

Councillor Lichter indicated his understanding then, in respect to the above, that if the contract was complied with and there was no dumping, there would be no concern on the part of DND relative to birds.

Mr. Ward advised this was correct.

Councillor Lichter then questioned whether there was a dump next to one of the runways, on Shearwater property, operated by Shearwater.

Mr. Ward advised that at the end of one of the runways there is a land-fill, which is solid material; there is no waste, and nothing that would attract birds.

Warden MacKenzie advised, at this time, that if a Salvage Yard license was granted on a permanent basis by the Public Utilities Board, then they would also have some control over the running of the Salvage Yard.

Councillor Reid questioned whether there was any future possibility of Shearwater expanding the base to which Mr. Ward advised he was not advised of any such expansion.

There were no further questions for Mr. Ward.

Mr. Thomas Donovan, Solicitor on behalf of Canadian National Railway Company and Autoport Limited: He advised that the basis of the appearance of these two companies is that they are both large landowners in the general vicinity of the subject properties for which the Development Agreement is proposed.

He also advised that the concern of Canadian National Railway is not a recent concern but has been on-going since the original rejection of Council to zoning these lands as SD Zone (Salvage Dump). He advised that CN has presented an appeal to the Provincial Planning Appeal Board, which has been continued throughout. He advised that the interest of CNR has also been apparent in observing the two instances of prosecution by the Municipality under the Unsightly Premises By-Law. He indicated his understanding that two separate sequences of prosecutions were initiated. He felt that Council should know that the sequences were interrupted by attempts to rezone the land in one instance and in the second instance by an Appeal to the Planning Appeal Board.

He also observed that there is no existing right that Council is being requested to deprive someone of. He felt that some of the questioning so far during the Hearing indicated a feeling that someone is being denied a livelihood and that there is some economic right that is involved here. He advised that what is involved is a privilege that is being sought by applying to this body. He hoped that Council would put this matter into that proper perspective when making its deliberations.

He advised that the May 10 Public Hearing held last year to deal with the Municipal Development Plan was really the crucial matter because that was the meeting which resulted in the conclusion of a provision in the Municipal Plan which gave Mr. Chrbonneau, not the right to have a Salvage Yard Operation, but rather the right to negotiate with Council with respect to that Operation.

He advised that notwithstanding the provisions leading up to the Plan, that basically being the advice of the local people who had considered the merits of such land use acquired through the MDP coming into effect; he advised it is that legislative process which Council is being asked to consider very closely.

He then proceeded to read a portion of Mr. Charbonneau's remarks as they appeared in the minutes of the Public Hearing of May 10, 1982, as follows:

"Mr. Charbonneau also advised that he had an appeal pending on this application; however, CNR and Autoport had requested a delay on this appeal due to the expected appearance of company Officials from Moncton who never did present themselves. Therefore, Mr. Charbonneau insisted his appeal was still pending. Mr. Charbonneau's request for the zoning which would allow the development of a salvage operation on his land on the Hines Road was based on the above-mentioned history and alleged pending appeal." . . .

"Mr. Charbonneau felt that he was deliberately being forced to sell his land to CNR by this refusal of permission to use his land for the purpose he is requesting."

Mr. Donovan had referred to the above excerpt from the May 10, 1982 Minutes as it made reference to the conduct of CNR which he wanted to correct.

He advised that his firm had been acting for CNR and Autoport at the time these alleged events occurred. In fact, the Firm had been in touch with Mr. Charbonneau's Solicitor. He advised that the appeal before the Provincial Planning Appeal Board was a matter advanced as a consequence of Council's rejection of the Salvage-Dump negotiation and a matter which was adjourned at the initiation of Mr. Charbonneau. He advised that if Council made its decision to amend the Municipal Development Plan on the basis of the remarks of Mr. Charbonneau, quoted above, he would like Council to reconsider in light of the clarification just given.

With regard to the allegation that Mr. Charbonneau is being forced to sell his land, Mr. Donovan advised that there have been communications; however, the process is not a one-sided affair. Mr. Charbonneau had communicated on a number of occasions with CNR, presenting new positions for conveyance which have not resulted in an Agreement. He advised that the process is not one whereby CNR has approached Mr. Charbonneau and been faced with a negative answer relative to his desire to sell. The matter is purely a question of price.

Mr. Donovan advised that the above was background information only. He then proceeded to read to Council the objections to the Development Agreement between Mr. Charbonneau and the Municipality from a prepared report as follows:

1. Entitlement Under the Municipal Development Plan

It is clear that Section 33 (2) (b) of the Planning Act requires that a Development Agreement be consistent with the Municipal Development Plan. It is the submission of Canadian National Autoport that the Development Agreement proposed by Mr. Charbonneau and before this Public Hearing tonight, is not consistent with the Municipal Development Plan for the following reasons:

(i) As general provisions in the MDP, the following general principles are contained:

"Although the plan areas extend beyond the administrative boundary at the port of Halifax, it contributes major waterfront activity to the region . . . recent industrial developments included . . . Canadian National's 'Autoport', a vehicle storage and distribution facility of national significance . . . Increased offshore drilling activities lead to increasing regional interests and industrial development on the eastern side of the harbour." (page 3, MDP)

It is submitted that the above quotation represents an acknowledged concern in the MDP that industrial uses related to the offshore and water related uses be accommodated.

(ii) Further evidence of concern respecting the waterfront is contained in the MDP at page 25 and is embodied in P-17:

"As previously mentioned, the Plan Area contains the only urban waterfront within the Municipality, and wharves have been established to serve military, industrial and fishing operations. The Municipality has insignificant jurisdiction regarding the direct use of the harbour; however, development on abutting lands should be controlled in terms of its general contributions to the efficiencies of waterfront use.

P-17 With reference to Policy P-46, it shall be the intention of Council to recognize the importance of and the opportunities offered by the Plan Area's waterfront."

(iii) The existing designation for land sought to be affected by the contract development is I-1 and I-3. As industrial designations, such areas are subject to the general philosophy evident in the MDP respecting such uses:

"The Industrial Designation reflects locations of existing heavy and service industry in the north end of Eastern Passage, and provides for their expansion and for the development of complementary industrial and commercial operations. The designation defines a future industrial area and limits further industrial intrusion into the residential community. Where the growth of heavy industry has substantially altered the character of certain portions of the community, opportunities for resident's alternative use of properties are maximized." (page 31, MDP)

(iv) The Municipal Development Plan also contains general provisions respecting future industrial uses:

"The Plan Area contains no large commercial uses and the extent of processing, manufacturing and other light industrial developments is limited. Although there is a desire to encourage larger commercial and light industrial operations to locate in the area, the scale of existing development does not permit their being easily accomodated.

The Industrial Mix Designation has been applied to primarily vacant lands which border the community of Eastern Passage and which could accept larger commercial or industrial uses in the event that a location is required in the future. Poor soil conditions and proximity to the runways of Shearwater airport have restricted general residential development and although a portion of the properties in question are owned by heavy industrial interests, no development intentions have been revealed. (page 56)

.....

... Canadian National established Autoport in 1971 and major expansions during 1974-76 have resulted in this facility's becoming the largest vehicle storage and distribution centre in Canada, resting on European trade.

Combined, Texaco and Autoport have acquired approximately six hundred acres of land and provide employment for some three hundred people, including many local residents. The two companies remain among the largest single employers within the Municipality, overshadowed only by Halifax Airport. (page 58)

.....

That the northern portion of Eastern Passage is now under the command of majority industry is a major factor in planning for the community's future. With this comes certain responsibilities for providing stability within the remaining community, where the potential for continuing residential growth and supporting commercial developments are evident. This is not to say that homes and small businesses which are still found in the industrial area should not be given the protection available to other parts of the community, however, most decisions about the future of these uses should be left to the individual property owner's choice. (page 59)

The Industrial Designation has been applied to those lands which define the major industries at the present time and those which are reasonable areas of expansion. Although the Designation is intended to support industrial development, it is also meant to establish a barrier to future intrusion into the community. For this reason, the extension of general industrial zoning will not be permitted outside of the Designation.

.....

. . . The desires of residents in established neighbourhoods which have become surrounded by industrial development must, however, be respected, and these areas will be afforded the same protective rights as are other residential areas of the community.

P-53 It shall be the intention of Council to establish an Industrial Designation, as shown on the Generalized Future Land Use Map (Map 1). Lands within the Designation shall constitute the priority area for the development of general industrial facilities and supporting commercial and transport uses." (page 60)

It is submitted that the general principles evidenced in the Municipal Development Plan are such that the proposed development agreement is inconsistent with such principles and thereby contravenes section 33 (2) (b) of the Planning Act.

It is submitted that the proceedings at the County Council Session of April 5th, support the widespread concern respecting the proposed development and indeed illustrate the concerns of the planning department of the Municipality respecting the appropriateness of the agreement.

2. Jurisdiction to Contract

This development agreement proceeds in accordance with article 3.6 of the Zoning By-Law authorizing development agreements. The introductory section to the article states that the development agreement is subject to sections 33(2) (b) and 34 of the Planning Act and such uses are provided for in Policy P-87 of the MDP. One of the categories of use contained in article 3.6 is stated to be "a salvage operation located on lands identified in Appendix BA" (See 3.6 (d))

The provisions of P-87 read in part:

"The following uses shall only be considered subject to the provisions of Section 33(2) (b) and 34 of the Planning Act and: ...

(iv) within any Designation: ...

(c) extensions of scrap or salvage yards which are legally in existence at the time of adoption of this Plan according to Policy P-49;"

Reference to the provisions of P-49 reveal that the Charbonneau lands are neither deemed to be legally in existence (see Schedule "B") nor were they actually legally in existence at the time of the Plan coming into force. In summary, it appears that failure to express Plan P-87 so that the Charbonneau lands could be rezoned by development contract (given that they were not legally in existence at the time the MDP came into force) may be to the effect that the development agreement is inconsistent with the enabling sections of the MDP and related zoning by-law.

(please note that the above concern was expressed previously by Mr. Ward).

3. Enforcement

Due to its involvement in responding to suggested rezonings by Mr. Charbonneau over the past number of years, Canadian National and Autoport both have been made aware that Mr. Charbonneau has in fact been carrying on certain operations at the location which appear similar to the authorized use he is now seeking pursuant to the Development Agreement. Records available to Council will illustrate certain proceedings under the Unsightly Premises By-Law and rezoning applications that have been previously advanced by Mr. Charbonneau.

Should Council choose to enter into such a development agreement at this time, notwithstanding the general and specific objections outlined above, it is the hope that the provisions of the contract pertaining to the 25 foot buffer zone will be strictly enforced so that the detrimental impact on abutting industrial land uses might be minimized.

Mr. Donovan's Report was summarized as follows:

"In conclusion, it is submitted that the proposed development agreement for the Charbonneau lands is not generally consistent with the general intent of the MDP nor is it founded on sufficient jurisdiction pursuant to the MDP provisions. As such, the implementation of such agreement would contravene the provisions of P-88 of the MDP and section 19 and 33(2)(b) of the Planning Act.

Simply stated it is clear from the MDP and from discussions leading up to its adoption that great care and foresight was evident with respect to the creation of areas for present and future industrial use. The authors of the plan have reflected the community concern that industrial users be encouraged to locate in the plan area within industrial zones so as to maintain the future viability of residential neighbourhoods and enhance the tax base of the Municipality. We ask that such foresight be confirmed by rejecting the Development Agreement under consideration this evening.

Council should carefully consider the hazard caused by the existence of a salvage yard to the development of ocean and offshore related industry in the adjacent areas. The property on all sides is suitable for the development of ocean related industries, which will provide considerable new tax revenue to the Municipality."

Questions From Council

Councillor MacKay questioned Mr. Cragg regarding what rights Mr. Charbonneau had relative to entering into a Contract with the Municipality. This question was in response to Mr. Donovan's previous statement that Council was not being requested to deny a right of Mr. Charbonneau or to deprive him of any right, rather to consider extending to him a privilege.

Solicitor Cragg advised that the motion which was passed on April the 5th was to the effect that the draft agreement, as prepared by Staff, be forwarded to Council for a Public Hearing.

Councillor MacKay questioned whether or not there was provision in the MDP and Zoning By-Law for Eastern Passage - Cow Bay for those two properties Lot A3X and Lot WC1, owned by Mr. & Mrs. Charbonneau and Mrs. Sloane, to be able to be used for a Salvage Yard subject to entering into a proper agreement.

Solicitor Cragg advised that this was correct; he further pointed out that in February of 1980 the Board of Public Utilities granted to Mr. Charbonneau, for the two lands in question, the two licenses that he sought, subject to him obtaining SD Zoning as per the requirements of the Municipality.

Solicitor Cragg also advised that in reviewing this, he had considered whether one would put the cart before the horse or vice versa and if there was some doubt to be resolved, he felt it should be resolved in favour of the applicant and be aired fully at a Public Hearing. He advised that while Mr. Charbonneau has the license for a Salvage Yard, it is no good unless the Municipality gave him the appropriate zoning or entered into an agreement with him. On the other hand, if he did not have the licenses, he would still have to get the zoning or an agreement and go back to the Board and attempt to obtain the license. He has already got the license and therefore he does have something there and some substance and it is therefore a legally existing Salvage Yard, although technically it is not in operation and cannot be until the Municipality takes the final step.

Councillor MacKay then questioned Mr. Donovan as to whether the CNR and/or Autoport had appealed the Municipal Development Plan to the Department of Municipal Affairs during the Appeal period.

Mr. Donovan advised that they did not appeal the MDP. In regard to the question asked by Councillor MacKay and answered by Solicitor Cragg, with regard to what is in existence or is not in existence at the present time; he advised that the provisions of P-49 of the Municipal Development Plan give Mr. Charbonneau the following: "in addition, Council may consider a development agreement, to permit development of a Salvage Operation." He felt that language was quite clearly expressed in a permissive sense in allowing Council to consider whether or not a development agreement is in accordance with the Plan as a whole. He advised that this point was further reinforced by P-88, which says that, "any development agreement has to be in conformity with the intent of the plan and with the requirement of all other By-Laws and Regulations."

Mr. Donovan advised this was merely a statement that the process which was activated and which was continued until this evening, supports what he feels is an incomplete right that exists. He advised that there is conditional approval through the Public Utilities Board subject to the decision of Council.

Councillor MacKay questioned what plans CNR and Autoport had for the other adjoining lands which were referred to as being in their ownership.

Mr. Donovan advised that his instructions do not go as far as to say what the existing plans are; in fact, to his knowledge there are no specific plans. However, in principle, it has been contemplated by analysis of the resources that are there, that is the wharf, the waterfront, the existing operation of Autoport, that what is being looked at is something that would utilize those resources in the maximum way. That could be an arranged possibility with expansion of the Autoport facility; alternatively, it may be some use related to the offshore, an engineering or pipe fabrication facility or something of that order.

Councillor MacKay indicated that these possibilities would not be in harmony with a Salvage Yard in close proximity.

Councillor Lichter referred Mr. Donovan to the minutes of May 10, 1983 at which time the MDP for Eastern Passage - Cow Bay had been adopted; to the amendment moved by Deputy Warden MacKay, seconded by Councillor Poirier, which read:

"THAT the MDP for Eastern Passage - Cow Bay be amended to permit a Contract for a Salvage Operation on the property of Mr. W. Charbonneau, Hines Road." Amendment Carried.

He then questioned whether, if Mr. Donovan was a Council Member at that time and had received that Directive from his Council, could he possibly change every single word, sentence and paragraph in a huge document such as the MDP and Zoning By-Law so that a Lawyer would not be able to tie into every single paragraph and sentence of it, a reason why such a contract should not be entered into.

Councillor Lichter felt that the only reason CNR and Autoport did not want the Development to go through is that they want to purchase the subject property but have yet been unable to find a price satisfactory to both parties.

Mr. Donovan agreed that it would be impossible to change every possible aspect of the MDP and Zoning By-Law to reflect the intent of the above-quoted amendment.

Councillor McInroy questioned whether the Corporations represented by Mr. Donovan would lose property value by their location next door to a Salvage Yard and whether alternatively, they would have to pay more for the land they wished to purchase should it receive its Salvage Yard Development Agreement.

Mr. Donovan advised that the basis of the opposition to a Salvage Yard being located there is that the adjoining land-owners are zoned I-1 and these landowners, view the MDP as supporting their assertion that the proposed usage, a salvage Yard, is inconsistent with I-1 useages and therefore diminishes their value.

Councillor Eisenhauer referred to page 3 of the Agreement, Part 3, Section 3.1, which read:

"That the Properties shall be jointly used for the sole purpose of operating a single Salvage Yard and regardless of the fact that they are located separate and apart, at no time shall the Properties be considered or sold as two separate and independent Salvage Yards."

He questioned Mr. Donovan as to his feelings regarding the above-quoted paragraph.

Mr. Donovan advised that there were a number of concerns which should be more properly addressed by the Area Ratepayers.

Mr. Donovan also advised that the PUB has issued Mr. Charbonneau two separate Salvage Yard Licenses, subject the approval of the Municipality to the operation of a Salvage Yard on those lands. Therefore, he felt that one parcel of land could be sold and used for a different purpose.

In response to this Councillor Reid advised that the section previously referred to by Councillor Eisenhauer indicates that "the properties shall be jointly used for the sole purpose of operating a single Salvage Yard and regardless of the fact that they are located separate and apart, at no time shall the properties be considered or sold as two separate and independent Salvage Yards." He felt this should cover Mr. Donovan's concern that one property may be sold.

Councillor Deveaux advised that his District was the most conducive to Off Shore Development and Activities; he felt that the Planning people and the PPC had that in mind when zoning this area Light Industrial.

There were no further questions for Mr. Donovan.

Mr. Alan G. Hayman, Solicitor on behalf of the Ratepayers and Residents Association of District 6: Mr. Hayman read to Council a lengthy report he had prepared, as follows:

"On behalf of the Ratepayers and Residents Association of District 6, I have been asked to speak to you this evening in opposition to a Development Agreement for a Salvage Yard for the lands of Wilmer Charbonneau, his wife, Mary Charbonneau, and Margaret Sloan, located on the Hines Road in District 6, Eastern Passage. The present application involves a request to have a Development Agreement entered into between separate lot owners on separate pieces of land under one application.

By reference to the plan I have before me, you can see that one parcel of land is owned by Wilmer Charbonneau and a separate and distinct parcel of land, which does not abut the first parcel is owned by Mary Charbonneau and Margaret Sloan. The land in between the two parcels is owned by the Canadian National Railway, and the land to the rear of Wilmer Charbonneau's lot is owned by the Canadian National Railway. Mr. Charbonneau's lot is 337-feet in depth and 154-feet in width. There is presently located on this parcel of land a house covering a ground floor area in excess of 1,000 sq. ft. and a shed 25-feet in width and 40-feet in length which covers a ground area of 1,000 sq. ft.

The second parcel of land, located over 300-feet to the east of Mr. Charbonneau's property, has a frontage on Hines Road of 105 feet and is a long narrow lot upon which there are no erections, no buildings and as of last night no junk. The second parcel of land is raw land and is presently unused and unoccupied.

The land in front of Wilmer Charbonneau's property is rather level; however, if you proceed east, there is a considerable dip in the road and for that reason part of the land in front of the Mary Charbonneau and Margaret Sloan property is double-lined and continues to be double-lined in an easterly direction for some hundreds of feet because of the elevation and a sharp turn in the road. The lines in front of Mr. Charbonneau's property are a dotted line with a solid line. I will make further reference to the particular location of the proposed Salvage Yard in a few moments."

The above was a detailed description of the two subject properties. Mr. Hayman continued to read his report, part two outlining the history of the Wilmer Charbonneau Property, as follows:

"As you know, the calling of this public hearing was the matter of some debate at the County Council Meeting on April 5, 1983 and, after considerable discussion it was agreed that this meeting would be held this evening so that the views of all parties could be expressed.

Prior to 1979, Wilmer Charbonneau started to use his property in such a manner that it became unsightly with considerable number of car parts surrounding his property. He was informed by the Municipality on July 4, 1979 that his property was in violation of the Municipality's Dangerous and Unsightly Premises By-Law. Mr. Cragg appeared on two occasions in court on behalf of the County and finally charges were withdrawn when Mr. Charbonneau cleaned up the site.

Again, by letter dated January 27, 1981, Mr. Charbonneau was informed that this property was in serious violation of the Dangerous and Unsightly Premises By-Law and was required to take action to clean it up within ten days. No remedial action was taken by Mr. Charbonneau and a second prosecution was commenced against him by notice dated the 19th of February, 1981.

In the year 1980, Mr. Charbonneau made application to have his land rezoned from C-1, which was the zoning at that time, to SD which was the Salvage Yard and Dump Zone Designation. His application was rejected by the former Council of the Municipality and Mr. Charbonneau appealed Council's decision to the Municipal Planning Appeals Board but he did not proceed with the hearing.

All through that period from 1979 to the present date he has never had a proper license or the proper zoning to be operating a Salvage Yard and has been in violation of the Municipal By-Laws for some period of time.

Council will recall that a couple of years ago it rejected a proposed development plan for the whole County for a number of reasons, one of which was that there was not enough local involvement in the planning and decision making process. For that reason each particular District was asked to develop, from within the ranks of its own residents and under Planning Supervision, a Municipal Development Plan for its area. Many of the residents of Eastern Passage and Cow Bay gave of their free time and participated in this planning process and with the assistance of Valerie Spencer of your Planning Department, a rather detailed and well reasoned Development Plan with appropriate zoning by-laws was brought forward at a public hearing in 1982. Before the Municipal Development Plan and proposed Zoning By-Laws were presented for your consideration, many meetings of the planning committees and public hearings were held so that all of the views of the local residents could be obtained. At no time throughout this planning process did any of the three present applicants appear before the public participation committee, known as the "PPC", nor did they have any communication with them. It was not until the evening of the public hearing at which I was present on behalf of Texaco Canada Inc. to speak in support of the Plan, that Mr. Charbonneau indicated that he wanted his land zoned to permit a salvage yard. Council at that time amended the Municipal Development Plan for Eastern Passage - Cow Bay by adding to Policy 49 a clause which would enable Council to consider a Development Agreement to permit the development of a Salvage Operation on the lands of the Charbonneau's on the Hines Road.

On behalf of the Ratepayers and Residents Association of District 6, we submit that the County should not enter into any Development Agreement with Mr. Charbonneau to allow either parcel of land to be used as a Salvage Yard."

The Report continued giving the following reasons why the Municipality should not, in the view of the Ratepayers and the Residents Association of District 6, enter into a Development Agreement with Mr. Wilmer Charbonneau, as follows:

- "1. Presently there are four or five licensed salvage yards in District 6 and under the Municipal Development Plan those District 6 Salvage Yards which were legally licensed to carry on business at the time the Municipal Development Plan was approved, were allowed to continue in operation. It was the decision of the PPC that no more Salvage Yards should be located in District 6 as the District has already experienced considerable difficulty in having the existing licensed Salvage Yards properly controlled. I know this Council has made alterations to the Municipal Development Plan for other areas where a matter may have been overlooked or errors in zoning have been discovered. In the present case, however, the PPC specifically addressed the issue of further Salvage yards...and specifically gave authorization for Salvage Yards legally in existence to continue. However, no provision was to be made for additional Salvage yards. I wish Council to understand that this point was specifically addressed by the PPC.

2. For many years it has become apparent this Municipality must increase its commercial tax base in order to lighten the proportion of the tax burden from the shoulders of the homeowners. To this end, among other things, this Municipality activated the Halifax County Industrial Commission and now has employed full-time personnel to attract and promote the County and to develop lands in its industrial and commercial zones. The area of Eastern Passage is one of the areas where this County has an opportunity to expand its industrial and commercial zones. The area of Eastern Passage is one of the areas where this County has an opportunity to expand its industrial base at a time when there is development in off-shore oil because of its location along the shoreline. The PPC in recognition of the development of industry along its shore, zoned certain parts of the Eastern Passage - Cow Bay area "industrial" so that this land could be used in conjunction with the waterfront facilities. Who wishes to establish a commercial or industrial facility beside a junkyard? To allow a development permit to be given to Mr. Charbonneau over the land located on the Hines Road would totally frustrate the development of the industrial land on the Hines Road and would render useless the lands of the CNR and abutting property owners. As you know, your Industrial Commission has worked hard in attracting Coastal Steel to erect a plant on the Caldwell Road, and I can assure you as one who assisted the County in that acquisition, Coastal Steel would not have been the least bit interested in locating at that site if there was a junkyard within view of its property.
3. By reference to a plan I have prepared, you will see that if the development agreement as proposed was implemented the usable space of Mr. Charbonneau's property should be about 21,000 sq. ft. or a piece of land approximately 145-feet by 145 feet. His present property contains approximately 52,000 sq. ft. and when you reduce his square footage by the required side yard requirements, front yard requirements and rear yard requirements, the property is reduced in size to 23,218 sq. ft. He presently has a shed, approximately 25-feet by 40 feet containing 1,000 sq. ft., which is located on this same parcel of land. I submit that the size of Mr. Charbonneau's property is not sufficiently large to enable Mr. Charbonneau to operate a Salvage Yard. He will be in violation of the Development Agreement the day he starts operation because he will not be able to run any sort of an operation on a piece of land 150-feet by 150-feet. He needs more space and what will happen is that he will encroach over on the side yard, on the rear yard and even in the front yard. He will have to make use of the Mary Charbonneau and Margaret Sloan property which is located over 300-feet from his own property, and you will have junk moving from the two sites up and down the road, people walking and travelling back and forth from both locations along the side of the road, and you will have deterioration of the value of the land in the area.

4. Presently the Hines Road is one of the main travelled roads in Eastern Passage and according to Ken O'Brien, your Senior Traffic Engineer, there is an average daily traffic count of 750 cars travelling from residential areas in Cole Harbour to Shearwater and other business sites in Eastern Passage. I am sure those residents of Cole Harbour who travel that road on a daily basis do not wish to view a junkyard on their way to and from work. Not only are junkyards generally unsightly, vehicular traffic drawing customers tend to park in the front of the yard creating traffic congestions which would be further compounded if permission was given to Mary Charbonneau and Margaret Sloan to develop their land which abuts the road where there are double lines.
5. Salvage Yards usually create a nuisance and usually create an eyesore. They also have a tendency to attract undesireables at odd hours of the day and night and for that reason most salvage yards have at least one or two guard dogs. I note that Mr. Charbonneau presently has two dogs tied to a chain protecting his present home and shed but I would expect that he would need two more dogs if he were allowed to use the lands registered in the name of Mary Charbonneau and Margaret Sloan as those lands do not have living accommodation on them. The Ratepayers and Residents Association do not want further nuisances and unsightly premises created in their area.
6. Salvage Yards are very difficult to police and to control. If this Council gave approval to the proposed development Agreement, supervision and control of the premises would pass from this Council to the Public Utilities Board who monitor Salvage Yards under the Salvage Yards Licensing Act. I have met with the Public Utilities Board and spoke to the Gentleman in charge of Salvage Yards. He tells me that there are approximately 350 licensed yards in the Province and last year there were two prosecutions under the Salvage Yards Licensing Act. I think these figures tend to show that the Salvage Yard Licensing Act does not give the appropriate control to the Public Utilities Board and the Act itself does not create appropriate penalties for parties found in violation of it. The appropriate way to regulate and control Salvage Yards is under the zoning regulations of the County of Halifax, not under the Salvage Yards Licensing Act as administered by the Public Utilities Board.

Mr. Charbonneau's track record in keeping his premises tidy has not been good. I have drawn to your attention, that he has been charged with having unsightly premises on two occasions as it is an indication of what lies in the future, particularly if he is given legal permission to carry on an operation he has been doing illegally for the past few years.

7. The Ratepayers and Residents Association of District 6 are not attempting to put out of business a person who has been carrying on a legal operation. Mr. Charbonneau is employed as an Aircraft Technician at the Canadian Armed Forces Base at Shearwater and his main source of income would not be operating a Salvage Yard. Mr. Charbonneau had no legal right to establish a Salvage Yard until

he has obtained the proper zoning from the County and acquired the appropriate license from the Public Utilities Board. Mr. Charbonneau knows that and he has known that for some period of time. Despite this fact he has had derelict vehicles on his property for many years. He has made application to have his land zoned as a Salvage Yard and this Municipality through its Council rejected that application a couple of years ago and despite that fact Mr. Charbonneau has persisted to use his land in violation of the zoning regulations.

8. I submit to you that if Mr. Charbonneau is now given permission to establish a Salvage Yard at his premises he will have made a mockery of the zoning regulations and of the previous decisions of this Council to which he has not adhered to or abided by.

Mr. Hayman's report concluded as follows:

"In conclusion let me again state that the present Municipal Development Plan for Eastern Passage - Cow Bay area was prepared after 18 months of planning and participation by the local residents of those communities. The people volunteered of their free time and made a decision as to future salvage yards in their community which was based on their experience of the legally existing Salvage Yards and the plans they had for the future development of the residential and industrial bases in their communities. I urge you to support the recommendations and the wishes of the Public Participation Committee who worked long and hard to develop sound planning procedures in their communities. They are against this application and they would urge you to support them."

Questions From Council

Councillor MacDonald questioned Solicitor Cragg whether Mr. Charbonneau was in possession of a legal Salvage Yard license at the present time.

Solicitor Cragg advised that Mr. Charbonneau has had a legal, conditional Salvage Yard license since February 25, 1982 when Commissioner Green wrote to the applicant stating he had the license conditional upon him securing SD Zoning as per the requirements of the Municipality of the County of Halifax.

Councillor MacDonald questioned whether this conditional license was indeed legal at the present time. He questioned how Mr. Charbonneau would stand right now under Policy P-87.

Solicitor Cragg advised that Mr. Charbonneau would fall within the intent of that Policy; he had no difficulty with that. Legally and technically he felt he did fall within it.

Councillor Lichter questioned Mr. Hayman as to whether he agrees with the statement: "the property since May of 1982 has been in a better condition than it was for three, four or five years."

Mr. Hayman advised that he had not viewed Mr. Charbonneau's property on any regular basis so he could not say whether it was improving or not. His comments were based on Mr. Charbonneau's track record.

In response to further comment made by Mr. Hayman, which indicated that Agreements were not worth anything more than the paper they are written on, Councillor Lichter suggested to Mr. Hayman, that if that were the case, the Public would be well advised not to use the services of a Lawyer at anytime for any kind of an Agreement.

Councillor Lichter also made the two following points:

1. If a Solicitor were representing a client seeking parole he would use an an example of his worthiness for this privilege the last year of the client's life and not go back several years; in this case all those opposed to Mr. Charbonneau's proposed Agreement with the Municipality were going back several years instead of to May of 1982 at which time Mr. Charbonneau's property was in good shape, which it is still today;
2. Mr. Hayman was judging Mr. Charbonneau's proposed Salvage Yard by those which are already in existence in the area and are not in good shape. He advised that these Salvage Yards did not have as strict conditions imposed on them as Mr. Charbonneau's will have, in accordance with the proposed agreement.

Mr. Hayman advised, in response to Councillor Lichter's first observation that during the last year, Mr. Charbonneau had been operating an illegal Salvage Yard; with respect to the second observation, he advised that the PPC has taken the strong position that they have enough Salvage Yards in District 6 and want no additional Salvage Yards, regardless of how they are operated.

Deputy Warden Margeson expressed doubt as to whether Mr. Charbonneau was in possession of a legal Salvage Yard license. In his opinion, a license was not legal if it was subject to anything, as these ones were. The licenses granted to both properties were subject to the applicant obtaining the proper zoning for the Operation of the Salvage Yard, by the Municipality.

However, Solicitor Cragg spoke at length supporting the fact that Mr. Charbonneau did indeed have legal licenses for the Operation of the Salvage Yard on the two properties, subject to obtaining the required zoning. He read from the February 25th, 1980 letter, from Commissioner Green which quoted: "Your application for Salvage Yard Licenses have been approved and the Board is prepared to issue these licenses, subject to these properties being zoned SD in accordance with the requirements of the Municipality of the County of Halifax."

Mr. Hayman then read from the PUB decision relative to the issuance of the above-mentioned licenses, page 8, of the decision as follows:

"The Board, after hearing the evidence of the applicant ... with reference to the Salvage Yard that he proposes to operate on Hines Road, Eastern Passage, is satisfied that all the requirements under the Salvage Yard Licensing Act have been met and the Board is prepared to grant the licenses as such, subject to the zoning by the County and the Board is informed that these matters are being dealt with by the County at the present time."

There were no further questions for Mr. Hayman.

Mr. Clarence Lucas, former Chairman of Eastern Passage, PPC: Mr. Lucas spoke at length reminding Council that many hours of unpaid, voluntary work had been given of himself and members of the Public Participation Committee of Eastern Passage as well as the PPC for Cow Bay, when formulating the Municipal Development Plan and Zoning By-Law for Eastern Passage - Cow Bay. He advised that during the eighteen months which it took to process the Plan, the establishment of additional Salvage Yards was discussed at length and it was the opinion of the PPC that no further Salvage Yards were required in the area, and based on the District's experience with those already in existence, no further Salvage Yards were desired in the area.

He also advised that Mr. Charbonneau had never appeared at any Public Hearing or Public Meeting to have his property Zoned for a Salvage Yard Operation. Instead, he waited until the May, 1982 Public Hearing when the MDP and Zoning By-Law was dealt with, before making a presentation requesting this zoning of his lands.

Mr. Lucas further advised that the best use of the land in question was Light Industrial. He advised this was due in part to the requirement for an increase in the tax base and also due to the property's close proximity to the water and rail facilities for off-shore possibilities.

Mr. Lucas advised that should the proposed Development Agreement be approved this evening, then the above-mentioned possible uses for the property in question would go down the drain. He urged Council to consider this and encouraged Council to reject the draft Development Agreement.

Questions From Council

Councillor Gaetz expressed his concern that this may be a case of discrimination against Mr. Charbonneau and requested assurance that it was not.

Mr. Lucas advised that he had been acquainted with Mr. Charbonneau for many years and that during that time, they had both attended many community related meetings; he advised that it was in no way a personal conflict with Mr. Charbonneau but simply that the District Ratepayers did not want or need additional Salvage Yards and that the property in question was better suited to light industrial use due to its proximity to the water front and rail facilities.

Councillor Gaetz then questioned, whether if Mr. Charbonneau had attended the PPC Meetings, would the decision have been different. However, Mr. Lucas advised that, even had he attended the PPC Meetings, he felt the recommendation of the PPC would have been the same as they are recommending this evening, as it was just not the best use for the subject property.

Councillor Poirier indicated her understanding that Mr. Lucas had appeared before the PPC at one meeting in the beginning of their deliberations.

Mr. Lucas advised that in the very beginning before the final Committee Structure had been established, Mr. Charbonneau had appeared at a Meeting. However, since that time, the members of the Committee had changed and although the original membership had been in favour of Mr. Charbonneau's proposed use of his land, the final membership had not been.

Councillor Poirier then reminded Mr. Lucas of his previous statement, that had Mr. Charbonneau attended meetings, the outcome would have been the same. Therefore, she felt that Mr. Charbonneau may have felt discouraged to attend the meetings, knowing that the outcome would be the same. That could have been the reason, Mr. Charbonneau waited to come before Council during the Public Hearing for the adoption of the MDP when his concerns could be heard by all.

Mr. Lucas was further questioned briefly by Council.

Mr. Ian Reesor, 799 Cow Bay Road: Mr. Reesor reminded Council that the Municipality was planning further Municipal Development Plans for other Districts of the Municipality; this he had read recently in the news-media. He advised that there was no reason for people to put thousands of hours of voluntary time into planning for the future of their Districts, if the outcome was to be unwanted Salvage Yards, Dumps, etc., regardless of the recommendations of the Public Participation Committees.

The above was the only point made by Mr. Reesor and there were no questions for Mr. Reesor from Council.

Discussion and Motion From Council

Councillor Deveaux spoke briefly summing up previous comments made by Mr. Ward, Mr. Donovan, Mr. Hayman, Mr. Lucas and most particularly, the last speaker in opposition, Mr. Reesor, advising that to approve the Development Agreement this evening would be specifically going against the wishes of the PPC Committee for Eastern Passage who, after many hours of work, attempting to come up with a reasonable MDP and Zoning By-Law for their area, recommended against the proposed Salvage Yard Operation.

Councillor Deveaux also indicated his opinion that a Salvage Yard Operation in the District would be detrimental to any future Industrial Use in that I-1 Zone. He expressed his hope that Council was here to work in the best interest of Industry in the Municipality of the County of Halifax. He requested Council's support in the following motion: '

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

"THAT Halifax County Council refuse to enter into a Development Agreement with Mr. Wilmer Charbonneau, regarding the application to operate a Salvage Yard in District No. 6 of Halifax County, Nova Scotia."

Councillor MacDonald spoke briefly in support of the motion, based on the fact that the PPC had put many hours in to come up with the recommendation that they did not desire another Salvage Yard in the District and also based on the history of the property relative to Unsightly Properties.

Councillor Wiseman spoke in support of the motion as well for the same reasons as quoted by Councillor MacDonald; in addition, she advised that the establishment of an additional Salvage Yard in the District conflicted with the Municipal Development Plan for the area.

Councillor DeRoche was in support of the motion based on the question of jurisdiction as brought out by the Solicitors for Shearwater, Airport and CNR and the Residents and Ratepayers Association of District 6. He also agreed with the previous comments of Councillors MacDonald and Wiseman.

Councillors MacKay, Lichter and Poirier spoke in opposition to the motion. Councillor MacKay felt that to oppose a Salvage Yard because there are already a certain number in existence would set a precedent and was an argument against free enterprise; Councillor Lichter indicated that someone had to represent those people who, for one reason or another, did not have the time to attend all Public Meetings and who therefore appealed to their Municipal Government and Councillor Poirier felt that the system of Municipal Development Plans was intended to be a fair system where certain operations could be developed and run with the safeguards and controls of Development Agreements.

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

"THAT a Recorded Vote be taken on the above motion."
Motion Carried.

Council Members in Favour

1. Councillor Larsen
2. Councillor Gaudet
3. Councillor Baker
4. Councillor Deveaux
5. Councillor DeRoche
6. Councillor Adams
7. Councillor Gaetz
8. Councillor Reid
9. Warden MacKenzie
10. Deputy Warden Margeson
11. Councillor McInroy
12. Councillor MacDonald
13. Councillor Wiseman
14. Councillor Snow

Council Members in Opposition

1. Councillor Poirier
2. Councillor Bayers
3. Councillor Lichter
4. Councillor MacKay

Subsequent to the above recorded vote the Motion was Carried, thereby rejecting the proposed Development Agreement between Wilmer Charbonneau, Mary Charbonneau and Margaret Sloane.

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

"As written previously."
Motion Carried.

ADJOURNMENT

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

"THAT the Public Hearing adjourn."
Motion Carried.

Therefore, there being no further business, the Public Hearing adjourned at 10:30 P.M.

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REGULAR COUNCIL SESSION

MAY 3, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
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
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. R. G. Cragg, Municipal Solicitor
Mr. G. J. Kelly, Municipal Clerk
Mr. Ed. Mason, Director of Social Services
Superintendent Calvin Bungay, R.C.M.P., Halifax
Staff Sergeant Doug Smith, R.C.M.P., Sackville
Corporal Peter Garner, R.C.M.P., Sackville
Staff Sergeant Bob Jones, R.C.M.P., Halifax
Staff Sergeant Gary Bishop, R.C.M.P., Sheet Harbour
Staff Sergeant Russ Durling, R.C.M.P., Dartmouth

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Regular Council Session to order at 6:08 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES

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

"THAT the Minutes of the April 11, 1983 Public Hearing be approved."
Motion Carried.

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

"THAT the Minutes of the April 19, 1983 Annual Council Session be approved."
Motion Carried.

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

"THAT the Minutes of the April 19, 1983 Regular Council Session be approved."
Motion Carried.

MEETING WITH R.C.M.P. OFFICIALS

Warden MacKenzie introduced to Council the following representatives of the R.C.M.P.:

Superintendent Calvin Bungay, Halifax
Staff Sergeant Doug Smith, Sackville Detachment
Corporal Peter Garner, Sackville Detachment
Staff Sergeant Bob Jones, Halifax Detachment
Staff Sergeant Gary Bishop, Sheet Harbour Detachment
Staff Sergeant Russ Durling, Dartmouth Detachment

Superintendent Bungay began the dialogue, advising that he was pleased to be making a yearly presentation to Council as it improved the communication between the R.C.M.P. and the Elected Representatives on County Council.

He advised that the Force is presently emphasizing Crime Prevention and many programs over the past few years were geared toward this. Some of these programs were Neighbourhood Watch, Block Parents, Operation Identification, Stop Thief Program for Shop Lifting as well as School Visitation Programs, Cottage Check Programs and new Drug Abuse Seminars.

He advised that this year the Department is emphasizing the Traffic Law Enforcement, attempting to cut down on the instances of Drinking Driving. In this regard they are taking more advantage of some of the technical facilities available such as the "Alert" roadside screening device and the "Breathalyzer". It is the hope of the Department that this emphasis will reduce traffic accidents and fatal accidents within the Community.

Superintendent Bungay also advised Council that within the next month or so, the Department hopes to have moved into their new Detachments at Musquodoboit Harbour and Cole Harbour; hopefully, by the middle of June at the latest.

Regarding long range building plans, he advised that they were considering the construction of a sub-division building in the County from where he would operate his office and where support services would be able to move into the County, probably taking the Halifax Detachment with them. He advised, that unless more severe restraint was imposed on the Department, these plans should be going forward within five years time.

The Superintendent also advised that they now have two full-time, Crime Prevention Police Community Relations Members in the Halifax-Dartmouth-County Detachments. He advised that these Officers have proven extremely valuable to the Department; he further advised that, as more funds become available, this Program will be expanded.

Superintendent Bungay then invited questions from Council.

Councillor Bayers extended his welcome to the new Detachment which would be coming to Musquodoboit Harbour.

Councillor MacKay indicated his understanding that the Municipality was extremely under-manned with R.C.M.P. Policing. He questioned what were the projections for the immediate future and long range plans. Superintendent Bungay responded by indicating that since 1979 the total men in Halifax have been increased from 80 to 91 men.

He advised that the Lower Sackville Detachment was 25 in 1979 and it is now 29; in addition, the Highway Patrol is 11. He advised that the Dartmouth Detachment was 22 in 1979 and is 26 now, Halifax Detachment was 15 and is now 19 and Sheet Harbour was 5 and is now 6.

The Superintendent further advised that in line with those increases, the Criminal Code Case Burden per man has declined. He advised that he could not provide population ratios; however, he felt that, per man, the workload was quite acceptable at the present time.

Councillor MacKay advised that, as a Councillor, one of the most serious problems brought to his attention was the high rate of speeding through residential streets. He advised that about a year ago, in the Sackville Detachment, both main highways and residential streets were patrolled. He questioned whether this was still the case, as it had proven very effective at that time.

Staff Sergeant Smith advised that 11 additional highway patrol officers were brought in to continue policing side streets as well as main highways.

Councillor MacKay then questioned Staff Sergeant Smith as to whether Sackville Crime Statistics have been increasing or remaining constant.

The Sergeant advised that there was a slight decrease in the figures overall. However, he advised that the statistics they have for 1981 include those for the Town of Bedford, up to the first of April of that year. Therefore, they will have to wait until the first of April 1984 before a fair comparison can be made. However, it was his opinion that the statistics were down some overall; that would be the criminal code offences such as break and enter and thefts. He advised that shoplifting is down although there had been some difficulty with some shops in Bedford. He advised that they were still using 24 hour patrols on three different shifts.

Councillor MacKay advised that, from reading the papers, it appeared that drinking driving offences and motor vehicle offences appear to be receiving stiffer sentences from the Courts. Staff Sergeant Smith agreed that the Courts were increasing the fines somewhat and handing down stiffer sentences.

Councillor MacKay summed up his comments by advising that Sackville has a good response from the R.C.M.P. and a good relationship with its Officers. He commended the Department on their excellent service in that community.

Councillor Baker questioned what jurisdiction the R.C.M.P. had over beaches.

Superintendent Bungay advised that the R.C.M.P. had jurisdiction on beaches relative to The Criminal Code; this would include the Liquor Control Act and Disturbing the Peace. As well, there were Provincial Statutes which would be enforced by the R.C.M.P.

Councillor Baker advised that he was speaking, in particular, with regard to a Beach named "Sandy Cove", where people come down the Beach with Dune Buggys and tear up the sand, etc. He questioned whether any action could be taken in this regard.

Superintendent Bungay advised that the R.C.M.P. had to look at the Beaches from the standpoint of the Beaches Protection Act. He also advised that where the R.C.M.P. had the greatest effect was the Beaches which are declared Provincial Parks. He advised that the two main problem areas were Crystal Crescent Beach and Queensland Beach; he was so far unaware of any problems at Sandy Cove. However, now that it has been brought to his attention, he would see that more attention was paid to this Beach in the future.

Councillor DeRoche advised Staff Sergeant Durling that the R.C.M.P. presence is certainly evident in Westphal and the residents are most appreciative of the excellent service they are receiving. He advised that the Programs such as Neighbourhood Watch, Block Parent, etc. are most successful in that area. The Councillor indicated his opinion that Officer John Trask deserved a great deal of credit in this regard. However, he was concerned with one item; he advised that Council has requested the Minister of Transportation to undertake an examination of traffic patterns along the Number 7 Highway, particularly with

reference to the School Zones. He advised that Council has just recently been advised that this has been done and a decision has been made to reduce some of the School Zones. In particular, the School Zone along the No. 7 Highway in front of William Ross School; this Zone was going to be reduced by 600 meters. Councillor DeRoche questioned Staff Sergeant Durling's reaction to this news.

Staff Sergeant Durling advised that he was unaware this Zone was being reduced; however, he advised that he would make note of this and discuss it with the Highway Patrol tomorrow. He indicated that he would also get in contact with the Department of Transportation and find out why they have chosen to reduce the School Zones.

Councillor MacDonald questioned whether the Bill 107 has been the cause of extra work for the R.C.M.P. He advised this was the "Private Properties - Trespassing" Bill.

Staff Sergeant Smith advised that this Bill has been most effective around the Malls. So far, they have only one complaint from a Trailer Park and no charges were laid in that instance. He advised that the Bill has been a crime deterrent and the Courts, as well, have responded to it when charges are laid.

Councillor MacDonald advised that, in response to problems with Green Areas, he has heard that the R.C.M.P. have obtained a Motor Bike to Police these areas. He questioned whether this was true.

Corporal Garner advised that, in response to complaints of Juveniles driving about in the Green Areas of Sackville on Motor Bikes, the Department has rented a Motorcycle, one of the members of the Police Force is qualified to drive it and he has gone out in plain clothes, catching several of the Juveniles. He advised that this has had a favourable effect on the problem last year and they are expecting an even better response this year.

Councillor Deveaux indicated his understanding that the Crime Rate seemed to be decreasing; he questioned whether this was the case in his area. He was advised by Staff Sergeant Russ Durling that this was pretty well the case except for a couple of problem areas; these included vandalism in schools, break and enters and theft of building materials. However, the R.C.M.P. were aware of the problems and working toward eliminating them.

Councillor Deveaux questioned Superintendent Bungay as to how prevalent the Drug Abuse Problems were in the Municipality.

Superintendent Bungay advised that it was a problem; however, with the Education Programs they now have in effect, which were geared toward children in the Grade Four levels, he felt that they could possibly control this problem before it becomes prevalent. However, he advised that drugs were a problem in every community, no matter how small. He also indicated his belief that many children were turning to alcohol instead of harder drugs.

Councillor Adams indicated that the number of complaints, in his district, have dropped significantly. However, there are still complaints from subdivisions in Lake Echo and the By-Roads of the Prestons from people who maintain that they do not see many police cars in the area and as a result many petty crimes are being successfully carried out. He advised that in Porter's Lake, he has heard complaints regarding slow response time to calls in relation to increasing problems of late night tires squealing and theft.

The Councillor also advised that there was an increasing problem relative to trail bikes and noise nuisance in the Salmon River Area and portions of Porter's Lake.

However, the Councillor commended the R.C.M.P. on the Drug Abuse Seminars. He advised that there had recently been one at the East Preston Church with which the Young People were very impressed.

Councillor Adams wished to extend his special commendation to Officer John Trask for the improvement in Community-Police relations.

Councillor Lichter indicated his understanding that the Musquodoboit Harbour Detachment would be operational by the middle of June; he questioned whether this would mean that Meagher's Grant, at that time, would come under the jurisdictional area of that Detachment. He advised that at the present time, it is divided between the Stewiack and Dartmouth Detachments.

Superintendent Bungay advised that Meagher's Grant will come under the jurisdiction of the Musquodoboit Harbour Detachment. He advised that it was the plan to notify the people of this, through a notice in the newspaper.

Councillor McInroy wished to add his commendation to the Force generally and, in particular, to Staff Sergeant Russ Durling and his Detachment. He questioned whether there was any date for occupancy of the new Detachment in Cole Harbour.

Staff Sergeant Durling advised that it is expected the building will be occupied by the first of June or very shortly thereafter. He also advised the Councillor that the new Detachment will be called the Cole Harbour Detachment. He advised that there will be an official opening to which the local people will be invited.

Councillor McInroy questioned whether there would be any change in the amount of personnel when the move is made from Dartmouth to Cole Harbour. He was advised by Staff Sergeant Durling that five members of the Dartmouth Detachment would be going to the Musquodoboit Detachment and the remainder would be going to the Cole Harbour Detachment; in other words, the same amount of personnel would be employed but in different detachments.

Deputy Warden Margeson indicated that in the Beaverbank Kinsac and Beaverbank Villa areas, a number of problems are being experienced with regard to windows being smashed in the Church and the School. He

wondered whether this area could be policed a little more heavily. The Deputy Warden also questioned whether there could be training courses made available for people who wished to do volunteer policing-type work, much the same as courses are offered to people who do volunteer fire fighting work.

Superintendent Bungay took these comments under advisement.

The Deputy Warden had one further concern; he wondered whether some program could be made available whereby press releases and other media tools could be used to focus attention on the times of year when children are more evident on the highways, vacations, etc., in order to make people who drive cars, motor bikes, etc. more aware of the children.

Superintendent Bungay advised that the Provincial Government, Department of Motor Vehicles Branch, has an on-going program of media advertisements, etc. He advised that the R.C.M.P. Traffic Supervisor works quite closely with this Department. He also advised that in the School Visitation Programs, particularly with younger children, they are educated to be aware of vehicular traffic when getting off school buses and crossing the street, etc.

Subsequent to further brief discussion, Warden MacKenzie thanked the R.C.M.P. on behalf of Council, for the excellent job they have been performing in the County and for their information session in Council this afternoon.

Following the presentation of the R.C.M.P., there was a ten-minute recess, in order that Councillors could speak to the R.C.M.P. Representative from their own areas.

ADDITION OF ITEMS TO AGENDA

The following items were added to this evening's agenda:

- (a) Antrim Road - Councillor Lichter;
- (b) Gold Cup Canada 1983 - Deputy Warden Margeson;
- (c) More Frequent Clean-Up Days, Re: Bulky Refuse - Councillor Adams
- (d) Change in Channel Traffic, Halifax Harbour - Councillor Baker.

LETTERS AND CORRESPONDENCE

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

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

Letter From the Corporation of the City of Hamilton

A letter had been received from the City Clerk of the The Corporation of the City of Hamilton addressed to Mr. Kelly. This letter included a copy of a resolution adopted by the Council of the City of Hamilton.