

Considerable discussion evolved concerning this joint staff committee and if its mandate is to deal with political issues.

MOTION CARRIED

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

"THAT a letter be written to the Minister of Transportation requesting a review of the snow plowing policy for the County of Halifax given the dissatisfaction with the present level of service."

MOTION CARRIED

Department of Vocational and Technical Training

Mr. Kelly outlined this correspondence respecting transportation subsidies for Regional Vocational Schools.

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

"THAT this item of correspondence be received."

Councillor Walker advised he is waiting for additional information to accompany this.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Application No. RA-24-33-87-09 - Rezoning of the Lands of Burton Patterson, Lawrencetown Public Road

Mr. Kelly reviewed the report and the recommendation of the Planning Advisory Committee.

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

"THAT a public hearing respecting this application be held on April 11, 1988 at 7 p.m."

MOTION CARRIED

Municipal Planning Strategy and Land Use By-law, District 14

Mr. Kelly reviewed the report, advising the PAC feels recommendations concerning submissions regarding the above-noted plan can be made at the next Council Session. However, it was the Committee's recommendation that if Council does not want to deal with this matter at a regular session, a special date should be set in order that the public can be advised.

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

"THAT the matter of the District 14 Municipal Planning Strategy and Land Use By-law be dealt with following the public hearing on April 11, 1988."  
MOTION CARRIED

CAPITAL GRANT POLICY - RECREATION FACILITIES

Mr. Meech advised this policy has been re-worded for housekeeping purposes, and it should be approved by Council again.

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

"THAT the policy regarding capital grants for recreation facilities be adopted as stated in the attached report."  
MOTION CARRIED

APPOINTMENT TO BOARD OF DIRECTORS, UNITED WAY

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

"THAT Brian Smith be re-appointed to the Board of Directors for the United Way for a one (1) year term."  
MOTION CARRIED

METROPOLITAN AUTHORITY REPORT - COUNCILLOR MacDONALD

Councillor MacDonald advised he was not at the last meeting, but from the agenda it appeared there were only housekeeping matters to be dealt with. He added the new Metro Transit pass was issued recently, and sales have been quite brisk. There is also a proposal for increased service in the next few weeks.

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

"THAT this Metropolitan Authority Report be received."  
MOTION CARRIED

BUILDING INSPECTOR'S REPORTS

Merlin Riggs, Myers Point

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

"THAT approval be granted for a lesser setback of 18 feet at Lot 1, A. Myers Subdivision, Myers Point, owned by Merlin Riggs."  
MOTION CARRIED

David Careless, Herring Cove

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

"THAT approval be granted for a lesser side yard clearance of six feet at lot 89, Winston Drive, Herring Cove, owned by David Careless."

MOTION CARRIED

Woodland Pine Craft, Sheet Harbour

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

"THAT approval be granted for a lesser side yard clearance of five feet at property owned by Woodland Pine Craft on the Main Road, Sheet Harbour."

MOTION CARRIED

Michael Baker, East Jeddore

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

"THAT approval be granted for a lesser side yard clearance of 6.3 feet for Lot A-2, Thomas Power Subdivision, East Jeddore, owned by Michael Baker."

MOTION CARRIED

MUNICIPAL PLAN COMMITTEE REPORT

Mr. Kelly reviewed the report, advising the recommendation is that the Municipal Planning Strategy and Land Use By-law for Districts 1 and 3 be forwarded to a meeting of the Committee of the Whole.

Councillor Walker informed he is not prepared to deal with this matter at the Council level yet; he stated there are still several outstanding issues which have not been dealt with. He advised he was not at the last meeting of the MPSC, and he did not know it would be forwarded to Council at this point.

Councillor Lichter informed review of the Land Use By-law was completed at the second last meeting with Councillor Walker in attendance, and at the last meeting there was only one major issue which was dealt with.

It was moved by Councillor DeRoche, LOST FOR A SECONDER:

"THAT a meeting of the Committee of the Whole be held on April 7, 1988 at 7 p.m. to deal with the Municipal Planning Strategy and Land Use By-law for Districts 1 and 3."

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

"THAT the Municipal Planning Strategy and Land Use By-law for Districts 1 and 3 be referred back to the Municipal Planning Strategy Committee."  
MOTION CARRIED

EXECUTIVE COMMITTEE REPORTRenovations - Shatford Memorial Library Building

Mr. Kelly reviewed the report and recommendation of the Executive Committee.

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

"THAT Council approve of renovations to the Shatford Memorial Library at Hubbards with funding being \$30,000 from the Shatford Trust Fund and the balance to be amortized over five years with an annual charge to library branch operations."

MOTION CARRIED

Tourist Bureau Building - Sackville Drive

Mr. Kelly reviewed this report, noting it is the recommendation of the Executive Committee that this building be sold to the Metropolitan Area Tourism Association for \$1.

Councillor Mont noted there was a previous resolution approved by Council that this building be leased to the MATA.

There was some discussion about leasing this building as opposed to selling it. It was noted the Sackville Councillors have agreed to the sale of this building.

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

"THAT the original resolution of Council on January 19, 1988 respecting the tourist bureau building at Sackville be rescinded."

MOTION CARRIED

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

"THAT the tourist bureau building, Sackville Drive be sold to the Metropolitan Area Tourism Association for \$1."

Councillor Mont asked how it will be assured that this building will not be removed from the existing site or removed from the community of Sackville. Mr. Cragg informed the bill of sale will contain covenants accommodating this.

MOTION CARRIED - 1 OPPOSED

Policing, Sackville Detachment

Councillor Mont declared a conflict of interest.

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

"THAT Council execute an agreement with the Solicitor General's Department to provide three additional officers at the Sackville Detachment at an estimated cost of \$50,000 per man per annum;

ALSO THAT Council approve a policy providing the additional costs for enhancement of policing services be assumed by the general tax rate of the Municipality."

Councillor DeRoche noted the recommendation for funding has changed since this discussion about the Cole Harbour detachment last year. He wondered if this change in policy is retroactive.

Councillor Walker expressed opposition to the resolution. He stated policing services throughout the County varies from area to area, and the general tax rate should not be paying for enhanced services in the urban areas. He stated policing is a provincial responsibility, and the County should not be considering this.

There was discussion concerning enhanced policing in the urban areas and how it will be paid for.

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

"THAT this matter be deferred to the next Council Session when Councillor Snow, Councillor MacKay, and Councillor Wiseman will be in attendance."

MOTION CARRIED

It was noted Councillor Mont resigned from the Police Committee, and it was recommended a new member be appointed to represent the Cole Harbour area.

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

"THAT Councillor McInroy be appointed to represent the Cole Harbour area on the Police Committee."

MOTION CARRIED

#### Requests for Grants

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

"THAT approval be granted for a District Capital Grant, District 9 in the amount of \$601.15 for improvements to the Lawrencetown Community Centre ballfield."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 19 in the amount of \$840 for improvements to the green area, Gloria Court, Sackville."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 19 in the amount of \$552.43 for improvements to the Sackville Community Hall."

MOTION CARRIED

DEPARTMENT OF COMMUNITY SERVICES, CAMR - COUNCILLOR P. BAKER

This item was deferred to the next Session of Council.

P.A.C. - COUNCILLOR WALKER

This matter was deferred to the next Council Session.

SOCIAL SERVICES - COUNCILLOR SNOW

This matter was deferred to the next Council Session given the absence of Councillor Snow.

EMERGENCY AGENDA ITEMS

Deputy Warden MacDonald - County Holiday

Deputy Warden MacDonald suggested staff investigate the possibility of a County civic holiday, such as Dartmouth and Halifax Natal Day.

There was a brief discussion concerning this. It was agreed staff would review this possibility and report back to Council at a later date. Mr. Meech noted employers, collective agreements, etc. must be taken into consideration.

Councillor P. Baker - School Area Rates

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

"THAT the Minister of Education and the Minister of Municipal Affairs be requested to revoke or rescind the authority of the district trustees and residents to levy school area rates."

There was some discussion concerning this motion. Several Councillors expressed support for the motion, others indicated support for school area rates but felt the use of these funds should be restricted.

Councillor C. Baker stated the people do not want to lose the services provided by school area rates, but there are too many rates. He felt they should be limited and reduced somewhat.

There was some discussion about the authority to levy these rates. The County only has rubber stamping authority for the approval of school area rates - the residents and trustees have the ability to set these rates.

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

"THAT the matter of school area rates be deferred and that the School Board be asked to report on these rates and their use."

MOTION CARRIED

District 10 & 11 Municipal Parkland Policy

Councillor Bayers informed three years ago he opted out of the parkland fund, but he now wishes to have District 10 included in the fund because there is more growth in the area.

Warden MacKenzie indicated he would now like to have his district included in the Parkland Policy.

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

"THAT Districts 10 and 11 be included in the Municipal Parkland Policy."

Councillor DeRoche suggested other districts that opted out of this fund should also have the opportunity to join it. He also asked when funds will be used for parkland purposes in District 10, noting they have not contributed to the fund yet. Councillor Bayers stated if the general parkland fund is to be used, one-half of the amount must be provided for the district parkland fund, and since there are no funds there yet, it will be awhile before any funds from the general account can be used. Councillor Bayers added that he asked Councillor Reid and Councillor Lichter if they wished to become a part of the parkland fund now, and they both indicated they did not.

MOTION CARRIED

Councillor C. Baker - Dredging, Herring Cove

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

"THAT a letter be written to Small Craft Harbours requesting dredging of Herring Cove Harbour."

MOTION CARRIED

Councillor C. Baker - Speed Limited, Ferguson's Cove

Councillor C. Baker submitted a petition signed by residents of Ferguson's Cove, requesting a reduction in the speed limit on highway #253 from Halifax City limits to York Redoubt from 80 kms to 50 kms.

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

"THAT a letter be written to the Minister of Transportation in support of the petition requesting a reduction in the speed limit on Highway #253 through Ferguson's Cove."  
MOTION CARRIED

ADDITION OF ITEMS TO THE MARCH 15, 1988 COUNCIL SESSION

Councillor Walker expressed difficulty with the manner in which Council agenda's are prepared. He stated before emergency agenda items are dealt with a lot of Council members have gone and also the press. He felt emergency agenda items should be dealt with immediately following the approval of minutes.

It was agreed this matter would be discussed at the Executive Committee.

Councillor P. Baker - Department of Lands & Forests, Goodwood Provincial Park

ADJOURNMENT

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

"THAT this Council Session adjourn."  
MOTION CARRIED

The meeting adjourned at 9:10 p.m.



COUNCIL SESSION

MARCH 15, 1988

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

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer  
Mr. G.J. Kelly, Municipal Clerk  
Mr. D. Weir, Acting Solicitor

SECRETARY: Glenda Hill

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

Mr. Kelly called the Roll.

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

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

Warden MacKenzie introduced and welcomed a group of Girl Guides from St. Margaret's Bay. Councillor Fralick also extended a welcome to them. He advised that six girls from this group were chosen to represent Nova Scotia at an international camp at Saskatchewan. He introduced the girls and their leader and presented each with a Halifax County pin.

APPROVAL OF MINUTES

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

"THAT the minutes of the February 16, 1988 Council Session be approved as circulated."

MOTION CARRIED

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

"THAT the minutes of the Public Hearing, February 18, 1988, be approved as circulated."

MOTION CARRIED

EMERGENCY AGENDA ITEMS

None

LETTERS AND CORRESPONDENCE

Department of Agriculture and Marketing

Mr. Kelly advised this matter was deferred at the last Council Session in the absence of Councillor Reid.

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

"THAT Council revoke the two representatives presently on the Halifax-Southeast Livestock Health Services Board and the Halifax-Musquodoboit Livestock Health Services Board."

MOTION CARRIED

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

"THAT Willard Erskine be appointed to represent Halifax County on the Halifax-Musquodoboit Livestock Health Services Board."

MOTION CARRIED

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

"THAT Roscoe Tofflemire be appointed to represent Halifax County on the Halifax-Southeast Livestock Health Services Board."

MOTION CARRIED

Minister of Fisheries and Oceans

Mr. Kelly reviewed this letter respecting the dredging project at Three Fathom Harbour.

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

"THAT this letter be received."

Councillor Randall stated this correspondence is not as encouraging as the word from the representative when he met with Council. At that time, it was indicated there is no question about the funding, but this correspondence states the government wharf is being considered for implementation in 1988. He expressed concern about this.

MOTION CARRIED

Minister of Housing

Mr. Kelly reviewed this correspondence concerning the status of senior's housing in Districts 1, 3, and 4.

Councillor Walker expressed difficulty with this response, stating there is a need for further information.

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

"THAT another letter be written to the Department of Housing respecting more specific information with respect to the timing and the allocations of funds as discussed in this letter;

ALSO THAT a copy of this letter be sent to the M.L.A. for the area."

Councillor P. Baker expressed agreement with Councillor Walker. He stated studies and the purchase of land in District 4 are complete, but the project appears to have been put on hold again. He suggested the rural Councillors need to get together and go after their needs because the urban areas are getting it all.

Councillor Fralick advised land for senior housing projects has been purchased in Districts 3 and 4, and he was of the understanding these areas were on a high priority list. He expressed hope that this is the case, and the next allocation of funds will be for housing in these areas.

MOTION CARRIED

Minister of Transportation

Mr. Kelly reviewed this letter in response to Council's correspondence concerning snowplowing activities in District 4.

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

"THAT this letter be received."

Councillor P. Baker stated since the winter is almost over, the Department of Transportation should not concentrate on the problems that spring and the rain will bring. He stated other problems, such as muddy roads and potholes, should now be concentrated upon.

MOTION CARRIED

Minister of Transportation

Mr. Kelly reviewed this letter respecting the speed limit on Highway No. 7 in the area of the East Preston Day Care Centre.

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

"THAT this item of correspondence be received."

Warden MacKenzie noted that the Department of Transportation has indicated in the past that they would do something about a stretch of road along the No. 7 Highway in District 7, but nothing has been done.

MOTION CARRIED

Minister of Lands and Forests

Mr. Kelly reviewed this letter respecting the road, parking area, and overall management of the park at Crystal Crescent Beach.

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

"THAT this letter be received."

MOTION CARRIED

Minister of Transportation

Mr. Kelly reviewed this letter acknowledging receipt of Council's letter respecting flooding problems at Birchdale Court, Glengarry Gardens, Timberlea.

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

"THAT this letter be received."

MOTION CARRIED

Councillor Rawding expressed concern that this matter is acknowledged by the Minister of Transportation three weeks after it was dealt with as an emergency issue at Council. He stated it is encouraging that the Department will look at this problem, and he expressed hope that this means they will accept responsibility. He asked if the Engineering Department has taken any action in this regard. Mr. Sheppard, Manager, Storm Drainage, advised he has been aware of this situation for about a month, and three or four weeks ago he attended a meeting at the site with a member of the Department of Transportation and the MLA for the area. He also met with the developer. Some ditching and installation of extra piping has been done by the developer so to a large degree the situation has been resolved. However, there is another problem which is more concerned with lot grading the interception of ground water. This problem will most likely rest with the homeowners.

MOTION CARRIED

Bedford Board of School Trustees

Mr. Kelly reviewed this letter to the Halifax County-Bedford District School Board respecting School Area Rates. The letter reflected support and justification for school area rates levied by the community.

Councillor P. Baker informed he is in receipt of a letter from a resident of District 5 with the opposite point-of-view concerning school area rates. He stated there was a discussion respecting this issue at the last Council Session, and there was to be a request sent to the School Board for a report on the use and levying of these rates. He asked if this request has been forwarded to the School Board. Mr. Kelly informed it has.

Councillor P. Baker noted there is a school in Halifax County which has levied area rates in the past, and they now have their needs met with this money, so the principal is discouraging this area rate.

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

"THAT this letter be received."

Councillor Wiseman advised the School Board received this letter, and it was addressed at the last meeting.

Warden MacKenzie advised he is also in receipt of a letter from the trustees of the Cole Harbour School expressing their opposition to Halifax County doing anything about area rates for school purposes.

MOTION CARRIED

Councillor C. Baker - Loss of Fishermen, Sambro

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

"THAT Halifax County Council extend sincere condolences to the families and residents of the community of Sambro on the loss of their loved ones at sea last week."

MOTION CARRIED

PLANNING ADVISORY REPORTPlanning Districts 1 and 3

Mr. Kelly reviewed the report and recommendation of the PAC in this regard.

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

"THAT the Committee of the Whole meet on April 7, 1988 to present the Municipal Planning Strategy and Land Use By-law for Districts 1 and 3 to Council."

Councillor Walker expressed difficulty with the process of implementation of this plan. He felt there may be some difficulties in interpreting this plan by staff. He felt this should be discussed further at PAC. He also expressed concern about signage provisions in the plan. Councillor Walker informed he would like to see a regional Planning Advisory Committee formed to report to Council on planning issues in his area and to help the Development Officer to administer the new plan. Councillor Walker advised he has already had a negative legal opinion on this matter from Mr. Cragg, but he felt there should be another opinion. He suggested the Department of Municipal Affairs be asked to consider this.

With regard to signage concerns, Councillor Walker informed he would like to discuss this further with PAC, but they are not willing to discuss this.

Councillor Lichter stated this is the first time he has heard any specific concerns from Councillor Walker, and it is regrettable that he only mentioned them now. He stated signage concerns should have been discussed with the Public Participation Committee for Districts 1 and 3; changes cannot be made to the plan at this point without involvement from the Public Participation Committee. Councillor Lichter also stated if there are ever any concerns related to the administration and interpretation of the plan, Councillor Walker is welcome to attend a meeting of the PAC to discuss this. He stated it is not fair that Councillor Walker feels the PAC did not give him the time to deal with this matter.

Councillor Lichter stated there were 159 meetings regarding this plan - 21 with the Public Participation Committee - and signage concerns were not brought up at any of these meetings. Therefore, it was decided to recommend the plan to Council. If Councillor Walker wishes, the Committee can reconvene to deal with signage concerns.

With respect to the interpretation of the plan, Councillor Lichter stated it is the development officer's duty to interpret and administer the plan, and if it is felt an injustice was served, Halifax County Council cannot overrule a decision of the development officer. These matters are referred to the Municipal Board. He stated this is the reason so much time was spent trying to make this plan as clear as possible.

Councillor Walker stated the development officer has never been involved in the development of the plan for Districts 1 and 3, and he will make decisions based on the books that are presented to him. He also expressed difficulty in combining the plan for Districts 1 and 3. He felt each district should have its own plan, or there should be regional plans for the various parts of the County.

Following further discussion, Councillor Walker concluded that he is not opposed to the public meeting, although he would like further investigation into the development of a regional PAC and the concerns about signage.

MOTION CARRIED.

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

"THAT the Planning Advisory Committee investigate the probability of an Advisory Committee to Council with regard to the interpretation and implementation of the District 1 and 3 plan to work with the Director of Planning in implementing the plan for a working period of at least one year."

There was some discussion concerning this resolution. Councillor Lichter informed that only about 5 percent of planning issues come before the Planning Advisory Committee when administering any plan because it is the responsibility of the Development Officer to do the administering. If there were a regional planning committee, the development officer would not have to bring any matters to that body, because the sole authority would rest with him. Any changes in this regard would require an amendment to the Planning Act.

Councillor McInroy saw the reasoning behind Councillor Walker's concern, and he stated he is a supporter of local decision-making with respect to planning issues. However, he felt appointing a committee to advise staff members would not amount to anything.

Councillor Rawding also agreed with the concept, stating much is often lost between what the people want and when it is put into legal terms. He stated it is discouraging that the public cannot be involved in the review process due to time restraints because they could probably point out many problems with a plan after it has been implemented for a period of time.

MOTION DEFEATED            8 YES  
                                         9 NO

#### PUBLIC HEARING - UNDERSIZED LOT LEGISLATION

Application No. F-1273-87-11 - Approval of Lot B-B, Lands of Frederick, Ernest Sr., and Ernest Jr. Chittick, Sheet Harbour

Councillor Mont declared a conflict of interest.

Mrs. Malloy, Development Technician, reviewed this application and the staff report. She advised that the Municipal Solicitor feels this applications meets the intent of the Undersized Lot Legislation, and there have been favourable responses from all provincial departments involved.

#### Questions from Council

None

#### Speakers in Favour of this Application

K.W. Robb, advised he is the surveyor representing the owners of this land. He advised the land in question is 3.7 acres, and the owners

intend to build a single family dwelling here. He noted the problem with subdivision approval is the narrow road frontage, although the lot immediately broadens at the rear.

Questions from Council

None

Speakers in Opposition to this Application

None

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

"THAT Lot B-B of the lands of Frederick, Ernest Sr., and Ernest Jr. Chattick, Sheet Harbour, be approved through the Undersized Lot Legislation by Municipal Council."  
MOTION CARRIED UNANIMOUSLY

PLANNING ADVISORY REPORT Cont'd

Planning Districts 15, 18 and 19 - Plan Amendment

Mr. Kelly reviewed the report and recommendation that a Public Hearing be held with respect to an amendment to the Municipal Planning Strategy for Districts 15, 18 and 19.

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

"THAT a public hearing with respect to a plan amendment to the Municipal Planning Strategy for Districts 15, 18 and 19 be held on April 11, 1988 at 7 p.m."  
MOTION CARRIED

Zoning By-law No. 24 - Part 26 - Industrial Uses Section

Application No. ZA-24-05-88-13 - Request to include District 13 in the Industrial Uses Section of Zoning By-law No. 24

Mr. Kelly reviewed the reports, noting an item on the supplementary agenda also concerns this matter.

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

"THAT a public hearing respecting the inclusion of District 13 in the Industrial Uses Section of By-law No. 24 be held on May 9, 1988 at 7 p.m."

Councillor Lichter advised that two amendments will be required to Zoning By-law No. 24 - the first is to include District 13 and the other is to amend the proper section to assure that none of the existing industrial uses are going to become non-conforming. He



clarified that this is the intent of the resolution and that the advertisement will be written to reflect this.

MOTION CARRIED

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

Planning District 14, Municipal Planning Strategy and Land Use By-law

Mr. Kelly reviewed the report, noting staff is concerned that the Council Session of April 11, 1988 is too close to the 120 day deadline from which the municipality can withhold development permits.

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

"THAT a special Council Session to review the written and verbal submissions regarding the District 14 Municipal Planning Strategy and Land Use By-law."

MOTION CARRIED

Millwood P.U.D. - Little Sackville River Floodplain

Mr. Kelly reviewed the report respecting this matter.

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

"THAT Halifax County Council write to the Department of Municipal Affairs, the Department of the Environment, and the Department of Housing to follow-up on the longstanding request to relinquish the Millwood P.U.D. and put it under the Sackville Municipal Development Plan."

MOTION CARRIED

File No. PA-SA-04-87 - Proposed Amendments to the Sackville Municipal Planning Strategy and Land Use By-law - Commercial Policies

Mr. Kelly reviewed the report and recommendation of the PAC.

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

"THAT a public hearing be held on April 25, 1988 at 7 p.m. respecting proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law."

MOTION CARRIED

Application No. SB-01-88 - Request to include Districts 10 and 11 within the Municipal Parkland Policy

Mr. Kelly reviewed this report.

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

"THAT amendments respecting the request that Districts 10 and 11 be included in the Municipal Parkland Policy be approved and that a public hearing concerning this matter be held on May 9, 1988 at 7 p.m."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Requests for Grants

Mr. Kelly reviewed each of the requests for District Capital Grants.

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

"THAT approval be granted for a District Capital Grant, District 1 in the amount of \$6,000 for improvements to playgrounds in District 1."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 16 in the amount of \$5,000 for improvements to the Sack-A-Wa Canoe Club property."

MOTION CARRIED

Hiring of Fire Fighters, Herring Cove and District Volunteer Fire Department

Mr. Kelly reviewed the report and recommendation of the Executive Committee respecting this matter.

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

"THAT the report respecting the hiring of fire fighters by the Herring Cove and District Volunteer Fire Department be approved as presented."

MOTION CARRIED

Policing, Sackville Department

Councillor Mont declared a conflict of interest.

Mr. Kelly advised this matter was presented at the last Council Session, and it was deferred due to the absence of the area Councillors.

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

"THAT Council approve the execution of an agreement with the Solicitor General's Department to provide three additional officers at the Sackville Detachment at an estimated cost of \$50,000 per man per annum;

ALSO THAT Council approve a policy of providing additional costs for enhancement of policing services be assumed by the general tax rate."

Councillor Walker expressed objection to referring this cost to the general tax rate. He stated policing is not the Municipality's responsibility, and it is wrong for Halifax County taxpayers to pay this cost. If Halifax County does assume these costs, a bill should be sent to the Solicitor General's Department. If this is not how it will be handled, the Province should give the Municipality the authority to deal with policing.

Deputy Warden MacDonald stated it is the position of the Solicitor General's Department that they only fund so much, and if the Municipality wants more, we will have to take responsibility cost-wise. He stated the Municipality should work across the County to expand policing on the general rate.

Councillor Merrigan stated the fight should not be between urban and rural areas but between the Province and the County because the Province does not provide adequate police protection.

Councillor DeRoche stated he has no difficulty supporting three additional officers for Sackville, but he expressed difficulty that the County must pay for them. He stated this is a provincial matter. He continued that the Cole Harbour/Westphal area were forced into a situation of paying in order to get additional policing to adequately serve the area, and he stated he would not support this cost on the general rate.

Councillor Lichter reminded there was a compromise last year because it was felt as long as there is an area rate, the people will have an interest in putting pressure on the Province. However, if the County takes over the entire cost on the general rate, the Province will let the County have all the police protect they want at our own expense. He stated he would not support the cost totally on the general rate, but he would support a compromise of 65-35.

Councillor Wiseman stated the principle of the Municipal government is to provide services, and additional officers are required in Sackville. She stated Sackville pays its fair share of the general rate, and Sackville deserves support for a reasonable level of policing.

Councillor McInroy agreed if the Province will not provide the service, the County must take responsibility and help no matter what area it is for. He stated the County needs to continue with efforts for more funding from the Province, but the first duty is to the people who need the police service.

There were other comments in this regard. Councillor Eisenhauer questioned the definition of enhanced. He noted these additional officers would not be committed to enforce any County by-laws.

Mr. Meech noted the recommendation will involve a cost of \$500,000 at \$50,000 per man; however, it may be less for 1988 because not all manpower will be available immediately.

Councillor Wiseman clarified that each district served pays an area rate for policing in Sackville, and the Sackville Detachment serves six districts. She stated between Sackville and Cole Harbour, 50 percent of the districts will benefit from the policing service - two-thirds of the population and assessment - which means the areas will be paying their own way through the general rate.

Councillor Snow agreed that his district may benefit from this, but he objected, stating it is not the County's responsibility. He stated there will be no area rate in District 14 to pay for policing until it is a municipal responsibility.

MOTION DEFEATED      6 YES  
                                 10 NO

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

"THAT a letter be sent to the Solicitor General's department requesting three additional police officers for the Sackville Detachment to be provided by the Province;

ALSO THAT each area served throughout the County be studied to determine where additional officers may be required."

MOTION CARRIED

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

"THAT Council recess for five minutes."  
MOTION CARRIED

The Warden called the meeting back to order.

Councillor Wiseman gave notice of reconsideration of the resolution concerning policing in Sackville.

#### PAC - COUNCILLOR WALKER

Members of Council agreed to discuss this matter as Councillor Walker had to leave early.

Councillor Walker stated he is looking for support for a Planning Advisory Committee for the western subsystem of Halifax County. He advised that the Municipal Solicitor has given an opinion that the County does not have this ability, but he felt the matter should be

further investigated with a legal opinion from the Department of Municipal Affairs.

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

"THAT Halifax County Council have the Department of Municipal Affairs investigate a Planning Advisory Committee from the western subsystem (District 1, 2, 3, 4, 5, and 18) to report to Council on planning matters respecting this area."

There was some discussion concerning this motion. Councillor Walker clarified that it is the intent to have this committee report directly to Council rather than making recommendations to the existing PAC; it is the intent to have a regionalized PAC for the western subsystem.

Mr. Meech informed Provincial legislation would have to change in order to allow Halifax County to have four or five different Planning Advisory Committees reporting directly to Council. At this point, it is the intention to get an opinion from the Department of Municipal Affairs.

MOTION CARRIED

#### WOODBINE MOBILE HOME PARK SEWAGE DISPOSAL SYSTEM

Mr. Kelly reviewed reports from both the Urban Services Committee and the Board of Health.

Mr. Meech asked if the Planning Advisory Committee has considered the plan amendment necessary to include the Woodbine Mobile Home Park as part of the serviceable area. Councillor Lichter advised the PAC has considered this matter and determined that a plan amendment will be required. He advised that March 22 has been set aside to discuss this at a public meeting in Sackville.

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

"THAT the reports from the Board of Health and the Urban Services Committee concerning Woodbine Mobile Home Park sewage treatment facilities be received."

MOTION CARRIED

#### TEMPORARY BORROWING RESOLUTIONS - GUARANTEE, METROPOLITAN AUTHORITY

Mr. Kelly reviewed the letter from the Metropolitan Authority requesting approval of temporary borrowing resolutions for transit and for solid waste.

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

"THAT Temporary Borrowing Resolution No. 88-01 for Solid Waste in the amount of \$2,123,000 be approved by Halifax County Council."

MOTION CARRIED.

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

"THAT Temporary Borrowing Resolution No. 88-02 for Metro Transit in the amount of \$2,085,233 be approved by Municipal Council."  
MOTION CARRIED

#### STORM DRAINAGE LEGISLATION

Mr. Kelly reviewed the staff report respecting this matter.

Mr. Meech referred to the minutes included with the report, and he noted the last line before the motion was defeated should be deleted, as this was a misunderstanding on the part of the Recording Secretary.

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

"THAT the proposed storm water legislation be approved as presented and recommended to the Province for adoption."

Councillor Lichter asked Mr. Meech if Council approves this legislation for a Private Members Bill that he will never hear from him that this was pushed because it was wanted in the rural areas. Mr. Meech responded that this issue developed as a result of problems in the serviceable area, and the study was initiated by the Urban Services Committee and paid for from the environmental services rate. Therefore, at this point the only intent is to make this legislation applicable to the serviceable areas. He stated the legislation as presented is only enabling legislation once it is adopted by the Province. The County will then have to develop its own by-laws and policies relating to the areas of the County as appointed. Mr. Meech stated it must be remembered when by-laws that are implemented, that not all areas with serviceable boundaries will have the same provisions in terms of the reasoning behind the installation of central servicing. He noted the system in Middle Musquodoboit is for health reasons, rather than for reasons of growth.

There was discussion about requirements for bonding, and Mr. Meech reiterated that such details will be determined when the by-laws are developed.

Councillor Bayers expressed dissatisfaction that this matter was placed on the agenda by staff after it was defeated at a meeting of the Committee of the Whole. He stated the Rural Services Committee needs as much information as the Urban Services Committee, as the rural areas also have problems and this legislation will affect rural areas, as well. Mr. Meech reiterated that the environmental rate has paid for the development of this legislation, and it has been made clear at past meetings that outside the serviceable boundary, the only recommendation outside the serviceable boundary will be with regard to filing drainage plans, and it is possible these controls can be done under the existing legislation. The legislation will give flexibility to design by-laws for any part of the County. He concluded that this matter was presented back on the agenda due to the urgency in getting this presented to the legislature.

There was some discussion about the presentation of the proposed legislation. Several Councillors felt it was very well presented and put together, and it was noted that it was presented to the Committee of the Whole rather than the Urban Services Committee.

Councillor Lichter expressed agreement with Councillor Bayers, stating the agenda is not a staff agenda, and this matter should not have been presented here because it was defeated at the Committee of the Whole. He stated it was defeated because there were two good presentations for the urban areas and one lousy one for the rural areas. The rural Councillors need to know how this legislation will affect them, and what the proposals are for the rural areas in this regard.

MOTION CARRIED

APPOINTMENT OF BY-LAW ENFORCEMENT OFFICER, RE DOG BY-LAW

Mr. Kelly advised that Council is required to pass a resolution requesting the Nova Scotia Police Commission to appoint George Miller as By-law Enforcement Officer respecting the dog by-law.

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

"THAT the Nova Scotia Police Commission be requested to appoint George Miller as a By-law Enforcement Officer respecting Halifax County's dog by-law."

MOTION CARRIED

APPOINTMENT OF RETURNING OFFICER

Mr. Meech recommended that Mr. Kelly be appointed as returning officer for the County of Halifax for the 1988 election.

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

"THAT G.J. Kelly be appointed as returning officer for the County of Halifax for the 1988 Municipal Election."

MOTION CARRIED

DEPARTMENT OF COMMUNITY SERVICES - COUNCILLOR P. BAKER

Councillor P. Baker inquired about the responsibilities of Halifax County with regard to owning and operating the Halifax County Rehab Centre.

There was some discussion about Councillor P. Baker's concerns, as well as reports to Council concerning the operation of this facility, as well as Ocean View Manor.

Councillor P. Baker concluded with a request that a report be presented to Council on this matter.

DEPARTMENT OF LANDS & FORESTS, GOODWOOD PROVINCIAL PARK - COUNCILLOR P. BAKER

Councillor P. Baker expressed concern about the lack of no hunting signs at the Goodwood Provincial Park. He informed people have been charged with hunting on these lands, but there is only one sign, which is barely visible, indicating these lands are provincial park lands, and hunting is prohibited in this area.

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

"THAT a letter be sent to the Department of Lands and Forests requesting identification of the boundaries of the park with larger signs."

MOTION CARRIED

COUNCILLOR SNOW - TRUCK STOP, ENFIELD

Councillor Snow advised his matter with respect to Social Services has been dealt with, but he would like to take this opportunity to make a motion regarding the proposed truck stop at Enfield. Council agreed.

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

"THAT a letter be written to the Premier asking him to intervene in the matter of the proposed truck stop at Enfield to diffuse this sensitive situation;

ALSO THAT it be noted in the letter that Irving Oil originally wanted to develop across from the Aerotech Park on Highway No. 102, on their own land, but the Province has denied access from this highway."

MOTION CARRIED.

HEFLER'S MILL - DEPUTY WARDEN MacDONALD

Deputy Warden MacDonald reminded that a short time ago a petition from the residents of Sackville was submitted concerning burning at Hefler's Mill. He advised Hefler's have received a contract from a larger pulp company who will take their bark. He advised the problems will be resolved as a result of this.





SUPPLEMENTARY AGENDA

1988 Tax Rate

Discussion concerning the 1988 budget began with comments about an in-house solicitor.

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

"THAT remuneration for a Municipal Solicitor remain the same for 1988 as it was in 1987."

Councillor McInroy expressed opposition to the manner in which the budget is dealt with, and he felt it would be irresponsible of Council to deal with the question of legal services for Halifax County at this time. He felt there should be more discussion about this, and he stated he would not support the motion.

Councillor Deveaux expressed agreement with Councillor McInroy. He stated Mr. Cragg has not made any submissions in this regard, and in the past there was discussion about putting legal services out to tender. He suggested further consideration should be given to this issue at the Executive Committee level and a recommendation made to Council.

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

"THAT the issue of legal services for Halifax County be referred to the Executive Committee for further consideration and that a recommendation be made to Council."

Councillor Lichter expressed concern about the cost of an in-house solicitor given the proposed 4.1 percent increase to the tax rate. He stated many details of the budget are still unknown, and he would not support the proposed rate until these details are known. He stated Council must know the impact of the 1988 budget on 1989.

Councillor Rawding expressed concern that approval of the budget will mean approval of all the new positions and an in-house solicitor as outlined in the budget. He felt contracting a solicitor is a good deal for Halifax County, and he agreed this should be studied further. Mr. Meech responded that legal figures in the Administration Budget is for the full year, but the in-house solicitor costs are only reflected for one-half a year after the contract with the contracted solicitor is up. He noted that approval of the budget will not give him the authority to proceed with hiring a solicitor because it is a Council appointment. He stated he would take his recommendations concerning the in-house solicitor to the Executive Committee to determine how to proceed. He also suggested it would be his recommendation that an in-house solicitor be obtained with the understanding that certain legal services will require external counsel. He agreed that this issue does require further discussion and consideration.

Councillor Lichter stated the procedure for the budget was supposed to be that each Department Head review his/her budget with Council and that Council conclude with recommendations and suggestions. However, before Council had a chance to review the budget as presented, Councillor Merrigan made a motion, which carried. He felt there are still outstanding issues that should be dealt with. He suggested that it may be easier for staff to persuade that something should be approved because it is already in the budget.

Mr. Meech responded that it would be his understanding that if the budget is approved as presented, he would be given the authority to proceed with filling the new positions, with the exception of legal services because the Municipal Solicitor is a Council appointment. Councillor Lichter indicated this is why he would be voting against the motion.

MOTION CARRIED

Mr. Wilson reviewed the 1988 operating budget as circulated, noting changes which have been made as more information became available.

Councillor Rawding expressed concern about the reallocation of funding for parks equipment for Sir John A. MacDonald High School. He stated this money was approved by Council to come from the general fund provided there is 1/3 cost-sharing from the School Board and 1/3 cost-sharing from the Province. He asked if it is legal to take this money from the general parkland fund as it will adversely affect the whole Municipality. Mr. Meech agreed with Councillor Rawding that this commitment of \$35,000 has been made, and it is only suggested that it come from the general parkland fund, and if Council does not agree with this suggestion, it will have to be deleted and provided from the operational budget.

Councillor Bayers stated he will not support the proposed 4.1 percent increase in the tax rate because he does not receive his share of the operational grants. He asked how much money is taken from general revenue to maintain the same level of operational grants given the Provincial cut-backs. Mr. Wilson advised \$536,800 is being used for this purpose in 1988. Councillor Bayers stated a portion of that money is raised by the residents of District 10, but \$8,000 less is received by these residents than other districts, and over the years, this amount adds up.

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

"THAT \$540,000 be taken from general revenue for operational grants, and that District 10 receive the additional \$4,000."

Councillor Bayers stated this resolution would be the most fair and simplified method of giving this money to District 10, and he asked that Council support the motion.

Councillor Deveaux asked why District 10 is the only district not receiving these funds. Mr. Wilson replied that the methodology devised by the Province in 1979 for the distribution of these funds will mean some districts will lose and others will win. He stated District 10 is not the only area losing.

Mr. Meech added that the grants today are the result of past Municipal Services Act Grants, which were based on certain services being provided and that area being eligible for cost-sharing. He stated those areas with certain services at the time received approval for grants, and this has been carried on since the Province changed its methodology. He suggested the County should be developing its own formula for allocating grants for these services; however, it is difficult to reach a consensus with the Province.

There was further discussion concerning the operational grants. It was clarified that the amount of money suggested by Councillor Bayers is not large enough to affect the budget.

MOTION DEFEATED      3 YES  
                                 11 NO

Councillor Walker expressed dissatisfaction with the proposed operating budget as presented. He stated the budget calls for 23 new employees, but the operating budget only deducts two of these positions, and the others are declared one-half year employees. In effect, this pre-determines the 1989 budget because these positions will have to be paid in full next year. He stated this intent is wrong, and the budget must be cut now, if it must be done by Council. He referred to Sackville policing, which he felt had been defeated by Council.

Councillor MacKay stated there was money included in the budget for additional policing in Sackville based on two-thirds from the general rate and one-third from an area rate. Council defeated the idea of

paying for enhanced policing entirely from the general rate, and Council then wrote the Solicitor General asking that they pay for these services. There is now a response to this letter which will be dealt with later at this meeting.

There was further discussion concerning the affect of this on the budget, as well as other matters Councillor Walker had objection to as part of the operating budget.

Councillor Merrigan stated the Executive Committee should start doing its job by reviewing all these new positions and determining if they are necessary before any staff is hired.

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

"THAT a residential tax rate of 63.5 cents be established for 1988 and that a commercial rate of \$1.62 be established;

ALSO THAT \$1 million from surplus be used and that \$500,000 in interest for the Aerotech Business Park be capitalized for another year;

ALSO THAT other reductions be made by staff where necessary and that any new staff positions be reviewed by the Executive Committee with the respective Department Head and recommendations in this regard made to Council."

There was some discussion concerning this motion. Several Councillors objected to new staff positions being referred to the Executive Committee. Councillor Reid stated Department Heads are paid to deal with these issues; Council sets the policies and administration is responsible for hiring.

Councillor MacKay indicated he would support the motion because increases in taxes must be justified, and all the proposed new positions must be justified.

Councillor Lichter noted that the Personnel Policy has nothing to do with new positions; it is the responsibility of Council, and senior staff take over after the position is approved.

Councillor Rawding objected to the late presentation of the information contained in the operating budget. He stated he was prepared to support the recommendation of the Committee of the Whole, but this information should have been presented from the beginning.

MOTION CARRIED            9 YES  
                                     8 NO

1988 AREA TAX RATES

Mr. Wilson, Director of Finance, and Mr. Gary Smith, Financial Controller, were in attendance to discuss 1988 area tax rates with Members of Council.

Mr. Smith advised that the rates circulated are those which each Councillor has seen and agreed to, with the exception of District 6. He suggested that Councillor Deveaux has requested that his community school area rate be increased from \$0.003 to \$0.006. Councillor Deveaux added that he has investigated this rate and how much is left from 1987, and he would like to increase this rate in order to keep up with 1987 expenditures.

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

"THAT the area tax rates for 1988 be approved as circulated with the exception of the District 6 area school rate, which will be increased from \$0.003 to \$0.006."

MOTION CARRIED

COMMITTEE OF THE WHOLE  
RE STORM DRAINAGE LEGISLATION  
THURSDAY, MARCH 3, 1988

PRESENT WERE: Warden MacKenzie  
Councillor Rawding  
Councillor P. Baker  
Councillor C. Baker  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor McInroy  
Deputy Warden MacDonald  
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer  
Mr. E.T. Wdowiak, Director, Engineering & Works  
Mr. Ted Tam, Assistant Director, Engineering & Works  
Mr. John Sheppard, Manager, Storm Drainage  
Mr. Hugh Porter, Porter-Dillon  
Mr. Bruce Preeper, Solicitor, Porter-Dillon  
Mr. D.D. Reinhardt, Deputy Municipal Clerk

SECRETARY: Glenda Hill

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Warden MacKenzie called the meeting to order at 7:10 p.m. advising the purpose of this meeting is to deal with a Private Member's Bill with respect to storm drainage.

Mr. Sheppard advised the purpose of this meeting is to recommend to Council that this Private Members Bill be tabled with the legislation. He informed this Act will give the County the authority to deal with a range of storm drainage issues in the County. Mr. Sheppard advised this draft has been reviewed with Municipal Affairs, and they are prepared to recommend this to the Legislative Council. The second purpose of this meeting is to get feedback in terms of several major issues relative to this project: lot grading; funding and cost-sharing; and storm drainage in subdivisions outside the serviceable boundary. Mr. Sheppard informed it is the intention to have one major by-law to deal with storm drainage in the County, and there will have to be minor amendments to many other by-laws presently in effect; it will also mean major revisions to the Subdivision By-law.

Mr. Preeper advised the Department of Municipal Affairs were advised of every step in the preparation of this Bill. Mr. Preeper then reviewed the annotations to the Act, as circulated to Council with a copy of the proposed legislation. Mr. Preeper advised the legislation as proposed is acceptable to the Department of Municipal Affairs, although they will not comment on every word at this time; the Legislative Council's office will do this when they review the Act. The procedure will include advertising in the newspaper, paying a fee, finding a sponsor in the House, and hoping for approval. Once it is approved, it is recommended that storm water sewer provisions be removed from the Subdivision By-law and there will be one by-law drafted to deal with these matters, according to this legislation.

Councillor Lichter asked that the word "prohibiting" be removed from Section 4 (b) of the legislation; he felt this word is not appropriate, although regulating and controlling are reasonable. Mr. Sheppard felt this wording is intended to deal with environmentally sensitive locations, such as floodplains. Mr. Preeper added the wording of this section was taken from a Private Statute already in effect. Councillor Lichter felt no matter where this wording came from, it is not appropriate.

Councillor Rawding referred to Sections 5 (1), 5(2), 5(3) stating they must be further clarified. He asked about the rationale of Section 5 (4) with respect to different rates for different areas. Mr. Preeper advised this section allows for some flexibility; he noted it is a standard clause.

Mr. Porter next reviewed lot grading and drainage control as outlined in the report circulated.

Councillor Merrigan asked if it will be required that the developer post a bond, determine the grading prior to selling the lot, and then restrict development to the type of housing the lot can accommodate for grading purposes. Mr. Porter advised the subdivider will provide these guidelines in the subdivision grading plan. It will show which house styles can be built on a particular lot. Before the house is constructed, a lot grading plan will be formulated integrating the type of house into grading requirements established earlier. Mr. Sheppard added that the developer is required to remain in contact with the County throughout the entire process, and he will be responsible for complete development. He stated there is a recommendation for a bond, and the developer will then assure the lot is sold to somebody who will build a house to the lot specifications; if not, the developer will lose his bond.

Councillor Merrigan inquired about the procedures that must be followed to assure this is all done properly. Mr. Sheppard informed the details have not been worked out yet. It is the intention to reduce administrative work by the County by putting as much responsibility as possible on the developer.

Discussion followed concerning the administration of the new requirements. Several Councillors felt the bonds are not worth their while because developers will not be concerned about them; they will regain the cost of those bonds in their selling price, and if they