

PUBLIC HEARINGS

MONDAY, OCTOBER 17, 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 MacKay
Councillor Eisenhauer
Deputy Warden MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. G.J. Kelly, Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor
Mr. Bill Butler, Manager, Policy Division
Mr. Paul Morgan, Planner

SECRETARY: Glenda Hill

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

Mr. Kelly called the Roll.

Warden MacKenzie reviewed the procedures for the public hearings.

APPLICATION NO. RA-SA-14-88-20 - APPLICATION BY PATRICIA McINTOSH TO REZONE THE PROPERTY AT 85 ROGERS DRIVE, LOWER SACKVILLE FROM R-1 (SINGLE UNIT DWELLING) ZONE TO P-2 (COMMUNITY FACILITY) ZONE

Mr. Morgan reviewed the staff report and recommendation regarding this application. He noted the location of the property in question on a map on the overhead projector. Mr. Morgan advised that in order to accommodate the proposed addition to this Day Care Facility, the owners are required to have their property rezoned, and they must also meet certain criteria under the Provincial Department of Community Services. This Department has indicated they are prepared to issue a license for this project according to this criteria being met, including 30 square feet of indoor play area for each child and 60 square feet of outdoor play area per child. Mr. Morgan advised that

the site will easily accommodate these requirements, referring to a surveyor's certificate of the property in question.

Mr. Morgan added that this use will suit the needs of the neighbourhood, and it has good access from Glendale Avenue. Also, the use will not create an undue disturbance to neighbours because it is not a large increase and the operating hours are not unreasonable. He concluded that the use is supportive of the residential community and can be accommodated without disrupting or intruding upon the surrounding residence. Therefore, approval of this application is recommended.

Questions from Council

Councillor MacKay inquired about the maximum number of children allowed in this home given the square footage and the zone. Mr. Morgan replied that a maximum of 25 children would be permitted, according to the Department of Community Services. A total of 24 is proposed.

Councillor MacKay inquired about washroom requirements per child. Mr. Morgan was not aware of such requirements.

Mr. Morgan circulated pictures of the property in question.

Speakers in Favour of this Application

Patricia McIntosh, 85 Rogers Drive, advised that she is the applicant for this rezoning. Mrs. McIntosh advised that she has been working in daycare for 13 years, and she has been operating the day care in question for over one year now. She advised that she wishes to expand the existing service because the pre-school program is full, and she has received 14 calls for after-school programs for children at schools within walking distance to her home.

Mrs. McIntosh stated she has had to put many callers on a waiting list this fall, so she felt it would be worthwhile looking into an expansion. She stated she wants to be able to look after her own children, as well as supervise a good pre-school program. She advised that she has talked with parents waiting to get their children into this day care, and they have indicated they would be willing to hold off until this approval is granted. The last four couldn't even be considered for the expansion because there are only ten additional children allowed. Mrs. McIntosh advised that all children on the waiting list are from the immediate area except two, who are permission to go to Smokey Drive School in order to attend this day care.

Mrs. McIntosh stated this increase will not cause a noticeable difference to the children in the area. She advised that she accompanies them to and from school, and they are under careful supervision at all times. She concluded that many children come to her home to play with her own children, and there are never unsupervised children on her land. She also noted that washroom requirements are one to every ten children.

Questions from Council

None.

Speakers in Opposition to this Application

None.

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

"THAT the application by Patricia McIntosh to rezone 85 Rogers Drive, Sackville from R-1 (Single Unit Dwelling) Zone to P-2 (Community Facility) Zone be approved by Halifax County Council."

Councillor Wiseman stated this will be a welcome addition to Sackville. She noted the location is excellent, given the density of the population in the area, the size of the property, and the age of families in the area. She stated the use supports the intent of the Plan and Policy P-29 that it is the intention of Council to support the existing single unit residential environment with its associated community facility uses. She concluded that there is a desperate need for good quality daycare spaces in Sackville.

MOTION CARRIED UNANIMOUSLY

APPLICATION NO. RA-SA-12-88-20 - APPLICATION BY ISOBEL PIRIE TO REZONE THE PROPERTY AT 52 LUMSDEN CRESCENT, LOWER SACKVILLE FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE

Mr. Morgan reviewed the staff report and recommendation regarding this application. Mr. Morgan advised that the purpose of this application is to make an existing basement apartment conform with the MPS and Land Use By-law for the area. He noted that both units at this property are presently rented out.

Mr. Morgan advised that the property has been investigated by the Development Division, which has shown the house was built in 1974, and R-1 zoning was applied in 1976. However, there is insufficient information to determine when the basement apartment was constructed.

Mr. Morgan advised that this property is within the urban residential designation, and Policy P-29 applies, whereby it is the intent of Council to give priority to the existing single unit residential environment, although Policy P-31 provides for consideration of two unit dwellings when the scale and location is not inconsistent with existing neighbourhoods. Policy P-104 also applies, which is not particularly relevant to this application; this rezoning will not have any impact on community services. The main consideration by staff was consistency with the existing neighbourhood.

Mr. Morgan located the property in question on a map on the overhead projector, noting a mix of housing units in the area. Therefore, approval of this application was recommended.

Questions from Council

Councillor Wiseman asked if there is any information about when the basement apartment was constructed. Mr. Morgan advised that he did have an affidavit from a solicitor for the previous owner, however, it only provides second-hand information that the unit was constructed with the house. He advised that building permit records are no longer available.

Councillor Wiseman next asked if the property in question has always been zoned R-1 and if the intent of the area in the Housing Commission Plans was that the area remain R-1. Mr. Morgan advised that the property became zoned R-1 in 1976. Mr. Morgan advised that R-2 zoning in the surrounding area was applied in 1982, reflecting the existence of new semi-detached units. He was not certain when R-2 zoning was applied on the street in question.

Councillor DeRoche asked if Assessment records were checked with regard to this property. Mr. Morgan advised they were, and the property is assessed as a one unit dwelling. There is no indication of a basement apartment.

Councillor MacKay clarified that there are no records to indicate this basement apartment was there from construction of the home. He asked if the basement apartment could not be considered illegal. Mr. Cragg stated the difficulty is the lack of information to show whether this is a non-conforming or illegal use. Mr. Cragg stated prosecution could commence if there was proof that the basement apartment was occupied after the R-1 zoning was applied. However, in such instances where substantial evidence is not available, charges are not laid.

Councillor MacKay stated there are many illegal basement apartments, and the Municipality has never gone out of its way to prove that they are illegal. He inquired further about dates when zoning was applied. Mr. Morgan suggested it was late 1976 or early 1977 when Council approved zoning there, and it was certainly no earlier. He noted that he has not reviewed Nova Scotia Housing Commission plans from that time.

Councillor MacKay asked if the second units were not identified as non-conforming when zoning was applied, they could be considered illegal. Mr. Cragg stated if the units were constructed after the zoning was applied, prosecution could be commenced; however, the Municipality has difficulty commencing action against instances such as this because it cannot be determined whether or not the unit is legal or illegal because there is not enough evidence to prove beyond a reasonable doubt. He stated it is an inappropriate manner in which to deal with such applications.

Councillor MacKay asked what prompted this application - if the second unit was report or if the owner came forth on his own initiative. Mr. Morgan responded that the present owner recently purchased the property and came forward on their own initiative. He noted that there were complaints about the basement apartment under the previous owner, as well as three other basement apartments in the immediate area. However, there was never enough evidence to lay charges against any of them.

Councillor MacKay argued that if the Municipality takes a property owner to court, the onus is on the property to prove that the basement apartment is legal. He asked if the basement apartments of concern meet the building code. Mr. Cragg replied that the burden is cast upon the Municipality to prove the charge before the court, as opposed to the defendant being responsible for proving the charge is wrong; it is up to the Municipality to justify its charge before the court. With regard to the Building Code, Mr. Cragg stated there is no doubt that basement apartments must meet a different criteria than a normal single unit dwelling. However, if the basement apartment was legal in 1976, the condition of the apartment would not have to be upgraded to meet the standards of the existing code.

Deputy Warden MacDonald asked for further clarification on the evidence available. Mr. Morgan noted that the only information available is an affidavit, but it only provides second-hand information.

Deputy Warden MacDonald asked if an occupancy permit would not indicate whether or not the house was constructed as a two unit dwelling. Deputy Warden MacDonald stated the issue of illegal basement apartments should be dealt with once and for all. Residents should not be asked to refute these applications time after time.

Councillor Merrigan stated the property is zoned R-1 with a basement apartment. He asked why this would not be considered illegal. He asked why charges cannot be laid against the owner and let them prove it is not legal. Mr. Cragg stated the owner of the building brought forth information which they felt should convince the Municipality that they are a legal, non-conforming use. However, it was not enough for the Municipality, and neither was their information to prove that it was not a legal, non-conforming use.

There was further discussion concerning the affidavit and any other available evidence. Councillor Merrigan asked if prosecution proceedings could begin if this application is denied. Mr. Cragg responded that they would not receive their R-2 zoning, but they might be clothed with some legal authority to say they are a legal non-conforming use. However, if there was strong evidence from area residents, other owners, or others with direct knowledge of this property that the basement apartment was not occupied prior to the zoning, the Municipality could consider that information.

Councillor Merrigan asked what will happen if this application is denied, but it is not considered non-conforming either. Mr. Cragg responded if the zoning is not granted and the basement unit becomes empty for six months or more, and prior to that it was determined to be a legal non-conforming use, that status would be lost. Otherwise, any new evidence can be examined which may possibly enable the Municipality to lay charges.

Councillor Lichter clarified that building permit records are destroyed after seven years. He asked if the same procedure is used for occupancy permits. Mr. Morgan informed that occupancy permits are not available after seven years, either.

Councillor Lichter referred to Councillor Merrigan's question with regard to zoning the property R-1 if the apartment had been there when zoning became applicable. He referred to a mobile home in Sackville being zoned R-1 with the owner's knowledge. He noted that a person may not object to R-1 zoning because they are not fully aware of the meaning of the zone.

Speakers in Favour of this Application

Ed Pirie, 14 Julies Walk, Halifax, advised that he is the husband of the applicant speaking on her behalf. Mr. Pirie reviewed his presentation as it was circulated to Members of Council, noting that their involvement in the community, although they do not reside there, as well as their attempts to re-instate this property as a family home. He stated it is in the interest of all property owners in the area to approve this application in order to promote the market value of all adjoining properties.

Mr. Pirie also reflected on the concern about this apartment being legal, non-conforming or illegal. He stated he is seeking to have the residents recognize what is already there and has been for so many years, rather than to make a change. He referred to several homeowners in the area who remember the basement apartment being constructed as part of the home, and several people who have lived there over the years. He questioned the original zoning of the property under the Nova Scotia Housing Commission. He asked how a home intended to be two unit can be marketed as a single family dwelling.

Mr. Pirie concluded that the property had been mistreated and neglected when they purchased it, and under their ownership the home is to be fixed up and made compatible with the surrounding homes. He stated the past problems are the result of irresponsible tenants, not the zoning status of the property. He asked for Council's support for this application.

Mr. Pirie also referred to a map of the street, showing each of the homes and indicating how each of the property owners felt about this application.

Questions from Council

Deputy Warden MacDonald asked if it was understood that this was a two unit dwelling in an R-1 Zone at the time of purchase. Mr. Pirie responded that the home was purchased by a Quit Claim Deed; it was not a planned acquisition. He stated it was his belief that everything was legal about the property, and it was never their intent to acquire a property that was less than proper. He stated it was because of their concern that they have gone to much trouble to remedy this problem, even though there is substantial opposition to this zoning.

Deputy Warden MacDonald asked how this home for sale was listed. Mr. Peris responded that it was advertised by the bank. The previous claimant signed a Quit Claim Deed, discharged the second mortgage and went bankrupt. He was not sure at that time that the home contained a basement apartment. He stated his lawyer simply advised him it would be a good investment, so he proceeded with the purchase. He clarified that his wife acquired this property by lending a mortgage and through default in the mortgage his wife acquired the property.

Councillor Wiseman referred to the map circulated by Mr. Pirie. She noted that lots 48, 52, and 56 (shown in red) as those which there have been fights about for the past years regarding basement apartments. She asked if the resident at 57 Lumsden Crescent is a new resident. Mr. Pirie was not sure who moved to the street when, except for a few which he reviewed. He stated there were numerous other homes built by the developer who built his home, and at that time the big sales pitch was the convenience of the basement apartment. However, he was not sure if they were completed at that time.

Councillor DeRoche asked if Mr. Perie lives at the property in question. Mr. Perie informed he does not live at 52 Lumsden Crescent. It was not a planned purchase; however, having acquired it, Mr. Peris stated it is his responsibility to the neighbourhood to take good care of this property. He note his wife is very concerned about involvement in this regard given her professional involvement as a school teacher in the area.

Councillor DeRoche inquired about Mr. Perie' attempt to restore this property to family residential. Mr. Perie agreed he is attempting to restore this property to family residential. He noted it is presented rented to two young couples; one with an infant and the other with two small children. He stated this is somewhat different than the "drug dispensing" people who lived there previously. He concluded that it is not his intent to occupy this home at the present time. He stated his residence is at 14 Julies Walk, Halifax.

Speakers in Opposition to this Application

Frank Robichaud, 53 Lumsden Crescent advised that he built his home in 1973 when the area was surrounded by trees. He noted that his occupancy permit was for a single unit dwelling on that street. He stated he could have picked an R-2 lot, if he had wanted to, but he deliberately stayed away from that part of the street. He stated there was no apartment in 52 Lumsden Crescent when it was constructed.

Mr. Robichaud advised that the house was first sold to a couple from Woodbine Mobile Home Park with four or five children.

Mr. Robichaud asked when in 1976 the By-law was amended. Mr. Morgan advised that it was in late 1976, although he was not aware of an exact period of time.

Mr. Robichaud advised that a Mr. Osher bought the house in July, 1976, took up vacancy in August, 1976, and rented the apartment in late 1976 to a school teacher. Before that time, there was no apartment in that house. Mr. Osher built the basement apartment.

Mr. Robichaud stated he fought against a basement apartment in this area in 1986. He stated he comes to the County often to fight a Zoning By-law which is enforced by the County. He stated the County is doing nothing about these basement apartments which are a violation of the Zoning By-law. Also, both units are rented out now, which is even worse. He stated this is an injustice to the people who purchase homes on Lumsden Crescent because they are sold as single family dwellings.

Mr. Robichaud concluded that the zones should remain R-1 in this area, as this is why many of the property owners purchased in that area.

Questions from Council

Councillor MacKay asked for clarification of the zoning at the time of purchase. Mr. Robichaud stated it was his understanding the R-1 Zone was applied in March, 1976. However, when he purchased his lot it was zoned R-1, single unit dwelling lot. However, in 1976 this changed. Mr. Robichaud questioned the legality of the change.

Councillor MacKay stated it was his understanding that the land was unzoned until 1976. Mr. Robichaud stated when he picked his lot from the Nova Scotia Housing Commission it was shown as R-1 and he picked it very intentionally. He stated the three in Letter Carriers Plus One also picked such lots.

Councillor MacKay stated it is his understanding that at that time some areas of Sackville which were unzoned by the County, but the Nova Scotia Housing Commission had given status to the lots for use as single or two unit dwellings. However, that had nothing to do with the County's designation. Councillor MacKay clarified that Mr. Osher was not the first owner of the home. Mr. Robichaud stated the first owner could not meet the commitments with the Nova Scotia Housing Commission, so it was sold to Rene Genee for completion. At that time, there was no basement apartment (1974). The next family to live there was from Woodbine with four boys. Mr. Osher then purchased the house in July, 1976, moved in August, 1976, and the basement apartment was constructed and somebody moved in shortly afterwards (late 1976). When the school teacher left, the basement apartment was vacant for a period of about one year. He noted that Mr. Osher has all of this information, but he does not want to get involved in this.

Councillor MacKay emphasized the time of purchase of the home, the time when the basement apartment was constructed, and the fact that it was vacant for a period of one to 1 1/2 years.

Councillor DeRoche clarified Mr. Robichaud lives directly across from the property in question and that he has been since he built his house in 1973. He also clarified that Mr. Robichaud was a letter carrier in Sackville. However, Mr. Robichaud noted that he did not deliver to his own street. He stated he makes his business to find out about the residential aspect of his street because he lives there, and he wants to protect the R-1 zone.

Gerrard Gallant, 45 Lumsden Crescent presented a petition to Council in opposition to this rezoning. The petition took in 24 of the 38 homes zoned R-1 on the street. The other 14 were not approached because they may also contain illegal apartments or they may not have been home. Mr. Gallant noted that the petition contains 51 signatures. He noted those homes that signed the petition on a map of the street on the overhead projector.

Mr. Gallant noted there are 12 other residents on this street present to oppose this application. He stated he and the others do not believe the Municipal Planning Strategy for Sackville should be changed for the sake of one person's commercial venture. He referred to the staff report with regard to mixed uses in this neighbourhood. He stated although there is a mixture of uses on Lumsden Crescent, the rezoning of this unit will create a spot zone and a precedent for several other non-conforming properties in the area. He stated Council should not want to see this in such a residential area.

Mr. Gallant continued that these extra units will place a strain on the already taxed services, and will only serve to further erode the residential environment. The eventual outcome of spot zoning could lead to the devaluation of individual properties in the neighbourhood, which no homeowner or taxpayer can afford. The majority of the homeowners on the street purchased their R-1 zoned lots because they believed the area would stay that way.

Mr. Gallant stated he moved from a very busy section of Sackville to Lumsden Crescent in 1986. It was only then that he became to appreciate the quiet and beautiful area this street was known for. He stated possible change of zoning for the lot in question and the possibility of other property following suit, will only cause erosion of this peaceful setting. Therefore, the only way to protect the peace and serenity of the neighbourhood is to reject this application, as was the rejection of another such application on February 9, 1986. He stated the strongest disagreement the residents have to this rezoning is no owner-occupancy. He stated this could possibly lead to all types of trouble as experienced in previous years. He stated there have been ball parties which have resulted in the RCMP being summoned, beer bottles, unsightly premises, and extra vehicular traffic due to multi-family occupancy.

Mr. Gallant stated the use of a property in a residential area for the commercial gain of anybody, especially one who lives 20 miles away in the City, is unjustifiable. Also, the possible sale of this property as an R-2 property could lead to poor maintenance of the property.

Mr. Gallant concluded by asking if any Councillor would appreciate their lots and their neighbourhoods being rezoned to accommodate rental enterprise. He stated he and the others he represents are here to represent their concern. He asked that Council support the petition and vote against this application.

Questions from Council

Councillor Lichter asked if Mr. Gallant is familiar with the Sackville Municipal Development Plan. Mr. Gallant indicated that he is not. He is only familiar with the present question.

Councillor Lichter noted that Mr. Gallant referred to the plan, stating this rezoning would not be consistent with the Plan. He asked where it was not consistent. Mr. Gallant stated he did not have time to investigate this further.

Councillor Lichter noted that the most important policy was referred to. He stated it is the intent of Council to protect the existing residential neighbourhood and future development. Mr. Gallant stated it was his understanding that the Plan was put into effect to keep the R-1 areas as is, and that future development would take into consideration various forms of development. However, the R-1 zone is to be protected unless otherwise designated by the County.

Jim Smith, 61 Lumsden Crescent advised that he has resided at this address for five years. He stated he likes a quiet area, he understands that people have to live, and that he is lucky enough to have his own children. He stated he knows the applicant, and he does not live on the street and he does not understand him as a person. Mr. Smith stated when he moved to his house with a daughter and a son, the daughter has since died. He stated the Kinsmen Club at that time, offered to build an apartment for his daughter's use because she wanted a place of her own. He stated he did not built the apartment by himself, and he broke no laws. He stated he does not live out of the area, and he likes the neighbours he has met.

Mr. Smith stated he does not understand how this all came about, but he does understand the democratic system. He stated when he looks at the R-2 zone on the other side of his fence he sees garbage piling higher and higher because multiple families live there, although they are allowed by law. He stated he has not been able to do anything about this. Now the street has cars parked on both sides. If this growing density continues, problems will continue. He stated he strenuously objects to this application, although he is not opposed to the applicant.

Questions from Council

Councillor DeRoche clarified that there were two petitions with regard to this application. One which Mr. Smith signed in opposition and the other Mr. Pirie has indicated Mr. Smith is uncommitted. Mr. Smith informed he only signed one petition - that indicating his opposition to this application.

Warden MacKenzie expressed concern about the garbage piling up in the R-2 section of this area. Mr. Smith clarified that it is on the patio at the duplex behind his home. He stated the garbage is in full view of his own home, as well as the street. Warden MacKenzie asked that staff investigate this.

Paula Goss, 44 Lumsden Crescent clarified that there are two Mr. Smith's involved in this street - one who just spoke and the other that she just purchased her home from.

Mrs. Goss advised that she and her husband just purchased their home 3 1/2 months ago, and they are expecting their first child next May. She stated they purchased their home because it was zoned R-1, and they were looking specifically for that.

Mrs. Goss continued that in the 3 1/2 months she has lived there, she has witnessed many cars parking along the street because on driveway is trying to accommodate many vehicles. She stated she fears for her own children, as well as those of the neighbours. She stated there are many children from pre-school age to 12 years old in the area. She stated those renting properties do not have respect to the area and the children in the area as taxpayers do. Also making this property an R-2 Zone will increase/decrease the value of the home, but concern for the children in the main point.

Questions from Council

Councillor MacKay clarified that Mrs. Goss lives at 44 Lumsden Crescent.

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

"THAT the application by Isobel Pirie to rezone the property at 52 Lumsden Crescent, Lower Sackville, from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone be denied by Halifax County Council."

Councillor Wiseman stated the intention of the Nova Scotia Housing Commission when it first put planning in place for Sackville was for mixed use. She stated on the original plans there was a mixture of two family and single family dwellings. She stated when she purchased her lot in 1971, she was also able to chose between an R-1 or a R-2 lot. She stated it was very clear what the intention of the Housing Commission was for that area.

Councillor Wiseman stated the intention of zoning is to give people the security of knowing when they purchase a home in an R-1 Zone that their quality of life will be protected. The intention of the plan was to provide support for the existing single unit residential environment. She referred to Policy P-29 whereby it shall be the intention of Council support the existing single unit residential environment with its associated community facility uses. She stated that a previous rezoning request in this regard was used as an indication that two unit dwelling may be considered by amendment to the zoning schedule provided that the preceding criteria be met. She stated everytime such a spot rezoning is before Council, Council is faced with the same concerns. She stated the policy is so broad that every alleged illegal apartment can be considered to be not inconsistent. She stated she strongly objects to that.

Councillor Wiseman continued that just 1 1/2 years ago these neighbours turned out to opposed another such rezoning request. She stated although that application was rejected, that property continues to be rented as a two unit dwelling. She questioned if these people will continuously have to fight these applications, as there are far more illegal, basement apartments on the street. She expressed grave concern for those apartments, stating these residents should not have to fight this battle again.

Councillor Wiseman stated it seems to be unfair that staff continues to recommend approval of these applications, when Policy P-20 refers specifically to future development in relation to a variety of housing. She suggested this policy be tightened up during the Plan Review Process.

With regard to non-resident owners, Councillor Wiseman stated these people are only profit motivated, and the experience has been that these owners in general do not have the same proud property that resident homeowners have. She concluded that these people are willing to fight for their neighbourhood and to protect their investment in an R-1 zone. She asked that Council give those people their full support by rejecting this application.

Councillor MacKay stated he agrees with the comments of Councillor Wiseman. He also stated it has not be made clear that the two unit dwelling was there prior to zoning in this area. He stated if this property is legal, non-conforming there will be no loss or gain to the owner. However, if it is not legal, non-conforming it should not be legalized. He stated in real estate, anyone is taking their chances; there is no guarantee that you will win or lose. With regard to property values, Councillor MacKay stated if all homes had the same features and facilities in the same conditions, but one was two unit and was single unit the values would be different and affects surrounding properties.

Councillor MacKay stated the people in the immediate area have shown that they want to retain the R-1 Zone in the area, and Council should best represent those opinions. Therefore, he stated he would support the resolution.

Councillor Lichter stated he will support the motion. He noted there has been discussion for years about a solution for auxillary apartments to be owner-occupied. A number of recent plans supported that concept, but the Minister of Municipal Affairs have removed it from the plans; they have not allowed Halifax County to help those people in a reasonable manner. He stated if this application was for an owner-occupied two unit dwelling, he would have more sympathy. However, because that is not true and because it cannot be the case without persuading the Minister to support these instances, this application must be denied.

MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

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

"THAT these public hearings adjourn."
MOTION CARRIED

The public hearings adjourned at 8:50 p.m.

MINUTES & REPORTS
OF THE
FIRST - YEAR MEETINGS
OF THE
FORTY - THIRD COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

November 1 and 15, 1988

&

Special Council Session

November 7, 1988

&

Committee of the Whole

November 17, 1988

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COUNCIL SESSION

TUESDAY, NOVEMBER 1, 1988

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor P. Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutlier
Councillor MacKay
Councillor Sutherland
Councillor Richards
Deputy Warden McInroy
Councillor Cooper

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

SECRETARY: Glenda Hill

Mr. Kelly presided over the swearing in of Members of Council, administering the Oath of Allegiance and Office.

Mr. Kelly then called the Council Session to order with the Lord's Prayer, and called the Roll.

APPOINTMENT OF WARDEN

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

"THAT Laszlo Lichter be nominated for the position of Warden for a three year term."

Councillor Reid stated Councillor Lichter would be most able to lead Council in the years to come. He advised that Councillor Lichter

joined Council as a result of fears he and a great many others felt concerning a plan of development for Halifax County. He fought against and helped to defeat this plan, which did not take into consideration the property rights of individuals. He fought for and helped to develop the present process of planning utilized in the County; a process which is a model used by other municipal units in the Province.

Councillor Reid stated Councillor Lichter has been chairman of the Planning Advisory Committee, the Board of Health, the Rural Services Committee, and has sat on many other committees and boards since joining Halifax County Council in 1978.

In the six years he has sat on Council Councillor Reid stated he has always known Councillor Lichter to respect and speak for the individual rights and freedoms of all residents; fairness and equality in the communities are the words that would best describe the ideals of Councillor Lichter. He is a man who will devote his energy full time to the promotion of Halifax County; a man who has the qualities, faculty, fairness, and foresight; the quality necessary to lead a Council that should be, and will become under his leadership, the strongest municipal voice in the Province.

Councillor Eisenhauer stated it is his pleasure to second the nomination of Laszlo Lichter for the position of Warden. He stated each Councillor has been elected as representatives of their respective districts and have taken an Oath to serve the Municipality as a whole. He stated Laszlo Lichter will be a first among equals, requiring a majority of Council Members.

Councillor Eisenhauer stated the Warden's position is demanding; it is the Warden's responsibility to conduct the business in accordance with procedure, and the Warden should have an understanding of the majority of issues before Council in order that they can be defined and discussion remains limited. The Warden must be sensitive to all views and insist on the rights to be heard. He stated Laszlo has demonstrated that he can perform these duties effectively. He will accept a majority decision of Council and promote these decisions in a positive manner, as though they were his own.

Councillor Eisenhauer stated he has served with Councillor Lichter since his election to Council in 1978, and he has found him to believe in and hold the democratic system to his highest esteem. Councillor Eisenhauer felt under the Chairmanship of Laszlo Lichter each Councillor will have the opportunity to be heard collectively and to fulfill individual commitments made to constituents. He stated negotiation with neighbouring municipalities is important in assuring that our taxpayers receive fair treatment in revenue-sharing services and at the same time promoting regional co-operation.

Councillor Eisenhauer stated Councillor Lichter uses good judgement, is well educated, and has the experience as a principal and administrator of a high school; he is quick to analyze financial statements, reports, and budgets. He stated Councillor Lichter will

provide an objective role in resolving the needs of Sackville, providing the most effective and efficient performance of this enlarged Council.

Councillor Eisenhauer stated there has never been any indication of any political association by Councillor Lichter while debating issues in this Council. Councillor Eisenhauer stated this is an asset when dealing with higher levels of government. He asked that Council consider Lazslo Lichter for Warden. With his leadership Council will progress in providing services to taxpayers, adopting changes when desired, and maintaining financial stability in setting tax rates.

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

"THAT Murdock MacKay be nominated for the position of Warden for a three year term."

Councillor McInroy stated Murdock MacKay has served on Council since 1979, and during that time he has demonstrated his leadership abilities while serving as Deputy Warden, Chairman of the Halifax County Industrial Commission, Chairman of the former Management Committee, and Chairman of the Sackville/Urban Services Committee. His experience also includes membership on the Policy Committee, the Executive Committee, the Planning Advisory Committee, the Municipal Development Plan Committee, Urban Services Committee, Board of Health, Library Board, Ocean View, as well as several other Ad Hoc Committees.

Beyond Municipal government, Councillor McInroy informed that Murdock MacKay has broadened his experience as Governor and Deputy Governor of Kinsmen's Clubs in Sackville, western Nova Scotia, and the Atlantic Provinces. Also, he has contributed to his community and Halifax County in minor sports, church service, Chamber of Commerce, and Acadia Legion.

Councillor McInroy stated he has occupied a Council seat next to Murdock MacKay for the past six years, and he can attest to his patient, thoughtful, indepth consideration of issues before Council; Murdock MacKay has the rare leadership quality of understanding and acknowledging the different philosophies and realities that exist in Halifax County; he also has the grace and wisdom to encourage decisions which are tempered by reason and reflect the common good of all citizens of Halifax County. In addition to leadership he has shown on Council and Committees, Councillor McInroy stated he has witnessed Murdock MacKay's ability in dealings with metro Mayors, Provincial Cabinet Ministers, and in his capacity of Chairman of the Industrial Commission. His leadership and negotiating abilities on behalf of Halifax County in dealings with federal officials in Ottawa assisted greatly in the realization of the Aerotech Business Park.

Councillor McInroy stated Murdock MacKay, who came within four votes of occupying the Warden's seat in 1982, is today even more qualified in each of the significant aspects of leadership to assume this important position. He urged that Murdock MacKay be supported for the position of Warden.

Councillor Poirier stated she has had the opportunity to work with Councillor MacKay in her past years of serving on Council, and she has always found him to be fair and open-minded, working very hard for Sackville and those he represents, and he always dealt with other County concerns.

Councillor Poirier stated she served as a Member of the Industrial Commission when Murdock MacKay was Chairman. She stated it was interesting to see him operate with ease, meeting with representatives of large corporations and win them over every time, and he always had diplomacy in handling them. He arranged meetings with many people and always found the money needed to continue with projects. Councillor Poirier stated Murdock MacKay can do many things at one time and do them all well, acting with confidence and diplomacy, and obvious results.

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

"THAT Bill MacDonald be nominated for the position of Warden for a three year term."

Councillor Deveaux stated Bill MacDonald was born in Halifax where he attended St. Agnes Junior High School and St. Pat's High School. From 1952 to 1973, he worked with CNR as a senior clerk and IBM operator. From 1973 to 1980 he was the manager of Springfield Estates Ltd., owned by Federal Savings. Also, from 1973 to present, he has been a private contractor with Canada Post. From 1979, Bill MacDonald has represented District 19 as a Member of Halifax County Council and as Deputy Warden for the past year. He stated Bill MacDonald has done an admirable job in this capacity.

Councillor Deveaux informed that Bill MacDonald is a founding member of Sackville Minor Hockey and the Lake District Recreation Association. As Councillor, he has also served on numerous Municipal Committees, acting Chairman of the Executive Committee, past Vice Chairman of the Metro Transit Commission, senior member of the Metropolitan Authority, member and past Chairman of the Urban Services Committee, member of the Sackville-Beaverbank Advisory Board, member of the Sackville Chamber of Commerce, past member of the Sackville Progress Club and Canadian Legion. He noted that Councillor MacDonald recently received an appreciation award from the Sackville Lions Club for his dedication to community work.

Councillor Deveaux informed that Bill MacDonald is married to the former Sheila Adams, and they have three sons. He stated it takes a special type of person to be in public life and to deal with the many concerns of the average citizen. He stated Bill MacDonald knows when to take a firm stand and when it is necessary to compromise, a person who understands the work, is sympathetic, understanding, and always ready and willing to lend an ear.

Councillor Deveaux stated patience is a virtue and perseverance a quality. Both of these were exemplified by Councillor MacDonald in his long search to acquire sewer and water services for Springfield

Lake Subdivision; request that was granted this year when funds were finally allocated for that project. Councillor Deveaux added that Councillor MacDonald has always shown common sense with regard to past decisions, which should be considered a must in any politician's life. Assessing these qualities, as well as having a good sense of humor and a fine capability to communicate with people from all walks of life makes Bill MacDonald qualified and capable of serving as Warden of Halifax County in a manner which will not only be symbolic of good public relations for the Municipality, but will make all Members of Council and residents of the County proud to have him as their leader.

Councillor Ball stated as a new Councillor, he has not had the pleasure to work with Councillor MacDonald as a colleague, but as a resident, any dealings with Bill MacDonald have found him to be very sympathetic to the needs and concerns of the residents. He stated this has been shown throughout Halifax County.

There were no further nominations. Mr. Cragg reviewed the procedure to be followed when voting for the position of Warden. He stated unless one receives a clear majority on the first ballot, the one with the least votes will be deleted, and the remaining two candidates will be considered for the second ballot. If one candidate receives a majority on the first ballot, he will be declared elected.

Members of Council voted for the position of Warden. Councillor Reid, Councillor McInroy, and Councillor Deveaux scrutinized the ballots as they were counted. The first ballot gave Councillor Lichter ten votes, Councillor MacKay ten votes, and Councillor MacDonald five votes. The second ballot was between Councillor Lichter and Councillor MacKay. The vote gave Councillor Lichter 14 votes and Councillor MacKay 11 votes.

Councillor Lichter was declared Warden for a term of three years.

Members of Council agreed to a recess of five minutes.

Councillor Lichter called the meeting back to order at 7:20 p.m. He stated he was delighted to have the delay in calling the meeting back to order in order to relieve himself of the emotional impact of being elected Warden.

Warden Lichter expressed gratitude and thanks to Councillor Reid and Councillor Eisenhower for their nomination and kind remarks. He stated he will try to live up to their words. He expressed appreciation to all Councillors, stating this is the biggest Council any Warden has to face and it is with some fear and trepidation that he faces 24 Councillors. He expressed hope that the confidence felt when casting ballots will be deserved; only time will tell.

Councillor Lichter also expressed thanks to his wife, Rozsa, for her support over the past ten years. He stated "I know you will support me until death do us part".

Councillor Lichter stated Halifax County Municipality is one of great diversity and constant growing pains, which he will feel much keener than ever before. He stated it begins with a \$1.5 million deficit. He expressed hope that in co-operation between Council and staff, this problem will be solved without great financial burden on the taxpayers. He stated he is fully aware of the Sackville Issue, and for two years he consistently maintained that Sackville residents must be given a clear choice of yes or no by plebiscite, as a matter of believing that people should not be sweet-talked; they should be given the straightforward message that if they want to remain with the Municipality, the County will try to do what it can to support them, and if they decide to leave, they would go with Halifax County's blessing. He stated the people of Sackville indicated support for staying with the Municipality, and he stated he will work hard (hopefully with the co-operation of the entire Council) to take the first step to have a Sackville Council set up within the next three months. He stated this was not stated publicly in the past because it was not to be an election issue for the Warden's chair. It was something he had to think about, and he now feels it is only proper that Halifax County move with speed so as to send the message to the residents of Sackville that indeed, Halifax County wants to give a measure of authority that the entire Municipality can feel comfortable with.

Warden Lichter stated he does not believe in plastic surgery, and giving Sackville authority only to make recommendations to Halifax County Council would be plastic surgery. He stated the first time Halifax County Council was forced to overturn a recommendation of the Sackville Council would be when the people would rightly believe they have been betrayed. Thus, he stated the Sackville Council should be set up with Council's blessing within three months, and the first task will be to work out in great detail what authority they would like to have.

Warden Lichter stated once the Sackville Council has indicated the details of their desired level of authority, Halifax County Council will seek appropriate authorization from the Province, as this is not the responsibility of the people of Sackville.

Warden Lichter stated because he comes from District 13, an area not heavily settled as others, does not mean he does not know the problems and pain of people living in urban areas on small lots. He stated he has lived over one-half of his life in cities larger than Sackville.

Warden Lichter stated there are many other problems that he intends to address with the assistance of Council. Sludge lagooning will come forth immediately. He stated sludge lagooning is one of things he will not fight against tonight. He stated before sludge lagooning is put into any area of the County, the public must first be consulted and have true input into that issue. He stated should the public of District 13 or the nearest community want to fight against sludge lagooning in their community, he will respect their wishes, at the same time realizing that sludge will have to be dumped somewhere.

Warden Lichter also spoke of Halifax County's participation in the Halifax Harbour clean-up project, noting the location of one large sewage treatment plant will be an issue that will receive much attention.

Warden Lichter stated other, smaller issues are of equal importance to the people of the Municipality. One of these issues being the homeless. He stated people do not believe he understands what homelessness is about, but he advised that he, his wife, and his daughter came from their homeland in 1956, arriving in Canada in 1957 without a penny. He stated that if he does not know something about the plight of the homeless, his memory must be failing. Warden Lichter stated he has lived in this Country, the greatest Country on earth, for 31 years, and he has never once regretted arriving here. He stated what happened tonight could only happen here, and he thanked Council for allowing him to be Warden.

Councillor MacKay thanked Councillor McInroy and Councillor Poirier for the fine words they said about him when nominating him for the position of Warden. He also hoped to have the opportunity to live up to those words. He stated any Member of this Council must well recognize that there will be difficult times in the next three years. The only way this Municipality will continue to be one of the forerunners in municipal government in Eastern Canada is to continue to work together as a cohesive unit.

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

"THAT the election of Warden Lichter be unanimous."
MOTION CARRIED

Councillor MacDonald expressed congratulations to Warden Lichter, and he thanked Councillor Deveaux and Councillor Ball for their nomination. He stated there are many environment and financial concerns ahead of this Council, and this Council will have to work together to come to some important decisions. He stated he would also be concerned about facing this large Council, if he were Warden; he suggested it may be the largest municipal Council in the world.

APPOINTMENT OF DEPUTY WARDEN

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

"THAT Harry McInroy be appointed Deputy Warden for a one year term."

Councillor Adams stated the position of Deputy Warden is important, being required to fill-in for the Warden and provide vital support to the Warden at all times. He stated Councillor McInroy has served both his constituency and the Municipality very well since 1981. He stated Councillor McInroy is currently the Chairman of the Board of the Halifax County Rehab Centre, a Board Member of Cole Harbour Place, Executive Member of the Cole Harbour/Westphal Service Commission,

Member of the Metropolitan Authority, as well as other Committees of this Municipality. He stated Councillor McInroy is a found Vice Chairman of Cole Harbour Community Schools. Councillor McInroy has many achievements, too numerous to mention, and he asked that Council support Harry McInroy for the position of Deputy Warden.

Councillor P. Baker stated he has sat with Councillor McInroy for three years on Council and various committees, and he has demonstrated the ability to handle any situation. He stated Harry McInroy is well known, and it gives him great pleasure to second the nomination of Councillor McInroy for the position of Deputy Warden.

There were no further nominations. Councillor McInroy was declared Deputy Warden for a one year term.

Deputy Warden McInroy thanked Council for their expression of confidence in nominating him to the position of Deputy Warden. He stated it is a reflection of the character of this Council to nominate him to a position next to the current Warden, which he opposed by another nomination. He stated he will truly carry out his duty as Deputy to the Warden.

APPOINTMENT OF RECORDING SECRETARY

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

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

PUBLIC HEARINGS, UNDERSIZED LOT LEGISLATION

Warden Lichter reviewed the procedures for the public hearings.

Mr. Gough, Development Officer, advised that the four public hearings to be heard have all been duly advertised as required under the Planning Act, and there has been no communication with regard to any of these applications.

File No. F-654-88-04 - Lands of Colin & Muriel Slaunwhite, Terence Bay

Mr. Gough reviewed the staff report, recommending approval of the subdivision of the above-referenced lands according to the Undersized Lot Legislation.

Questions from Council

Councillor Sutherland asked for clarification of the wording of the report whereby the Municipal Solicitor feels this application MAY meet the intent of the Legislation. Mr. Cragg responded that when he first looked at this plan, he felt the lot frontage shown could be expanded to be in excess of 22 feet. Also, the Undersized Lot Legislation is purely discretionary in nature, and Council can grant approval based

on discretion, although it may not be his recommendation that a lot be approved. He stated he only advises when a lot most certainly does not meet the intent; otherwise, he only advises it may meet the intent, although the decision is discretionary.

Speakers in Favour of this Application

None.

Speakers in Opposition to this Application

None.

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

"THAT the proposed subdivision of Lot 3-A of the Lands of Colin and Muriel Slaunwhite, Terence Bay be granted final approval according to the Undersized Lot Legislation."
MOTION CARRIED

File No. F-786-88-04 - Byron Slaunwhite & Orest Ulan, Terence Bay

Mr. Gough reviewed the staff report, noting it is the recommendation that this application be approved by Council.

Questions from Council

None.

Speakers in Favour of this Application

None.

Speakers in Opposition to this Application

None.

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

"THAT the subdivision of Lots 23AA and 23B, Lands of Bryon Slaunwhite and Orest Ulan, Terence Bay, be granted final approval according to the Undersized Lot Legislation."
MOTION CARRIED

File No. F-777-88-14 - Lands of Raymond Cox, Windsor Junction

Mr. Gough reviewed the report, recommending approval of Lot 5 of the above-noted lands according to the Undersized Lot Legislation.

Questions from Council

None.

Speakers in Favour of this Application

None.

Speakers in Opposition to this Application

None.

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

"THAT the subdivision of Lot 5, Lands of Raymond Cox, Windsor Junction, be granted final approval according to the Undersized Lot Legislation."

MOTION CARRIED

File No. F-714-88-09 - Lands of Greg MacIsaac, Porter's Lake

Mr. Gough reviewed the staff report and recommendation regarding this application.

Questions from Council

None.

Speakers in Favour of this Application

None.

Speakers in Opposition to this Application

None.

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

"THAT the subdivision of Lots CC-1A and CC-1B of the Lands of Greg MacIsaac, Porter's Lake, be granted final approval according to the Undersized Lot Legislation."

MOTION CARRIED

APPOINTMENT OF NOMINATING COMMITTEE

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

"THAT Warden Lichter be authorized to appoint a Nominating Committee."

MOTION CARRIED

Deputy Warden McInroy took the chair while Warden Lichter left to appoint the Nominating Committee.

APPROVAL OF MINUTES

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

"THAT the minutes of the Council Session, September 20, 1988, be approved as circulated."

MOTION CARRIED

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

"THAT the minutes of the Council Session, October 4, 1988, be approved as circulated."

MOTION CARRIED

EMERGENCY AGENDA ITEMS

Councillor Adams - Medal of Office

Councillor Sutherland asked for clarification of what constitutes an emergency agenda item. Deputy Warden McInroy advised an emergency agenda item would be something that could not be addressed by Council at a later date.

LETTERS AND CORRESPONDENCE

Minister of Transportation and Communications

Mr. Kelly read this letter regarding the paving of Robinson Road, Lawrencetown.

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

"THAT this item of correspondence be received."

MOTION CARRIED

Copy of Letter from Thomas McInnis, MLA to Minister of Transportation and Communications

Mr. Kelly advised this is a copy of a letter from the local MLA to the Minister of Transportation regarding a request for a reduced speed limit through Lawrencetown.

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

"THAT this item of correspondence be received."

Councillor Randall stated approximately 90 percent of the residents of this area signed a petition in favour of the reduced speed limit, and he expressed support and appreciation for the MLA's endorsement of this request.

MOTION CARRIED

Minister of Transportation and Communications

Mr. Kelly reviewed this letter concerning the paving of Roma Drive, Head of Chezzetcook.

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

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

Minister of Transportation and Communications

Mr. Kelly reviewed this correspondence concerning the paving of Keating Drive and Redmond Drive.

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

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

Office of the Premier

Mr. Kelly read this response on behalf of the Premier concerning local involvement in the Regional Pollution Control agreement.

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

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

Minister of Municipal Affairs

Mr. Kelly advised this letter is with respect to participation on committees and decision-making bodies related to Regional Pollution Control.

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

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

School Board Appointments

Mr. Kelly advised that former Warden MacKenzie has responded to the School Board office with regard to Council appointed vacancies on the School Board, as a result of the election.

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

"THAT Lois Wiseman's term on the School Board be extended to the end of November when the vacancy created by her resignation as Councillor will be filled."

There was some discussion concerning the extension of this appointment. Several Members of Council expressed concern that a non-Council Member could be appointed to this position. Mr. Cragg responded that the County is able to fill this vacancy by appointing a Council or non-Council Member.

There was also some discussion about the other three Council appointments to the Board. It was noted that the other three appointments remain effective until the first of December.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Municipal Planning Strategy & Land Use By-law for Planning District 5

Mr. Kelly read the report of the Planning Advisory Committee regarding the approvemement of these documents.

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

"THAT the recommendation of the Planning Advisory Committee regarding Ministerial amendments to the Municipal Planning Strategy and Land Use By-law for Planning District 5 be carried out as per the report of the Planning Advisory Committee."

MOTION CARRIED

MUNICIPAL PLAN COMMITTEE REPORT

Mr. Kelly read the report of the Committee regarding the draft Municipal Planning Strategy and Land Use By-law for Districts 8 and 9.

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

"THAT a meeting of the Committee of the Whole be held on November 17, 1988 at 7 p.m. regarding the draft Municipal Planning Strategy and Land Use By-law for Planning Districts 8 and 9;

ALSO THAT a public hearing regarding the draft Municipal Planning Strategy and Land Use By-law for Districts 8 and 9 be scheduled for December 12, 1988 at 7 p.m."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Family Housing Units

Mr. Kelly reviewed the report regarding this matter.

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

"THAT Council approve the construction of nine family housing units as follows: two units in the Jeddore area; two units in the Beaver Bank area; two units in the Hubbards area; two units in the Eastern Passage area; and one unit in the Preston area."

MOTION CARRIED

Requests for Grants

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

"THAT approval be granted for a District Capital Grant, District 1 in the amount of \$7,800 for paving of the parking lot and entrance at the District 1 Fire Department."

Councillor Meade noted that \$7,200 for this project is to come from an area rate. He asked if this will be from the area rate already levied or if it is intended to charge an additional area rate. It was clarified by staff in attendance that this will be paid for from the existing area rate. It is assumed that the rate is able to absorb the additional cost of this project.

MOTION CARRIED

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

"THAT Council approve a District Capital Grant, District 8 in the amount of \$400 and a General Parkland Grant in the amount of \$400 to assist the community of Lake Echo with the upgrading of the Recreation Centre."

MOTION CARRIED

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

"THAT Council approve a District Capital Grant, District 14 in the amount of \$2,250 and a General Parkland Grant in the amount of \$2,250 for a tot lot, Grand Lake Village, Wellington."

MOTION CARRIED

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

"THAT Council approve a District Capital Grant, District 14 in the amount of \$1,950 and a General Parkland Grant in the amount of \$1,950 for a tot lot, Wellington."

MOTION CARRIED

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

"THAT Council approve a District Parkland Grant, District 4 in the amount of \$1,246,83 for the installation of playground equipment at the Atlantic Memorial School and Terence Bay Elementary School playgrounds."

MOTION CARRIED

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

"THAT Council approve a District Capital Grant, District 9 in the amount of \$3,000 for improvements to the lot surrounding Fire Station No. 2, Lawrencetown Fire Department."

MOTION CARRIED

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

"THAT Council approve a District Capital Grant, District 2 in the amount of \$2,570.20 for a playground at Greenwood Heights Subdivision; basketball standards, Greenwood Heights Subdivision and Lakeside School."

MOTION CARRIED

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

"THAT Council approve a District Parkland Grant, District 2 in the amount of \$1,700 for a playground, basketball court, and picnic area for the community of Beechville."

MOTION CARRIED

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

"THAT the request for a District Capital Grant, District 2 in the amount of \$20,200 for the construction of a mini-soccer field at Timberlea Soccer Club be deferred to the next Session of Council."

Councillor Poirier stated she cannot support this grant at the present time, although she was favourable of the project. She stated a grant in this amount will clean out her fund, and she would like to defer the request in order to determine if another financial arrangement can be made.

MOTION CARRIED

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

"THAT Council approve a District Parkland Grant, District 17 in the amount of \$947 and a General Parkland Grant in the amount of \$947 for the Fall River East Recreation Centre."

MOTION CARRIED

Councillor Sutherland inquired about the allocation of general parkland funds. Mr. Meech responded that as dollars are generated based on the 5 percent provision according to the Planning Act, 50