

"THAT this issue, relative to the Tourist Information Centre, be deferred until the next Council Session in order that, in the interim, the Halifax County Industrial Commission will be able to review the report." Motion Carried.

SUPPLEMENTARY REPORT, RE: TOURISM DEPARTMENT

Deputy Warden Adams advised that there was a Supplementary Report relative to a Tourism Department, which had been distributed with the Council agenda mailing. He requested that Council consider dealing with this report at this time.

It was agreed by Council to deal with the Supplementary Report.

Mr. John Markesino and Miss Pam Nauss joined Council for the discussion of this item and came forward at this time to outline to Council a comprehensive report relative to this issue.

Mr. Markesino advised that a request had been made previously by Council for a report on Tourism to date. This report was to deal with Tourism's inception in November of 1978 by Council and progress to date, with recommendations on acquiring a full-time person.

He advised, that subsequent to preparing the requested report, his Department would recommend one of three options as follows:

1. Amalgamation with Eastern Shore and South Shore Tourism Associations;
2. Creation of a Metro Tourist Association; or
3. Halifax County Tourism Department full-time.

It was his recommendation that option three above, be considered by Council.

He then proceeded to read through his comprehensive report which detailed the above options. With regard to Option No. 3, the report read:

"Halifax County is admittedly a major item on most Nova Scotia travellers' itineraries, but the County, if properly promoted, is in an ideal position to receive spin-off benefits. Creation of a Tourism Department specifically for Halifax County allows for maximum promotional efforts dedicated specifically to the County.

Halifax County is more affordable and more suitable for average family needs in vacation and leisure time activity. People are not always interested in vacationing and-or relaxing in the city - often times they want to get away from the bustle and rush, traffic jams, parking problems and the high price of city living. The County offers the perfect solution for all these ills - if properly promoted. People coming from outside the Province or those unfamiliar with the area are not always aware of the proximity of many County vacation locales to the city - whence informed they are amenable to the idea of staying in the County and commuting to the city for a shopping trip . . . Halifax County offers an alternative to a city vacation and a more affordable route for the budget-minded tourist, but it must be properly promoted.

Effective advertising-marketing-promotional activities can inform visitors of the wealth of natural beauty; quaint, picturesque villages offering unique experiences in dining, accomodation and recreational activities and endless expanse of beach and rugged shoreline awaiting in the County.

The Day Trip Programs, pictorial brochures and the enthusiasm and information displayed at tourist centers are all proven effective tools in "spreading the word" and encouraging visitors.

Continued co-operation with area tourist associations and those at the provincial level and in Halifax-Dartmouth are necessary and important for a co-ordinated effort of maximum benefit to all parties.

Tourism has considerable potential to create both employment opportunities and revenue, but it requires sound marketing and promotional (i.e. information dissemination) back-up. A full-time staff and structured budget is mandatory to continuing growth in tourism: a proven economically viable industry.

Establishment of a tourism department bodes well for increased visitors (hence, revenue) activity and responsible, productive co-operation with provincial-municipal tourism-related efforts. Furthermore, local businesses and service clubs benefit from the advice and promotional activity of a defined tourism department.

It is, therefore, proposed that the Municipality of the County of Halifax recognize the benefits which have been accrued to date from tourism - directed activities of the "Recreation and Tourism Department", appreciate the potential for increased revenue, employment opportunities, and enhancement of the quality of life and perceived image of Halifax County through creation of a Halifax County Tourism Department; and, therefore, set out a specific budget for tourism and authorize establishment of one full-time position: Tourism Supervisor, which to date has been designated part-time while operating on basically full-time standards."

Mr. Markesino indicated that the salary range of a full-time Tourism Promotion Employee would be approximately \$25,000 to \$27,000 per annum.

Mr. Markesino also indicated his opinion that the Municipality was not getting the best service for its dollar through the Eastern Shore Tourist Association or the South Shore Tourist Association which was another reason, he felt, to go to a full-time Tourism Department in the Municipality.

Council discussed this issue at length with Mr. Markesino and Miss Nauss. During the discussion it appeared to be the concensus of Council that full-time tourism promotion for the Municipality was desirable. However, there was some concern expressed relative to the impact this service would have on the Municipality's budget and tax rate.

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

"THAT the issue of a Tourism Department in the Municipality and a full-time Tourism Staff Member be deferred until budget deliberations, at which time, this and other issues will be prioritized by Municipal Council."
Motion Carried.

Subsequent to the above, Mr. Markesino and Miss Nauss retired from the Council Chambers.

POLICY COMMITTEE REPORT

Council received the Policy Committee Report at this time.

Request for District Capital Grant - District No. 11

Mr. Kelly outlined to the Council Members a request for a District No. 11 Capital Grant in the amount of \$1,310.00 for the Moser River Volunteer Fire Department. It was the recommendation of the Policy Committee that this request be approved.

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

"THAT Council approve the allocation of a District No. 11 Capital Grant in the amount of \$1,310.00 for the Moser River Volunteer Fire Department."
Motion Carried.

Request for District Capital Grant - District No. 20

Mr. Kelly outlined, as well, a request for a District No. 20 Capital Grant in the amount of \$2,350. for paving a public walkway, from Tamarack Circle to the intersection of Raymond and Glendale Drive. It was the recommendation of the Policy Committee that this request be approved.

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

"THAT Council approve the allocation of a District No. 20 Capital Grant in the amount of \$2,350.00 for the paving of a public walkway from Tamarack Circle to the intersection of Raymond and Glendale Drive."
Motion Carried.

SUPPLEMENTARY POLICY COMMITTEE REPORT

Council, at this time, received the Supplementary Policy Committee Report.

Request for District Capital Grant - District No. 10

Mr. Kelly advised that the Policy Committee had received a request for a District No. 10 Capital Grant in the amount of \$7,000.00 for the Musquodoboit Harbour and District Ball Association for land improvements and construction of a playing field. It was the recommendation of the Policy Committee that Council approve this request.

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

"THAT Council approve the allocation of a District No. 10 Capital Grant in the amount of \$7,000.00 for the Musquodoboit Harbour and District Ball Association for land improvements and construction of a playing field."
Motion Carried.

COMPLETION OF SUPPLEMENTARY AGENDA

Council agreed to deal with and complete the following items in the Supplementary Council Agenda:

1. Halifax County Industrial Commission - Resignation

Mr. Kelly read to the Council the following letter from Mr. K. R. Meech relative to the resignation of Mr. Don MacLeod of the Halifax County Industrial Commission:

"This is to advise that Mr. Don MacLeod resigned from the membership of the Halifax County Industrial Commission on November 19, 1983. Mr. MacLeod's appointment was for a three-year period expiring April, 1984.

The Halifax County Industrial Commission By-Laws require that Council be notified of such a vacancy and states that "A person appointed to fill a vacancy shall hold office for the remainder of the term of the member in whose place he was appointed". The By-Law also states that one of the members of the Commission shall be a member of the Sackville Advisory Board. Mr. D. MacLeod was the Sackville Advisory Board member on the Commission.

It is recommended that Council appoint a member of the Sackville Advisory Board to the Commission for the unexpired term of Mr. MacLeod."

Councillor Wiseman advised that at the last Sackville Advisory Board Meeting, Mr. Frank Sutherland was recommended as a member of the Halifax County Industrial Commission.

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

"THAT Mr. Frank Sutherland be nominated for appointment to the Halifax County Industrial Commission to complete the unexpired term of Mr. Don MacLeod on the commission."

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

"THAT Nominations Cease."
Motion Carried.

Therefore, there being no further nominations, Mr. Frank Sutherland was appointed to the Halifax County Industrial Commission to complete the unexpired term of Mr. Don MacLeod.

2. Memorandum, Re: Joint Committee - School Board Excess Costs

Mr. Kelly read to the Council Members, the following memo from Councillor Mont, Chairman of the Joint Committee, Re: School Board Excess costs:

"As a result of the joint session involving both Councils and the District School Board on Wednesday, December 14th, it was agreed that the following recommendation be placed before the respective bodies: That Halifax County Council, Bedford Town Council and the Halifax County-Bedford District School Board meet jointly with Halifax County M.L.A.'s on the subject of provincial funding, Re: Education costs.

It was further agreed that the Joint Committee be given the responsibility of preparing the necessary background material setting out our concerns and suggested changes to the present formula to provide a more equitable arrangement for our District School Board.

It would be appreciated if we could have Council endorse the aforementioned thereby giving official sanction to this effort."

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

"THAT Halifax County Council, Bedford Town Council and the Halifax County-Bedford District School Board meet jointly with Halifax County M.L.A.'s on the subject of provincial funding, Re: Education costs."
Motion Carried.

3. School Properties: (a) SSTC4-2, Forest Hills;
(b) ST-1, Sackville.

Mr. Kelly advised Council that Property SSTC4-2 in Forest Hills is the site for the senior high school location in the Nova Scotia Housing Commission Town Centre, Stage 4, Forest Hills, between the Forest Hills Parkway and Arklow Drive and ST-1 is the site for the elementary school in the Nova Scotia Housing Commission's phase 10T, at the intersection of Stokil Drive and Smokey Drive. He indicated his understanding that the titles of these two properties have not yet been taken over by the Municipality. Further, he advised that to date, the deeds have been prepared by the Municipal Solicitor and that Council has been requested to accept title to these properties. Once this approval has been received the Municipal Solicitor will complete registration of these deeds at the Registry of Deeds.

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

"THAT Municipal Council accept title of the above mentioned school properties SSTC4-2 and ST-1 and further that the Municipal Solicitor complete registration of these properties at the Registry of Deeds."
Motion Carried.

The above completed the Supplementary Agenda.

METROPOLITAN AUTHORITY REPORT

Deputy Warden Adams requested that Councillor MacDonald provide Council with his report relative to the Metropolitan Authority.

Councillor MacDonald advised that the major issues discussed at the Metropolitan Authority recently were with regard to the budgeting for the Solid Waste Management at the Sackville Landfill Site, the Metropolitan Transit Commission and the Halifax County Correction Centre. He advised that the projected budget increases were as follows:

MTC.....	4.4%
Solid Waste Management.....	.265%
Correction Centre.....	10.89%

Councillor MacDonald advised that the high increase for the H.C.C.C. was due to overcrowding at the Centre as well as layoffs which were contemplated but did not take place. He advised that if the takeover of the Centre by the Attorney General's Office takes place April 1, 1984 as previously intended, the increase in budget could be kept to a minimum of 8.9%. However, he advised that with the establishment of a new Attorney General, this does not seem imminent.

Discussion of the Metropolitan Authority Report initiated the following motions of Council:

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

"THAT the Provincial Government be requested to relieve Municipalities of the costs incurred by delay in the takeover of the Halifax County Correction Centre by the Department of the Attorney General."
Motion Carried.

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

"THAT Council register with Metropolitan Transit Commission, the Municipality's objection to the 26% Fare increase on the Sackville Express Bus Route 80."
Motion Carried.

Councillor Mont then added to the Report of Councillor MacDonald that Councillor MacDonald has been elected as Vice-Chairman of the Transit Commission. He extended to Councillor MacDonald his congratulations for this accomplishment.

As well, Councillor Mont advised that at the Metropolitan Authority Meeting Warden MacKenzie was elected as the Chairman of Metropolitan Authority for the upcoming year.

He also advised, in response to questioning from Councillor Baker, that the Transit Route requested by Councillor Baker had been discussed at the last Urban Services Committee Meeting, along with a request for a Route in the Goodwood area of the Prospect Road. He advised that both of these items had been deferred to the next Urban Services Committee Meeting which will be held January 19, 1984. He advised that Councillor Baker will be invited to that meeting.

Subsequent to the above, Council agreed to receive the Report of the Metropolitan Authority delivered by Councillor MacDonald above.

CROWN LANDS, RE: SACKVILLE TOURIST BUREAU - COUNCILLOR MACKAY

Councillor MacKay had previously requested that this item be added to the Council agenda.

He then referred to the vacant Chambers property on Sackville Drive, which was owned by the Crown, subsequent to a tax sale and which he felt could be put to excellent use as a full-time tourism facility.

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

"THAT the Municipality request the Federal Department of Public Works if they would make available to the Municipality, via a long-term lease, the former Chambers property for use as a Tourist Bureau."

Motion Carried.

POLICE PROTECTION, SACKVILLE - COUNCILLOR MACDONALD

Councillor MacDonald, who had previously requested that this item be added to this evening's Council agenda, now requested that it be struck from the agenda and placed on the following Council agenda.

CABLE TELEVISION - COUNCILLOR SNOW

As Councillor Snow was not present this evening, this item was also struck from the Council agenda and deferred until the subsequent Council agenda.

CHRISTMAS DADDIES - COUNCILLOR SNOW

This item was also deferred until the following Council agenda.

CABLE TELEVISION - COUNCILLOR GAUDET

Councillor Gaudet indicated that Cable Television Services were promised by Mr. Don Keddy, for portions of District No. 4 by no later than June 1983. He advised that todate no services have been installed and there is no indication when they will be. He, therefore, placed the following motion on the floor for Council's endorsation:

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

"THAT a letter be directed to Mr. Don Keddy, with a copy to Mr. Oxner of the C.R.T.C., with respect to when he will provide Cable T.V. in District No. 4."
Motion Carried.

ADDITION OF ITEMS TO COUNCIL AGENDA

Prior to dealing with the emergency items added to this evening's Council Agenda, Deputy Warden Adams indicated that due to the Holiday Season and the cancellation of many Committee Meetings, there may not be sufficient items to discuss at the January 3, 1984 Regular Council Session.

The Deputy Warden questioned Council as to whether this Session of Council should be cancelled.

Council discussed this issue at length, resulting in the following:

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

"THAT the January 3, 1984 Regular Council Session be cancelled."
Motion Defeated.

The above motion was defeated, as it was determined that the Planning Advisory Committee and the Urban Services and Rural Services Committees had met recently and there would be sufficient Supplementary Business resulting from these meetings for the January 3, 1984 Council Session.

EMERGENCY ITEMSTransit - Councillor Wiseman

This item had been effectively dealt with during the Metropolitan Authority Report discussions.

Sidewalks - Councillor MacKay

Councillor MacKay indicated that during the recent snow storm the sidewalks had not been maintained in Sackville. It was his understanding that the contracts awarded for this service last year were supposed to have been extended to this year as well. However, it appeared that the contractors were unaware of this. He presented the following motion for Council's consideration:

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

"THAT if there are extended contracts regarding sidewalk snowplowing, that Staff be authorized to continue those contracts subject to satisfactory price negotiations not to exceed 6% and further, if there are no extended contracts that an emergency meeting of the Urban Services Committee be held to deal with this matter."
Motion Carried.

Street People - Councillor Poirier

Councillor Poirier indicated that there has been a great deal of coverage in the news media recently relative to the plight of street people in Halifax during the cold winter months. She also advised that the Salvation Army had recently attempted to enlarge their sheltering facility on Gottingen Street but this attempt had been quashed by Halifax City Council as it had been indicated to them by residents in the vicinity of the facility, that they did not want street people in the area due to the residential nature of the area. It was Councillor Poirier's opinion that the area was ideal as it was close to other facilities and services provided for street people.

Councillor Poirier voiced her concern over this matter and was joined by many other Council members in this same concern. The following was proposed:

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

"THAT a letter be written to the City of Halifax Mayor and Council encouraging them to entertain a reapplication for a Building Permit by the Salvation Army for expansion of their facility on Gottingen Street and further that Mr. Mason, Director of Social Services be directed to meet with Mr. Crowell, Director of Social Services for the City of Halifax and Captain Trainor of the Salvation Army to address the problems of Street People."
Motion Carried.

To provide some measure of immediate relief, Councillor Mont proposed the following motion:

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

"THAT Mr. Mason be requested to investigate and, if possible, provide interim assistance to Street People with food and lodging during these cold winter months and further that he contact the City of Halifax and other Agencies in this regard and, if necessary, that he be given authority to financially contribute, on behalf of the Municipality, to this assistance."
Motion Carried.

CHRISTMAS AND HOLIDAY WISHES

Councillor Gaetz thanked all Council Members for the Christmas cards and wishes extended to himself and his wife for a Merry Christmas, a Happy Holiday Season and New Year and extended his wishes to all Councillors and Staff Members for the very same.

ADDITION OF ITEM TO NEXT COUNCIL SESSION AGENDA

The following item was added to the next Council session agenda by Councillor Larsen:

- Status Report, Re: Replacement of Property Management Supervisor -

ADJOURNMENT

Prior to accepting a motion of adjournment, Deputy Warden Adams advised Council that the annual New Year's levy would be held in the Council Chambers Monday, January 2, 1984 at 12:30 P.M.

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

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

Therefore, there being no further business, the Regular Council Session adjourned at 8:35 P.M.

MINUTES & REPORTS
OF THE
SECOND YEAR MEETINGS
OF THE
FORTY-FIRST COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
JANUARY COUNCIL SESSION
TUESDAY, JANUARY 3 and 17, 1984

&

PUBLIC HEARINGS

9 Jan. 9, 16, 23 & 30
JANUARY ~~16~~, 1984 and JANUARY 30, 1984

+ Joint Council Session Jan. 31/84
~~Jan 16th - 23/84 - Feb. 6th 84~~

Joint Council Meeting

Jan. 31/84

PUBLIC HEARING

JANUARY 9, 1984

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

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor

SECRETARY: Christine E. Simmons

OPENING OF PUBLIC HEARING - THE LORD'S PRAYER

Warden MacKenzie brought the Public Hearing to order at 7:02 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 Adams:

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

PUBLIC HEARING

For the benefit of those present in the Council Chambers, Warden MacKenzie outlined the procedure to be followed during the Public Hearing.

He then advised that the Public Hearing was called this evening to deal with Application No. RA-SA-39-83-20, a request to rezone lots 224 to 248 inclusive, Phase 12, Sackville Developments, located off First Lake Drive at Lower Sackville From R-1 (Single Unit Dwelling) Zone to R-3 (Mobile Dwelling) Zone.

STAFF REPORT

Mr. Mike Hanusiak, Staff Planner, then came forward to outline the Staff Report, prepared for Council's information.

He advised that the Public Hearing had, in accordance with the provisions of the Planning Act, been advertised in the local newspaper, and that no correspondence had been received, either in favour or in opposition to the Application.

Mr. Hanusiak then reiterated the Warden's above comments relative to the request for rezoning and added that the property owner, Nova Scotia Housing Commission, has made the request in order to permit the development of a mobile home subdivision, as opposed to a mobile home park and further that the lots would be sold individually.

The Staff Report indicated that the lot was relatively flat, heavily treed and there were no visible signs of poor or impaired drainage. The future land use was described as Urban Residential Designation.

Mr. Hanusiak advised that the avenue by which Council could consider this request was set out in the Municipal Development Plan for Sackville as follows:

"Policy P-29 of the Municipal Development Plan for Sackville set forth Council's intention to support an eventual mixture of housing forms within the Urban Residential Designation, provided that such a mixture does not detract from existing single unit residential environments. In this regard, Policy P-38 of the Plan provides for Council to consider a rezoning of the type requested.

It should be noted that the Plan makes specific mention of the Housing Commission's intentions as well as the perceived need for such a development.

The Nova Scotia Housing Commission has indicated its desire to develop a model mobile home subdivision in the Sackville vicinity. Discussions with residents in existing parks has indicated that there is a strong desire for a Housing Commission sponsored development." p. 34.

The report also advised that the criteria for evaluation was set forth under Policy P-104 of the Plan.

Mr. Hanusiak's report then referenced the following items:

1. Lot Status: Lots are presently in the process of receiving subdivision approval.
2. Servicing: Department of Engineering and Works advises that the proposed development will be serviced with municipal water and sewer.
3. Environmental Concerns: Department of Engineering and Works will monitor pre and post construction to ensure adequate storm water management.
4. Education Facilities: Elementary Schools - proposed for the First Lake Drive area, east of Quaker Crescent. Senior High Schools - located along Metropolitan Drive, approximately 1.5 miles from proposed development.
5. Recreation Facilities: Community Centre located on First Lake Drive. Large amount of open space along First Lake.

The Comments of the Department of Planning and Development were as follows:

1. The proposed rezoning is in conformity with the intent of the Plan as required under Policy P-104 (i).
2. The site has adequate water and sewer services as required under Policy P-104 (ii) (b).
3. Being adjacent to a collector-type road, the proposed development will have easy access to schools, shopping, open spaces and other community facilities, thereby satisfying the requirements of Policy P-104 (ii) (d).
4. The proposed development will provide an attractive alternative in home ownership, without the problems traditionally associated with mobile home parks (i.e. garbage collection, snow removal, servicing, etc.).

It was the recommendation of the Department of Planning and Development that the rezoning of Lots 224 to 248 inclusive, Phase 12, Sackville Developments, From R-1 (Single Unit Dwelling) Zone to R-3 (Mobile Dwelling) Zone be approved by County Council.

Questions From Council

None.

Speakers in Favour of Application No. RA-SA-39-83-20

Mr. Harold Dillon, N.S.H.C.: Mr. Dillon spoke in favour of the rezoning application on behalf of the Nova Scotia Housing Commission. He advised that there was little to add to the Staff Report presented by Mr. Hanusiak. However, he advised that the Housing Commission has been pursuing the development of a model mobile home subdivision in the Municipality of the County of Halifax for some time and the adoption of the MDP in Sackville enabled the Housing Commission to come forward with this proposal. He advised that the N.S.H.C. was optimistic that this proposal would provide a much needed housing option for residents of the Municipality who prefer to live in Mobile Homes and who, up until this time, have not had the opportunity to easily locate their homes on a serviced municipal lot.

He further indicated his opinion and that of the N.S.H.C. that the development would be one of high quality.

Questions From Council

None.

Speakers in Opposition to Application No. RA-SA-39-83-20

None.

Motion and Discussion of Council

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

"THAT rezoning of Lots 224 to 248 inclusive, Phase 12, Sackville Developments, Located off First Lake Drive at Lower Sackville, from R-1 (Single Unit Dwelling) Zone to R-3 (Mobile Dwelling) Zone be approved by Halifax County Council."
Motion Carried.

ADJOURNMENT

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

"THAT the Public Hearing adjourn."
Motion Carried.

Therefore, there being no further business, the Public Hearing adjourned at 7:08 P.M.

PUBLIC HEARING

JANUARY 16, 1984

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

ALSO PRESENT: Mr. G.J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor

SECRETARY: Bonita Price

CALL TO ORDER

Warden MacKenzie called the meeting to order at 7:05 p.m. with the Lord's Prayer.

ROLL CALL

The roll was called by Mr. Kelly.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Bonita Price be appointed Recording Secretary."
Motion Carried.

PROCEDURE

Warden MacKenzie outlined the procedure to be followed for the Public Hearing.

REZONING REQUEST RA-24-18-83-08

The Chairman advised that this is a request of the Government of Canada to rezone lots M1-A, M1-B, M1-C (as one lot) of the lands of MacCulloch and Company Limited, located on the Mineville Road at Mineville, from R-1 (Residential Single Family Dwelling) to P (Park and Institutional) Zone.

STAFF REPORT

Mr. Mike Hanusiak of the Planning Department said the Public Hearing was advertised according to the Planning Act, and no letters were received in objection.

In 1983 a large portion of the Minesville Road was rezoned to R-1. The application was initiated by the residents of the area mainly to ensure property values and guard against incompatible land usage. The subject property was included in the R-1 zone. Subsequently the Government of Canada indicated their desire to have the property zoned P, to ensure that it can be developed for institutional purposes at some future time. For the most part the property is vacant but there is a certain amount of land that has been cleared and the rear of the property is heavily treed.

An analysis conducted by the Department of Planning and Development recommended the approval of the rezoning for three reasons:

1. The property's size, shape and topographic features are well-suited for the development of institutional facilities.
2. Separation distances between the subject property and nearby homes is sufficient to ensure a compatible relationship between existing and future land uses.
3. Unlike the present R-1 Zone, the proposed zoning would permit the development of such community-oriented facilities as government offices, police and fire stations, within close proximity of a growing residential area.

On the basis of these findings it is the recommendation of the Department that the application be approved.

QUESTIONS FROM COUNCIL

There were no questions from Council.

SPEAKERS IN FAVOUR OF THE APPLICATION

Lindsay Robbins, RCMP H Division Headquarters, Oxford Street Financial Service and Supply Branch - Mr. Robbins advised that it is the intention of the RCMP to build a general detachment highway patrol building on the property. They acquired the land about two years ago and there were no plans at that time to rezone. It came to their attention this year that the property was being rezoned, and it is part of their administrative process to have the property developable to build the detachment on it.

QUESTIONS FROM COUNCIL

Deputy Warden Adams said he did have a question as to whether the P zoning would be for a detachment or a possible minimum security institution, but he felt this matter had been clarified.

He asked if there was any change in a decision made a couple of years ago to make the Dartmouth Detachment a split one between Musquodoboit Harbour and Cole Harbour. While saying he was not in a position to comment on this, Mr. Robbins mentioned that when the RCMP bought the property it was felt it would be an alternate location for the old Dartmouth Detachment site, but since then the Attorney General's Department and Headquarters have decided to split the Dartmouth Detachment into two functions, one in Musquodoboit Harbour and one in the Cole Harbour Area, and in the near future he sees no change in this. Further down the road, if certain decisions are made, it is felt the Minesville site is ideally located for a RCMP detachment.

When asked if there is any timetable to begin development, Mr. Robbins said a well was drilled as part of the development process, and it turned out the quality of the water was good. Current leases in Cole Harbour and Musquodoboit Harbour terminate in five years and a decision will have to be made whether to renew leases or build at Minesville.

Councillor Mont wondered why the application is being brought now, and was told that from the point of view of the RCMP there is no urgency but when they learned the property was being rezoned they decided to ask that their property be excluded from residential housing. Councillor Mont asked who does own the property, since it is still referred to as MacCulloch and Company property. Mr. Robbins confirmed it is owned by the RCMP.

Councillor DeRoche asked if the Department of Public Works would have the right in the future to convert the land to some other usage. Mr. Robbins said if the RCMP found they had no further use for it they could declare a surplus and it would be the responsibility of Public Works to dispose of it.

SPEAKERS IN OPPOSITION

Nobody spoke in opposition to the application.

MOTION OF COUNCIL

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

"THAT the application to rezone Lots M1-A, M1-B, M1-C (as one lot) of the lands of MacCulloch and Company Limited, located on the Mineville Road at Mineville from R-1 (Residential Single Family Dwelling) zone to P (Park and Institutional) zone, be approved."
Motion Carried.

AMENDMENT TO THE MUNICIPAL PLANNING STRATEGY AND LAND USE BYLAW FOR
TIMBERLEA/LAKESIDE/BEECHVILLE

The Chairman advised that the amendments identify the lands of MacDonald's Bottle Exchange and Equipment Rental Outlet at 2352 Bay Road, Timberlea, and provide for the rezoning of this property to C-2 - General Business Zone.

STAFF REPORT

Ms. Valerie Spencer advised that the application had been advertised according to the Planning Act, and the Planning Advisory Committee also authorized public participation in preparing the amendment. In addition the Planning Advisory Committee contacted past members of the Public Participation Committee for Timberlea/Lakeside/Beechville to gain their input.

The Bylaw amendments required in order for Council to approve this application are as follows:

a) The Municipal Development Plan for Timberlea-Lakeside-Beechville is hereby amended as follows:

1) by inserting immediately following the words "hazardous or detrimental to adjacent uses" of Policy P-36 the following:

Notwithstanding the above, it shall be the intention of Council to zone the lands of the MacDonald Bottle Exchange and Equipment Rental, LRIS INDEX Nos. 40027930 and 40027948 to a general commercial zone.

b) The Zoning By-law for Timberlea-Lakeside-Beechville is hereby amended as follows:

1) by deleting from Appendix "B" (Existing Uses) the following:

MacDonald's Bottle Exchange-Equipment Rental, 2352 Bay Road, 40027930 and 40027948

2) and by deleting the R-2 (Two Unit Dwelling) Zone and inserting therefor a C-2 (General Business) Zone and Schedule "A" (Zoning Map)

Mr. MacDonald, owner of the property under discussion, came forward prior to the Plan and By-law being approved by Council, and received a C-1 Commercial Zone for his property. When the Municipal Plan and By-law were approved, the rules of the game changed and in lieu of the Commercial zone existing on his property, MacDonald's Bottle Exchange and Equipment Rental business was identified as a permitted use to the extent that it was then developed. It was permitted to expand only by contract with the Municipality. That method of permitting existing use and expansion by contract is a mechanism that is very common in the Timberlea Plan and it was used for businesses that found themselves under the new plan in areas designated for future Residential as opposed to Commercial development.

After the plan was approved and prior to the Minister of Municipal Affairs signing it, Mr. MacDonald's case again came before Council, and they put forward a motion to the Minister asking him to incorporate a Commercial zoning for Mr. MacDonald in lieu of a contract as he went through the business for approving the original Planning Bylaw. The Planning Advisory Committee recently wondered whether or not that Council motion was ever received or considered by the Minister. Ms. Spencer met with the Director of Community Planning who assured her that it was both received and considered by the Minister in his approval of the Timberlea plan, but he did not choose to incorporate Council's request at that time. That meant that after the Plan was adopted Mr. Macdonald could not expand his Bottle Exchange and Equipment Rental unless he applied for a development agreement.

The Planning Advisory Committee has considered the amendments to the By-law, which would have the effect of reinstating Mr. MacDonald's Commercial zone as much as is possible to the state where it was before the new Plan was adopted. These amendments specifically identify this operation as being eligible to receive a Commercial zone, and would delete the contract requirement and actually change the zoning map and put a commercial zone on two pieces of property, side by side in Timberlea.

The Staff recommendation is negative, a recommendation that this amendment not be adopted by Council. The Plan does identify a number of businesses that are in the Residential designation and it provides the same mechanism for all of them. There are a variety of different types of businesses and each of them in their various locations are subject to contracts. The Staff suggestion is that there is no evidence to support pulling this one property out for a special zone and in fact there is some concern that if the two lots that are under discussion are given a Commercial zone, the landowner may lose the development potential of part of these properties. Under the existing contract mechanism the zoning By-law standards are negotiable. If a Commercial zone is placed on these two pieces of property it is possible that Mr. Macdonald will have to go through the Subdivision approval process in order to pull the two lots together into one piece of property in order to use his lands to the same extent that he can right now under the contract.

QUESTIONS FROM COUNCIL

Ms. Spencer explained the matter further in reply to a question from Councillor Poirier. Mr. MacDonald has two lots, each one of which has about 50 feet of frontage. The requirements of the C-2 zone demand a 15 foot side yard, and that would be a side yard from the side lot lines of each of the two lots. He would have to provide 30 feet of side yard, which means he would only have a 20 foot strip in the centre of each of his two lots for use. He has an option of consolidating these two lots into one large lot, and under a contract it is possible to reduce the side yards, to go so far as to allow zero lot line where the two lots meet. So it is recommended that his options in terms of using most of his property may be greater when they can be negotiated specifically for his property as opposed to putting him in a situation where he is under a standard zoning requirement which says 15 feet.

Councillor Deveaux commented that several of the Planning Advisory Committee visited the area in question and thought the MacDonald property did not seem too much out of line with some of the adjoining properties. He asked how Mr. MacDonald lost the Commercial zoning he obtained from Council one and one-half to two years ago.

Ms. Spencer said before the Timberlea Plan and By-law came into effect there was very little zoning in Timberlea. One of the few areas that did have zoning was the area where Mr. MacDonald operated his bottle exchange. Since he was in a Residential zone he had to get that zone changed in order to operate his business. He applied in May 1981, and prior to that time he had some discussions with the PPC for the area. There was a public hearing involved with the zone application and the PPC Chairperson indicated to Council that the PPC had no problem with Council approving the amendment, although they would prefer the offer of a contract. They advised that under the new Plan it was their intention to provide contractual arrangements for all the existing businesses. Under the new Plan twenty or so businesses were identified and put into contract positions. Mr. MacDonald came in just prior to the PPC making a final recommendation to Council, and his zoning (C-1) was approved by Council.

This zoning was lost in the process because it was an existing business in a residential area and the new Plan says this type of business comes under contract. When the new Plan came into effect, by adopting that plan Council got rid of all the zoning that was previously effective in the area, and gave new zones or new contracts in each of the Plan areas.

Councillor Walker mentioned other properties in the area - the Fitzgerald Store Property has a C-2 zone, others have R-2. Ms. Spencer could only suggest that a store is permitted in a Residential area subject to a Commercial zone, and that a decision was made to uphold that zoning.

Councillor Poirier expressed concern about the loss of a zoning. She said the Chairman of the PPC suggested by letter to the Development Division that Mr. Macdonald get his zoning one way or another before the MDP was completed. He followed this suggestion and received his zoning by unanimous consent of Council. There is R-2 next to the MacDonald property and not only the Fitzgerald Store but also two vacant lots and two private homes, all zoned C-2. The C-2 for Mr. MacDonald should be no problem.

Councillor Walker asked if there was an oversight on the part of Planning Staff? Ms. Spencer replied she did not know.

Councillor DeRoche questioned how long it would take Mr. MacDonald to go through the Subdivision process. Ms. Spencer did not know how long it would take to process a subdivision application, but agreed that Mr. MacDonald could begin the consolidation process while the Minister is considering the signing. Councillor DeRoche said if Council approves the C-2, and the Minister signs, Mr. MacDonald will have the designation forever. On the other hand, if the Staff recommendation is accepted he can develop by contract, and he could start the process tomorrow. Probably both avenues would take an equal amount of time.

Councillor Wiseman asked about the response from the previous members of the PPC. Ms. Spencer said of thirty people contacted by mail, three letters were returned and there was response from four people, two by phone, two at a Planning Advisory Committee meeting. The concerns expressed were not with this particular business, but in losing control over future types of commercial development by putting on the zone.

SPEAKERS IN FAVOUR OF THE APPLICATION

Russ Hensen, Solicitor for Mr. MacDonald, and Mr. MacDonald - Mr. Hensen wished to bring a number of points to Council's attention. They are asking for a reinstatement of what existed previously, when Mr. MacDonald took all the requisite steps required of him. He did what all the committees asked him, and got the unanimous approval of Council. It appears he lost this zoning through human error, and Council is being asked to put this matter right.

Mr. MacDonald is asking for a C-2, and does not agree with Staff's feeling that he will thereby lose flexibility. If he receives a favourable reply from Council, he will commence an application for consolidation, and feels the fact that the two lots, side by side, were used for a common purpose for some period of time, will help to ensure a favourable response.

Mr. Hensen felt that the C-2 designation is adequate to protect the public, as there are a number of restrictions attached to it. In addition the fact that he has operated his business for some period of time is of importance.

In addition, there is another C-2 almost adjacent to Mr. MacDonald's property, and Mr. Hensen felt there is some unfairness here to Mr. MacDonald. He would like to get on with operating his business. He took all the steps he could to ensure that he could continue to have his business prosper, and respectfully requests to Council that no harm will come to the community if his submission is granted. It is asked that Council give the request favourable consideration, with a request to the Minister that it be put in place.

Mr. Hensen does not think there is danger of a precedent. Another property owner who wanted to do the same thing would also have to come before Council, and each case would be considered on its merits. Mr. MacDonald's is a unique case.

SPEAKERS IN OPPOSITION TO THE APPLICATION

There were no speakers in opposition.

DISCUSSION AND MOTION OF COUNCIL

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

"THAT Amendment A, to the Municipal Development Plan, be approved."
Motion Carried.

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

"THAT Amendment B, to the Zoning Bylaw, be approved."
Motion Carried.

ADJOURNMENT

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

"THAT the meeting adjourn."
Motion Carried.

PUBLIC HEARING

REZONING APPLICATION
PROSPECT PENINSULA RESIDENTS ASSOCIATION

January 23, 1984

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

Also Present: Mr. K. R. Meech - Chief Administrative Officer
 Mr. G. J. Kelly - Municipal Clerk
 Mr. Robert Cragg - Municipal Solicitor

Recording Secretary: Bonita Price

CALL TO ORDER

The Chairman called the meeting to order at 7.10 p.m., with the Lord's Prayer.

RECORDING SECRETARY

It was moved by Councillor DeRoche, seconded by Deputy Warden Adams, that Bonita Price be Recording Secretary for the meeting. Motion carried.

APPLICATION

Warden MacKenzie announced the procedure for considering Application for Rezoning No. RA-24-44-83-04 requested by area residents to zone portions of Prospect Peninsula from unzoned status to R-2 (Residential), C-1 (Commercial) and F-1 (Fishing). He asked that those in favour first express their opinions, followed by those speaking against the application. Each speaker was asked to be concise, and to speak only once.

STAFF REPORT

Mrs. Dorothy Cartledge began by describing the location of the area, using a map. She said the application was submitted by Mr. C. P. McGinn on behalf of area residents. The request is for three zones - for a F-1 zone which is a Fishing Industry Zone, for C-1 Commercial/Local Business Zone, and for R-2, Residential Two Family Dwelling Zone. The purpose of the request is to provide residents with protection against incompatible land uses, and to give them the opportunity to determine the direction for future developments in the community. The application was submitted by a map outlining the areas to be rezoned, supported by a petition (which was circulated to Councillors) signed by approximately 206 signatures.

Mrs. Cartledge explained the existing zoning. In 1974 Council approved R-2 zoning as shown in blue on the map, and two commercial lots. That zoning extended from highway 333 down to the Brennan Road. In 1976 the residents of Brennan Road asked for the zoning to be extended to the southern side of Brennan Road. The areas to be considered for the current application are outlined in green for the R-2 zoning, in orange for the F-1 zoning and red for the commercial zone.

She said the C-1 zones are to be applied to existing commercial developments and these are as follows - a clothing design shop, a plumbing systems and plumbing supply outlet, an artists studio, an automotive and auto body repair shop, and a building supply and storage shop. These were pointed out on the map. The Public Hearing notice that appeared in the newspaper had an error in the PID number that identified one of the properties for C-1 zoning. The map also showed the areas to which F-1 zoning is to be applied. The F-1 zoning, which permits fishing industry related uses and a mixture of residential and institutional uses, would seem to be appropriate for this area because basically that is the land use mix in that area. There are churches and fishing stores, wharves and a variation of residential uses.

Mrs. Cartledge said the R-2 zoning is probably the most contentious part of the whole rezoning application and she went over the reasons Staff have recommended that the R-2 zoning be approved. They feel that the majority of the lands located in the area are either vacant or contain single family dwellings, so the R-2 zoning will not basically create non-conforming land use. The R-2 zoning has proven to be an effective protection mechanism. The R-2 zoning has been in place here since 1974, and has worked quite well, in fact there has only been one rezoning application for that area in all that time. The proposed rezoning to R-2 demonstrates an accepted planning procedure for protecting property values and ensuring a compatible relationship between existing and future land use. What it basically means is that anybody proposing to do anything other than the uses permitted in the R-2 zone, would be required to go through a Public Hearing process, and that means that residents would have input. It also means that Council would have the means for evaluating the environmental, social and economic consequences of any future developments other than residential in the area.

Staff did not recommend that District 4 be included in the Industrial Uses section of the Zoning Bylaw, for a number of reasons. The first is because they were rather limited in what they could respond to in their report because the Public Hearing notices had already appeared in the paper. The other reason would

be that to include District 4 under the Industrial Uses Section of the Zoning Bylaw would require yet another Public Hearing because it requires an amendment to the Zoning Bylaw, and that would involve further expenses. They feel that to approve the R-2 zoning on the area shown in green would achieve the same end as would be achieved by including District 4 under the Industrial Uses Section. Industrial development or commercial development would require a Public Hearing. Another reason they feel the R-2 zoning should be applied to the total area would be to ensure that the McDan Enterprises proposal will be evaluated on its own merits, and Council won't be placed in a position of being forced to issue a development permit for something where the impact on the community is not known.

A number of land holdings were shown in purple on the map. These were McDan Enterprises, who have asked that their properties be exempted, a property owned by R. W. Ferguson, who is also asking for exemption, and another property owned by Prospect Enterprises Limited, who are asking for exemption.

Questions from Council

Councillor Gaudet asked, if Council approves the zoning in Prospect, will a company be able to apply for an I zoning in the future and would it be difficult to get that zoning. Mrs. Cartledge replied that anyone could make application for a rezoning to Industrial or Commercial, and Staff would evaluate such an application on its own merit. When they process a zone change application they automatically forward those applications and all the material in them, to all involved provincial government agencies, such as the departments of Health, Transportation, Environment, to give them an opportunity to review such proposals and forward their comments back to the Municipality. These comments would be incorporated in the staff report to Council on a rezoning request.

Warden MacKenzie read a telegram addressed to himself and Halifax County Council as follows - "I Jacqueline Rowley am the owner of Saul's Island in Prospect. I want Council to know that I am fully in support of the zoning application in question tonight. I am also very strongly opposed to any heavy industry in Prospect or the surrounding areas. My daughter, Susanna Rowley, will act as my spokesperson at this hearing. Signed Jacqueline Rowley."

Warden MacKenzie welcomed all the people in the audience, and particularly the residents from Halifax County, and apologised for the condition of the Council Chamber, which is in process of renovation.

SPEAKERS IN FAVOUR OF THE APPLICATION

Charles Peter McGinn, Resident of Prospect for Fifteen Years - Mr. McGinn stated that the Brief he will present has been diligently prepared by the Prospect Peninsula Residents Association. It received contributions from several people and so represents a diverse viewpoint of the community. The committee and the residents are united on the issue of zoning, in the form of a petition presented to Council last October. The zoning application under consideration is a direct result of a petition which was signed by 86% of the people in the unzoned southern part of the Prospect Peninsula. A second petition in support of the application was circulated in the adjacent zoned areas, and it received overwhelming support of approximately 90%.

The residents recognize the need for planned and controlled development in the community, since continued growth in the community is inevitable. The residents will encourage the accommodation of development which will enhance the area's social, environmental and physical attributes, those which will protect the unique and historical categories, and those which will ensure that the land so committed can be supported by the land. The type of zoning requested, F-1, R-2, and C-1, would maintain the continuity of development in the area and would protect residents against irresponsible development, and future non-conforming development. Proposals would require a Public Hearing, and residents would thus have input into future development within the area under consideration.

In 1974 and in 1978, the communities of Shad Bay, White's Lake and Prospect Bay organized to consider the effects of development in the area, and accordingly proceeded to have the zoning of the area changed from General to R-2 Residential, with limited Commercial areas. This was done under Application No. 3-74. The attitude of the community at that time was to protect the area from concentrated commercial and unsightly development, and to protect the natural beauty of the area. This attitude has not changed, and the residents want to ensure the same protection for the Prospect Peninsula South. This presentation is to reinforce the opinion that this area does not meet the prerequisites of concentrated development. The area lacks the infrastructure for this type of development, and the land will not support it. The residents do not want it.

The residents of the area have asked Council to approve the zoning of that section of the Prospect Peninsula now unzoned, that being the land south of the already zoned R-2 area. Present development of the Prospect Peninsula is residential, residentially-supported commercial, and commercial fishing. This development is located as follows- in the village of Prospect, along the roadway from White's Lake to the village, a subdivision, Pinedale Park, and along two secondary roads. In the past the village was the major developed area, and now the area adjacent to the Prospect Road is the area with the most residents. Some of the reasons for limited development in the village and in the area immediately adjacent to the water, are its geological, topographical, environmental and hydrographical nature. Lack of glacial till and poor natural protection from the elements make the physical situation difficult, even for residential construction.

Mr. McGinn dealt with these in more detail, to present an overview of the character of the Prospect Peninsula. He said he speaks from first hand knowledge of residential development in the area south of Selig's Road and in Prospect village where he built a home and assisted in the design and construction of two others. He has lived in the area for approximately fifteen years, and has walked extensively over most of the uninhabited or unoccupied land. His house is in the village of Prospect, about 600 meters directly south of Kelly's Point, a standard Cape Cod house with concrete foundations and footings supporting the structure; blasting was required to remove approximately 5½ feet of bedrock. This in spite of the fact that a section of his land has the deepest measured top and sub soils in the village. The two homes which he helped build also needed preparation for their basement construction and each construction required over forty truckloads of fill because there is almost no glacial till, that is topsoil and subsoil, in the area.

The geology and topography of the area are unsuitable for development, other than small-scale site development, which to be successful must present minimum disturbance to the existing site. The land has thin soil and irregular topography, with granite bedrock within a few inches of the surface, and exposed in many areas. Surface drainage tends to be controlled by the rock substrata, which because of its irregular shape creates many peat bogs and areas of poor drainage. The land is coastal and rocky, and physically unique. A comparison with which everybody is familiar would be the land adjacent to Peggy's Cove, which in fact is not very far away. Subsoils and topsoils in this area are non-existent or at best marginal. This is clearly evident when consideration is given to the type of vegetation and its limited quantity. Because of the marginal soil cover the land is characterized by a very high water table, and this is indicated by the number of bogs and marshlands common to the area. Further, the vegetation in the area is composed of heath land, sparsely treed with black spruce, scrub birch and colonized by various berry-producing shrubs. This vegetation survives here because it can stand the effect of storms coming in from the Atlantic. The heath lands are fragile compared to most other types of vegetation, in that they cannot withstand concentrated contact with humans or development. This fact is exemplified by the action of Parks Canada, aimed at protecting heath lands from destruction caused by trampling, in Gros Morne National Park, Newfoundland. The actions consisted of laying boardwalks over many areas which are physically similar to Prospect.

Included in these lands around Prospect are peat bogs, which form because of the exceptionally poor drainage. They support various kinds of birds and mammals, by supplying them with various types of water plants, berries and insects as food. Typical wildlife includes mink, otter, muskrat, snowshoe hare, deer, fox, porcupine, partridge, heron, osprey, geese, ducks, cormorants, loons and various migratory song birds. Many of these birds and animals are also supported by the saltwater marshes, and the shallow waters of Prospect Bay. The irregular topography associated with this scene does not lend itself to dense population or extensive development.

Besides being a wildlife haven, Prospect Bay is also scenically attractive. Presently the south-eastern and eastern strips of the peninsula are used extensively by local residents as a recreational area. There runs along these shores a footpath from which there is access to the beaches and stunning views both seaward and across the heathland.

It is the contention of the residents that Prospect represents a precious area in terms of aesthetic qualities alone. The rugged and distinctive coast, the picturesque ancient fishing village, and the unspoiled pristine nature of the land are all qualities that need to be considered most seriously during Council's deliberations on how this land should be classified, i.e. zoned or unzoned, and if the former, what zoning. Prospect is quite simply one of the most beautiful areas in Halifax County. Fittingly, the Nova Scotia Legislature passed an Act to protect and preserve Peggy's Cove, an area on similar grounds. Prospect is not less significant than Peggy's Cove, in fact it has the superior quality of its authenticity. Its unspoiled appearance is not marred by tourist signs.

Not least among the reasons why residents wish Prospect to enjoy the protection of R-2 and F-1 zoning is its historical significance. Prospect was originally settled in 1754, by some 250 Irish immigrants. As time passed most of the residents supported themselves in occupations congruent with their environment, chief among them was fishing. Prospect's first church was erected in 1794, and a large religious community attended to the needs of a prospering population. Today there are in the village several families that have direct ties with those early settlers. There are scattered gravesites which are of interest in the

community, as well as areas known to have been settled, at least seasonally, by MicMac Indians. Their artifacts can still be found. A study of Prospect's history shows it to be the archetypical early fishing village in Nova Scotia. And residents want to see the character of the village and its link with the past given whatever protection they can extend.

If heavy industry was to develop in the area, residents can see several problems. The existing highway in the area is inadequate even for its present use and will surely not meet the requirements of concentrated development. Route 333 from Halifax to Prospect is narrow, winding and not graded properly for heavy traffic. In addition Route 333 constitutes part of the main tourist route from Halifax to Peggy's Cove and St. Margaret's Bay, and therefore should be protected from heavy industrial traffic. The road to Prospect village is even less suitable, for the same reasons. In addition the roadway is presently winding through extensive residential development. In the case of Route 333 and the Prospect roadway, highway modifications would mean considerable disturbance of existing development, and construction that would be extremely expensive. It would cost millions of taxpayer dollars. There is no feasible route for carriers; there are three schools bordering on the highway, the road itself has been a source of complaint for several years, and it has been inadequate for present use.

If industrial development was allowed in the remaining unzoned portion of the peninsula, particularly heavy industry, it would be detrimental to the existing zoned areas in these ways - it would jeopardise the safety of pedestrians, those who have to make their way from one settlement to another by the roadway - it would increase noise levels and annoy residents who choose to live in the area because of its quiet nature - there would be a more rapid deterioration of the roads, and increased cost to taxpayers - it would depress property values, causing undue hardships to the residents who bought property on the assumption that the area to be developed would be continued as residential development.

Any industrial development would also have to consider water supply problems. In Prospect, when water can be obtained from wells bored into the bedrock, it contains high levels of iron, magnesium and arsenic. Developers may overcome the impurity problems by installing filters and treatment plants, but can they solve the actual water supply problem without incurring expenditures involving the piping or trucking it into the area, and without disturbing existing wells. Many residents have had their wells go dry in the past summers. Construction of an overland water service piped in from elsewhere is not feasible and therefore unlikely.

Another related problem is sewage disposal. A great deal of the land in this area is in excess of the 25% gradient ceiling for site development feasibility. On-site sewage disposal is probably impractical, and a threat to local wells and water courses. A salt water discharge sewage system would be a threat to both the local fishery and the environment. The gradient, coupled with the inability of the soil to absorb water efficiently, results in rapid runoff during storm conditions. Continued erosion, the destruction of vegetation, and silting of natural water courses could be a blight on the landscape and detract from the ascetic and sensitive and unique landscape. As the Municipal Health Department can confirm, there have been some lands rejected for building lots because they were unable to pass percolation tests. Over-development in the area may pose health hazards through the resulting poor absorption of waste, waste that will contaminate drinking water.

We should also consider the water surrounding the areas to which the zoning application applies. These waters were surveyed in 1945 by the Canadian Hydrographic Service, which produced a field sheet at a scale of 1/15000, from which the existing official chart was drawn up. This chart shows soundings along measured profiles. It shows soundings at the entrance of Prospect Bay in the channel between Kelly's Lake and the easterly shore of a maximum of seven fathoms. That's about 42 feet, and the width of the channel is less than 600 feet. It has been observed that there are no strong currents in the area, water flows are mostly tidal and wind driven, or both. Considering the topography of the area, the sediments deposited from runoff, the restricted channel, and the long time that has elapsed since the last survey, it is suggested that the channel has an actual depth of less than the published one of seven fathoms, and that the useful width of the channel would be only 300 to 350 feet. To put the size of the channel into perspective, it may be worth noting that it is roughly the same size as that of the narrowest part of the Northwest Arm, and is considerably smaller than the Narrows in Halifax Harbour. At one time coastal schooners carried on considerable lumber trade in the area. Instead of using the narrow entrance channel described above, they moored their shallow draft ships in the waters around Hearne Island, which is located at the mouth of Prospect Bay. The approaches to Prospect Bay are hazardous to ship navigation due to the number of islands and shoals existing there. Ships would have difficulty maneuvering and would run a strong risk of grounding. Clearly, the particular features of Prospect Bay and its approaches make it suitable for use only by small boats such as those used in fishing and for local recreation.

A heavy and growing investment in residential development already exists in the area, because of its proximity to Halifax, its unique character and its access to salt water recreation. The residents think that the continued growth and development should be residential and light commercial development, which will guarantee further appreciation of property on a long term basis. The best protection for this type of resource would be along the historical line of development to date, residential, some fishing and light commercial. This resource has the promise of paying great dividends to the County of Halifax and its people through tourist and recreation uses. Economically, the preservation of the unique aesthetic qualities of Prospect may be justified on two grounds. The first of these is tourism. Prospect, along the Lighthouse Route, is certainly one of the county's major tourist attractions and will probably become more so in the future if preserved. Indeed it was the focus of a double page advertisement by the Department of Tourism, which appeared in many national and international magazines, such as the May 1983 edition of the Readers Digest, with an international circulation of 33 million. It was portrayed as the quintessentially Nova Scotian village. The revenue and spinoff industry in the County engendered by tourism cannot be minimised, and we repeat that Prospect is a unique tourist attraction within the County.

A second economic justification involves the consideration of the rapidly expanding urban core in Halifax, and the projected future need for housing outside the city, but nonetheless in close proximity. The Prospect area offers an environment of scenic splendour within 25 miles of the Armdale Rotary, and is easy commuting distance for any potential home owner or builder. Certainly if the ascetic remarkable quality of the area is preserved, this will be a great inducement to build houses nearby, and the County will profit from the residential tax dollars. On the other hand if the area is marred ascetically by industrial