

Warden MacKenzie questioned whether Council members had any items of an emergency nature which they would like to have added to the Council agenda. The following items were then added to the agenda:

1. Bomont Subdivision - Councillor Lichter
2. Office Hours - Councillor Lichter;
3. Pollution Control, N.S.P.C. - Councillor Poirier.

At this time, Councillor Gaetz advised the Warden that it was good to have him **back in** good health after his vehicle accident. He also advised that the Deputy Warden had done a fine job of Chairing Council and Committee meetings in the absence of the Warden.

Warden MacKenzie also thanked Deputy Warden Adams for taking over the chairmanship of Council, Public Hearings and Committee Meetings in his absence.

LETTERS AND CORRESPONDENCE

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

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

Letter From Canada Post

A letter was received from Canada Post in response to the Municipality's request for extension of door to door mail delivery in the Her-ring Cove Area. This letter outlined the following three goals of Canada Post:

- a) improved service;
- b) improved human relations;
- c) achievement of financial self-sufficiency.

Canada Post, has concluded, nationally, that further major changes, including extension of door to door mail delivery shall not be approved until a comprehensive, integrated action plan is developed.

The above letter was for Council's information only.

Although, the letter inspired disappointment in Councillor Baker, who had initiated the request for expanded door to door mail delivery, he had nothing to add to the discussion of the letter.

Letter From Halifax Cablevision Limited

A letter had been received from Halifax Cablevision Limited in response to the Municipality's letter of December 16, 1983, relative to a request for extension of services to East Pennant and West Pennant.

This letter advised that such an extension at this time would not be feasible as construction costs are presently running from \$12,000 to \$13,000 per mile.

This information letter was also received with little discussion or response from Council.

Letter From the Minister of the Department of Municipal Affairs

Mr. Kelly read to Council the following letter received from the Minister of the Department of Municipal Affairs, relative to the proposed amendment to the Subdivision Regulations for Districts 10, 11, 12 and 13:

"First of all I apologize for the length of time it has taken the Department to respond to this matter. Please be advised that the Department is not prepared to amend the subdivision regulations as requested. Our reasons for not amending these regulations to allow 25 foot frontages in districts 10, 11 12 and 13 are contained in the attached report."

The, attached, report outlined the following reasons for the above decision:

1. It has been the policy of the Department to permit reduced lot frontage requirements for lots requesting approval on a plan of subdivision only when the municipality has a municipal planning strategy and land use by-law in place addressing the special circumstances of why and where these policies are necessary and would apply. In these cases such as in the Lake Major Area Municipal Planning Strategy these policies only apply to a certain part of the plan area where the municipality has shown the land holding and development patterns warrant these requirements.
2. The Land Use Regulations of the Halifax-Dartmouth Regional Development Plan apply to all of Halifax County and require a minimum of 150 feet of frontage for lots that do not meet the infilling provisions of this plan. In 1980, in response to the Special Rural Task Force Report, we have exempted all developments in these districts from these requirements if the proposed developments meet the requirements of the Department of Health which is a minimum of 100 feet of frontage and from the municipality's requirements of 75 feet of frontage.
3. The municipality already has in place special legislation that will enable them in the few situations which occur to reduce the lot frontage and area requirements of their subdivision regulations. I would also like to point out here that the majority of lots requesting approval in these districts exceed the frontage requirements of the Department of Health and the municipality and that we are not aware of any situations where plans of subdivisions have been refused as a result of these frontage requirements.
4. If approved, the resulting development pattern of flag lots could cause the following problems:
 - (a) concentration of wells and septic tanks in a limited area which in time would cause ground water problems leading to contaminated well water supplies.

(b) if the above occurs, it causes additional problems in providing central water and sewer services to these back lots which means easements often have to be obtained over the front lots and in some cases it is very difficult to service these back lots due to existing grades.

(c) in areas where this type of development occurs, the increased number of driveways in a minimum distance often lead to a reduction in highway speed which has a negative effect on our provincial highway system.

5. Also attached, is a tentative plan of subdivision for 4 lots on Brian Street, Preston, Halifax County. The plan is an example of what happens when frontages are reduced to twenty-five in width, which I am sure is not what we would like to see become the typical development pattern for these four eastern districts of Halifax County."

Deputy Warden Adams expressed opposition to example no. 5 advising that it was not applicable and that it was a bad example of the use of flag lots.

Councillor Lichter expressed extreme opposition to the above letter from the Minister of Municipal Affairs and proposed the following motion:

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

"THAT a letter be written to the Honorable Minister of Municipal Affairs to be worded as follows: Please accept our appreciation for your letter concerning Flag Lots in Districts 10, 11, 12 and 13. Your apology for the over six month delay is accepted and is understandable when one considers the power of your staff and the way this power is used by them to ensure that freedoms lost shall not be restored to the people. We are not pleased with the staff report you attached to your letter for a number of reasons. It is our hope that you will not be offended by the fact that we dare to list these reasons and hope that you will consider these opinions to be the opinions of the elected representatives and as such they should carry a lot more weight in decision making than the weight given to the opinions of the civil servants whose life membership in that club certainly was not granted by the electorate. We are displeased with the staff report for the following reasons: 1. This Council realize that Flag Lots are not a viable option for all twenty-one districts; we have supported this amendment for certain areas of the Lake Major MDP, for Districts 10, 11, 12 and 13 and recently for the Eastern Passage - Cow Bay MDP. For reasons of your own or that of the Department personnel, you granted this measure of freedom to the Prestons but denied it to the four districts in question. All the arguments of your staff cannot whitewash the fact that our people will have to view your decision as a form of discrimination. 2. The reference to the Regional Development Plan by your staff is one that creates bitterness in many of us for we are painfully aware of how unjust the RDP is to some parts of our Municipality. Our people were placed in bondage by your staff in 1975 and, while we admit that

the four Eastern Districts received some concessions in 1980, these concessions would have made people happy who live in a Dictatorship but not the people who still believe they live in a Democracy. 3. Your staff stated that "they are not aware of any situations" where this amendment would be of help to people; they may not be aware, however, we are and so are you, Mr. Minister. 4. The four Districts are not able or willing to wait for a Municipal Planning Strategy in the hope that such a strategy will solve the urgent problems. We are years away from being able to develop these strategies due to workload and financial restraint imposed upon us by your Department. 5. Your staff uses one subdivision application for four lots on Brian Street, Preston to indicate to you the evils of the amendment. They also point out in the report, the following: "which I am sure is not what we would like to see become the typical development pattern". First of all the phrase "I am sure" without the name of the author on the paper, indicates that individual staff members are permitted to hide their identity from the public. This, we cannot condone. Secondly, suggesting that this will become the typical development pattern anywhere, is a red herring used to force you to reach a decision that may satisfy your staff but will not satisfy this Council and the people we represent. It is our hope, Mr. Minister, that you will read our letter with great care and we urge you to reconsider your decision in this matter."

Many Council Members did not feel that the wording of the above letter was acceptable to them; among these was Councillor McInroy who, although appreciating Councillor Lichter's feelings on the matter, felt that such a strongly worded letter should go out in only Councillor Lichter's name and should not be endorsed by the entire Municipality.

Other Councillors of the same opinion, relative to the wording of the letter were Councillors Wiseman, Mont, and Margeson; Councillor Margeson, in fact, suggested that Council endorse instead, a meeting with the Minister.

Councillor MacKay indicated his understanding that the Minister had approved of the amendment to the subdivision regulations and that he had made a commitment to Council to that effect.

Councillor Bayers confirmed that such a commitment was indeed made to himself and to Mr. Walter Blakeney by the Minister at his constituency office in Musquodobit Harbour. He further advised that when questioned in this regard in the Municipal Council Chambers, the Minister had advised that he did not fully understand the amendment; however, Councillor Bayers indicated his opinion that the Minister did, indeed, understand the issue and that his decision had been swayed by the recommendation of his Staff .

Councillor Bayers indicated his disappointment with the Minister's letter and advised that, if the letter does not go out with the endorsement of full Council, he would certainly agree to affixing his signature to the letter, along with that of Councillor Lichter.

As well Councillors Deveaux and Reid indicated their support for the letter and agreement to have their signatures affixed to it.

Councillor Lichter indicated that if it was the tone of the letter to which Council was objecting, while still being supportive of the message behind the letter, then he would defer his motion temporarily to determine whether any motion to deal adequately with the issue could be endorsed by full Council. It was his intention that objection to the Minister's decision should come from whole Council and not just a few members.

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

"THAT the previous motion of Councillor Lichter and Reid in reply to the letter of the Minister of Municipal Affairs regarding Subdivision Regulations, be temporarily deferred in order that another motion can be considered by Council to deal with the matter."

Motion Carried.

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

"THAT the Municipality reply to the Letter and Report of the Minister of Municipal Affairs, which was relative to Subdivision Regulations in Districts 10, 11, 12 and 13, requesting that, due to dissatisfaction with this Report and Letter, the Minister meet with the Councillors of the four Districts and Councillor Deveaux, (who also has an interest in flag lots in his district), Mr. K. R. Meech, CAO and Warden MacKenzie (District 11), to discuss reconsideration of the establishment of Flag Lots in these districts and further that this meeting to resolve this issue be held as soon as possible."

Motion Carried.

In light of the above motion, Councillor Lichter and Councillor Reid agreed to withdraw their previous motion which had been deferred.

Letter from Nova Scotia Department of Housing

A letter had been received from the Nova Scotia Department of Housing which read:

"...this will confirm the Department's wish to delete our application requesting that Parcel "L" which is located in Phase 11 of our Sackville Lakes Development be rezoned from R-1 to R-4."

This letter was for Councils information only.

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

"THAT the request of the Nova Scotia Department of Housing to delete their rezoning application regarding Parcel "L", Phase 11 of the Sackville Lake Development be adopted."

Motion Carried.

Memo From Mr. Keith Birch, Chief of Planning and Development

Mr. Kelly read to Council a memo from Mr. Keith Birch, as follows:

"Council recently scheduled a Public Hearing to consider a development agreement for the Clattenburg Auto Repair in Westphal. The hearing is scheduled for the 16th of January, 1984.

Unfortunately, the statutory requirements for advertising have not been met and therefore, this hearing will have to be rescheduled. During the Christmas rush, the envelope bearing the advertisement found its way inadvertently into a pile of mail, with the delivery agent, bound for the Post Office, and therefore was not delivered to our advertising agency in time to place the advertisement.

I have looked into the matter and am assured that no negligence on behalf of the agency or municipal staff is involved.

It is recommended that the public hearing on this item be rescheduled to Monday, January 30th. This date will allow us the necessary clear days for advertising purposes."

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

"THAT the Public Hearing to consider a development agreement for the Clattenburg Auto Repair in Westphal scheduled for January 16, 1984 be deferred to January 30, 1984."
Motion Carried.

Prior to the passing of the above motion, Councillor DeRoche indicated that, in his opinion, both the advertising agency and the Municipality's courier service should be reviewed.

He advised that on numerous occasions in the past, when a public hearing date has had to be deferred, the blame has been put to rest on the advertising agent or the courier.

Councillor Lichter then reminded Council that there is another public hearing scheduled for January 16th as well so all Councillors should still attend on that evening to deal with the remaining item.

REPORT AND SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEE

Council agreed at this time to deal with the Reports of the Planning Advisory Committee.

Rezoning Application No. RA-24-18-80-14

Mr. Kelly advised that Rezoning Application No. RA-24-18-80-14 was a request of the Riverlake Residents Association to zone and rezone lands of Cobequid Industrial Park Limited Partnership, located on Cobequid Road from R-1 (Residential Single Family Dwelling) Zone and an unzoned status to P (Park and Institutional) Zone.

The PAC Report advised:

"The purpose of the request is to provide environmental protection to the area and to support the purchase of the site by the Riverlake Residents Association or other agency for community purposes.

Members of the Riverlake Residents Association were present for this discussion. The Association informed the Committee that they were seeking avenues to purchase the property, but they needed more time. The Committee indicated that legislation of the Planning Act now states that: No Municipal development permit that is or may be inconsistent with a proposed land-use by-law, or any proposed amendment or revision thereof, shall be issued for a period of one hundred and twenty days from the publication of the first notice, advertising the intention to adopt or amend.

It was indicated to the members of the Riverlake Residents Association that the 120 days will have been exceeded within the next few days and Council is required to either advertise its intention for a public hearing, or reject the application.

As the Association could not meet the requirements prior to the expiration date, the following resolution was passed:

It be recommended to Council that the rezoning of the lands of Cobequid Industrial Park Limited Partnership, located on Cobequid Road, near Waverley from R-1 (Residential Single Family Dwelling) Zone and an unzoned status to P (Park and Institutional) Zone be rejected by County Council."

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

"THAT the rezoning of the lands of Cobequid Industrial Park Limited; located on Cobequid Road, near Waverley from R-1 (Residential Single Family Dwelling) Zone and an unzoned status to P (Park and Institutional) Zone be rejected by Halifax County Council."
Motion Carried.

URBAN AND RURAL SERVICES COMMITTEES REPORTS, RE: OPERATING GRANTS

Mr. Kelly advised Council that both the Urban and the Rural Services Committees had discussed a report prepared by Mr. Wilson relative to Operating Grants.

The Rural Services Committee recommended:

"that a committee of two councillors, preferably the Chairman of the Rural and the Urban Committees, and one staff member be set up to determine the criteria to have street lights installed. This criteria would then be forwarded to Council for their approval."

The Urban Services Committee recommended:

"that the report be approved in principle with the exclusion of the section dealing with the street lighting and that the dwelling unit counts be up-dated. The Committee also recommend that before any action is taken on the common rate for street lighting that the criteria be determined for the installation of the street lights."

Mr. Ken Wilson joined Council at this time, to discuss the above-mentioned Report and the recommendations of the Rural and Urban Services Committees.

Mr. Wilson advised Council that when the Urban and Rural Committees had reviewed his report relative to Operating Grants, they had had no difficulty with the Garbage, or the Fire Hydrant Protection as far as the allocation of the grants were concerned.

However, there was some difficulty in the street lighting. He further advised that the recommendations from both Committees were basically the same in that a Committee of three should be formed, two councillors and one staff member, to develop criteria for street lighting in the County. The Committees felt that when this criteria was developed it could be brought back to Council and evaluated as to whether there should be a common rate for street lighting or individual area rates. He advised, that in the meantime, since it is budgeting time, the new formula could be used with the exception of street lighting, which could be done in the same manner as last year. It would take some time to develop new criteria for street lights which could be implemented in 1985.

Mr. Wilson indicated that the Rural Committee did not actually make a motion relative to the acceptance of the fire fighting recommendation, either the original or the adjusted recommendation regarding the revised guarantee grant formula. However, the Urban Committee had accepted the revised guarantee grant formula with the stipulation that the number of dwelling units be updated. This, he advised, he had done and he then distributed to Council the new figures based on the updated number of dwelling units.

Mr. Wilson advised that the only major change was, instead of a guarantee of \$57,700, using the revised figures, it would only have to be \$57,200 and there were about one-half of district grants that were increased or reduced. There was, however, only one major reduction in District No. 19 and there were some increases in 20 and 21. He advised that the rest of them either stayed the same or were varied by only a few hundred dollars.

Councillor Lichter clarified that the Rural Committee objected to the Report based on the Provincial Methodology of allocating money to the Municipality by basing it on a class IV or class V. He indicated his opinion that the Municipal Council did not necessarily have to follow the same methodology of the Province. Particularly, with respect to fire fighting service, there should not be any special class.

Council discussed Mr. Wilson's report at length reiterating some of the concerns expressed at the Urban and Rural Services Committees, resulting in the following:

It was moved by Councillor Walker:

"THAT the Report, regarding Operating Grants be deferred to a subsequent Session of Council, in order that all Councillors may review the Report in detail."

It was the opinion of several Councillors, that the issue could be satisfactorily dealt with this evening. Therefore, Warden MacKenzie requested that Councillor Walker hold his motion to defer until another motion can be considered by Council. Councillor Walker agreed to temporarily withhold his motion of deferral.

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

"THAT the Operating Grants be allocated in the following manner: Garbage - as in 1983; Fire Hydrant Protection - as in 1983; Grants for Fire Fighting - as proposed in Mr. Wilson's Report; Street Lighting - same as 1983 with the new criteria to be developed and brought back to Council in 1984 for evaluation and possible implementation in a subsequent year."
Motion Carried.

Councillor Walker indicated his concern that he had not been given the opportunity to bring his motion of deferral back to the floor prior to the question on the above motion. He advised that this had been his intention.

POLICE PROTECTION, SACKVILLE - COUNCILLOR MACDONALD

Councillor MacDonald had requested this item to be put on this evening's agenda. However, at this time, he requested that it be deferred to the next Council Session Agenda.

This request was taken under advisement by Staff.

SUPPLEMENTARY POLICY COMMITTEE REPORT

It was agreed by Council, at this time, to accept the Supplementary Policy Committee Report.

Request for District No. 6 Capital Grant

Mr. Kelly advised that a District Capital Grant Request had been received from Councillor Deveaux in the amount of \$2,300.00 for the clearing, grading and gravelling of the area surrounding the property formerly known as the Wellington School situated in Eastern Passage, for the purpose of expanding the parking area. This property was owned by the Municipality and leased to the Eastern Passage Legion.

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

"THAT a District No. 6 Capital Grant be approved for clearing, grading and gravelling area surrounding the Wellington School situated in Eastern Passage for the purpose of expanding the parking area."
Motion Carried.

CABLE TELEVISION - COUNCILLOR SNOW

Councillor Snow, who had previously requested this item to be put on this evening's agenda, now requested that it be deleted from the agenda.

CHRISTMAS DADDIE'S SHOW - COUNCILLOR SNOW

Councillor Snow had also requested that this item be added to the agenda and now requested its deletion.

ADDITION OF ITEM - COUNCILLOR DEROCHE

Councillor DeRoche indicated that, at the last Council Session, a number of items had been deferred to this evening's agenda; among these items was the "Tourist Information Centre - Halifax International Airport". He questioned why this item had not appeared on this evening's agenda.

It was clarified that Councillor MacKay had referred the item to the Halifax County Industrial Commission for their input and discussion prior to it being dealt with by Council.

Councillor DeRoche indicated that, this being the case, the issue still should have come back to this Council Session as he himself had deferred it and he advised that a motion to defer takes precedence over a motion to refer.

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

"THAT the issue of the "Tourist Information Centre Halifax International Airport" be deferred to the January 17, 1984 Council Session."

Motion Carried.

EMERGENCY ITEMS

At this time, Council dealt with the emergency items added to this evening's Council agenda as follows:

1. Bomont Subdivision - Councillor Lichter

Councillor Lichter indicated that it has been some time since the Board of Health had made a recommendation relative to the Bomont Subdivision. He advised that he would like some assurance that this issue would be dealt with at the next Council Session.

Mr. Meech advised that Committee had referred this issue to himself for a report along with two other similar situations. However, he advised that information on the two other situations would not be available for some time. Therefore, he has intentions of bringing the Bomont issue to Council separately at the next Council Session.

2. Pollution Control, N.S.P.C. - Councillor Poirier

Councillor Poirier advised that the N.S.P.C. is putting forth a program to control and reduce pollution at Tufts Cove in Dartmouth. It was her opinion that the Power Corporation should be commended for its effort in this action.

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

"THAT the Municipality direct a letter of appreciation to the N.S.P.C. indicating the Municipality's appreciation for their pollution control measures at Tufts Cove in Dartmouth."
Motion Carried.

3. Office Hours - Councillor Lichter

Councillor Lichter indicated his concern that he had called the Municipal Offices on December 30th, 1983 at 3:55 and there had been no answer at the switch board. He questioned under whose authority, staff had been permitted to leave early; it was his opinion that office hours were regulated by Council.

Mr. Meech advised that it is the custom to leave a little early on December 23rd and often on December 30th, although he was not present on December 30th and he did not know under whose authority staff had been able to leave early.

Subsequent to discussion,

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

"THAT the official office hours be posted on the main entrance to the Municipal Building and that these hours be adhered to unless otherwise specified by the Chief Administrative Officer or Municipal Council."
Motion Carried.

OPERATING GRANTS - DEPUTY WARDEN ADAMS

Deputy Warden Adams questioned whether, when the Operating Grants had been dealt with, Council had also dealt with the composition of the Committee to develop new criteria for operating grants relative to street lighting. It was then confirmed that this issue had not been dealt with.

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

"THAT a Committee of two Councillors, the Chairmen of the Urban and the Rural Services Committees, and one Staff Member, be set up to determine new criteria to to have street lights installed and further that this criteria be forwarded to Council for approval."
Motion Carried.

ADDITION OF ITEM TO NEXT COUNCIL AGENDA

The following item was added to the following Council Agenda:

1. Takeover of Street Lights on Private Property-Councillor DeRoche.

NEW BUSINESS

Councillor Margeson requested the following to be carried out:

- a) Geographic Locations of the sale of alcoholic beverages in the Municipality.

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

"THAT the permitted geographic locations for the sale of alcoholic beverages in the Municipality, be referred to the Policy Committee for discussion."
Motion Carried.

- b) Letters to new Lieutenant Governor, out-going Lieutenant Governor and Governor General for Canada.

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

"THAT the Municipality forward a letter of welcome to the new Lieutenant Governor for Nova Scotia as well as a letter of thanks to the out-going Lieutenant Governor for a job well done in the past and a letter of appreciation to the Governor General for Canada."
Motion Carried.

ADJOURNMENT

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

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

Therefore, there being no further business, the Regular Council Session adjourned at 8:00 P.M.

REGULAR COUNCIL SESSION

JANUARY 17, 1984

Present Were: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
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 Wiseman

Also Present: Mr. K. R. Meech
Mr. R. G. Cragg
Mr. G. J. Kelly
Mr. Keith Birch

Secretary: Bonita Price

CALL TO ORDER

The Chairman called the meeting to order at 6:10 p.m. with the Lord's Prayer.

ROLL CALL

The roll was called by Mr. Kelly.

RECORDING SECRETARY

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

"THAT Bonita Price be appointed Recording Secretary for the meeting."
Motion Carried.

APPROVAL OF MINUTES

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

"THAT the minutes of the Public Hearing of December 5, 1983 be approved."
Motion Carried.

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

"THAT the minutes of the Regular Session of Council of December 6, 1983 be approved."
Motion Carried.

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

"THAT the minutes of the Regular Session of Council of December 20, 1983 be approved."
Motion Carried.

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

"THAT the minutes of the Regular Session of Council of January 3, 1984 be approved."
Motion Carried.

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

"THAT the minutes of the Public Hearing of January 9, 1984 be approved."
Motion Carried.

AGENDA ITEMS

The following items were requested to be added to the agenda -

- a) Problems with the Sound System - Councillor McInroy.
- b) Crosswalk and School Bus Stop in Goodwood - Councillor Gaudet

PLANNING ADVISORY COMMITTEE REPORT

Municipal Assessments

In response to a resolution of the PAC, Mr. Owen Holland, Assistant Regional Director of Assessment for the County, and Mr. Bob Warren, Director of Assessment for the Province, addressed the meeting.

Mr. Holland advised he would like to review the past year and talk about plans for 1984. He said his department existed in cramped quarters in 1983 and was short of staff due to sickness and retirements. However, they reviewed 52,000 assessment accounts and undertook various projects to make the county assessment region a more efficient organization. They shortly plan a move to better quarters and will fill the vacant positions in the department.

In 1984 they plan to start a three year program of property inspections. One-third of the total properties will be inspected in each of the next three years.

Since assessment notices went out on January 4th, the department has been very busy, with 494 appeals received to date. However, this is down from previous years and people seem to be not as angry as in the past.

Mr. Warren said he appreciated the opportunity to speak to Council, and to hear any concerns or suggestions they may have. Halifax County is the largest region of the fifteen within the province, and probably has some of the major problems. He said his department is trying to make the system uniform throughout the province, and they look to the County for input and co-operation.

Councillor Baker mentioned some major increases in assessment, one in particular for a mobile home, in his district, and asked why they were so high. He was told the property owners should appeal, so that an adjustment could be made if necessary. Appeals merit an immediate review by the assessor. Councillor Wiseman asked if homes are inspected on the outside only at the present time, and was told that over the years some properties were not inspected as often or as well as they should be, since people were not at home, etc. However, in future it will be mandatory to do a thorough inspection every three years. Councillor Wiseman asked if there is any way of determining real growth in her district, where some increases were 25%. Messrs. Holland and Warren replied that this would be difficult and would need coding on a computer. Increases vary from district to district. Councillor Wiseman said she received very few calls in comparison with previous years.

Councillor Lichter said he appreciated the response of Messrs. Holland and Warren to the request from the PAC. He said a number of concerns have surfaced in his district since the assessment notices went out. One is in regard to the appeal period, which is 21 days from the date of mailing, although some of the notices were very late in arriving. Another concern is with regard to the inspection. He thought the inspector should leave a card so a householder would know that the inspection had been done. A third concern is in regard to the assessment of resource land. He said people are sometimes reluctant to appeal their assessments because they think it will do no good.

Mr. Holland said assessors do have cards, and they are serious about getting into every property. With regard to resource land, he said the categories of farm resource and forest resource are exempt; other resource land is assessed at the market rate. He said his department will help people in their appeals, but they should be prepared with pertinent information when making appeals.

Councillor Deveaux agreed there were fewer phone calls this year. He asked why assessments are being made at market value when over 50% of residents have no intention of selling their homes. Mr. Warren said the market establishes the value of a property and his department merely analyses the information. Areas with the most buying and selling activity have the better assessments. Under this system, people know the value of their properties.

Councillor Reid asked if geographic areas are taken into consideration and was told this is done, sometimes by neighbourhood and subdivision. He asked how a forest resource is designated and was told there would have to be some bona fide activity.

Councillor Eisenhower asked about mobile homes. Mr. Holland replied that with inflation these do not continue to depreciate at 5% per year. Sales value of mobile homes are also studied.

Councillor Eisenhower also mentioned the change of land use tax, which Mr. Warren said was presently under review, to make sure it is serving the purpose for which it was intended.

Councillor Snow advised he is receiving a lot of phone calls. He asked why an assessment of a property on a private road would double when it cannot be built upon. Mr. Holland said such a property has a market value and the fact that it is on a private road would be taken into consideration. Councillor Snow also suggested an advertisement in the paper to tell residents where to call regarding their assessments. Mr. Warren mentioned there was an insert with the assessment notices giving this information.

Councillor Bayers said he has received a number of inquiries. He asked if it might be possible to set up the appeals in various communities where the number of appeals warrant it. He was told that Municipal Affairs is presently considering such a step but the total numbers are not yet known.

Councillor Walker mentioned discrepancies which may occur where a county line divides adjacent communities. Mr. Warren said the province is aware of such problems and it is hoped that the provincial take-over will standardize procedures. If the problems still exist after the re-assessment, further steps will be taken.

Councillor Gaetz wondered if a person paid too much for a property, would he be assessed on that amount. Mr. Holland hoped not, and said assessors have experience in this sort of thing.

Councillor Margeson spoke of the need to give accurate information on the assessment to residents. He felt that people sometimes appeal because they do not understand the assessment.

Councillor McInroy asked about the possibility of an automatic escalator and adjustment every three years on residential property assessments. Mr. Warren said they are trying to achieve this and spoke of the need for a computerized system in his department. Councillor McInroy also mentioned the possibility of a filing system in the urban areas of the county based on civic numbers. Mr. Holland said they are working on this, and should be finished in the spring.

Councillor Lichter asked if the 25% increase in Halifax County means a mandatory increase in costs for education. Mr. Meech said this will depend on the average increases.

The Warden thanked Messrs. Warren and Holland for their attendance at the meeting and for replying to the concerns of Council.

Messrs. Warren and Holland left the meeting.

Rezoning Application No. RA-24-44-93-04 - Residents of Prospect Bay Area

Warden MacKenzie welcomed people from the Prospect Bay area to the meeting.

Mr. Kelly reported that the Planning Advisory Committee discussed the Staff report on this subject but made no recommendation since there will be a Public Hearing in the matter on January 23, 1984.

Council accepted the report for information and made no recommendation pending the Public Hearing.

Senior Citizen Staff Report

The Timberlea-Lakeside-Beechville Plan does not specifically deal with Senior Citizen Housing. The PAC recommendation is that the Timberlea-Lakeside-Beechville Municipal Plan be amended to require a development agreement for the construction of Senior Citizen housing and that the Plan include locational criteria for this housing.

Councillor Poirier declared a conflict of interest, and left the meeting.

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

"THAT the recommendation of the Planning Advisory Committee be adopted."
Motion Carried.

Mr. Meech said that a specific amendment will have to be developed and a Public Hearing held. Councillor Lichter mentioned that the PAC has selected one possibility of three alternatives in the staff report. He suggested that the specific amendment come to the PAC at its next meeting and then to the Public Hearing.

Councillor Poirier returned to the meeting.

Parkland Review

The Planning Advisory Committee recommends that the following parcels of recreational lands being donated to the Municipality under the provisions of the Planning Act, be accepted as parkland by Council. The land in question is free and clear of all encumbrances.

a) Nova Scotia Housing Commission, Phase 11, Sackville. Park Parcels P-1-11A, P-1-11B, P-1-11C. File No. F-37-83-SA.

b) Alderhill Subdivision, Shad Bay, Lot Reserved for Public Use. File No. F-361-83-04.

- c) Sackville Lakes Development, Phase 11, Sackville. Park Area P-1-11M. File No. F-708-83-SA.
- d) Vantage Estates Subdivision, West Lawrencetown, Block A (Park area) F-432-83-9.

Mr. Kelly reported that Council have already dealt with (b) and (c) at a previous session.

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

"THAT the recommendation of the Planning Advisory Committee regarding (a) above, be approved."
Motion Carried.

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

"THAT the recommendation of the Planning Advisory Committee regarding (d) above, be approved."
Motion Carried.

BUILDING INSPECTORS REPORT RE LESSER SETBACK

A letter from J.C. Hefler to Council recommends approval of the following requests for lesser setback.

1. Application for lesser setback of 21'-Lot 10, Harold Zwicker Subdivision, Seabright. Applicant Robert Carnell.
2. Application for lesser setback of 10'-Lot X-James Dempsey Subdivision, Herring Cove. Applicant David Drysdale.
3. Application for lesser setback of 20'-Lot at Head St. Margaret's Bay. Applicant Herbert Young.

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

"THAT Application 1 be approved."
Motion Carried.

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

"THAT Application 2 be approved."
Motion Carried.

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

"THAT Application 3 be approved. "
Motion Carried.

LETTERS AND CORRESPONDENCE

Letter from Town of Clark's Harbour

The letter from the Town Clerk of Clark's Harbour enclosed a resolution registering opposition to any proposed form of regional government.

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

"THAT the letter be received."
Motion Carried.

Letter from City of Halifax

The letter from the Mayor of Halifax acknowledged a letter from the Municipality re an application by the Salvation Army to rezone property on Gottingen Street.

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

"THAT the letter be received."
Motion Carried.

DIRECTOR OF DEVELOPMENT REPORT

The report from the Director of Development listed Subdivisions which have been approved under the Planning Act, submitted for Council's information. Also listed was one rejected application.

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

"THAT the report be received."
Motion Carried.

MANAGEMENT COMMITTEE REPORT

George P. Vanier School Property - Park Development - District 14

The Committee received a request for funds in the amount of \$4,000 from the District 14 Parkland Fund for a park on the George P. Vanier School property, to be for the joint use of the community and school recreation. The Management Committee recommends the allocation of these funds for the purpose requested.

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

"THAT the recommendation of the Management Committee be approved."
Motion Carried.

North Preston Water System

The North Preston Water System was installed by the Nova Scotia Housing Commission in 1972 and has been maintained by the Municipality. The system serves 50 residences, and the annual cost per household is approximately \$132.00

The Management Committee recommends that the North Preston Water System be operated by the Municipality as a private utility with actual operation and maintenance costs recovered by a fixed annual fee from customers on the system of approximately \$132 payable in quarterly instalments of \$33 per household.

Deputy Warden Adams requested that Council defer this matter until their next meeting so that he would have more time to meet with local residents.

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

"THAT this matter be deferred until the next meeting."
Motion Carried.

1984 Property Tax Exemption

Under the Municipal Act, a Property Tax Exemption may be granted to (a) a widow or widower, (b) 65 years of age or over, (c) head of a single parent family supporting a dependent(s). The Management Committee recommends the maximum exemption for the year 1984 be increased to \$250., with the provisions that the property shall be owner occupied and that the total income of all family members residing in the same household for the year 1983 shall not exceed \$7,000.

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

"THAT the recommendation of the Management Committee be approved."

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

"THAT the motion be amended to increase the allowable income to \$7,500, in keeping with other municipalities."

There was some concern expressed about Senior Citizens and others living on fixed incomes. Councillors felt they would like to have more information from the Social Services Department and also from other municipalities.

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

"THAT the matter be deferred until the next Council session, for further information."
Motion Carried.

1984 Mileage Rates

The following rates are based on figures approved by the Provincial Government in 1983.

0 - 16,000 km	24.4 cents	0 - 10,000 mi.	39.3 cents
16,001 - 24,000 km	22.6 cents	10,001 - 15,000 mi.	36.4 cents
24,001 and over	15.0 cents	15,001 and or	24.1 cents

The Management Committee recommends:

a) that the policy on mileage rates be amended effective January 1, 1984 to reflect the existing mileage rates of the Provincial Government;

- b) that as a matter of policy the mileage rates be adjusted annually on January 1 to reflect the existing Provincial rates.

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

"THAT the recommendation of the Management Committee be approved."
Motion Carried.

POLICY COMMITTEE REPORT

Request for District Capital Grant - District 3

The Policy Committee recommends a District Capital Grant, District 3 in the amount of \$2,500 for a recreation park in Tantallon Woods Subdivision, including improvements to land for a multi-purpose playing field on municipally-owned property.

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

"THAT the recommendation of the Policy Committee be approved."
Motion Carried.

Request for Capital Grant - District 18

The Policy Committee recommends a District Capital Grant, District 18 in the amount of \$2,900 for improvements to the Lucasville Community Centre. The property is owned by the Municipality.

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

"THAT the recommendation of the Policy Committee be approved."
Motion Carried.

Human Rights Proclamation 1983

The Policy Committee recommends the endorsement of the Human Rights Proclamation 1983.

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

"THAT the recommendation of the Policy Committee be approved."
Motion Carried.

Water Treatment Improvements - Bo Mont Subdivision

The Policy Committee and Management Committee recommend that funds be made available to provide water treatment improvements for the Bo Mont Subdivision as follows-

General County Capital Grant	\$30,000
District Capital Grant, Dis. 13	3,000
Loan from Municipality	13,000

Further, that the proposal from the Property Owners Association be supported as follows-

- a) that the Municipality be responsible directly for the design and construction of the water treatment facility and associated structures;
- b) that property owners incorporate and assume ownership of the water utility;
- c) that the Association be prepared to enter into agreement with the Municipality similar to the arrangement executed with the Miller Lake Home Owners' Association relative to their private water utility.

Councillor Lichter outlined the problems with this water system. The residents found that the water was not usable for domestic purposes and looked into various ways of solving their problem. The recommendation before Council seemed the best solution. The property owners will pay back the loan and maintain the system from the imposition of a water rate. In answer to a question from Councillor Margeson, he said the Board of Health explored this matter extensively, and the difficulties are due to overcharge in sewage treatment plants.

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

"THAT the recommendation of the Policy and Management Committees be approved."
Motion Carried.

Funding Request - Watershed Association Development Enterprise

The Policy Committee recommends that \$3000 be provided to the Watershed Association Development Enterprise.

This request is for interim funding for the community organization which aims to develop economic and social opportunities in the Lake Major area. The organization was not able to meet its goal of incorporation during 1983 and the Departments of Development and Municipal Affairs and the Black United Front provided funding during 1983. Now the BUF has had to withdraw their support and the request is being made to the Municipality, the City of Dartmouth and the Department of Social Services for interim funding to keep staff in place from December 1983 to the end of March 1984, when funding will be available from the Department of Development. Social Services have approved their portion, and the City of Dartmouth is believed ready to support it. If approved, the Municipality will pay its share from the Planning budget, and therefore get a 50% recovery from the Province.

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

"THAT the recommendation of the Policy Committee be approved."
Motion Carried.

URBAN SERVICES COMMITTEE REPORT

The Urban Services Committee recently discussed the involvement of Halifax County in the Metro Transit, and expressed concern about the failure of the City of Halifax to co-operate in methodology for cost allocation of transit operations.

The Committee recommends to Council that it direct the Metropolitan Authority and Metro Transit Commission to immediately effect the necessary procedures to terminate the agreement with the City of Halifax covering the Trans Info proposal, and should these bodies fail to support the County's position that Halifax County give notice that its financial participation to the Trans Info proposal be withdrawn.

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

"THAT the recommendation of the Urban Services Committee be approved."

Motion Carried.

In discussing the motion, Councillors expressed the hope that the City of Halifax would co-operate, as they previously agreed to do.

METROPOLITAN AUTHORITY REPORT

In the absence of Councillor Mont, the Chairman briefly reviewed some of the recent deliberations of the Metropolitan Authority as follows-

The proposed study of costs involved in the 1984 budget has been turned over to the Authority's planning people for report.

They discussed staff matter, including remuneration of their General Manager and other executive personnel.

They reported some delays in the take-over of the Correctional Centre.

Councillor Baker also mentioned that transit service to Herring Cove cannot be extended because the City of Halifax will not share the cost.

DEFERRED ITEMSTourism Information Centre

The Tourist Information Centre is presently owned by the Province, having been constructed under a cost sharing arrangement between the Federal and Provincial governments to promote tourism. However the Province feels the Centre has failed in its objective and wishes to dispose of the property. The alternatives open to the Municipality are as follows -

1. Submit a proposal to the Province for the purchase of said facility for the sum of \$50,000, or alternatively, for the sum of \$1.00.

2. Suggest that the Province retain the subject property and continue to operate as a Tourist Information Centre with the additional advise that the Province consider expanded utilization of the facility.
3. Suggest that the Province place the property on the market to be sold to private interests with the object of having the property put to productive use.

It was stated that this matter was deferred at a previous Council meeting so that it could be reviewed by the Industrial Commission. However, they have stated they have no interest in pursuing the matter.

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

"THAT alternative (3) be approved."
Motion Carried.

Police Protection - Councillor MacDonald

Councillor MacDonald has requested this item be removed from the agenda.

TAKEOVER OF LIGHTS, PRIVATE PROPERTY - Councillor DeRoche

Councillor DeRoche said he had read a report in the Mail Star of December 17, 1983, that lights were taken over by the County in a mobile home park. He felt that since the Municipality does not normally provide street lighting on private property, this divergence will have an impact throughout the area. He asked if the Policy Committee has investigated this matter, and if so, whether a report is available.

Mr. Meech advised the matter was looked at by the Policy Committee in relation to mobile home parks. They felt since street lighting is a service provided at a district level it should be left to the individual councillor whether or not to assume such a responsibility. There have been cases in the past where street lights have been installed on private property. He mentioned that the PAC is presently involved in developing a new set of regulations for mobile home parks.

Councillor Deveaux said he has made such decisions in his district, and will continue to do so.

SOUND SYSTEM

Councillor McInroy mentioned problems with the sound system in the Council Chamber.

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

"THAT a sound engineer be requested to examine the sound system and provide a report on repairing the system or replacing it with a new system."
Motion Carried.

The Warden explained that the system has evolved, was added onto throughout the years. Mr. Kelly said work is currently being done on the system, with most of the problems eliminated, although the annoying hum is still not completely reduced.

CROSSWALK AND SCHOOL BUS STOP IN GOODWOOD

Councillor Gaudet read a letter from a resident in his district asking for a cross walk and school bus stop near the Prospect Road Elementary School. He said the crossing is used heavily by school children, especially in the morning, and is a very dangerous area.

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

"THAT a request be made to the Department of Transportation for a crosswalk and school bus stop in Goodwood."
Motion Carried.

There was some discussion of the need for a supervisor for a cross walk. Councillor Wiseman felt a crosswalk guard is probably required for a cross walk for elementary school children. However since the location is two miles from the school it might be considered a community crosswalk. It was suggested to Councillor Gaudet that the matter should be referred to the local School Board.

ADDITION OF ITEMS TO THE FEBRUARY 7, 1984 COUNCIL SESSION

Councillor Margeson suggested looking at the fluorescent fixtures in the Council Chamber. He also suggested the extension of the sound system throughout the building.

The Warden and Mr. Meech mentioned the possibility of a phone in the Chamber or extending the sound system to an adjoining room, both for staff.

Councillor Gaudet - County Float

In Camera Session

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

"THAT the meeting go in camera."
Motion Carried.

SCHOOL BOARD BUDGET

Following their in camera discussion, Council discussed this matter further.

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

"THAT the meeting with the Bedford Council regarding the School Board Budget be deferred until figures have been finalized by staff and recommended for approval by the School Board."
Motion Defeated.

Councillor Wiseman felt any meeting should be deferred until it is ascertained how the present funding formula affects the Municipality. She suggested a request to the School Board to get the Budget figures to Council by a specific date.

Councillor McInroy felt that a meeting should be held with the Bedford Council to find out what they are thinking, and he thought the Councils should give the School Board some direction.

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

"THAT a special session of Council be held with the Bedford Town Council on January 31, 1984, at 6 p.m."
Motion Carried.

ADJOURNMENT

It was moved by Councillor Baker:

"THAT the meeting adjourn."
Motion Carried.

Therefore, the meeting adjourned at 9:50 p.m.

MINUTES & REPORTS
OF THE
SECOND YEAR MEETINGS
OF THE
FORTY - FIRST COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
FEBRUARY COUNCIL SESSION
TUESDAY, FEBRUARY 7 and 21, 1984
&
PUBLIC HEARINGS
FEBRUARY 12, 1984

PUBLIC HEARING

FEBRUARY 12, 1984

PRESENT WERE: Warden MacKenzie, Chairman
Councillor walker
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor MacDonald
Councillor Wiseman
Councillor Mont

Also Present: Mr. K. R. Meech, Chief Administrative Officer
Mr. R. Cragg, Solicitor
Mr. Keith Birch, Director of Planning
Mr. Ed Wdodiak, Director of Engineering & Works
Ms. Valerie Spencer, Planning Department

Secretary: Miss C. Lynn Weeks

Warden MacKenzie called the Public Hearing to order with the Lord's Prayer at 7:03 p.m.

ROLL

Mr. Meech called the roll.

RECORDING SECRETARY

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

"THAT C. Lynn Weeks be appointed as Recording Secretary."
Motion Carried.

PUBLIC HEARING FOR SACKVILLE

Warden MacKenzie indicated the application for amendments to the Municipal Development Plan--Zoning By-Law for Sackville which would if approved establish a flood plan designation and zone along the Sackville River.

Warden Mackenzie indicated the procedures to be followed for the Public Hearing for the people in the gallery.

Ms. Valerie Spencer presented the staff report for the amendments to the Sackville Development Plan. She indicated the Sackville plan included in it, written into the plan at the time of its initial adoption, demanding once flood plain mapping for the Sackville River that Council consider amending its plan to implement a flood plain protective measures and development controls with respect to building in that flood plain. Ms. Spencer indicated the amendments to be discussed were to identify the flood plain along the Sackville River and this is identified on the map in the package provided to Council. One amendment dealt with the one in twenty year which is the higher risk of the two, the second is the one in one hundred year flood plain.

What is proposed is that development be restricted in the one in twenty year flood plain particularly with respect to residential development. Residential development will be prohibited. Within the one in one hundred year flood plain the type of zone proposed is a rural residential zone which is the type of zone in the surrounding area. Development agreements (contracts) are proposed. The primary function of those agreements is to include provisions with respect to flood proofing and storm drainage.

At the time flood plain planning the Provincial Government amended its Municipal Development plan and removed a Regional Park that was located along the Sackville River. These amendments will carry out present Provincial policy because they will remove the Regional Park designation that was included in the Municipal plan for Sackville.

Ms. Spencer reviewed the individual amendments of the plan discussed in the staff report. She also discussed the zoning implications.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF THE APPLICATION NO. ZA-SA-43-83

None.

SPEAKERS IN OPPOSITION OF APPLICATION NO. ZA-SA-43-83

None.

It was moved by Councillor MacKay and seconded by Councillor MacDonald:

"THAT the Municipal Development Plan for Sackville is hereby amended as outlined in Alternative One.
Motion Carried.

It was moved by Councillor MacKay and seconded by Councillor MacDonald:

THAT the Zoning By-Law for Sackville be amended as outlined in the staff report. Motion Carried.

PUBLIC HEARING FOR AMENDMENTS TO MUNICIPAL PLANNING STRATEGY AND LAND
USE BY-LAW FOR EASTERN PASSAGE, COW BAY

STAFF REPORT

Ms. Spencer presented the staff report for the amendments to the Eastern Passage/Cow Bay Municipal Planning Strategy. She indicated the report was to propose to establish a comprehensive development district on the Silversands Trailer Park which is Ocean View Estates.

Ms. Spencer indicated the planning staff had reviewed the Mobile Home Park by-law and has visited communities in the Municipality to hear the public discuss mobile homes and mobile home parks. Lengthy discussion occurred in Eastern Passage regarding the application by the owner to subdivide the park and sell the trailer pads and to subdivide on the present design of the park.

Ms. Spencer indicated each lot was approximately 15,000 sq. ft. in area with 75 feet of frontage or a little greater. The septic tanks installed were based on the 15,000 sq. ft. pad area. Current zoning in Cow Bay allows subdividing on lots with 100 feet of frontage and 20,000 square feet in area. Therefore, some alterations would have to be made to comply with the present by-law. The best way to approach this is to consider the application as a comprehensive development district. This will allow a contract to be negotiated for the development as a whole, and would include the subdivision of the land; the use to which it could be put; health services currently in the ground; and other matters council feels are necessary to maintain a good development.

Ms. Spencer reviewed the individual amendments contained in the staff report.

QUESTIONS FROM COUNCIL

Councillor Deveaux asked if the amendments will not take place until all agreements have been agreed to by both parties? Ms. Spencer answered that there are a couple of agreements required. If Council were to approve these amendments, they must go the Minister of Municipal Affairs whose agreement is required. After receiving an application to sit down and negotiate a contract there is a requirement for a Public Hearing prior to entering into the contract. Finally, an agreement between Council and the owners that they are satisfied and willing to sign the contract.

Councillor Deveaux asked if amendments could be made tonight to the proposal presented this evening. Ms. Spencer indicated that not all changes had to be made to the agreement this evening. If Council wanted specific clauses included in the agreement that could be negotiated at the contract discussions.

Councillor DeRoche asked for Ms. Spencer to outline on the map the area included in the CDD. Ms. Spencer reviewed the location map.

Councillor Mackay requested of Mr. Cragg about the potential request that could come forth for the Municipality to take over the water services; what potential safeguards could be initiated to prevent this. Ms. Spencer replied the safeguards would be the will of the council and agreement must be reached by Council to take over any system. Mr. Cragg also indicated that Council must indicate prior to the contract being signed these concerns.

The electrical magnetic starters liquid level controls, wiring, pressure switches, and including a low water alarm bell control system are all included on the engineering plans.

Ocean View Estates will ensure that their service man is trained to start up and maintain this system as required. Ocean View Estates have also engaged Mr. Robb as a Nova Scotia Land Surveyor to prepare a new plan showing the location of water mains, easements, existing septic tanks and disposal fields, and boundary lines showing lots having frontage of not less than 75 feet. This plan is being prepared in compliance with the requirements of the Municipality of the County of Halifax specifically the Planning and Development Department. In view of the above, we request that an amendment to the Municipal Planning act allowing 75 foot frontage on the existing lots and request that the process of amendment be continued with all possible haste. Respectfully submitted.

Councillor MacKay indicated to Mrs. Boyd that he didn't doubt any of her comments, however, there have been problems in the past with similar situations. Mrs. Boyd indicated that since 1975 Ocean View Estates had attempted to meet county requirements by offering to put a bond, warranty, or whatever is required by the county and are still willing to offer this assurance.

Councillor Deveaux shared Councillor MacKay's sentiments regarding the water system.

SPEAKERS IN OPPOSITION TO APPLICATION

Ian Reesor joined the Meeting to speak in opposition to the application. Mr. Reesor indicated he was President of the Eastern Passage/Cow Bay Ratepayers Association. Mr. Reesor read a statement from the EP/CB Ratepayers Association stating the points they wished to have addressed prior to amending the MDP for Eastern Passage/Cow Bay. (See Appendix 1).

Mr. Reesor indicated his concern regarding the local residents and stated that he would want the amendment to be granted only after the improvements, as agreed to by the Ratepayers, be instituted.

SPEAKERS IN FAVOUR OF THE APPLICATION

Mrs. Elizabeth Boyd, Secretary Treasurer of Ocean View Estates came forward with Mr. Robb, the agent, to present a statement. Mrs. Boyd answered Councillor MacKay's question about the water supply. She indicated the water supply in the park was also supplying other tenants