

Mr. Gough reiterated that this amendment would only apply to what is known as a Rural Settlement or an RS1 Zone. He advised that the uses permissible in this zone would be Residential Uses, Institutional Uses, Commercial Uses and Agricultural Uses. He advised that all those Uses could be accommodated on one of these lots which had a minimum frontage on the street of 25 feet.

Councillor Wiseman questioned what use would be put to the lot that would be in front and was advised by Mr. Gough, that presumably, someone would already have built a house on it. He advised that technically new lots could be created with a minimum frontage in the RS1 Zone of 25 feet as long as the building line where the house was to be located is 100 feet wide. Technically one could say that there could be another L-shaped lot right behind this one, being two or three of them right behind the other.

Councillor Wiseman indicated her understanding that as long a lot has 25 feet of frontage the lot is capable of being developed. Mr. Gough agreed that this was so in a RS1 Zone. He advised that only the North Preston and East Preston areas have this RS1 Zoning.

Councillor Deveaux advised that the Planning Advisory Committee and the Planning Staff were reviewing the Private Road situation. He questioned what would happen in the future regarding approval of building lots on private roads, should this amendment be approved by Council. He expressed concern over this issue, especially in light of the fact that no minimum length was indicated with regard to how far these lots under the RS1 Zoning could extend back. He felt there was a very thin line between this and the private road. He requested a guarantee from Staff that approval of this amendment would have no bearing on future decisions with regard to development on private roads.

Mr. Gough advised that Staff could not give the Councillor any guarantees. He indicated his understanding of the Councillor's concern; however, he advised that if one lot were to be created here, technically it would have to have another 25 foot frontage.

Councillor Walker expanded on Councillor Deveaux's concern, advising that there could be 25 building lots in back of each other with separate driveways. He didn't feel this was good planning.

Mr. Gough advised that all the Department of Development was doing was to try to give these people a solution to the problem they presently have.

Councillor Walker advised that the intent was to give the people an opportunity to build back on land that they own; however, he advised that if the Municipality ever wanted to build a road there, most people would want it 66 feet. He advised he could see going back 25 - 50 - 75 back but he could not see continuously going back 25 feet; he reiterated that this was not good planning. However, the Councillor advised that he was in support of the amendment and considered it to be the first break-through since he had been on Council but he did not feel it to be good planning.

Mr. Gough reiterated that a new lot created would be required to have 25 feet of frontage out on the highway.

In response to Councillor Walker's suggestion that this was not good planning, Councillor Adams advised that the requested amendment to the plan was to better facilitate the use of the MDP. He advised that there have been and there are some houses which were under construction on similar lots, which construction had to be stopped because of the lack of provisions specified in the amendment.

Councillor Walker indicated his point was that the 25 feet could go on forever. He advised that what was required was a maximum of 66 feet for a road so that eventually a road could be put up to the lots.

Councillor Adams did not see the need of the 66 feet unless one was intending to build a subdivision. He advised that in the cases this solution is being addressed to, there are existing lots with houses and partial houses under construction.

Councillor Poirier did not feel that enough information was available to make a serious decision such as this. She was concerned that Council may leave itself open to permitting private road construction without realizing what is happening. She indicated that the Municipality would be responsible for the upkeep of any roads.

Councillor Adams advised that rather than calling any road a private road it would only be considered an access road to the back of the property. He said that basically you would be extending the drive-way into the property which has been established.

Councillor MacKay indicated his opinion that this issue was not addressing private roads, but individual lots which would have individual driveways to the individual lots. He understood Councillor Walker's concern to be that if you had twenty-five of those lots side by side in a L-shape you would in effect have a road. However, he advised that what you would actually have is the homeowner in the 25th house being required to have right-of-ways over 24 previous properties. He did not feel this was a realistic situation.

Councillor MacKay advised that the amendment to the plan was a way to accommodate someone who wanted to give a piece of property to one's relatives. He did not feel that it could be repeated more than two or three times realistically.

Councillor McInroy questioned whether any consideration had been given to any maximum depth of the lots. Mr. Gough advised that there had been no consideration as to the depth but that where the house was to be located had to be 100 feet wide of the building line and the total area would have to be 20,000 sq. ft.

Councillor Wiseman spoke in agreement with Councillor MacKay's opinion that it was unrealistic to think that you would have twenty-five lots going back in succession. She felt this would be impractical and she was certain that the people living in that area would deem it to be

impractical. She agreed that you would see one or two lots in like fashion then it would stop. She felt the proposed amendments were a means to an end and would solve an existing problem.

Councillor Reid wondered if this could be made to be applicable in the Musquodoboit Valley as there were many similar situations there. However, Mr. Gough advised him that the amendment applies only to areas having an RS1 Zone, which are located only in North and East Preston at the present time. He did indicate that it could be looked at in the long term for other areas, if Council so desired.

#### Speakers in Favour

Mr. Wayne Desmond, North Preston, Halifax County: Mr. Desmond advised that as a resident of North Preston and being involved in the MDP process for the community, he had assumed that the policy was written up to allow people to build on the back of their properties. He advised that without approval of the amendment the Municipal Development Plan is a waste. He also advised that there was not very much land available in the community of North Preston for development and he advised that there are several homes which were being constructed on which development had stopped. He advised that the community had assumed this had been dealt with when the plan was developed.

#### Questions From Council

Councillor DeRoche indicated his understanding that the proposed amendment was in fact to provide the people of North and East Preston with what they thought they had already been given with the approval of the Municipal Development Plan for the area.

Mr. Desmond advised this was correct.

Councillor Wiseman questioned if there was a history of this kind of development in the community prior to the implementation of the Municipal Development Plan.

Mr. Desmond advised that the development in the community had been at random in this fashion.

There were no further questions for Mr. Desmond.

Mr. James Francois, 10 Bonavista Drive, Westphal: Mr. Francois advised that the amendment before Council was in practice in the community previously and was something that the communities had thought they had put in the plan when it was approved by Council less than two years ago. He read from the Staff Report which advised: "the main goal of the Plan is to make the area a more attractive and desirable place to live. ... its stated objective to stop the outflow of people from the communities through several policies". He advised that this predominantly applied to the youth and keeping them from going to the two cities.

He advised that the approval of the amendments would go a long way toward making this objective a reality. He advised that at the moment there are three or four houses which are on hold, as the building permits have been held up on approval of this amendment.

He advised, in response to the fact that this pertains to the North and East Preston only, that this Council has already approved and recognized this; he read: "It shall be the intention of Council to recognize the unique status of the communities within the plan area in terms of historical and cultural factors." He submitted this was one of the historical factors of this area.

He advised that the plan also suggested that careful management and control of the future housing is essential and goes on to say, "It shall be the intention of Council to encourage the development of residential infilling and subdivisions so as to permit a range of housing types within the communities."

He advised that all the residents were asking at this point is that the communities of North and East Preston be allowed to continue to develop and to grow as is the wish of the communities, Council's wish and the wish of the Lake Major Joint Action Committee.

Councillor Adams pointed out that Mr. Francois has worked extremely close with the Lake Major Planning Process over the past five to six years. He complimented him on his presentation this evening.

#### Questions From Council

None.

There were no further speakers in favour of the amendment.

#### Speakers in Opposition

None.

#### Motion and Discussion of Council

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

"THAT Council accept the recommendation of the Planning Staff and approve the amendment of the RS1 Zone as prescribed."  
Motion Carried.

Prior to the passing of the above motion, Councillor Lichter spoke briefly in support of the amendment. He advised that a number of people would benefit from the amendment; however, he advised that this would not be an isolated case as many other people in the Municipality have this problem. He advised that the lots were referred to this evening as FLAG lots; however, he referred to the term BACK lot. He advised that he had not been able to accomplish approval of Back Lot situations. However, he felt this approval would pave the way for other Rural Communities who have the same kind of problems.

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

"THAT there be a Recorded Vote."  
Motion Carried.

Those in Favour: Councillor Walker, Councillor Poirier, Councillor Larsen, Councillor Baker, Councillor DeRoche, Councillor Adams, Councillor Gaetz, Councillor Bayers, Councillor Reid, Councillor Lichter, Councillor Snow, Councillor MacKay, Councillor MacDonald, Councillor Wiseman, Councillor Mont, Deputy Warden Margeson.

Those in Opposition: Councillor Deveaux, Councillor McInroy.

ADJOURNMENT

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

"THAT the Public Hearing adjourn."  
Motion Carried.

Therefore, there being no further business, the Public Hearing adjourned at 8:05 P.M.

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REGULAR COUNCIL SESSION

MARCH 1, 1983

PRESENT WERE: Warden MacKenzie, Chairman  
Councillor Walker  
Councillor Poirier  
Councillor Larsen  
Councillor Gaudet  
Councillor Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Gaetz  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Deputy Warden Margeson  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman  
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer  
Mr. G. J. Kelly, Municipal Clerk  
Mr. Robert Cragg, Municipal Solicitor  
Ms. Margaret Campbell, Executive Director - South  
Shore Tourism Association  
Mr. Keith Birch, Chief of Planning & Development  
Mr. Ted Tam, Assist. Director of Engineering & Works

SECRETARY: Christine E. Simmons

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OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Regular Council Session to order at 6:05 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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



ANNOUNCEMENTS

Warden MacKenzie welcomed Councillor McInroy back from his vacation and advised that Councillor MacKay, who was not in attendance this evening was on his vacation. All other Councillors were present.

The Warden then asked, if any Councillors had any items they would like to have added to this evening's agenda. If so, they could do this now. He advised that the agenda item entitled, "Addition of Items", is for adding items to the following agenda.

The following items were then added to this evening's agenda.

1. Notice of Motion, Re: Contract between the Province of Nova Scotia and the Nova Scotia Teacher's Union - Councillor Deveaux;
2. Lack of Adequate Snow Plowing in District No. 8 during the February 24th Snow Storm - Councillor Adams.

It was agreed by Council that the above be added to this evening's Council Agenda.

APPROVAL OF MINUTES

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

"THAT the Minutes of the January 10, 1983 Public Hearing be approved by Municipal Council."  
Motion Carried.

It was moved by Councillor DeRoche, seconded by Councillors Adams:

"THAT the Minutes of the February 14, 1983 Public Hearing be approved by Municipal Council."  
Motion Carried.

PRESENTATION BY SOUTH SHORE TOURISM ASSOCIATION

Ms. Margaret Campbell approached Council at this time to provide a comprehensive Report on the activities of the South Shore Tourism Association in 1981-1982 fiscal year and the projected activities planned for the 1982-1983 fiscal year.

In addition to Ms. Campbell's Annual Report a one-page Report was circulated, entitled "South Shore Tourism Association - A Network Unifying the South Shore". This Report outlined the structure of the Board of Directors and Affiliated Networks, as well as Funding Sources, etc. (Please refer to information for detail).

Ms. Campbell then proceeded to give a detailed explanation of the Association's Annual Report covering activities from October 1, 1981 to September 30, 1982. This Report highlighted the "Heritage Festival" which was held in conjunction with "Old Home Summer", as well as activities relative to booths set up at Fish Canada, and other Promotional Events, as well as her own attendance at the International

Festival Association and the Nova Scotia Union of Municipalities, to name a few. As well, Ms. Campbell delved into the many colorful brochures, and booklets which contained sections on the South Shore. Ms. Campbell had brought samples of these publications for Council's information.

The Report indicated that the South Shore Tourism Association had indeed accomplished a great deal in its 1981-1982 fiscal year with the funds available to it and indicated an even brighter projection of activities and Tourism potential for the 1982-1983 fiscal year.

The Annual Report included the Budget of the Association which indicated a surplus of \$14,323 at the end of the 1981-82 year, as well as including the projected budget for the 1982-83 year. Also included was an information sheet regarding Nova Scotia's Travel Industry Revenue for 1980 and 1982; in this Report it was indicated that in 1980 the South Shore Region's tourism dollars amounted to \$61,750,000 and in 1982 amounted to \$75,750,000, an increase of \$14,000.00.

In summary of her presentation, Ms. Campbell respectfully requested that the Municipality build into its 1983 budget an amount of \$1,590.00 to accommodate and support the administrative action taken by the South Shore Tourism Association.

Municipal Council was impressed with Ms. Campbell's presentation and advised that her request for a grant would be given consideration, at such time as the operating grants are discussed.

Subsequent to the above, Ms. Campbell retired from the Council Session.

#### MEETING WITH MOSHER ISLAND AREA RESIDENTS

Warden MacKenzie advised that this item had been cancelled at the request of the Mosher Island Area Residents.

#### LETTERS AND CORRESPONDENCE

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

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

#### Letter From Dartmouth General Hospital

Mr. Kelly read into the record the letter from the Dartmouth General Hospital which requested that representatives of the Hospital Board be permitted to meet with County Council at the April 5th, 1983 Council Session.

Mr. Kelly advised Council that this delegation had been invited to attend this evening's Council Session but that this date had been inconvenient for them.

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

"THAT representatives of the Dartmouth General Hospital Board be invited to attend the April 5, 1983 Regular Council Session to make a presentation to Municipal Council."  
Motion Carried.

Letter From the United Way of Halifax, Dartmouth, Metro Area

A letter to Warden MacKenzie from Mr. D. R. Munroe, President of the United Way of the Halifax, Dartmouth, Metro Area was included in the Council Agenda. This letter read:

"By-Law 3, Section 4, of our Constitution states that various bodies "shall be invited by the United Way to nominate one member to the Board of Directors for a term of one year, except that employees of the nominator shall not be eligible."

In this regard, Mr. Bernard Murphy was appointed by the County of Halifax in 1981, re-appointed in 1982, and we would respectfully request that you give consideration to the re-appointment of Mr. Murphy for a third one-year term on our Board. Mr. Murphy has been a most valuable member of our Board and his participation is very much appreciated.

We would be grateful if you would advise us of your decision prior to our Annual Meeting scheduled for March 22nd." ...

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

"THAT Mr. Bernard Murphy be re-appointed as the Municipality's representative on the Board of the United Way of Halifax, Dartmouth Metro Area for a third one-year term."  
Motion Carried.

Letter From the Premier of the Province of Nova Scotia

A letter had been received from the Premier in acknowledgement of the Municipality's recent letter regarding power rates.

The letter advised:

"It would appear that the City of Sydney and your own Municipal Council are not aware that the Government has reduced the increase to 6% January 1983 and 8% April 1983."

Subsequent to brief discussion:

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

"THAT the correspondence from the Premier be received."  
Motion Carried.

REPORT OF THE PLANNING ADVISORY COMMITTEE

It was agreed that the Report of the Planning Advisory Committee be received.

This Report contained two recommendations from the Planning Advisory Committee which were in conflict with recommendations of Planning Staff. Therefore, when asked to comment on the Report, Mr. Birch indicated his opinion that perhaps someone from the Planning Advisory Committee would be more appropriate to do so.

Councillor Lichter, the Chairman of the Planning Advisory Committee, then outlined to Council the Report, which read as follows:

"At the February 14, 1983 meeting of the Planning Advisory Committee, the Committee discussed the Kenwood Acres Subdivision proposal located in Cole Harbour. Present at the meeting were a number of representatives of Kenwood Acres, Ed Wdowiak, Director of Engineering and Works, Robert Gough, Director of Development and Keith Birch, Chief of Planning and Development.

Arising from discussion by the Committee, it was determined that the Kenwood Acres Subdivision proposal has been delayed because of refusal by the County to allow access to the Astral Drive sewer substation. Staff explained that this was as a result of the sub-station experiencing inflow-infiltration problems related to storm sewer overflow. Staff are presently awaiting legal advice from the Municipal Solicitor with respect to a new By-Law to deal with the existing problems.

It was also determined by the Committee that other proposals have been permitted to hook-up to the system while Kenwood Acres has been refused (including a proposed junior high school). This caused some concern by the Committee. In an attempt to try and help the developers overcome some of their frustrations, and to give them some hope of obtaining sewer hook-up when the system is capable of handling excess sewer capacity, the following resolutions were passed by the Committee:

1. That the Department of Engineering and Works investigate a resolution to the sewage disposal problem in connection with the Astral Drive Sub-Station and that a Report be brought back to the Committee in three weeks time with alternatives and recommendations (inclusive of costs).
2. That a recommendation be forwarded to Council that upon the Astral Drive Sub-Station being capable of accomodating additional hook-ups, the Kenwood Acres subdivision proposal be given prioritization for the necessary hook-ups."

Councillor Lichter further indicated his opinion and that of the Planning Advisory Committee that the application for subdivision approval for the Kenwood Subdivision, submitted by Mr. Stevens in 1974 was unjustly refused, as other proposals have been permitted to hook-up to the system and the two motions stated above were an attempt to correct this injustice.

He also advised that Mr. Stevens had contacted the Committee through the area Councillor.

Councillor McInroy advised that he had not been contacted by Mr. Stevens or anyone else in regard to the proposed Kenwood Subdivision.

Councillor Lichter clarified that Mr. Stevens had contacted Councillor Bayers, the area Councillor for District 10 on the Eastern Shore, in which area Mr. Stevens resides.

However, Councillor McInroy indicated that the Astral Drive Sewer Sub-Station was in his own District, District 17. He indicated his concern with both recommendations and requested that rather than discuss the matter at this time, it be referred back to Staff for further information including legal ramifications of recommendation No. 2.

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

"THAT Recommendations One and Two in the March 1, 1983 Planning Advisory Committee Report to Council be referred to staff for further information including legal information regarding the ramifications of Recommendation Two."  
(See Motion to Amend.)

The above motion was based on the fact that the sub-station inflow and infiltration problems related to storm sewer overflow were one of the major concerns in District 17. As well, several Councillors, Councillor Wiseman, in particular was concerned that a subdivision would be given priority over a much needed school should recommendation #2 be approved by Council.

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

"THAT only Recommendation No. 2 be referred to Staff for further investigation and legal ramifications."  
(See further amendment).

Subsequent to further lengthy debate, Councillor Lichter advised that Recommendation No. One could go ahead without Council's approval as any Committee has the authority to ask for Staff input on any issue. He then amended Recommendation No. Two as follows:

It was amended by Councillor Lichter, seconded by Councillor Bayers:

"THAT upon the Astral Drive Sub-Station being capable of accommodating additional hook-ups, priority be given to pending subdivision approvals."  
Amendment Defeated.

Councillor Lichter clarified this amendment by adding it was his intent that the oldest applications would be given priority over the newer applications.

Councillor Deveaux advised that he did not want to see the construction of a school held up due to the above amendment and requested a guarantee, that if passed, this would not be the case. However, this could not be guaranteed.

Councillor McInroy, as well, indicated that he still required more staff input; he was not familiar with all the reasons why staff have not seen fit to approve the subdivision, he was only sure that the sewage back-ups in the basements of people living on Astral Drive was a severe problem. He also wanted the legal input from Solicitor Cragg regarding the Municipality's ability to go ahead with Recommendation No. 2.

Prior to the question being called on the amendment by Councillor Mont and Councillor McInroy, which would approve Recommendation No. One, while referring No. Two to Staff, Councillor Lichter reiterated that Recommendation No. One did not require Council's endorsement.

Mr. Meech spoke briefly in agreement with Councillor Lichter's observation relative to Recommendation No. One.

However, the question was called on the amendment.

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

"THAT only Recommendation No. 2 be referred to Staff for further investigation and legal ramifications."  
Amendment Carried.

The motion as amended would now read:

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

"THAT the Department of Engineering and Works investigate a resolution to the sewage disposal problem in connection with the Astral Drive Sub-Station and that a Report be brought back to PAC in three week's time with alternatives and recommendations (inclusive of costs) and that Recommendation No. Two of the PAC (That upon the Astral Drive Sub-Station being capable of accommodating additional hook-ups, the Kenwood Acres Subdivision proposal be given prioritization for the necessary hook-ups) be referred to staff for further investigation and legal ramifications."  
(See Motion to Defer).

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

"THAT both Recommendations One and Two from the Planning Advisory Committee be deferred pending receipt of a Report from the Engineering and Works Department relative to the sewage disposal problem at the Astral Drive Sewage Sub-Station."  
Motion Carried.

Councillor McInroy indicated his opinion, at this time, that by passing the above motion, Council has avoided or delayed the issue.

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

"THAT when the Report of Staff is prepared it be brought before Council and dealt with at that time."  
Motion Carried.

#### MANAGEMENT COMMITTEE REPORT

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

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

#### Suburban Paving Program - 1983

Mr. Kelly outlined this item advising:

"The Management Committee received a report from the Director of Engineering and Works respecting the 1983 Suburban Paving Program. (Report Attached) ... The Management Committee recommend to Council for inclusion in the 1983 Suburban Paving Program, those streets which have attained the requisite majority, those streets where petitions have to date not been returned, but subject to obtaining the requisite majority and further, subject to the approval of the Minister of Transportation.

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

"THAT those streets which have attained the requisite majority of signatures on petitions, those streets where petitions have to date not been returned but subject to obtaining the requisite majority and further, subject to the approval of the Minister of Transportation, be included in the 1983 Suburban Paving Program."  
Motion Carried.

Subsequent to the passing of the above motion, Councillor Larsen indicated that he had been receiving many queries from District No. 3, particularly the Shell Drake Lake Subdivision regarding street paving. He also advised of inconsistency in the 1983 paving program, e.g. in 1980, the rate for paving was 10.52 in 1981, it was \$11.07 and 1982 the same rate, \$11.07 and suddenly in 1983 it has jumped to \$14.09 cents which is 27.3% increase. Councillor Larsen expressed a great deal of concern regarding this startling increase.

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

"THAT the Municipal Council write to the Minister of Transportation requesting an explanation of the substantial increase in the per foot paving charges for 1983 and also to question whether the funding ratio has changed."  
Motion Carried.

#### SUPPLEMENTARY MANAGEMENT COMMITTEE REPORT

It was agreed by Council that the Supplementary Management Committee Report be received.

Collective Agreement between The County of Halifax and CUPE Local 1083

Mr. Meech advised that the Management Committee approved a tentative agreement between the County of Halifax and CUPE Local 1083. The Agreement, he explained was in line with the Provincial Government Wage and Benefit Restraint Program and the major changes in the agreement were as follows:

1. One Year Contract Expiring December 31, 1983;
2. Wages will be adjusted for all classifications as 5.8%;
3. Mileage will be paid effective January 1, 1983 to December 31, 1983 at the following rates:

First 10,000 mi.	37.1 per mile;
10,000 - 15,000 mi.	34.2 per mile;
15,000 ...	22.8 per mile.

Mr. Meech advised that the Management Committee had recommended approval of the above.

Mr. Meech also advised that the mileage rates would be the same as that as the Province with the exception that they would not be subject to change when the Province re-examines their mileage rates again during 1983.

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

"THAT the Collective Agreement with CUPE Local 1083, as recommended by the Management Committee (above) in its March 1, 1983 Report to Council be approved by Municipal Council."  
Motion Carried.

Councillor Lichter indicated his opinion that the mileage rates approved for this Union should also be considered and approved for non-union personnel.

Mr. Meech advised that this issue has also been discussed at the Management Committee level and that a recommendation would be forwarded to Council in this regard, probably at the next Council Session.

POLICY COMMITTEE REPORT

It was moved by Councillor Snow, seconded by Councillor Gaudet:

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

Rural Services Committee

Mr. Kelly outlined this item from the Policy Committee Report, advising that the Committee has reviewed the establishment of a Rural Services Committee which would be responsible for issues relating to the Rural Districts. The terms of reference would be similar to the Urban Services Committee, but relative to the Rural Districts. Subsequent to discussion, the Policy Committee recommended to Council for approval the establishment of this Rural Services Committee.



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

"THAT a Rural Services Committee be established with terms of reference similar to the Urban Services Committee but relative to the Rural Districts."  
(See Motion to Amend)

It was amended by Councillor Lichter, seconded by Deputy Warden Margeson:

"THAT the Rural Services Committee include one member of an Urban Community (as one Rural member sits on the Urban Services Committee)."  
Amendment Withdrawn.

The proposed establishment of a Rural Services Committee initiated a great deal of debate in Council. The following Councillors spoke in opposition to the establishment of the Rural Services Committee:

Councillor Deveaux: Councillor Deveaux' concerns regarding the establishment of this Committee were mainly of a financial nature. He felt that the Urban Services Committee had cost a great deal more than had originally been estimated and he felt that the cost of Rural Services Committee would also be quite high.

Councillor Poirier: Councillor Poirier was concerned that Council was being split down the middle into Urban and Rural segments. She advised that she did not like to think of herself as an "Urban" or "Rural" Councillor but, rather, a "County of Halifax" Councillor. It was her opinion that if the Urban Services Committee wished to sit down once a month to discuss their concerns and the Rural Services Committee also wished to sit once a month to discuss their common concerns then why not sit down together as a Committee of the Whole and discuss these Municipal problems.

Mr. Meech, not speaking either in favor or in opposition to the establishment of the proposed Rural Services Committee did advise that there seemed to be a proliferation of Committees and it was becoming difficult to decide which Committee should handle which problem. He felt that the suggestion of a Committee of the Whole, indicated by Councillor Poirier, might be of benefit to investigate further.

Councillor Wiseman: Councillor Wiseman indicated that she could see some benefit in a Rural Services Committee in that the Rural Councillors do have common concerns; however, she could not see how these concerns were not being met by the present Committee Structures of the Management Committee, the Policy Committee, the Planning Advisory Committee and Council. Councillor Wiseman also advised that the Urban Study was undertaken and the Urban Services Committee eventually established to prevent Urban portions of the Municipality from incorporating or becoming part of other Municipalities, eg. The City of Dartmouth.

Many Councillors spoke in favour of the establishment of the Rural Services Committee; among these Councillors were:

Councillor Walker: Councillor Walker spoke briefly on behalf of his motion which would establish the Rural Services Committee but indicated that Councillor Lichter's amendment was not necessary at this time as no details or Terms of Reference have been worked out as yet for the proposed Committee.

At this point Councillor Lichter and his seconder agreed to withdraw the amendment.

Councillor Lichter: Councillor Lichter also spoke at great length in support of the Rural Services Committee. He advised, in reference to Councillor Deveaux' objections to the cost of the Committee, that this Committee would not be as expensive to implement and that its problems would not be as expensive either; he indicated that no major Study was required before the Committee could be established as was the case with the Urban Study before the implementation of Urban Services Committee. He also advised in response to Councillor Poirier's concerns of splitting the County into two segments, that he thought of it more as a bridging of the gap between Rural and Urban areas. He advised that the Urban Services Committee has done a great deal for the Urban areas and he felt that the Rural Services Committee could accomplish just as much for the Rural areas which share common concerns, the same as do the Urban areas. In reply to Councillor Wiseman's statements that much has been accomplished for the Rural areas through the present Committees and Council structure, he agreed that recently many Fire Departments have benefited through District and General Capital Grants, etc. However, he felt these were isolated cases.

Other speakers who spoke in favour of establishment of the Rural Services Committee were Councillor Baker, Councillor MacDonald, Deputy Warden Margeson and Councillor Gaetz, who indicated his opinion that a Rural Services Committee was just as essential as the Urban Services Committee.

As previously noted, the amendment made by Councillor Lichter and seconded by the Deputy Warden, had been withdrawn.

Subsequently, the question was called on the main motion;

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

"THAT a Rural Services Committee be established with Terms of Reference similar to the Urban Services Committee, but relative to Rural Districts."  
Motion Carried.

Mr. Meech indicated to Council that not all Councillors who were not presently sitting on the Urban Services Committee would necessarily become members of the Rural Services Committee, as there were many fringe Districts, e.g. District 14 which was neither Urban nor Rural.

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

"THAT both the proposed Rural Services Committee and the present Urban Services Committee be abolished."  
Motion Defeated.

The above motion was defeated subsequent to brief debate in regard to whether or not it would be in order, since the Rural Services Committee had not yet been established. However, Councillor Deveaux advised that his motion referred to the "proposed" Rural Services Committee and the question was called, resulting in defeat of motion .

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

"THAT the Policy Committee examine the concept of Committee of the Whole Council Meetings."  
Motion Defeated.

Councillor Poirier indicated her intention that this Committee of the Whole structure should pertain to the Policy Committee, the Management Committee, the Urban Services Committee and the Rural Services Committee while leaving the Planning Advisory Committee on its own for the present.

However, due to a tie vote, the motion was defeated.

Subsequent to the above discussion, there was a brief 15 minute recess in the Council Session.

#### Proposed Port of Halifax Development Authority

Mr. Meech outlined the Policy Committee Report relative to this item, which read:

"The Policy Committee has discussed the proposed Port of Halifax Development Authority and the GRICE Report on the Port Authority. (Copies of the Grice Report have been circulated to all Council Members.) The Policy Committee recommends to Council that the Municipality of the County of Halifax agree in principal, with the concept of the GRICE Report relative to the Port Authority, subject to further review of membership, budget cost sharing, (Suggested 60% by the Province and 40% by the four (4) Municipal Units based on assessment) and further, subject to review of draft legislation."

Mr. Meech clarified that the budget cost-sharing would be on the basis of 55% Provincial and 45% shared by the four participating Municipalities, based on assessment. This would amount to approximately \$65,000 per year from the Municipality.

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

"THAT the Municipality of the County of Halifax agree in principle, with the concept of the GRICE Report relative to the Port Authority, subject to further review of membership, budget cost-sharing, (suggested 55% by the Province and 45% by the four (4) Municipal Units based on assessment) and further, subject to review of draft legislation."

Motion Carried.

#### TABLING OF BUDGET

At this time, Mr. Ken Wilson distributed to all Councillors copies of the Municipality's proposed 1983 Budget.

Mr. Meech advised that, as noted in an attached memo to the Budget, this budget includes an amount of \$10,833,621 for the District School Board which is approximately a 6% increase over last year's allocation.

Since this budget has been formulated, the District School Board have requested a sum of \$11,777,261. However, a joint meeting between Municipal Council and Bedford Town Council will have to be held to discuss the budget of the Halifax County-District School Board.

This attached memo also suggested three dates for Council to meet to discuss the budget; these dates were:

Wednesday, March 9, 1983; 1:30 - 4:30 P.M.;  
Thursday, March 10, 1983; 1:30 - 4:30 P.M.;  
Friday, March 11, 1983; 1:30 - 4:30 P.M.

The memo suggested that the first Council Session in April be established as the projected date to give final approval to the estimates and the corresponding tax rate.

There was additional detailed information in this memo, pertaining to the breakdown of the budget and the taxable assessment base. (Please refer to memo for this information.)

Mr. Meech advised that it was not the intention to discuss the budget this evening but to table it only, so that all Councillors may have an opportunity to review it in full, prior to the three scheduled budget Sessions.

It was moved by Councillor DeRoche, seconded by Councillor Larsen:

"THAT the Budget, as distributed to Council this evening, be tabled." Motion Carried.

Subsequent to discussion of the Scheduled dates for Budget Council Sessions,

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

"THAT the dates of March 9th, 10th, and 11th from 1:30 to 4:30 P.M. be scheduled to hold Special Council Sessions to discuss the 1983 Municipal Budget."  
Motion Carried.

Councillor Lichter had pointed out that there was a Board of Health Meeting March 10th, in the afternoon in the Council Chambers and Councillor Walker had indicated that there was an Oceanview Manor Board Meeting on the 11th. However, Councillor Wiseman, who indicated that she had meetings on almost all of those dates, both morning and evening, indicated that Council would have to set priorities; Therefore, as noted in the above motion, the dates suggested in Mr. Meech's memo, were accepted for the budget discussions. It was decided that all other meetings would have to be rescheduled.

Subsequent to the above, there was still further discussion, initiated by Councillor Lichter who felt that as all Council Sessions had been changed to night meetings in order that the Public may attend, among other reasons, he felt that the budget Sessions should be held at night as well, thereby enabling County Residents to attend these important sessions.

However, it was determined that with all the night meetings scheduled to date, there would be no opportunity to schedule budget sessions at night as well.

#### Tabling of Garbage Collection and Disposal Budget

Mr. Ted Tam was present in order to distribute to Council copies of the 1983 Garbage Collection and Disposal Budget.

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

"THAT the 1983 Garbage Collection and Disposal Budget be tabled."  
Motion Carried.

#### AGREEMENT BETWEEN THE PROVINCE OF NOVA SCOTIA AND THE N.S.T.U.

This item had been added to the agenda at the beginning of the Council Session by Councillor Deveaux.

Subsequent to a detailed explanation of his concerns regarding this item, he posed the following motion for Council's consideration.

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

"THAT a letter be sent to the Minister of the Provincial Department of Education with a copy to the Nova Scotia Teacher's Union, expressing Council's opposition to any salary increase in excess of 6% for the calendar year 1983."  
Motion Defeated.

Councillor Lichter had requested that he be exempted from voting on this motion due to a conflict of interest.

#### SNOW PLOWING - COUNCILLOR ADAMS

Councillor Adams had added this item to this evening's agenda at the beginning of the Council Session.

He advised that his District had suffered the worse snow plowing service in history, during the February 24, snow storm; and he, as District Councillor had received in excess of 120 phone calls on the matter and even had one delegation of people at his door, making complaints on the many inconveniences, such as people being stranded, etc. due to lack of snow plowing. He advised that main streets were not plowed until late in the evening while side streets were not plowed at all.

The Councillor advised that had there been a medical or fire emergency during that storm, the situation would have been worse as no ambulance or fire equipment would have been able to get through.

Councillor Adams spoke at greater length on the issue resulting in the following motion:

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

"THAT a letter be written to the Minister of the Department of Transportation requesting a detailed explanation of why there was such inadequate snow plowing service in District No. 8 during the February 24th snow storm and asking for assurance that such an incident does not reoccur."

Motion Carried.

Prior to the passing of the motion, Councillor Gaetz spoke briefly indicating that there were problems in many Districts of the Municipality during the February 24th storm. However, he indicated that many of the problems experienced, breakdown of equipment, etc., could not be helped and that they should be expected in a storm of that calibre. He also advised that in his opinion many people were too impatient and too quick to make calls to the local Councillor under these exceptional conditions.

Councillor Eisenhower also spoke briefly in support of the statements of Councillor Gaetz.

#### ADDITION OF ITEMS

##### Notice of Motion - Councillor Deveaux

Councillor Deveaux indicated that he would like added to the next Council agenda, a Notice of Motion regarding the extension of bus service by MTC to Oceanview Manor.

##### Arsenic Contamination Report, Supply of Potable Water - Councillor Adams

Councillor Adams advised that some time ago a Report was requested concerning arsenic contamination and a policy was to be brought back to Council relative to the supply of potable water to people suffering from arsenic contaminated water. He also advised that a Report was to have been brought forward regarding the safety and feasibility of the Arsenic Filter Unit. The Councillor requested that this be added to the next Council agenda.

Sewage Outflow Problems, Herring Cove - Councillor Baker

Councillor Baker indicated that he would like to have the above-noted on the agenda at the next Council Session.

NEW BUSINESSAddition of Items to Agenda - Deputy Warden Margeson

The Deputy Warden indicated that the above items which were to be added to the next Council Agenda might first be forwarded to the appropriate Committee so that some recommendations may be forthcoming by the time the item reaches the Council agenda.

Subsequent to discussion of this issue, it was decided that this may be appropriate in some cases but not appropriate or necessary in others. Therefore, it was decided that it should not become a blanket policy but could be accomodated in some instances.

Councillor Baker advised that he was not opposed to his item going before the appropriate Committee before coming back to Council.

Councillor Deveaux's item was a Notice of Motion; therefore, it would not be required that it go before Committee first.

Councillor Adams advised that his issue, arsenic contamination, arsenic filter units in association with this and the supply of potable water had been to Committee several times. Therefore, he felt it was appropriate that it be brought to the Council agenda at the next Session.

In regard to Councillor Adams' item, Mr. Meech advised that this item was already on the appropriate Committee Table and is being worked on. However, there is not enough information collected yet to bring it back to Council. The Committee is awaiting the receipt of the Consultants Report for the Collins Park Water Supply which should include commentary on the feasibility and safety of the Arsenic Filter Unit; he also advised that a reply has not yet been received from the Department of Municipal Affairs on the cost-sharing of the Potable Water Supply Policy.

At this time, the Deputy Warden referred to a motion in the February 4, 1983 Policy Committee Minutes (page 5), which read:

"THAT the matter of utilizing Capital Grant Funds for the purchase of arsenic filter units be tabled pending receipt of a Staff Report, regarding the amount of people who will benefit from the unit, the safety of the Unit, and the cost of purchasing large amounts of these units. - Motion Carried."

The Deputy Warden indicated to Councillor Adams, that this was further evidence that the matter was being worked on.

ADJOURNMENT

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

There <sup>being</sup> ~~no~~ <sup>no</sup> further business, the Regular Council Session adjourn." Motion Carried.  
the Session adjourned at 9:40 P.M.

ANNUAL COUNCIL SESSION

MARCH 15, 1983

PRESENT WERE: Warden MacKenzie, Chairman  
Deputy Warden Margeson  
Councillor Walker  
Councillor Poirier  
Councillor Larsen  
Councillor Gaudet  
Councillor Baker  
Councillor Deveaux  
Councillor Adams  
Councillor Gaetz  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman  
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer  
Mr. Robert Cragg, Municipal Solicitor  
Mr. G. J. Kelly, Municipal Clerk  
Mr. Keith Birch, Chief of Planning & Development  
Ms. Valerie Spencer, Supervisor of Planning - Policy  
Mr. Ed Wdowiak, Director of Engineering & Works  
Mr. Brant Wishart, Staff Planner  
Mr. Brian Smith, Sheet Harbour Board of Trade  
Mr. Lorne Denny, Industrial Promotions Officer  
Mr. Michael Broomfield, Exec. Director, Eastern Shore  
Tourism Association

SECRETARY: Christine E. Simmons

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OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Council Session to Order at 6:10 with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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



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

#### APPROVAL OF MINUTES

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

"THAT the Minutes of the February 15, 1983 Regular Council Session be approved."  
Motion Carried.

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

"THAT the minutes of the March 1, 1983 Regular Council Session be approved."  
Motion Carried.

#### ADDITIONS TO AGENDA

Councillor Deveaux requested that the following item be added to this evening's Council agenda:

"Take-Over of Private Roads"

#### PRESENTATION OF MR. MICHAEL BROOMFIELD - EASTERN SHORE TOURISM ASSOCIATION

Mr. Michael Broomfield spoke at length in regard to the Tourism Industry on the Eastern Shore. He advised that it was a money-making Industry like any other and that over the past six years, while other Industry's have been losing money due to the hard economic times, Tourism, especially in the Eastern Shore, has been growing and revenue from this source has increased dramatically.

Mr. Broomfield then gave Council an impressive slide show which depicted this booming business on the Eastern Shore. He also distributed to Council a fifteen-point Report on what the Eastern Shore Tourist Association has done for Halifax County. (Please refer to Report for information).

This Report was summarized as follows:

"We thank you for your past support for this important industry in Halifax County, worth \$12,825,000 with 700 jobs and \$423,000 returned in Municipal Revenues. Latest figures for 1981 show that our accomodation "guest days" increased 14%, the highest in the Province, and our campground registration increase was +38%, so hopefully we must be doing something right.

We ask for your support again this year in the amount of \$4,000 so that we can continue to assist you by generating employment, and increased municipal revenues from the tourism industry in Halifax County."

Subsequent to a brief question and answer period, Mr. Broomfield repeated that the request of the Eastern Shore Tourism Association this year would be \$4,000.

It was agreed by Council that this request would be considered when Municipal Operating Grants are allocated later in the year.

Mr. Broomfield then retired from the Council Session.

#### PLANNING ADVISORY COMMITTEE REPORT

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

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

#### Implementation of the Lake Major MDP - Transportation Plan

Mr. Kelly outlined this item to Council, advising that at the February 28, 1983 meeting of the Planning Advisory Committee, the Committee was requested to give Staff some direction relative to item No. 4 of the Policy Division Update with respect to the "Transportation Map" for the Lake Major Municipal Development Plan. In response to staff's request for direction on how this matter should be dealt with, the following resolution was passed by the Committee:

"That the Committee recommend to Council that the Department of Transportation be asked to develop an alignment to the Johnson Road in North Preston in accordance with the Lake Major Municipal Development Plan."

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

"THAT the Department of Transportation be requested to develop an alignment to the Johnson Road in North Preston in accordance with the Lake Major Municipal Development Plan."  
Motion Carried.

#### Proposed Amendment to the Zoning By-Law for Cole Harbour-Westphal that would permit Automotive Repair Shops in the C-4 Highway Commercial Zone, Application No. CH-W-23-82-07

Mr. Kelly advised that at the March 7, 1983 meeting of the Planning Advisory Committee, staff reviewed an application by T.C. Welding and Automotive Limited to establish a welding and motor vehicle repair shop at 909-1009 Highway No. 7, Westphal. The proposed C-4 Zone will be in keeping with the intent of the Cole Harbour-Westphal MDP. Mr. Kelly advised that on the basis of the Staff Report which indicated no objection to the request, the Committee passed a motion requesting a public hearing to consider the amendment and suggested the date of April 11, 1983.

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

"THAT Council hold a Public Hearing April 11, 1983 at 7:00 P.M. in the Municipal Council Chambers to deal with Rezoning Application No. ZA-CH-W-23-82-07."  
Motion Carried.

Proposed Amendment to the Municipality's Zoning By-Law No. 24 Creating the MR (Mixed Resource) Zone, Application No. ZA-24-22-82-14

Mr. Kelly also outlined this portion of the PAC Report which advised that at the March 7, 1983 PAC Meeting, the Committee received a staff presentation outlining the(attached)proposed amendment to By-Law No. 24 the Zoning By-Law, to include an MR (Mixed Resource) Zone. The purpose for the amendment is to provide rural property owners having pre-zoned lands in excess of five acres with an opportunity to pursue a variety of intermediate land use activities, either resource or residential in nature.

On the basis of the Staff Report in that the proposed amendments are not anticipated to create incompatible land use situations between existing residential areas and those lands yet to be developed, the Committee passed the following resolution:

"THAT Staff Report No. ZA-24-22-82-14 be recommended to Council for a Public Hearing to consider approval of the proposed amendment to include an MR (Mixed Resource) Zone in the Municipality's Zoning By-Law."

The Committee suggested the date of April 11, 1983.

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

"THAT a Public Hearing be held April 11, 1983 at 7:00 P.M. in the Municipal Council Chambers to consider approval of the proposed amendment to include an MR (Mixed Resource) Zone in the Municipality's Zoning By-Law."  
Motion Carried.

Request by Mrs. Sylvia F. Isenor to Rezone Approximately 135 acres of the Lands of Sylvia F. Isenor, located on Highway No. 318 at Waverley, District 14, From R-1 (Residential Single Family Dwelling) Zone to MR (Mixed Resource) Zone, Application No. RA-24-25-82-14

Mr. Kelly advised that application No. RA-24-25-82-14 was discussed at the March 7, 1983 meeting of the Planning Advisory Committee. At that time, staff indicated the intention of the application was to permit the establishment of a small commercial farming operation that would include the growing of strawberries, vegetables and the keeping of horses, and possibly the growing and selling of christmas trees.

The Staff Report, had indicated the following:

- a) the proposed MR Zone will have very little, if any, impact on neighbouring homes;
- b) the intended farming operation will be well above the level of Highway No. 318 creating screening from neighbouring residential areas, and;

- c) the proposed MR Zone is not anticipated to impact on the intent of the existing R-1 Zone.

Subsequent to discussion of the above information, the Committee recommended to Council that a Public Hearing be held April 11, 1983 to deal with application no. RA-24-25-82-14.

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

"THAT a Public Hearing be held April 11, 1983 at 7:00 P.M. to deal with rezoning application No. RA-24-25-82-14."  
Motion Carried.

#### Municipal Development Plan, Stage 2 Process 1983

Mr. Kelly advised that at the February 28, 1983 meeting of PAC, the Committee discussed the policy paper "Municipal Development Plan, Stage 2 Process 1983". The Committee made a few minor amendments to this paper and recommended its adoption by Council.

(Copy attached to agenda - please refer to, if further detail is required.)

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

"THAT Council adopt the Policy Paper entitled: "Municipal Development Plan, Stage 2 Process 1983" as recommended by the Planning Advisory Committee."  
Motion Carried.

#### Public Land Donation

Mr. Kelly advised Council that the Planning Advisory Committee recommended the Municipality's acceptance of the following parcels of parkland, under the provisions of the Planning Act:

Allen Heights Subdivision, St. Margaret's Bay, seven parcels, District Number 1	a) Lot P-8	F-480-82-1
	b) Green Area P-1B1	F-479-82-1
	c) Park between lots 18 & 19	F-339-82-1
	d) Park between lots 15 & 47A	F-362-82-1
	e) Park between Lots 114 & 115A	F-341-82-1
	f) Lot P-34	F-481-82-1
	g) Park P-6	F-340-82-1

The PAC Report indicated that the Municipal Solicitor reported these parcels to be free and clear of all encumbrances and County Council is therefore in a position where it can accept title to the land.

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

"THAT the above-mentioned parcels of parkland (as indicated in the March 15, 1983 PAC Report to Council) be accepted by Halifax County Council under the provisions of the Planning Act."  
Motion Carried.

REPORT OF THE DIRECTOR OF DEVELOPMENT

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

"THAT the Report of the Director of Development be received by Halifax County Council."  
Motion Carried.

MANAGEMENT COMMITTEE REPORT

It was moved by Councillor Snow, seconded by Councillor Larsen:

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

Tax Agreement - National Drug and Chemical Company

The Management Committee reviewed a report respecting a property tax agreement between the Municipality and National Drug and Chemical Company. The Report advised:

"In 1975 National Drug and Chemical Company located in the Lakeside Industrial Park and entered into a tax agreement with the Municipality of the County of Halifax.

The tax agreement basically provided for payment of taxes at a fixed rate over a ten year period. The tax rate provided in the agreement was somewhat higher than the prevailing tax rate, but such an agreement enabled the company to plan its property tax commitment over a period of years.

National Drug and Chemical Company Ltd., has questioned their taxes under the Agreement due to their taxes being higher than under full assessment and the application of current tax rates. In fact, the difference between the Agreement and regular taxes in 1982 was approximately \$12,000.

The Municipality could hold the Company to the tax agreement until it expires in 1985 or Municipal Council could by resolution rescind the Agreement and the company could be billed for taxes in the normal manner."

This Report concluded with the following recommendation with which Mr. Meech concurred:

"Considering the difference between the taxes paid under the agreement and the taxes if billed in the normal manner, and further, considering that a major change in the Provincial Assessment Act in 1978 took place whereby personal property is no longer assessed, I recommend that the Management Committee request Municipal Council to rescind by resolution, the Tax Agreement with National Drug and Chemical Company effective for the taxation year 1983, and further that the Company be taxed in the normal manner."

The Management Committee recommended approval of the above.

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

"THAT Municipal Council rescind by resolution, the Tax Agreement with National Drug and Chemical Company effective for the taxation year 1983, and further that the Company be billed in the normal manner."  
Motion Carried.

Prior to the passing of the above motion there was some discussion in Council, in which several Council Members requested further information and clarification.

Councillor MacKay requested what the difference was between what the Company had been paying in taxes as per the agreement and what they would be paying normally.

He was advised by Mr. Kelly that there has been a difference in excess of approximately \$10,000 to \$11,000 per year. He also advised that the reason they had agreed to pay more than the prevailing rate was to allow the Company to plan their property tax commitment over a period of years. He advised that it was not an incentive to locate in the Municipality.

In response to further questioning, Mr. Meech advised that the Company had paid approximately \$60,000 more than they would have under the prevailing rate. He advised that the agreement did not work out to their benefit because there was a change in the Provincial Assessment Act in that personal property (or inventory) was no longer assessed. However, under the Agreement National Drug and Chemical Co. were still paying a set rate which had previously considered taxes on inventory.

Councillor Lichter questioned whether there was anything in the agreement which would indicate that either party may negotiate to get out of the agreement. Solicitor Cragg answered this question advising that the Municipality did not have to let the Company out of the Agreement.

Councillor Lichter then advised that in 1980 the assessment in Halifax County went up by nearly 40%; he questioned why this would not have compensated the Company for their previous loss.

Mr. Meech advised that commercial assessments do not fluctuate significantly in reassessment years as do residential assessments.

Councillor Mont questioned whether the Company would have the right to request a rebate once the agreement was rescinded. Solicitor Cragg advised that they would not be allowed any rebate.