a quote made at the last Council Session by one Councillor, as follows: "Some residents will oppose any Development." He indicated his opinion that this was an unfair statement as, to date, the Residents have not been given the opportunity to become positively involved in the Planning Process although, on their own, both the Waverley and the Riverlake Association have made numerous efforts to get involved in the Planning Process. He suggested that if County Council desires a positive input from the District 14 Residents, into the Planning Process, then Council should immediately request the Planning Staff to begin working with area residents towards the Development of a Municipal Development Plan for the District. The implementation of such a plan would render unnecessary the disputes of the past, which is a drain on the energies and tax dollars of area 14 residents.

Warden Lawrence indicated her appreciation for the concerns expressed by Mr. Miller on behalf of the Waverley Ratepayer's Association. However, she also made it quite clear that Council was not, at this stage, dealing with a Planned Unit Development Agreement, but rather an application for one.

Subsequent to brief discussion:

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

"THAT Municipal Council not enter into negotiations with the applicants of the PUD Proposal on the Social Grounds of the Resident's opposition."

Councillor Benjamin advised that although he was opposed to the Quarry Operation being located in District 14, he was not opposed to the Metro Aggregates Company as they have demonstrated a fine crushing operation in the Fredericton area. He further advised that his opposition and the opposition of the residents was due to history displayed by the Rocky Lake Quarry which was a polluting factor to the surrounding lake system.

Councillor Benjamin further reminded Council that the MDP system was a system which was intended to utilize Public Participation and give the residents control over their own area.

Councillor Benjamin also related problems which were a past occurrence at the C.I.L. Property near the proposed location of the Metro aggregates property. One incident, in particular in which three men in 1935 were killed while blasting to do some excavating on the property. There had been some nitroglycerin in the land which exploded when they were blasting. It was his opinion that nitroglycerin could still be in that soil. He, therefore, felt it might be dangerous to have a blasting permit in that area.

Councillor Benjamin also read to Council a letter from a Waverley Resident, Mr. Paul DeSilver, which was in opposition to the proposal on Recreational, Health and Environmental grounds.

Councillor Lichter spoke in opposition to the motion as put forth by Councillors Benjamin and MacKenzie. He advised that the PAC Report only requested that negotiations be entered into. He also related a question he had asked representatives of the Waverley Ratepayer's Association while in attendance at the PAC Meeting. He had questioned them as to what the proposed land was suited for, bearing in mind that the top soil in the area was a maximum of one foot thick in most places and their response had determined that the land was not suitable for residential or commercial development; the only use the land was suited to would be the proposed or some similar use.

Councillor Lichter further advised that Mr. Miller indicated many things which should be considered in the proposal. However, the Waverley Ratepayer's Association recommends that Council reject the negotiation package of which these considerations are a part. He, therefore, advised that he would be unable to support the motion.

Deputy Warden MacKay also spoke in opposition to the motion advising that in accordance with the principal of democracy both sides should be permitted to have representation. He also advised that Council must make a decision which they could not make until they hear the full facts which cannot be determined until negotiations have begun and studies have been implemented to find out if the impact of the development on environment, traffic, etc., will be good or bad. He advised that both sides would be able to state their objections and arguments in favour or in opposition to the development at the Public Hearing level.

The Deputy Warden also advised that the Developer was not obliged to go through the PUD process but could simply have obtained a Building Permit and begun his project. Therefore, the Developer, should be commended for proceeding in the manner in which he had.

Councillor MacDonald spoke briefly in agreement with all points made by the Deputy Warden.

Councillor Topple also spoke on the motion advising he had many concerns regarding the proposal. He advised that the Developer's intentions were good; however, he was concerned that most of these types of Developers were unconcerned about the wishes of the residents. He advised that Council was considering a PUD which would be an agreement between the Municipality and the Developer. He also advised that in a PUD Agreement the community has no say until the Agreement is put together and brought forward before Municipal Council. He also related to Council the MDP process, in which the reverse is the case; the residents, with the guidance and assistance of staff, prepare the document which is then brought forward to Council for approval, after receiving the approval of the majority of the residents. He questioned whether there was a means of requesting the developer to go back to the community and involve them in the PUD process. He advised that he was in support of the motion, as he was not prepared to enter into a PUD Agreement at this time until more ground work has been done which involved the Residents.

Councillor Eisenhower advised that by entering into the PUD Agreement, time would be bought in which the residents could develop some factual information to confirm their stand on the issue. This would also open the avenue for a Public Hearing in which the Public could have its input into the PUD Agreement. He therefore, advised he would have to vote against the motion on the floor as it would allow the Developer, if he so desired, to apply for a Building and Blasting Permit without allowing for the above-mentioned time period in which to investigate the residents concerns.

Councillor Margeson advised that he had gone down to the proposed site of the Quarry Operation and, as well, looked at the near-by Rocky Lake Operation. He indicated his displeasure with the Rocky-Lake Quarry and felt that the Department of the Environment should be doing some work there. However, he advised that the property in question could never be used for Residential Development due to the soil conditions imposed by the CIL Operation; leakage of nitroglycerin, etc. He advised the County was fortunate to have a man such as Mr. Bayard of Metro Aggregates interested in the development of that property and expressed his hope that by working together the Residents, the County and Mr. Bayard could come up with a proposal to suit all parties.

Councillor Gaetz was not opposed to the Quarry Operations, feeling that adequate environmental protection monitoring would be implemented. He also felt that there should be some representation this evening from the Developer, Mr. Bayard.

Councillor McInroy advised that, unless a PUD Agreement were entered into, there would be no means of determining whether the concerns of the residents and of some of the Councillors were valid, or whether they could be worked out to everyone's mutual satisfaction. He, therefore, felt it was unfair not to begin negotiations.

At this point in the meeting, Warden Lawrence requested that Deputy Warden MacKay temporarily take-over the Chairing of the meeting in order that she could speak on the motion.

Warden Lawrence respectfully requested that she be excused from voting on the issue as she felt she may at some point in the future find herself in a situation of conflict of interest on the subject.

Deputy Warden MacKay indicated that as Warden Lawrence was presently under consideration for a position on the Municipal Board and due to the fact that this is a contentious issue, which may ultimately wind up before the Board in an appeal process, it would be agreeable to excuse her from a vote on the motion.

The Solicitor concurred with the Deputy Warden's view and it was agreed by Council that Warden Lawrence be excused from voting on the motion.

Councillor Topple advised that he would support the motion at this time as he was opposed to any PUD Agreement which did not involve the residents in the beginning. He used, as an example, the Forest Hills PUD Agreement with which the residents of Forest Hills were constantly expressing concern.

Councillor Deveaux, although appreciating the concerns of the residents, did not feel it was right to arbitrarily close the door to any developer. Therefore, he could not support the motion at the present time but felt that more consultation should take place between the Developer and the Resident's Association prior to coming before Council.

It was amended by Councillor Deveaux, seconded by Councillor Baker:

"THAT this issue be deferred until the first Council Session in May to allow the Developer and the Residents time to get together and discuss environmental and other pertinent concerns related to the development, prior to coming back to Council."

Subsequent to consultation with the Municipal Solicitor, the amendment was ruled out of order as it went too deeply to the root of the motion.

It was suggested by Councillor Poirier and Councillor Gaetz, and agreed to by Council, that representation be heard from Metro Aggregates at this time.

Councillor Lichter disagreed with this suggestion, only because the Metro Aggregates issue was turning into a Public Hearing which was not the intention of the meeting.

Councillor Smith advised that Metro Aggregates had already heard the concerns of the citizens here today which should also be aired in a Public Hearing. She felt that Metro Aggregates would take these considerations under advisement before bringing the proposal forward to Council at a Public Hearing.

At this point in the Session Mr. Morris Lloyd came forward to speak on behalf of Metro Aggregates. Mr. Lloyd advised that he was in the employ of the consulting firm of Underwood, MacLellan who had been retained by Metro Aggregates Ltd. to design the proposed quarry operation and to work with County Council and the Residents to finalize a decision on the proposal. He indicated the issue before County Council was whether to begin the negotiations, hopefully leading to a Development Agreement adoption. Underwood, MacLellan viewed the negotiating process as the key to dealing with the concerns of the many people involved. He also advised that there were many interests to be ironed out; these from the Department of Environment, the Department of Health, the Municipality, two Resident's Associations and the Shuben-acadie Lakes Advisory Board. The Consulting Firm, he advised understood the request as a means of formalizing those negotiations with the various interested parties.

Mr. Lloyd also advised that his Firm had met with the Resident's Association and requested they form a committee to work along with the Firm, which they did. He advised that he had met with the Committee and intends to have further meetings with the Ratepayer's Association. As well, he indicated the Firm has met with the Lakes Advisory Board and has offered to meet with the Riverlake Resident's Association at their convenience. He advised the Firm is conscious of the need to meet with the various interest groups involved and are desirous of doing so.

Mr. Lloyd also advised Council that his Firm had suggested to the Waverley Ratepayer's Association, in its letter of response to the Committee, that should the Company be successful in negotiating the quarry and it becomes operational, that they will establish a continuing Committee which could work with Metro Aggregates to monitor the operation and meet with the Management periodically to deal with any problems.

Mr. Lloyd further advised that as a result of the previous meetings, the Company has already agreed to a number of changes in the proposal and he anticipated that there would be others coming forward. Several of the changes agreed to were: to change the phasing of the development, to enclose the equivalent, to cover the trucks carrying fine material, to recirculate the water from the settling pond and to use rocky Lake only as an alternate source. He advised it had been suggested that the Quarry have a two-stage settling pond; if that were proven to be more effective the Company would do as suggested.

In regard to the concern expressed over the Powder Mill which had been in the area before and the fact that there may be explosives still in the Rock, he advised that this Powder Mill had been across the Road and not in the proposed site.

Mr. Lloyd summarized his brief presentation by reiterating that his company is quite prepared to meet with the Residents Associations and that the Company saw the requested process of negotiations as the beginning of addressing the concerns of all the interested parties.

In response to questioning from Councillor Benjamin, Mr. Lloyd indicated that his Firm had received confirmation from representatives of CIL that no explosive had leaked into the rock from the old powder mill.

Subsequent to further brief discussion between Councillor Benjamin and Mr. Lloyd, the question was called on the motion:

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

"THAT Municipal Council not enter into negotiations with the applicants of the PUD Proposal on the Social Grounds of the Resident's opposition."

Motion Defeated.

Subsequently:

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

"THAT Municipal Council accept the Planned Unit Development Application by Metro Aggregates Limited and that Staff begin negotiations."

Motion Carried.

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

"THAT Council adjourn for a five-minute coffee break."

Motion Carried.

Therefore, Municipal Council adjourned briefly for a five-minute coffee break, while the residents and representatives from Metro Aggregates retired from the Chambers.

When Council was brought back to order, Warden Lawrence had resumed her role as Chairman of the Council Session.

MEETING WITH ED MASON, DIRECTOR OF SOCIAL SERVICES

Mr. Mason reviewed the General Assistance Caseload and Expenditures and Homes for Special Care Caseload and Expenditures to date. This information is contained in the agenda, where it is compared to 1981 figures. (Please refer to agenda for further detail).

Mr. Mason advised that the February 1982, General Assistance Caseload showed a significant reduction from January, and is related to efforts at controlling costs by the limitation of the issuance of Items of Special Requirement.

Councillor Wiseman requested some clarification as to the reduction of Items of Special Requirement. Mr. Mason advised her that normally Items of Special Requirement amount to in the vicinity of \$50-\$60,000 monthly. This would include prescription drugs (which have not been reduced, as with items of necessary medical supplies), housing repairs, furnishings such as stoves, fridges, dental work, glasses, etc. These are the items that have been cut back somewhat and which the Department is reviewing more strictly.

Deputy Warden MacKay spoke briefly in regard to the low vacancy rate in the Metropolitan Area and throughout the Province. He advised that it was difficult for persons on Social Assistance to find an apartment and when they do, it is generally in excess of what they are allowed under the rate structure. He questioned how the Municipality can address this problem.

Mr. Mason advised that traditionally, the Social Services Department has had to pay the additional costs wherever possible, unless the costs are greatly in excess of what the scales will allow. He advised that within the next few weeks, the Provincial Department of Social Services will be convening with all the Metro Area Social Services Departments to consider this very issue as it is a fact that the scales in no way relate to the actual cost of accomodations.

Deputy Warden MacKay also expressed his concern regarding people continuing to abuse the social services system. He gave several examples of such abuse and questioned what steps the Municipal and Provincial Departments of Social Services utilize to spot-check and determine whether people are abusing the system or whether the Departments rely on persons reporting alleged cases of abuse.

Mr. Mason advised that the Caseload was reviewed on a regular monthly basis and determining abuse or misuse of the system is one of the key responsibilities of the Social Services Supervisor.

Councillor Margeson indicated the following concerns to Mr. Mason:

1. Costs are up by more than 26% which is excess of the 12% to 14% cost-of-living increase;
2. Valium and other drug dependency supervision;
3. He questioned whether unemployed persons seeking social assistance could be utilized in the Forestry Industry.

Councillor Margeson indicated his desire for Mr. Mason to take these concerns under advisement but did not request any immediate reaction.

He did, however, question what services were provided to the elderly under the Homes for Special Care program.

Mr. Mason advised that the services made available to these persons are supportive services to help them maintain themselves in their own homes rather than sending them to Nursing Homes or Homes for the Aged.

Councillor Margeson also questioned whether it would be possible to work with the Library to supply books to these Elderly people living in their own homes and being supported by the Homes for Special Care Program. Mr. Mason advised it could be considered.

Councillor MacDonald questioned Mr. Mason as to when a child being reared in a family on social assistance, is requested to fend for himself to deter him from becoming dependant on social services benefits.

Mr. Mason advised that when a child is 17 to 18 they would be expected to make some contribution to the family and the Social Services Department would not be able to include them as part of the family unit, unless they were making an effort to seek employment themselves, providing they have the physical and mental ability to do so.

In regard to Items of Special Requirement and the cut-backs presently being made by the Social Services Department, Councillor Poirier indicated an incident in her District, in which a woman on Social Assistance had a broken pump which she could not afford to replace. She advised that this woman had temporarily borrowed her brother's pump and that the Social Services Representative in the District was under the impression that a new pump could not be provided because there was no elasticity to the rule of no more Items of Special Requirement.

Mr. Mason advised that it is not a hard and strict rule that no more Items of Special Requirement be provided and indicated that the matter would be further investigated.

Subsequent the above, Mr. Mason retired from the Council Session.

ITEMS DEFERRED FROM MARCH 2, 1982 COUNCIL SESSION

Report, Re: Garbage Collection and Disposal Rates

Mr. Meech advised that this issue had come about resulting from a request from the residents of Dutch Settlement to have a garbage collection system provided. The engineering staff prepared an estimate of the cost of a garbage collection and disposal system for the area, at approximately \$20,000. Based on this figure and on the assessment in the proposed area of coverage this would dictate that the area rate for that particular section of District 13 would be 32.1 cents. However, he further advised that this rate was projected on the assumption that there is no portion of the operating grant from the Department of Municipal Affairs distributed to that particular contract. By then taking all the individual districts which now have a garbage collection and disposal system within the Municipality and looking at the estimated expenditures for 1982 and also including in that listing the section of District 13, the projected area rates have been determined and to combine these rates and levy the same rate in each district, there would be a rate of 9.3 cents throughout those Districts.

Mr. Meech indicated his opinion that the universal rate should be levied in all districts receiving garbage collection and disposal, as it was a universal necessity to have collection and disposal of garbage. He did not feel that any District should be penalized due to its lack of proximity to the disposal site. Also in view of the fact that with respect to the application of the grant money which had originally commenced back in the days when there existed a Municipal Services Assistance Act and Grant, because of the transition to the new operating grant which is now in place by the Province, we now receive one global sum of dollars which is not directed specifically to garbage collection, fire protection, etc.

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

"THAT the combined rate for garbage collection and disposal for all Districts presently receiving this service and for the Dutch Settlement Portion of District 13, be approved by Municipal Council in the amount of 9.3 cents per \$100 of assessment."

Councillor Deveaux questioned the figures presented in the Report and whether or not individual districts would be able to opt out of the common area rate, should the actual rate differ from that presented in the Report.

He was advised by the Solicitor that the Municipality has the right to levy a common area rate for a period of one year, after which a new rate is to be levied. At the time the new rate is levied individual districts will have the opportunity to opt out if so desired.

In response to Councillor Deveaux's question regarding the difference between the 13.9 cents and 32.1 cents in the supplementary report. Councillor Lichter advised that an estimate done by a contractor indicated that nine tons of garbage would have to be hauled from the entire District 13. Since December 31st until the present day, it was determined by Municipal Staff that only the Dutch Settlement portion of District 13 would require ten and one-half tons of garbage to be hauled away. Councillor Lichter questioned the estimate and indicated his opinion that it would be much lower.

Councillor Lichter indicated as well, that by supporting the motion on the floor, he would be supporting a motion which would benefit District 13. However, he indicated that there were several items on the agenda today which would benefit other Districts of the Municipality.

Councillor Walker indicated that he would have an increase in his District of 1.3 cents and in regard to the grants referred to by Mr. Meech he indicated that the grants are basically for garbage collection. He also indicated that the garbage rate for Sackville would drop substantially and he advised that he could see no benefit in his district to accepting the 9.3 cent rate which would substantially benefit Sackville.

Councillor Walker advised that he could not consider the motion to accept the common garbage area rate until he saw the whole picture of how staff was looking at the grants and rates for street lighting, fire protection rate, etc.

Councillor MacKenzie questioned whether approval of this rate would have a bearing on the recommendation of the consultants which have been hired by the Department of Environment at the Municipality's request to study garbage collection and disposal in the County of Halifax. He indicated his understanding that these consultants were looking at the total four districts, including District 13, which do not have garbage collection and disposal.

Mr. Meech indicated it would not have any impact on that Report.

Deputy Warden MacKay indicated his opinion that as garbage was a common service to all but four districts of the County then there should be a common rate for it; if District 13 were to opt into that garbage and disposal system in part, then that part of the District should become part of the common rate. He was in support of the motion to approve the common rate for garbage collection and disposal.

Councillor Benjamin indicated that he could not support the common rate for garbage collection and disposal as it would raise his own rate in District 14 and he could not see any way in which to explain to his residents why they should pay a higher rate so that residents in other districts can enjoy a lower rate for garbage collection.

Councillor Eisenhower felt it would not be wise to make a decision at this time to approve a common rate for garbage collection and disposal. However, he was in agreement with the principal if the operation grats were distributed evenly among the districts to even out the costs.

Councillor Tople questioned which parts of the County would not have garbage collection if this proposal were accepted. He was advised by Mr. Meech that Districts 10, 11 and 12 and that part of District 13 outside of the Dutch Settlement Fire Department Catchment area would not have either garbage collection and disposal or the common rate for garbage collection and disposal.

Councillor Tople wondered if there was some projection of what it would cost should the other four districts opt into the garbage collection and disposal system subsequent to the Dutch Settlement portion of District 13; he wondered if this would represent an additional increase over the 9.2.

Mr. Meech advised that it would represent an increase but not that large an increase. Mr. Wilson had made a guestimate of approximately \$40,000 per District, which would not substantially raise the rate. However, it would be fairly costly to each District if they had to go on their own which would likely prevent such an event from occurring.

Councillor Tople felt it should be a common rate all over the Municipality and a common service. However, he would like to see accurate figures of the cost involved to incorporate such a scheme.

Warden Lawrence indicated that this information should be derived from the garbage collection and disposal study presently underway.

Councillor Deveaux felt that garbage collection was the most logical service to have a common rate for. He advised that he would not be in favour of the same common rate for street lighting, etc.

Warden Lawrence, at this time, indicated to Council that the surpluses and deficits from each district account were not included in the 9.3 cent rate indicated in the Report to Council on Carbage disposal and collection.

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

"THAT the Garbage Collection and Disposal Common Area Rate Issue be deferred until final figures regarding the ultimate area rate in each district are ascertained which would include deficits and surpluses and that this information be presented to Council no later than the next Council Session."
Motion Carried.

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

"THAT the combined area rate for garbage collection and disposal be calculated for each area with and without grants included."
Motion Carried.

Councillor Wiseman advised that within the next few weeks, Council would have to determine whether the deficits and surpluses in individual districts were going to apply to the districts or were to go into a general pot.

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

"THAT all grants (fire, garbage and street lighting) be scrutinized and that Staff investigate the possibility of applying all those grants to the tax rate."
(See motion to Amend).

It was amended by Deputy Warden MacKay, seconded by Councillor MacDonald:

"THAT information be presented to Council to determine the method by which the current Operating Grants are allocated to the County by the Provincial Department of Municipal Affairs."
Amendment Carried.

The question was then called on the motion as amended:

Moved by Councillor Walker, seconded by Councillor Margeson:

"THAT Staff investigate the possibility of applying all Operation Grants (fire, street lights, garbage) to the general tax rate and further that Staff present information to Municipal Council indicating the method by which the Provincial Department of Municipal Affairs calculates the current Operating Grants."
Motion Carried.

ADJOURNMENT FOR SUPPER

It was moved by Councillor Poirier:

"THAT Council adjourn for one-half hour for supper."
Motion Carried.

Therefore, Council adjourned for supper.

SCHOOL AREA RATES

Warden Lawrence indicated there were two School Area Rates not yet dealt with; these were D-12 for Sir John A. MacDonald High School and D-16 for Tantallon Junior High School. She advised that the agenda included a letter from Mr. David Smith, Chairman of the Board of Trustees and Mr. K. W. Webb, Principal, for the Sir John A. MacDonald High School and one from Carolyn Richardson, Secretary of the Tantallon Junior High School Trustees, both outlining the purposes for the School Area Rate requests. (See letters for clarification).

Councillor Walker expressed concern that the items requested from both the Sir John A. MacDonald High School and the Tantallon Junior High were items required for the on-going regular school programs; he wondered why the School Board budget did not allow for these items.

Subsequent to brief discussion:

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

"THAT the School Area Rate for Tantallon Junior High School be approved subject to extension of the catchment area to the areas being serviced by the School and that the rate be levied in the entire catchment area."

Councillor Eisenhauer was opposed to the motion as it would affect his District; he suggested that if the motion passed, another motion should be also passed, requesting that the students in his District be sent to Bedford Schools; however, he was advised by the Warden that Council cannot make a decision as to where children will go to School.

Councillor Topple noted that the School Area Rate for Tantallon Junior High was for the purpose of hiring a part time art teacher and for art supplies. He was concerned that the School Area Rate was being utilized as a means for the teachers, themselves, to decide what curriculum should be taught in the Schools. He felt that if the School Board would not pay for the hiring of an art teacher then it must not meet the requirements of the Department of Education and must be in violation of the Education Act.

Warden Lawrence advised that Art is taught by all homeroom teachers in Elementary Schools and that it is a credit course in Senior High Schools but is unrecognized in Junior High Schools.

Councillor Lichter further advised that under the Walker Commission funding of School Boards, the Department of Education doesn't say for what teachers they provide funds and what teachers they do not; they simply apply the formula and out of that formula the School Board can take the amount they want for teacher's salaries. Based on that the School Board decides how many teachers will be assigned to a particular School and from there on it is an internal decision as to how those teachers are utilized. He advised that in the School under discussion, the Staff compliment was such that it cannot introduce an art program without an additional staff member part-time and apparently the parents in the District have requested an area rate as they feel art should be a program in the School.

Councillor Wiseman indicated a similar situation in Sackville where the need had been felt for remedial reading teachers and consequently an area rate had been struck to provide those teachers. In the past year, upon review of the budget, it was the decision of the people of Sackville that the remedial reading teachers no longer be supported within the program.

Councillor Eisenhauer was still opposed to the motion as it would affect his District in which the people, not knowing they would be affected did not attend the Annual School Meeting. He felt that had they been aware, they would have attended and would have defeated the area rate. He suggested that if Council was going to extend the Area Rate into another District then the meeting should be rescheduled to give the people in the new district an opportunity to have some input into the decision.

The Warden advised that the people from the new District would be able to air their opinions and concerns but would not be able to vote. The Solicitor did, however, advise that Council does have the right to extend the district in which the School area rate could be levied.

Councillor Poirier indicated that a similar situation existed between her District and District three. She felt that in order to save a lot of argument, these things should be looked into to define where the lines are, who lives where and pays what rate.

Subsequent to the above, the question was called on the motion:

Moved by Councillor Walker, seconded by Councillor Gaetz:

"As previously written."
Motion Defeated.

The above disposed of the issue of the Tantallon Junior High School Area Rate.

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

"THAT the requested funds for the Sir John A. MacDonald High School be approved and taken out of the School Board Budget rather than the Area Rate."

Several Councillors spoke in opposition to the motion as it was not the request of the School Board; Deputy Warden MacKay, in particular, was strongly opposed to the above motion. Subsequent to discussion, Councillor Eisenhauer withdrew his second of the motion and it was instead seconded by Councillor Margeson.

Councillor Lichter pointed out, it would not be fair to request the School Board this week to add these items to its budget and then next week, when reviewing the budget, to request them to cut it down.

Subsequent to the above, the question was called on the motion.

Moved by Councillor Walker, seconded by Councillor Margeson:

"As previously written."
Motion Defeated.

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

"THAT the School Area Rate, as requested by the School Board, for Sir John A. MacDonald High School be approved."
Motion Carried.

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

"THAT the School Board take immediate steps to revise (Retract or extend) the School District Boundaries for the Tantallon Junior High School."
Motion Carried.

LETTERS & CORRESPONDENCE

Upon the suggestion of Councillor Eisenhower it was agreed by Council to defer this item subsequent to dealing with the remainder of the Planning Advisory Report, as there were several Staff Members still in attendance, waiting for the discussion of the PAC Report.

PLANNING ADVISORY REPORT

Parkland Policy

Warden Lawrence outlined the contents of the Parkland Policy issue, in the Planning Advisory Report, as follows:

"Over the past weeks, the Committee has held a number of discussions relating to the present Parkland Maintenance Policy. At the time the Policy was passed, the Committee felt that there may have been a misunderstanding of Council in terms of the terminology "green areas" and exactly what was involved in the maintenance of these "green areas". It has become apparent to some of the Councillors that by maintaining "green areas", it was not meant that this included "walkways". As a result of discussion concerning this matter, the following resolution was passed:

THAT Council consider separating walkways from the Parkland Maintenance Policy of green areas and it be further recommended that Council develop a Policy in relation to the maintenance of walkways."

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

"THAT Council consider separating walkways from the parkland maintenance policy of green areas and that Council develop a policy in relation to the maintenance of walkways."
(See Motion to Amend).

It was amended by Councillor McInroy, seconded by Councillor Adams:

"THAT the Policy in relation to maintenance of Walkways be referred to the Urban Services Committee."
(See Motion to Defer).

Mr. Meech suggested that the issue be referred to the Policy Committee and not the Urban Service Committee. He did not feel that the suggestion should have come from the PAC Committee at all but that it should have been referred to the Policy Committee who could have made a recommendation to Council.

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

"THAT the issue of a separate parkland policy for walkways and green areas and a separate policy for the maintenance of walkways be deferred until the next Council Session."
Motion Defeated.

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

"THAT the issue of a separate policy for the maintenance of walkways be referred to the Policy Committee, in lieu of the Urban Services Committee."
Amendment Carried.

As the amendment was carried there was no need to call a question on the first amendment referring the issue to the Urban Services Committee, and subsequent to further brief discussion the question was called on the main motion as amended, as follows:

Moved by Councillor McInroy, seconded by Councillor Smith:

"THAT Council consider separating walkways from the parkland maintenance policy of green areas and it be further recommended that council develop a policy in relation to the maintenance of walkways and further that this issue be referred to the Policy Committee for study and recommendation to Council."
Motion Carried.

Rezoning Application #16-81

Mr. Meech outlined this item included in the Planning Advisory Committee Report, advising: "The Planning Advisory Committee, at it's March 8 1982 meeting, passed a resolution recommending to Council that a public hearing be held on the above noted rezoning application, based on the following:

- (a) to comply with the residents requests for a restrictive zoning as a means of protecting residential areas from the intrusion of incompatible land uses;
- (b) The Planning Advisory Committee is in favour of approving the above noted rezoning application based on the information outlined in the staff report."