

COUNCIL SESSION

APRIL 21, 1987

PRESENT WERE: Warden MacKenzie  
Councillor Walker  
Councillor Rawding  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman  
Deputy Warden Mont

ALSO PRESENT: Mr. K.R Meech, Chief Administrative Officer  
Mr. R.G. Cragg, Municipal Solicitor  
Mr. D.D. Reinhardt, Deputy Municipal Clerk

SECRETARY: Glenda Higgins

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Warden MacKenzie called the Council Session to order at 6:10 p.m. with the Lord's Prayer.

Mr. Reinhardt called the Roll.

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

"THAT Glenda Higgins be appointed Recording Secretary."  
MOTION CARRIED

APPROVAL OF MINUTES

It was moved by Councillor Snow, seconded by Councillor C. Baker:

"THAT the minutes of the Public Hearing held March 23, 1987 be approved as circulated."  
MOTION CARRIED

EMERGENCY AGENDA ITEMS

Councillor Deveaux - Mobile Canteen

REPRESENTATION, RE OIL INDUSTRY, TEXACO CANADA LTD.

Mr. Waddell and Mr. Taylor from Texaco Canada Ltd. were in attendance to make a presentation concerning drilling off George's Bank. Mr. Waddell introduced his team as Mr. Taylor, Manager, East Coast Public and Government Relations; Mr. Tidmarsh, Marine Biologist; and Mr. Herlbret, Oceanographic Consulting Firm, Dartmouth.

Mr. Waddell began the presentation, informing Texaco Canada believes there may be significant reserves of oil and gas under George's Bank. Canadian Government surveys support this belief. He stated Texaco Canada Ltd. is prepared to spend approximately \$50 million to drill two exploratory wells. However, significant questions must be addressed before permission to drill is administered. The waters of George's Bank support one of the most productive marine environments in the Northern hemisphere, and nobody wants this reserve damaged. Mr. Waddell informed to assess the impact of exploratory drilling here, the Canada/Nova Scotia Offshore Oil and Gas Board commissioned an environmental evaluation. This report concluded that an exploratory program would not be expected to have a measureable environmental effect. It also recommended that the resolution of environmental issues can be most effectively promoted through consultation between the fishing industry and the oil and gas industry. Texaco Canada Ltd. expressed agreement to this theory. Mr. Waddell informed Texaco Canada Ltd. is committed to an indepth program of public consultation with everyone interested. At public information meetings in December, fishermen stated a major blow-out was too great of a risk. Mr. Waddell stated he wished he could say that drilling brings absolutely no risk, but there are no risk-free options in everyday life. Mr. Waddell referenced two issues which are continually raised. He stated extensive monitoring during and after these events indicated no measureable amount of damage occurred to the commercial fishing resources from either incident. Mr. Waddell stated world-wide 136,000 offshore wells have been drilled, and of these less than one-half of 1 percent have experienced blow-outs. Ninety-two percent of the blow-outs involved gas with virtually no risk of environmental damage. Oil blow-outs are of greater concern, but there have only been 18 oil blow-outs of the 136,000 wells drilled. Also no open spill from offshore drilling has ever caused permanent damage to the environment, nor has any commercial valuable stock of finfish or shellfish suffered a measureable loss in population. He stated these facts are contrary to the statements made as part of the Lunenburg resolution.

Mr. Waddell continued, stated at this time a proposal has been presented to drill two exploratory wells. There is not a final plan projected, although significant scientific studies have commenced. The final plan will only be developed and presented when all the information is completed and assessed. He stated these studies could be elaborated upon.

Mr. Waddell continued noting the potential benefits to Nova Scotia of discovering and developing hydro-carbon resources on George's Bank. He pledged, on behalf of Texaco Canada Ltd., that Nova Scotia communities will get as many benefits possible from this drilling. He stated local benefits at the exploration stage are limited, but significant. The two well exploratory program will directly employ approximately 200 qualified Nova Scotians; Texaco Canada Ltd. will buy locally wherever feasible, a significant amount of employment and other expenditures are created from the spin-off effect; while working offshore, Texaco Canada Ltd. will monitor meteorological and oceanographic details, making this information available to the fishing industry; and resources will be contributed to Maritime safety and to search and rescue operations. He continued identifying the potential benefits of this project in the long range and world wide. He concluded that the oil and gas industry on a world-wide basis has demonstrated that carefully planned and carefully controlled drilling programs can exist with a valuable resource.

Mr. Waddell next presented a slide show and a video with respect to oil and gas drilling. He also circulated several bottles containing samples of various oils and gas from the Scotia shelf. He stated the continuing debate about fishing and offshore exploration is attributable in great measure to misunderstanding and misinformation on all sides. Frank and open discussions amongst all parties are essential to understanding the problems, as well as the opportunities. Resolution of problems depends primarily upon the quality of planning and communication and the willingness of the fishing industry and the oil and gas industry to accommodate each others needs. He concluded that Halifax County has been asked to support a resolution that Texaco Canada Ltd. believes is not totally factual or fair. Halifax County is not being asked by Texaco Canada Ltd. to support or reject exploration on George's Bank, but they are seeking Halifax County's support to allow the communications process to continue. This process resolves issues through discussion, through education, and government regulations. Support of the resolution from Lunenburg denies support of this process. Everything necessary to protect the interests of the fishermen and other citizens of Nova Scotia will be addressed.

Mr. Herlbut next gave a presentation on the George's Bank area and the gyre concept. The floor was then open to questions from Members of Council.

Councillor C. Baker asked why this presentation is not made to the fishermen. He stated they would understand more about this discussion than most Councillors. Mr. Waddell informed efforts are in progress to educate the fishermen in this respect. He stated they went to the fishing communities in December, and this is the first time a company has gone to the public looking for input into the planning of a program prior to receiving regulatory approval to drill. A number of studies have been commissioned by Texaco Canada Ltd. to address some of the very specific questions fishermen have raised. There are continued meetings and discussions with the various fishing associations, interacting with the fishing industry in the South Shore area. He

informed an individual from the Lower West Pubnico area, who was an active fisherman for over 50 years, has been hired to set up meetings and coordinate efforts with the fishing industry. He stated there are 10,000 to 15,000 fishermen in Nova Scotia and Texaco Canada Ltd. presently has a staff eight, so these efforts are very time consuming.

Councillor C. Baker agreed there are many fishermen, and these fishermen rely in this for their livelihood. He stated he would like to hear more from the fishermen. Mr. Waddell stated there is difference of opinion as to whether or not this exploratory program can or cannot be conducted safely from George's Bank. Until the information is clarified, and the project is discussed with the fishermen, any opinion will be biased. He concluded it is hoped the results of their studies should be available in the next two or three months, and they will be available to the public at large. It hoped many discussions specifically about the studies can be held with the fishing industry.

Councillor Fralick inquired about the depth of water in the drilling area on the United States side of the border. Mr. Waddell informed these depths would be similar to the Canadian side, although he did not know the exact depths of each well.

Councillor Fralick stated it has been noted that the electronic and drilling equipment seem to attract fish stocks, and the draggers have been complaining that they have been losing this harvest. He asked if there is any technology in place to eliminate this problem. Mr. Waddell stated he is not aware of any, although in others of the world where exploration is taking place, the fish tend to congregate around the rigs and productions facilities. However, the proposed program for George's Bank will only include one rig, which will only be on location for 90 days. As long as the rig is on location, there will be an area excluded from fishing based on the anchor pattern of the rig. At George's Bank it appears that one square mile will be excluded from the fishing efforts as long as the rig is on location. He noted the area projected appears to be on the prolifa of the scallop effort, and this has been investigated. He stated the two locations are not highly great for scallops as it is easier to find them along other areas of the Bank. He stated this could only be concerned when biological studies are completed in the area. He also stated if this is determined to be a problem, advanced planning can propose a program that will not interfere with this fishing effort. This has to be discussed with the fishing industry.

Councillor Fralick asked if other municipalities have shown any opposition to this proposal. Mr. Waddell informed there are approximately 19 municipalities that have approved the Lunenburg resolution; of those 19 there is only a few that have requested a meeting with Texaco Canada Ltd.; there have been other 33 or 34 municipalities that have asked to meet with Texaco Canada Ltd. to discuss this proposal. These meetings will be held over the next six to eight weeks. There are other municipalities that have not taken any position, and they will not until all the information is available.

Councillor P. Baker inquired about the moratorium on the American side of the fishing border. Mr. Waddell informed there is a moratorium on part of this area. This was placed through the United States judicial system to prevent offshore lease sales in the area. He stated there is now a proposal for a lease sale in the United States, encompassing part of George's Bank, for October, 1988.

Councillor P. Baker inquired about Mr. Waddell's feelings towards Halifax County Council's role in this matter. Mr. Waddell informed he does not see the Halifax County Council as an arbitrator, but the role is to support a process that will allow the communications process to continue. He stated supporting the Lunenburg resolution would only be denying the opportunity for this communication. Mr. Waddell stated if the results of any of the on-going scientific work indicates a drilling program on George's Bank will be detrimental to the Bank or the fishing industry, he would recommend to Texaco Canada Ltd. that no drilling proceed. If the studies indicate the fishing industry of the Bank is put in jeopardy the regulatory process in the Province would not approve the drilling program. With approval of the program, a monitoring program will be developed to be conducted during the entire drilling process, and any indication of problems during the operation will suspend the project.

Councillor MacDonald asked if there has ever been a study done on the long-term effects of the oil spill off Cape Breton. Mr. Tidmarsh informed the oil from the incidents in Chedibuckto Bay and in the Cabot Strait came down the coast with extensive oiling of beaches in the Chedebucto Bay area and as far as Halifax. He noted this oil was bunker sea oil, which is a refined product. He stated a better example of what could happen with the proposed drilling incident is what happened with the Uniacke incident near Sable Island in 1984. The material from this incident evaporated very quickly, and the oil which reached the sea surface broke up very quickly, and there was no evidence of this material within three or four miles of the well site. He continued it is important to remember that both tanker incidents referenced, occurred inshore, which caused more problems than an offshore spill would. Mr. Tidmarsh stated clams cannot reside in the area of oil spills because the oil built up a residual a few inches under the sand. However, water fowl are no longer affected by this.

Councillor Deveaux clarified that Texaco Canada Ltd. is not looking for approval of the drilling, but after much communication with all involved, and the study proves it will be detrimental to proceed with the drilling, it is understood Texaco Canada Ltd. will not proceed with their drilling efforts. Mr. Waddell agreed.

Councillor Deveaux asked how long the study and research will take to complete and how long it will be before all information is available. Mr. Waddell stated the studies which have been commissioned to this point are on-going, and it will be two to six months before they are completed and the information from them analyzed. There are other studies which must be done but have not yet been commissioned.

Councillor Rawding inquired about the effect of the parent company filing for bankruptcy. Mr. Waddell informed this will have no effect on Texaco Canada Ltd.'s operation. He stated Texaco Canada Inc. is a public company listed on the Toronto Stock Exchange with approximately 7,000 share holders. One of the shareholders is Texaco Inc. from the United States. Although the United States company is in a litigation position with Penzoil, it has been stated by the President of Texaco Canada Inc. that this will have no effect on the operations of Texaco Canada. Business operations are maintained as they have been in the past.

Councillor Rawding asked what role the Provincial/Federal accord to this exploration off Nova Scotia will play in development of offshore resources. He also inquired about the security of supply. Mr. Waddell informed the Provincial/Federal accord is the instrument allows for joint management of offshore resources. Under this accord the Canada/Nova Scotia Offshore Oil and Gas Board is the governing body, consisting of two Provincial, two Federal representatives, and a Chairman. He suggested this will change in the fall when the new accord has been legislated. The management of the resource is under the jurisdiction of the Board, who seeks input from various governmental agencies.

Councillor Rawding asked is it wrong to suggested that if the Federal representatives were persuaded to declare there is a security of supply situation, they could unilaterally endorse a drilling program. Mr. Waddell informed this has not happened historically, and it is not foreseen in this instance, although it is possible.

Councillor Rawding stated the fishermen were looking for an unconditional guarantee. He noted there has been steps taken towards underwriting the costs of business interruption and damage to capital equipment and income. He suggested Texaco Canada Ltd. go further to underwriting this in its entirety. Mr. Waddell responded it is clear under the Oil and Gas Conservation Act that any operation taken by any offshore operator is liable for the impact of the operation. He stated this would include loss of equipment, loss of catch, and loss of income. He stated it is the assets of the company which is put at risk, and one way to protect this is to carry adequate insurance.

Councillor McInroy asked about the political power which may have been involved in laying the boundary for the moritorium. He also asked about the location of the area which the American government has indicated they are prepared to lease-sell south of Cape Cod. He inquired about the types of intense studies which are underway, and if this process took place previous to the moritorium on the American boundary. Mr. Waddell referred to the slide which showed the boundary of the moritorium, and he identified the lands which are proposed for a land sale in October 1988. He stated this matter goes back to 1979, and there was much discussion between the fishing industry, the oil and gas industry, and various levels of government in the United States. The monitoring program directly fell out of those discussions. The moritorium went into place in 1985 as a result of a court decision. He stated the details of the court proceeding and litigation involved with this moritorium.

Councillor Reid inquired about the total square mileage in the Canadian portion of George's Bank. Mr. Hebert informed it depends on what is defined as the bank, but if you take the 100 fathom line of the bank, the area inside there is approximately 5,500 square kilometres. Councillor Reid clarified only one square mile will be used for rigs, which is not a large portion. Mr. Hebert informed the exclusion zone will be about three square kilometres.

Councillor Reid inquired about the exploration lease and the cost involved. Mr. Waddell informed this lease was not costly. In the 1960's to promote offshore exploration in high cost areas, filing for exploration rights was all that had to be done. Part of the obligation of acquiring those rights at that time included the performance of work to maintain the permits in good standing. Since that time new legislation has been introduced, as well as the National Energy Policy and others. This has changed the form of disposition in terms of Canadian lands. There are now exploration agreements, which is done by competitive bid. Councillor Reid asked if Texaco Canada Ltd. is under agreement to spend a certain amount of money per year to maintain the leases. Mr. Waddell informed originally you had to spend a certain amount of money to maintain those permits in good standing, but an order in Council was passed in 1971 suspending those obligations because of the pending border with the United States. The resolution of that dispute took place in 1984.

Councillor C. Baker asked if any exploration took place off Chebucto Head. Mr. Waddell informed Texaco did not.

Warden MacKenzie suggested no action in this respect be taken besides deferring this matter to another date when more information may be available.

It was moved by Councillor P. Baker, seconded by Deputy Warden Mont:

"THAT a decision respecting drilling off George's Bank be deferred to the first Council Session of September pending the availability of the result of the on-going studies and further information."

Mr. Waddell stated it is highly unlikely all this information will be available as early as September. He stated Texaco Canada Ltd. is not in a big rush, and they would be happy to meet with Council again in the future to present all the information that will be compiled. Councillor Deveaux stated if this is not available by September, the matter can be deferred again.

MOTION CARRIED

MEETING WITH PETER GREEN, CHAIRMAN, HALIFAX COMMONWEALTH GAMES SOCIETY

Mr. Green made a presentation to Council requesting support for the bid of the Halifax Commonwealth Games Society to host the 1994 Commonwealth Games.

Councillor Wiseman noted that most of the capital dollars for this project will be spent in the City of Halifax. Mr. Green agreed stating facilities cannot be separated and left isolated because they will deteriorate. If such facilities are kept together, they are used more, and they are better maintained. Councillor Wiseman asked when it is expected the host city will be chosen. Mr. Green stated the host city should be advised by September, 1988.

Councillor Deveaux stated he is supportive of sports and recreation, but he expressed concern that money put toward this project could be better spent elsewhere. He stated consideration should be given to those who suffer from lack of necessities. He asked about the potential benefits for the host city of the 1994 Commonwealth Games. Mr. Green replied the facilities constructed for the Games will be left with the City for public use. He noted several other benefits, estimating ticket sales at \$6 million.

Deputy Warden Mont clarified that several of the Commonwealth competitions will be held in Halifax County. Mr. Green agreed, stating several practices and training events will take place in the County, as well as the 200 metre rowing competition at Lake William. Deputy Warden Mont clarified the Commonwealth Games society requires a resolution of support from Halifax County Council, as well as other metro municipalities in order for the bid to be successful.

It was moved by Deputy Warden Mont, seconded by Councillor Rawding:

"THAT Halifax County Council support the bid by the Halifax Commonwealth Games Society for the City of Halifax to host the 1994 Commonwealth Games."

Warden MacKenzie noted funds will be required for the presentation of the bid; he asked if this has been dealt with. Mr. Green advised the society felt there would be some Federal and/or Provincial sharing for this; however, this has been stopped, and the Society must make up a deficiency. The City of Halifax and the City of Dartmouth have contributed \$30,000 and \$15,000 respectively. He stated more will have to be made up from another source. The Town of Bedford and the City of Halifax have not been requested for a grant, but anything received would be helpful. He informed this will be discussed at the next group meeting on April 22, 1987.

MOTION CARRIED UNANIMOUSLY

#### URBAN SERVICES COMMITTEE REPORT

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

"THAT the sewer legislation be approved by Halifax County Council with amendments as discussed by the Urban Services Committee for presentation to the Province of Nova Scotia."

MOTION CARRIED



EXECUTIVE COMMITTEE REPORTEnhanced Policing - Cole Harbour RCMP Detachment

Mr. Reinhardt reviewed the report.

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

"THAT an agreement be executed with the Attorney General for the provision of ten additional RCMP personnel for the Cole Harbour detachment commencing in 1987 with agreement for the Municipality to accept financial responsibility for seven of the personnel based on the financial terms between the federal and provincial governments for RCMP policing in the Province;

AND FURTHER THAT the required funding for the enhanced policing be recovered from the General Budget."

Councillor Lichter expressed difficulty with the recommendation of the Executive Committee and the report. He inquired about the basis of the Executive Committee's recommendation.

Councillor Merrigan stated he made the recommendation because police protection throughout the County is not adequate, and if the police will take the position that they will not provide the required protection, it is up to the County to ensure this. Whether or not Cole Harbour is first in line is not important, as long as Halifax County receives the service.

Warden MacKenzie agreed, stating property must be protected no matter where it is, and growth in major urban areas require additional personnel. He stated all of Halifax County will benefit from this additional protection.

Councillor Lichter commented that sewer and water is also important, but the same formula is not used for such capital projects. He stated the recommendation of 50-50 cost sharing would only cost Cole Harbour an area rate of 1 cent in 1987, and if residents of Cole Harbour cannot pay this, perhaps additional police protection is not required as desperately as indicated. He stated study will take a long time, and until the results of the study are available, one of the other recommendations contained in the staff report should be implemented. He stated he would not support the motion on the floor.

Councillor Rawding indicated he had difficulty with this recommendation at the Executive Committee, and he stated he would not support it here. He stated the results of the requested study should be available before this cost is charged to the general budget. He felt the Province was not approached strongly enough about this problem. He stated charging this cost to the area rate will be precedent setting for other areas requiring additional police protection in the future.

Councillor Fralick stated there have been three test patterns since he became a Councillor. The first two were grants for buses, for which he has borne a lot of responsibility, and he stated he would wear much responsibility for this, should it be approved.

Councillor Merrigan stated the County must remain united; one district cannot bear the cost of something the Province will not provide. He stated the residents of Halifax County should not suffer because the Province will not provide sufficient police protection.

Councillor Walker stated he would not support the resolution; the County should not be paying for something that is the Province's responsibility. He stated this should not be paid for by the Municipality in any manner, no matter what district it is for. He stated residents cannot afford to pay any more than they are today for something the Province should be paying for.

Councillor Lichter expressed appreciation for Councillor Merrigan's comments. However, he felt everytime the County takes responsibility for anything from the Province, they are delighted, and the County will have no opportunity for political pressure. He stated the Province must be held responsible for their own costs. He also stated if this is paid for from the general rate, Halifax County residents will not notice the cost; if an area rate is charged to the district receiving the enhanced services, the paying residents will object and asked why the Province is not paying.

Councillor Walker expressed agreement with Councillor Walker and Councillor Lichter; he expressed objection to the shift in fiscal responsibility. He stated the argument is very valid, but efforts have been made for a long time to get additional police protection in Cole Harbour, and if it were left to the Province to provide this, would be another long time before anything would be done. He stated paying for enhanced policing from the general budget would best represent the people, and he felt the public would not take a strong political stand with respect to the area. Councillor MacKay stated he would support the motion.

Councillor Fralick felt there is a dividing line in the Municipality, and he stated he would not support the motion.

Councillor C. Baker stated he would not support the motion. He stated additional police protection is required in his area, and there have been very negative responses from the RCMP about this need. He stated if better police protection were available in his area, he would support the motion.

Councillor McInroy indicated it would weigh heavy against the County if additional police protection was not supported for Cole Harbour.

Councillor P. Baker stated his initial intentions were to support this proposal, but after hearing the comments of other Councillors and considering the needs of his own district, he stated he would not support the motion. He felt there is a need to put pressure on the MLA's.

Councillor Reid indicated he would not support the motion. He stated those who were present at the original meeting agreed to 50-50 cost-sharing, and now they are requesting and asking support for 100 percent of the funding to come from the general rate. He stated he would support the 65-35 cost-sharing formula, but not 100 percent from the general formula.

Councillor Walker stated District 1 has had a stable tax base from the beginning, and the services received from the Municipality in return for this tax base are minimal. He stated the residents of his district are getting annoyed at supporting Cole Harbour and Sackville. He stated his district does not get anything like the other areas, with the exception of education, which is County-wide. Councillor Walker concluded that most rural areas suffer.

Councillor DeRoche stated he is not in agreement with the 50-50 cost-sharing formula because policing is a Provincial responsibility. He stated the additional personnel as proposed will not provide enhanced policing; it will only bring policing in Cole Harbour up to Provincial standards. He stated policing is required by all residents, and it should be done so universally. He felt there is need to study the Attorney General's report further.

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

"THAT the matter of Enhanced Policing, Cole Harbour RCMP Detachment be deferred to the May 19, 1987 Session of Council."

Mr. Meech stated the information received from the Attorney General was circulated to Council some time ago. If it is felt there is a need to study it in more detail, the Chief Superintendent should be asked to make a presentation to Council. He stated the discussion today is only with respect to funding; it is already known that increased manpower is required.

Councillor MacKay noted it is proposed the tax rate for 1987 will be set on May 5, 1987, and he suggested this should not be dealt with after the tax rate has been set.

#### MOTION DEFEATED

Councillor Bayers stated the additional RCMP personnel will not enhance policing in Musquodoboit Harbour. He stated this detachment is receiving three additional police officers, but they are also taking responsibility for 3,000 more people.

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

"THAT additional RCMP personnel costs in Cole Harbour be recovered on the basis of 65 percent from the general budget and 35 percent from the area served."

Councillor Walker indicated he would not support this motion either. He stated the Province should be responsible for the entire cost of any additional policing. He stated he would not support any resolution to fund any portion of these costs from the general rate. He asked that the vote on this resolution be recorded.

COUNCILLOR WALKER - NO  
COUNCILLOR FRALICK - NO  
COUNCILLOR C. BAKER - NO  
COUNCILLOR DEROCHE - NO  
COUNCILLOR RANDALL - YES  
WARDEN MACKENZIE - YES  
COUNCILLOR LICHTER - YES  
COUNCILLOR MERRIGAN - YES  
COUNCILLOR MCINROY - YES  
COUNCILLOR MACDONALD - YES  
DEPUTY WARDEN MONT - YES

COUNCILLOR RAWDING - NO  
COUNCILLOR P. BAKER - NO  
COUNCILLOR DEVEAUX - YES  
COUNCILLOR ADAMS - YES  
COUNCILLOR BAYERS - YES  
COUNCILLOR REID - YES  
COUNCILLOR SNOW - YES  
COUNCILLOR MACKAY - YES  
COUNCILLOR EISENHauer - YES  
COUNCILLOR WISEMAN - YES

MOTION CARRIED

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

"THAT the Police Committee request a study by the RCMP with respect to police protection for all of Halifax County and to present a report with respect to implementing the recommendations of this study."

Councillor DeRoche asked that this study be amended so that Council would request the study, rather than the Police Committee.

Councillor Reid and Councillor Merrigan agreed to amend the motion in this respect. The final motion read:

"THAT Halifax County Council request a study by the RCMP with respect to police protection for all of Halifax County and to present a report with respect to implementing the recommendations of this study."

MOTION CARRIED

Funding for Sackville Recreation Program

Mr. Reinhardt reviewed the report.

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

"THAT the proposed funding formula for Sackville Recreation, totalling \$91,634.40, be included in the Department of Parks and Recreation 1987 budget and transferred to Sackville Recreation."

Councillor Fralick asked why the County services are not utilized in Sackville. Mr. Meech informed the community of Sackville had its own recreation organization established before the County Recreation Department was established. He noted the cost would be approximately the same if the County were providing the services to Sackville.

Councillor MacKay noted there have been major and successful efforts lately to involve the County more in recreation activities in Sackville.

Councillor Walker stated recreation groups in his district also seek funding. He did not see the rationale behind the formula and the figure quoted. He felt \$91,634.40 supercedes what other districts in the County receive in terms of recreation. He expressed objection to the resolution.

Councillor Snow indicated support for the motion. He stated it is a small amount to pay for 75 percent of the recreation that comes from Sackville.

After further discussion, Councillor Fralick asked if there are other districts funded in the same manner. Mr. Markesino stated Cole Harbour is similar in that they have a regional supervisor and staffing, but it is coordinated through the County.

Councillor Walker expressed no difficulty in giving this money to Sackville for recreation, but he felt it should also be given to other areas to see that they too are getting their fair share.

MOTION CARRIED

#### County Pension Plan

Mr. Reinhardt read the report.

Mr. Fawson, Personnel Manager, was in attendance, and he reviewed the changes to the policy as proposed. He noted the revision to membership of the Pension Advisory Task Force should read: Municipality - Warden, Director of Finance, Personnel Officer, two staff members at large as selected by the staff committee; Rehab Centre - three members: one appointed by the administrator, one from the CUPE local, and one from the nurses union; Fire Fighters - one representative from the I Fire Fighters Associations; one pensioner; Ocean View Manor - three members: one appointed by the administrator, one from the CUPE local, and one from the nurses union.

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

"THAT the revised membership to the Pension Advisory Task Force, as outlined, be approved."

MOTION CARRIED

#### Occupational Health and Safety Policy

Mr. Reinhardt read the report.

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

"THAT the Occupational Health and Safety Policy be approved and implemented into the County Personnel Policy and Procedures Manual."

Councillor MacDonald asked what this new policy will involve. Mr. Fawson stated this committee is mandatory under Provincial legislation. He informed the Committee has been established and has put forward this policy for implementation into the Personnel Policy and Procedures Manual. He reviewed the chain of authority with respect to this committee, noting that sole authority will rest with Council.

Councillor DeRoche was of the opinion the policy would rest with the Province. Mr. Fawson advised the County committee has set standards and policies for within our own departments. Councillor DeRoche recommended the word "standards" should be replaced with the word "practice". Mr. Fawson agreed, stating he would have this changed in the manual.

MOTION CARRIED

#### Requests for Grants

Mr. Reinhardt read the requests and recommendations from the Executive Committee.

It was moved by Councillor Rawding, seconded by Councillor Fralick:

"THAT approval be granted for a District Capital Grant, District 2 in the amount of \$1,180.62 for storm drainage extension, Richard Street, Glengarry Gardens Subdivision, Timberlea."

MOTION CARRIED

It was moved by Councillor MacDonald, seconded by Deputy Warden Mont:

"THAT Council approve three District Capital Grants: District 16 in the amount of \$3,000; District 19 in the amount of \$1,000; and District 20 in the amount of \$1,000 for improvements to the Sack-a-wa Canoe Club, Sackville."

MOTION CARRIED

#### Prospect Road Bus Service

Mr. Reinhardt read the report.

It was moved by Deputy Warden Mont, seconded by Councillor Reid:

"THAT Halifax County Council approve the establishment of an ad-hoc committee with representation from the Chairman and one member of the Rural Services Committee, the Chairman and one member of the Urban Services Committee, Councillor Merrigan, and appropriate Metro Transit staff to designate a policy relative to all areas of the Municipality not receiving transit service."

Deputy Warden Mont explained the decision and recommendation of the Executive Committee in this respect.

MOTION CARRIED

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

"THAT future requests for transit grants be held in abeyance pending approval of a proposed policy for rural transit."

MOTION CARRIED

Request for Easement, Maritime Tel & Tel Company

Councillor Eisenhauer declared a conflict of interest.

It was moved by Councillor P. Baker, seconded by Deputy Warden Mont:

"THAT approval be granted for an easement to Maritime Tel & Tel on County-owned property (Lot C-5A) at Cole Harbour."

Councillor DeRoche clarified that this matter was discussed with the Cole Harbour/Westphal Service Commission, and they have no objections to granting this easement. Mr. Reinhardt informed he was advised by the Service Commission that they have no objections, and there will be a letter forwarded in the near future respecting this.

MOTION CARRIED

LETTERS AND CORRESPONDENCE

Minister of the Department of Transportation

Mr. Reinhardt read this letter respecting the 70 km/h speed zone on Route 333 through Goodwood.

Councillor P. Baker expressed dissatisfaction with the response from the Minister. He stated the request is justified, and the residents of the area want the speed limit in this area lowered. He advised he would not let this matter die.

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

"THAT this item of correspondence be received."

Councillor MacKay also expressed difficulty with this response from the Minister of Transportation. He stated there is a similar problem, and this answer is unacceptable to the residents.

Councillor MacDonald stated the policy respecting the lowering of speed limits should be changed to ensure safety.

After further discussion, Warden MacKenzie called for the question on the motion.

MOTION CARRIED

Minister of the Department of Transportation

Mr. Reinhardt read this letter respecting difficult road conditions during the winter months. The letter referred to other Canadian Provinces and the American States, stating Nova Scotia roads are on par or better than many others.

Councillor P. Baker stated these comments are unacceptable.

Warden MacKenzie agreed, stating the roads were especially bad this year. He stated it is punishment to put today's cars on some of the highways during the winter months.

Councillor MacDonald also agreed, stating the roads are not properly kept up, and they do not have proper drainage. He stated the roads should be built and maintained properly for ease of winter maintenance.

It was moved by Councillor Rawding, seconded by Councillor C. Baker:

"THAT this item of correspondence be received."  
MOTION CARRIED

Minister of Lands and Forests

Mr. Reinhardt read this letter.

It was moved by Councillor Rawding, seconded by Councillor C. Baker:

"THAT this item of correspondence be received."  
MOTION CARRIED

C.N. Real Estate

Mr. Reinhardt read this letter respecting the abandoned Dartmouth railway right-of-way between Eastern Passage and Upper Musquodoboit.

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

"THAT this letter be received."  
MOTION CARRIED

Union of Nova Scotia Municipalities

Mr. Reinhardt read this memorandum from the Secretary of the Atlantic Regional Committee. Warden MacKenzie suggested any concerns and resolutions should be made known to his office for forwarding to Sherman Zwicker.



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

"THAT this item of correspondence be received."  
MOTION CARRIED

Blasting By-law, District 13

Mr. Reinhardt read a letter from a resident of District 13, Dianna E. Thompson, requesting that District 13 be included with the Blasting By-law for the Municipality.

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

"THAT this item of correspondence be received."  
MOTION CARRIED

Councillor Lichter stated approximately two years ago, when blasting was causing some problems at the Gypsum Plant, all households were asked in writing if they would want District 13 included in the blasting by-law. Only one person was interested in this at that time. Councillor Lichter stated he has talked to many people about this recent development, he has been present at the time of blastings, and he has asked to be informed and to be present during every blast. Councillor Lichter stated he has no desire to have District 13 added to the Blasting By-law at this time. He stated when a district is added to the Blasting By-law, it is immediately assumed compensation will be made by the Municipality should there be difficulties with blasting. He stated details of the Blasting By-law have been discussed with residents of the area to let them know the By-law will do nothing more than permit an individual to apply for a permit, etc. However, any damage suffered as the result of a blast will still have to go through insurance companies and prove blasting caused damage. He stated it is a dangerous assumption that having District 13 included in the blasting by-law will be a win situation, whereby nothing must be proven, and a phone call to the County indicating suffering as the result of a blast will resolve the situation. Councillor Lichter continued that he was present when the owner of the rock crusher offered a settlement, along with the insurance company, for damages they firmly believe were not caused by them. He stated there has never been one blast that was proven to have caused damage. Councillor Lichter stated there are blasts being set off every day at 12 noon and 4 p.m. at the Gypsum, and this will eventually weaken foundations in any area. The insurance companies say there must be one claim for one occasion or the deductible will apply to all occasions when damage was caused. The assumption is that the blasting by-law would solve this problem. He stated he could not support this request from one of his residents.

Warden MacKenzie clarified there are not many residents of District 13 who would want to be included in the Blasting By-law. He referred in particular to the last statement: "Surely District 13 residents deserve better than this." Councillor Lichter stated he does not know what this line refers to, and every resident in every district deserves some kind of protection. However, the protection is dealing with the people doing the blasting. He stated he has been dealing with those people

for some time. The last blast did not even register on monitors set up near the home in question. This does not necessarily mean the blast which Mrs. Thompson claims caused the damage, may have been more severe. He also added that the owner in question, Mr. Gallant, received many complaints, as well as Councillor Lichter, when the blast which were so noisy were coming from the Gypsum quarry. These charges set off were much smaller than usual, but an overcast sky and the weather conditions at the time caused the blast to travel.

#### BUILDING INSPECTORS REPORT

John Campbell, Sr., Peggy's Cove

Mr. Reinhardt read the report.

It was moved by Councillor Fralick, seconded by Councillor Rawding:

"THAT this request for a lesser side yard clearance be deferred to the May 5, 1987 Session of Council."

MOTION CARRIED

#### REGIONAL LIBRARY FUNDING FORMULA

Mr. Reinhardt read the report.

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

"THAT the 1986 census figures be used for 1987;

DUE to the County's continual growth, that a formula be devised for estimating the population increases or decreases between census taking;

THE three classes that librarians are segregated into, be reviewed, to consider the urban areas within the rural areas as was done when the Province reviewed the operating grant procedure and had five different classes, and weighted each according to the cost to provide the minimum service necessary."

MOTION CARRIED

#### PLANNING ADVISORY COMMITTEE REPORT

Application No. DA-CH/W-12-86-21 - Development Agreement - Hardman Fund Limited Partnership, Cole Harbour

Mr. Reinhardt read the report.

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

"THAT Development Agreement No. DA-CH/W-12-86-21 be approved with the amendments as noted, and that a public hearing for this development agreement be scheduled for May 25, 1987 at 7 p.m."

MOTION CARRIED

Application No. DA-CH/W-45-85-07 Rezoning of the Back Portion of Gorden Cross Subdivision, Highway No. 7, Westphal

Mr. Reinhardt reviewed the report respecting this application.

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

"THAT Application No. DA-CH/W-06-87-07 be approved and that a public hearing be held on May 25, 1987 at 7 p.m."

MOTION CARRIED

Application No. RA-SA-04-87-16 Rezoning of Lot B-D of the Lands of Leslie and Therese Stymest, Old Sackville Road

Mr. Reinhardt reviewed the report.

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

"THAT Application No. RA-SA-04-87-16 be approved and that a public hearing be scheduled for June 8, 1987 at 7 p.m."

MOTION CARRIED

Application No. RA-SA-52-86-20 Application by Residents to Rezone Pope Crescent, Nelson Drive, Caudle Park Crescent, Haviland Street, Tache Street, and a part of Chandler Drive, Lower Sackville

Mr. Reinhardt read the recommendation of the Planning Advisory Committee.

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

"THAT a public hearing be scheduled for June 8, 1987 at 7 p.m. to rezone only those properties in this particular application whose owners reply in favour of the rezoning to R-1 prior to the advertising deadline."

Councillor Rawding asked why the property owners must opt into this rezoning prior to advertising for this public hearing. He asked why they could not express their agreement or opposition to the rezoning at the public hearing. Councillor Lichter advised the Planning Advisory Committee has made the recommendation in this fashion in order to advertise properly, with respect to the intent. He stated a map must be attached to the advertisement indicating which properties are proposed for rezoning. He stated the ruling has always been in the past that at the public hearing more restrictive zones can be applied at the public hearing. He clarified nobody is prejudiced.

MOTION CARRIED

Application No. RA-SA-04-87-16 - Rezoning of Lot B-D of the Lands of Leslie and Therese Stymest, Old Sackville Road

Councillor MacKay referred back to this application, noting there may be an error on the map outlining the area proposed for rezoning. He

felt the lot shown for rezoning was not identified correctly, and he suggested staff be asked to verify this before advertisement for the public hearing. Mr. Meech agreed to have this clarified before advertising for the public hearing.

APPOINTMENT OF MEMBERS, HALIFAX COUNTY INDUSTRIAL COMMISSION

There was some discussion concerning these appointments. Councillor MacKay, Chairman of the Industrial Commission, informed the by-law states there must be seven members of Council and seven non-Council members appointed to the Industrial Commission by Halifax County Council.

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

"THAT Councillor MacKay be nominated to sit on the Industrial Commission."

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

"THAT Councillor MacDonald be nominated to sit on the Industrial Commission."

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

"THAT Councillor C. Baker be nominated to sit on the Industrial Commission."

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

"THAT Councillor Snow be nominated to sit on the Industrial Commission."

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

"THAT nominations cease."  
MOTION CARRIED

Councillor MacKay, Councillor MacDonald, Councillor C. Baker, and Councillor Snow were all declared members of the Industrial Commission for the next three year term.

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

"THAT Bob Shaw be nominated to sit on the Halifax County Industrial Commission."

It was moved Councillor DeRoche, seconded by Councillor Deveaux:

"THAT Brian Smith be nominated to sit on the Halifax County Industrial Commission."

It was moved by Councillor MacKay, seconded by Councillor C. Baker:

"THAT Ken McGrail be nominated to sit on the Halifax County Industrial Commission."

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

"THAT John MacIsaac be nominated to sit on the Halifax County Industrial Commission."

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

"THAT R.G. Henman be nominated to sit on the Halifax County Industrial Commission."

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

"THAT nominations cease."

MOTION CARRIED

Councillor Bayers informed Mr. Henman is the Vice President and General Manager of IMP Group Inc., who is a major employer and taxpayer in Halifax County. Mr. Henman's knowledge of the aerotech industry is very significant, and his skills, abilities, and thorough knowledge in on-going negotiations with the government of Canada on many defense and high technology program will prove to be an asset to the Industrial Commission.

Councillor Snow informed Mr. MacIsaac works for the Department of Transportation. He stated Mr. MacIsaac is a district-oriented man, interested in all phases of industry. He felt Mr. MacIsaac would be a good asset to the Industrial Commission.

Deputy Warden Mont informed Mr. Shaw has sat on the Industrial Commission for the past three years. He is the President of Clayton Developments Ltd., and he has been the president of the Nova Scotia Home Builders Association. He felt Mr. Shaw has been a valuable asset to the Industrial Commission for the past three years, serving as Vice Chairman.

Councillor MacKay informed Mr. McGrail is an original Industrial Commission member. He stated Mr. McGrail is an integral part of the Industrial Commission with much expertise, background knowledge and sound judgement. He stated Mr. McGrail has proven his worth to the Industrial Commission. Warden MacKenzie noted Mr. McGrail recently retired from the Nova Scotia Power Corporation.

Warden MacKenzie advised Mr. Smith is a very active businessman from the community of Sheet Harbour. Councillor DeRoche added that Mr. Smith has been a member of the Industrial Commission for two terms, and he has been very active in the Commission. He noted Mr. Smith is very active in trying to develop improved conditions for the Eastern Shore.

After electing four of the five nominations the following people were elected to the Industrial Commission for the next three year term: Brian Smith, Ken McGrail, Robert Shaw, and R.G. Henman.

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

"THAT Halifax County Council write a letter to Mr. Peter Fraser expressing appreciation for his term served as an appointee to the Industrial Commission."

Councillor MacKay noted the Executive Director of the Industrial Commission was in attendance, and he suggested Mr. Denny also take it under advisement to write a letter to Mr. Fraser on behalf of the Industrial Commission.

MOTION CARRIED

#### TABLING OF FINANCIAL STATEMENTS

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

"THAT the financial statements of the Municipality of Halifax County for 1986 be tabled."

MOTION CARRIED

#### APPOINTMENT OF AUDITORS

Mr. Wilson, Director of Finance, recommended the appointment of Thorne, Ernst & Whinney as auditors for the Municipality. He stated they have been doing a good job for the Municipality in the past, and their costs their costs have only risen a total of 8 percent over the last six years. He noted they are one of two major firms in Nova Scotia who are well known for their work in the municipal field, and they always have their financial statements complete and sent to the Province on time.

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

THAT Thorne, Ernst & Whinney be appointed as Auditors for the Municipality of the County of Halifax for 1987."

MOTION CARRIED

#### SCHOOL AREA RATES - COUNCILLOR P. BAKER

Councillor P. Baker stated there has been opposition expressed in his district with respect to school area rates. He stated this is double taxation. He noted there was only a small turnout at a community meeting respecting this, although 56 out of 57 people voted in favour of this. He stated it has been determined by the School Board that Sir John A. MacDonald High School is receiving sufficient funding without a school area rate. He also noted there are several other districts involved who are opposed to this rate. Councillor P. Baker stated Halifax County-Bedford District School Board is the only school board that imposes such a rate in the Province of Nova Scotia. He also noted there is not much required to receive approval of this area rate.

It was moved by Councillor P. Baker, seconded by Councillor C. Baker:

"THAT Halifax County Council write a letter to the Minister of Municipal Affairs requesting him to revoke the authority of the trustees and ratepayers of the Halifax County-Bedford District School Board permitting them to levy school area rates in Halifax County."

Councillor P. Baker advised he raised this matter at the School Board level, and he was advised by Mr. Gillis and other authorities of the Board that this would be appropriate because the Board has not authority over this rate.

Councillor Wiseman clarified the only authority the School Board has is approving the items for their educational intentions. Council has no authority, and School Board authority is very limited, and recent amendments to the Education Act still allow a very small number of people to set a substantial area rate for education.

Councillor MacKay expressed agreement with the intent of the motion, but he felt the request would require an amendment to the Municipal Act or the Education Act. Councillor Wiseman agreed, noting both Acts would have to be amended.

Councillor Merrigan noted something to this effect was presented to the UNSM Resolutions Committee, but it was not supported. He suggested Halifax County should also send a copy of this letter to the UNSM. Councillor P. Baker and Councillor C. Baker agreed to incorporate this into the motion.

Councillor C. Baker informed he also has problems in his district with complaints about this double taxation. He agreed there should at least be a limit on the request for education area rates.

Councillor Fralick stated one area served by Sir John A. MacDonald High School is not paying the school area rate. He stated this should be verified by the School Board.

Councillor Rawding noted Sir John A. MacDonald High School is using the area rates for the funding of equipment, for which there has been some difficulty. He noted the funds this year are used for computers, and before approval of the rate, there was a frank discussion concerning the costs. He stated he is not opposed to the motion, but he felt the residents were not lobbied and that they did not attend the meeting with a pre-determined idea. He felt it appropriate that citizens were taking charge of the level of education, while there are several without children in school who are willing to pay the rate. He stated this is good for the community because it allows them to have some control over the level of education.

Councillor Walker expressed no difficulty with education area rates, but he felt the money retrieved from the taxpayers is spent on items which the School Board should be funding. He felt these rates can benefit a school, but the money from area rates should not be used for computers and other such equipment.

Following some discussion, it was clarified the final motion would read:

"THAT Halifax County Council write a letter to the Minister of Education with a copy to be sent to the Minister of Municipal Affairs and the Union of Nova Scotia Municipalities Resolutions Committee requesting amendments to the Education Act and the Municipal Act with respect to revoking the authority of the trustees and ratepayers of the Halifax County-Bedford District School Board permitting them to levy school area rates in Halifax County."

MOTION CARRIED

AGENDA ITEMS

Councillor Deveaux - Mobile Canteen

Councillor Deveaux indicated he would defer to this matter to the next Session of Council.

ADDITION OF ITEMS OF THE MAY 5, 1987 COUNCIL AGENDA

Councillor Deveaux - Mobile Canteen  
Councillor Wiseman - No Smoking Policy, Council Chambers & Boardrooms

ADJOURNMENT

Warden MacKenzie suggested the June 2, 1987 Session of Council be deferred to June 9, 1987 because several Members of Council will be away at the annual FCM Conference.

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

"THAT the June 2, 1987 Session of Council be deferred to June 9, 1987 due to the 1987 annual FCM Conference."

MOTION CARRIED

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

"THAT the annual Session of Council be adjourned to May 5, 1987."

MOTION CARRIED



PUBLIC HEARING

APRIL 13, 1987

PRESENT WERE: Warden MacKenzie  
Councillor Rawding  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman  
Deputy Warden Mont

ALSO PRESENT: Mr. G.J. Kelly, Municipal Clerk  
Mr. R.G. Cragg, Municipal Solicitor  
Mr. W. Butler, Manager, Policy Division

SECRETARY: Glenda Higgins

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

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Glenda Higgins be appointed as Recording Secretary."  
MOTION CARRIED

REQUEST BY MR. ARTHUR DENTON TO AMEND THE MILLWOOD PLANNED UNIT DEVELOPMENT AGREEMENT BY REDESIGNATING 26 LOTS IN THE AREA OF PENSTOCK COURT FROM SEMI-DETACHED TO SINGLE UNIT AND TO PERMIT SINGLE UNIT DWELLINGS ON SMALLER LOTS THAN REQUIRED IN THIS AGREEMENT

Deputy Warden Mont declared a conflict of interest.

Mr. Butler reviewed the staff report as presented to Members of the Council. He informed the new units will provide a better variety of housing with more pleasing aesthetics. These homes will be reasonably priced to accommodate the modern income market. Also there will be ample separation and open space will be provided on each lot, and the overall density of the area will not be altered from the present semi-detached designation. Mr. Butler informed the original concept of this development, which was approved by the Department of Housing, had linked housing by way of an underground footing connecting two units; therefore, aboveground the units would appear as single family homes, and the link would provide no structural support for the dwellings. This proposal did not conform to the definition under the CMHC site planning criteria. Thus, this request is presented.

Mr. Butler continued the applicant intends to use six basic housing designs on the 26 lots; they are to be mixed and their setbacks staggered in order to provide a varied streetscape. Mr. Butler informed staff support the proposal because it is an attempt to provide more affordable, single unit housing; also because the change will not increase the density over what could presently be developed here.

Mr. Butler continued the presentation, reviewing the amendments as they would be implemented upon approval of this application.

#### Questions from Council

Councillor Rawding referred to new regulations for subdivision planning and the fact that the Province is getting out of the paving of subdivisions, he asked if the developer will assume responsibility for paving. Mr. Butler advised paving will be included with subdivision development.

#### Speakers in Favour of this Application

Peter Connor, informed he is a resident of Dartmouth and an architect engaged by the developer to prepare the design work for this development. He advised a number of similar developments in Ontario were looked at, where the density and the link between the units is the same. However, it was determined the link would not be approved for this particular development. Therefore, this proposal came forth.

Mr. Connor presented some slides of the proposed units and streetscape. He advised the widths of the units have been varied so they can be custom-fit to the configuration of the land. A number of spaces will be provided in each driveway for off-street parking. Mr. Connors continued that the homes are an A-B-C series varying in width from 26 feet (not including a garage) to full two-story homes. He reviewed the plans for each of the homes in the series. Mr. Connors informed the marketing target for these homes is in the range of \$85,000, which is the approximate amount split-entries are selling for in Millwood Subdivision.

Questions from Council

Councillor Rawding asked if there are restrictive covenants regarding fence construction, etc. Mr. Connors informed he is not familiar with the existing covenants and controls within the PUD agreement. Mr. Butler informed he is not aware of such restrictive covenants with respect to fencing. Councillor MacKay was of the understanding permission must be obtained from the Department of Housing before a house is erected, and the Department has certain standards that must be met.

Councillor McInroy asked for clarification as to whether these lands are owned by the Department of Housing. It was clarified the lots in question are still owned by the Department of Housing. Mr. Connors felt there is an existing agreement of purchase and sale, and construction of two houses has taken place on the corner. The road servicing contract is almost complete.

Councillor MacDonald inquired about what construction has taken place. Mr. Connors informed two foundations have been poured on Lot 257 to serve as model homes. He informed this was completed before the complications became obvious. There is a footing connection in place at this stage, and pending the resolution of this application, it is not known what will have to be done. He advised a preliminary building permit has been issued.

Councillor DeRoche clarified that each of the units will be self-contained, and each purchaser will have his own lot and deed. He asked if the lots have been subdivided or if this is pending the present resolution. Mr. Connors replied that the subdivision was approved prior to the proposal call. The same lot configuration is now being used.

Councillor MacKay asked if there were a common wall between two homes if an amendment to the PUD agreement would be necessary. Mr. Connors informed these walls have been referred to as silly walls because they do not have any purpose other than attaching the two units. He stated the purpose of this application is to eliminate the need for this wasted concrete.

Councillor Wiseman asked if each unit would be serviced individually with water and sewer. Mr. Connors informed they would, and the laterals have been installed to the property line at this point.

Councillor Lichter clarified there will be two homes in each lot, and each lot has not been subdivided into two lots since the initial subdivision approval. Mr. Connors informed each lot has two halves which has been approved, and this designation and area is proposed for this project. He felt they are separate approved lots with a deed for each half of the lot. Mr. Butler clarified this, stating this was approved as of November, 1984.

Councillor Lichter further inquired about the time when the footings were poured for the two buildings already under construction. Mr.

Connors informed the preliminary building permit was issued prior to the last Planning Advisory Committee meeting approximately two months ago, and some excavation was done. However, there was no concrete poured at that time. The necessary connection between the two units was left in abeyance until the outcome of this public hearing is determined. He noted the buildings which have been started still have the capability of having the concrete connection between the two halves.

Councillor Lichter inquired about the lot sizes. Mr. Connors informed there are various lot sizes, ranging from 3,000 square feet to just over 4,000 square feet. He clarified the 3,000 square foot lot will accommodate one unit.

Councillor MacDonald questioned how other developments such as this will be controlled in the future. He questioned the value of these homes. Mr. Connors informed the proposed homes are projected from \$83,900 to the high \$90,000 range, depending on the model. He noted more than one-half of these homes will be in the mid-\$80,000 range because this many of the lots are approximately 3,000 square feet. Councillor MacDonald noted these homes are no more affordable as any other single unit dwelling on a larger size lot. He expressed concern that this may become a trend. Mr. Butler acknowledged Councillor MacDonald's point, stating it was recognized this could be the first of additional requests. He informed this development will be monitored to see that it is completed as per the agreement and that the houses are sold as per the applicant's intentions. He noted this proposal could be made for any other plan areas under the Comprehensive Development District. He suggested if this is successfully marketed, there will be additional requests, but Council will have the ability to evaluate similar proposals in the same manner as this.

Councillor MacDonald expressed concern about families moving into these homes with small lots. Councillor C. Baker also expressed concern about the small lot sizes. Mr. Connors stated the number of families on Penstock Court will remain the same with this development. There will be 26 families in fully detached homes or in semi-detached houses.

Richard Baker, 239 Kay Street, Lower Sackville, informed he has been interested in this project since he was first made aware of it. He advised he has expressed a willingness to the real estate agents to buy one of these homes. He stated he is not interested in a large lot because he does not like to mow lawns. He stated if the proposed home was sold on a fully sized lot, it would cost an additional \$20,000 to \$30,000. He felt this development is worth the difference in price.

#### Questions from Council

Councillor Fralick inquired about the number of parking spaces included with the home Mr. Baker is planning to purchase. Mr. Baker informed the home he has been considering is setback from the road more than the others, and it appears it would park at least four cars.