

Councillor Cooper stated that he was against this motion, not to downgrade its importance, but because other communities were involved. He stated it would be more appropriate to have the public hearing on 'neutral ground' so that all would have equal opportunity.

Councillor McInroy stated that he agreed with Councillor Cooper. He stated that Council would need to be objective and fair in dealing with the applicant and this would be best done in Council Chambers.

MOTION DEFEATED 4 FOR
16 AGAINST

Application No. RA-F&S-22-89-14/17 - Amendments to the Land use By-Law for Planning Districts 14 & 17

Mr. Kelly reviewed the report.

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

"THAT December 4, 1989, 7:00 pm be set as the date for this public hearing."

MOTION CARRIED

Application No. DA-FEN-02-88-18 - Development Agreement - Paulsen Developments Limited - Mobile Home Park - Lucasville

Mr. Kelly reviewed the report.

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

"THAT December 4, 1989, 7:00 pm be set as the date for this public hearing."

MOTION DEFERRED UNTIL ITEM 2 SUPPLEMENTARY IS DEALT WITH

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

Sewage Treatment Plants - Fresh Water Bodies

Mr. Kelly reviewed the report.

Councillor MacDonald stated he would like clarification from David Nantes if this would include new treatment plants that would allow for an expansion of existing trailer parks.

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

"THAT a letter be written to Honorable David Nantes asking for clarification on the statements made at the meeting held October 30,

1989, and also clarification of the inclusion of new treatment plants that would allow for an expansion of existing mobile home parks."

There was much discussion on the concerns discussed at the Planning Advisory Committee meeting. Councillor Boutilier stated that a letter had been received from Honorable David Nantes in which he expressed his concerns with the development. Councillor Boutilier added that he hopes the letter will come back indicating that this is a policy of the provincial government and not the opinions of one or two ministers.

Councillor Horne stated that not all districts have salt water in which to put treatment plant effluents. Warden Lichter stated that the Ministers have indicated that would be the case except in rare circumstances. He added that this would mean that those parts of Nova Scotia that do not have salt water will be able to develop on septic tank disposal fields. Councillor Horne stated that appears that they are trying to curtail development in the rural communities.

Councillor Bates stated that the statements made were irresponsible regardless of the type. He stated that it may be that the Honorable Minister is not aware that tertiary treatment 0-0 is pure water.

Councillor Cooper stated that the attitude by the provincial government could have a great effect on this Municipality, by eliminating the possibilities of development.

Councillor Sutherland stated that in the meeting with the Ministers they did provide some clarification in that they made mention of special circumstances that would allow the exceptions.

After much discussion on the issue,

MOTION CARRIED

Application No. DA-FEN-02-88-18 - Development Agreement - Paulsen Developments Limited - Mobile Home Park - Lucasville

Warden Lichter asked Council if they would like to go ahead and set the date for the public hearing or defer the matter until response from the Ministers is received.

Councillor Boutilier asked where Mr. Paul Parsons stands on the issue. He stated that Mr. Parsons has indication through the Planning Department that he has his joint-certificate 'go ahead', then there is no problem and the public hearing should be set for December 4. He stated that postponing this would be wasting his time and money.

Councillor Horne stated that Council should go ahead with the application for some of the reasons mentioned by Councillor Boutilier as there does not appear to be substantial fact in their statement.

Valerie Spencer stated that they have been reviewing the Parsons' application since the beginning of this year and in terms of correspondence and conversations with both Provincial Departments of Health and the Environment, she has nothing in writing that indicates that Mr. Parsons is not eligible for a joint certificate.

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

"THAT December 4, 1989, 7:00 pm be set for a public hearing on this issue."

MOTION CARRIED

File No. PA-1&3-22-89 - Amendments to the Municipal Planning Strategy and Land use By-Law for Planning Districts 1 & 3

Mr. Kelly reviewed the report.

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

"THAT December 4, 1989, 7:00 pm be set as the date for this public hearing."

MOTION CARRIED

Staff Report - Application No. RA-24-09-89-09 - Atlantic Nurseries Limited-Lawrencetown

Mr. Kelly reviewed the report.

Warden Lichter stated that at this time, Council must decide whether or not to go ahead with the application, reject it, or make other decisions regarding the Lawrencetown Municipal Plan.

Valerie Spencer stated that in 1988, there was a rezoning application put forward for a garden centre to be located along the shores of Cole Harbour. Council heard the application and at that time had a positive recommendation from the staff. They also heard from concerned residents in opposition and from members of the NS Department of Environment. After the hearing, the application was approved and the matter was appealed to the NS Municipal Board. There was at that time, no final draft planning strategy for the area. In those cases the NS Municipal Board makes its decision on what it determines to be in the best interest of the Municipality.

Since that time work has proceeded on the planning strategy for Lawrencetown and final public meetings, information and review by MPC is nearing completion. The planning strategy is therefore not in question. The draft policies and regulations does not permit Council to consider a garden centre at this location. It does not permit that type of commercial development. She stated that occasionally situations arise where an individual developments are caught in transition between one set of regulations and the next. She stated that

this situation is unique in that the rezoning application and the approving of the final drafts will occur at the same time early next year.

She stated the Atlantic Nurseries has revised the application in response to the Municipal Board. She stated that Council may find itself in the position early next year in which it will be asked for open consideration for rezoning that application and simultaneously approve new policies which do not allow garden centres to be built. She stated that the problem is one of timing.

Councillor Snow stated that there has been no planning strategy approved for Lawrencetown and cannot prejudice that Council will approve it. He stated every applicant who applies should have the legal right to come before Council to state their case.

Councillor Deveaux asked what would happen if his appeal was approved before that of the planning strategy. Valerie Spencer stated that he Council would not be in the position to make a quick amendment to respect By-Law 24. That would be a major amendment to a plan. A plan amendment process may follow a NS Municipal Board hearing and following the time required for the Minister of Municipal Affairs to approve of the planning strategy. The development would not proceed until that point. She added that building permits that conflict with the proposed regulations cannot be issued.

Councillor Boutilier stated that he is opposed to interfering with the due process to which someone is entitled.

Councillor McInroy stated that he agreed that Council should not interfere with the due process as long as the applicant does not have a difficulty with that.

Ms. Spencer stated that the applicant is very aware of the difficulties.

Council agreed that this item be referred go back to PAC.

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

Application No. RA-PD5-23-89-05 - Rezoning Application by David Nicholl, old Sambro Road, Planning District 5

Mr. Kelly reviewed the report.

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

"THAT December 4, 1989, 7:00 pm be set as the date for this public hearing."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Mr. Kelly reviewed the report.

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

"THAT the following grants be approved:

a) District Capital Grant, Districts 8 and 9, \$695 each, for completion of fencing a ballfield - Lakeview Consolidated School;

b) General Parkland Grant, District 18, \$2,000, for acquiring land for the purpose of relieving flooding of Highland Park Ballfield."

MOTION CARRIED

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Mr. Kelly reviewed the report.

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

"THAT the loan request in the amount of \$100,000 to the Chezzetcook Volunteer Fire Department for the purpose of purchasing a fire vehicle, be approved. The loan with interest is advanced over a ten year period with Council reserving the right to levy an area rate in default of principal and/or interest repayment."

MOTION CARRIED

BUILDING INSPECTOR'S REPORT

Lesser Setback, Michael Carroll

Mr. Kelly reviewed the staff report.

Councillor Cooper asked what affect this setback would have on road patterns in the area.

It was moved by Councillor Cooper, seconded by Deputy Warden Baker:

"THAT this item be deferred until sufficient information can be provided including a graphic representation."

MOTION CARRIED

Lesser Setback, Robert Gosse

Mr. Kelly reviewed the report.

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

"THAT the lesser setback of 24.7', Lot 136 Carter Romans Subdivision, West Lawrencetown, be approved."

MOTION CARRIED

Lesser Setback, Lori Ann Ashton

Mr. Kelly reviewed the report.

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

"THAT the lesser setback of 15', Prospect Road, Prospect, be approved."
MOTION CARRIED

DRAFT AMENDMENTS TO THE BY-LAW RESPECTING MISCHIEFS AND NUISANCES

Warden Lichter advised Council that this item had been deferred for 3 months.

Councillor Boutilier stated that the late Councillor MacKay had asked specific questions of Mr. Cragg as to what constitutes a noise, at what level is it considered a noise, etc. He stated that there were some problems in how to enforce this by-law.

It was reported that the original motion was to defer this item for 3 months to secure public feedback.

Councillor Boutilier asked if there would be a problem in enforcing the by-law. Mr. Cragg stated that this would be similar to the dog by-law with regard to enforcement and prosecution.

Councillor Boutilier asked if provincial standards have been established as to what constitutes a noise and what device would be used to measure the noise levels. Mr. Cragg responded by stating that if Council is going to amend the by-law they must, mandatorily, define what constitutes a noise/nuisance and may, discretionary, provide that any noise or sound greater than a specified decibel would constitute a noise/nuisance. Mr. Cragg reported that the Executive Committee had discussed this level and had agreed that having a specified level or decibel would cause more problems.

Warden Lichter stated that all have looked for public input and he reported that a number of people in his district have expressed input that does not warrant a by-law for that district. Warden Lichter suggested that the solicitor find a way to allow districts to opt in or opt out, otherwise this would be an expensive venture for the municipality.

Councillor MacDonald stated that he also has concern for enforcement of the by-law as the RCMP do not go out of their way to enforce Municipal By-Laws.

Councillor Horne circulated a letter written from Burchell MacAdam & Hayman, solicitors which states that many of their clients are opposed to the draft amendments.

Councillor Richards stated that amendments were discussed at length at the Executive Committee and although he does agree with the criticisms, he has concern for the people who live in an area, perhaps more common in urban areas.

where this would be helpful. He stated that Council has a responsibility to protect these people.

Councillor Bates stated that he has concerns as to who will enforce this by-law. He stated that someone would have to be on call 24 hours because these problems would not take place between 9:00 a.m. and 5:00 p.m.

Councillor Adams stated that there is a need for some control in certain areas.

It was moved by Councillor Bates, seconded by Councillor Richards:

"THAT the solicitor be directed to develop a new, modified noise by-law, so that Districts could opt in or out for next Council Session."
MOTION CARRIED

PROSPECT ROAD. DEPUTY WARDEN BAKER

Deputy Warden Baker stated that he has received a number of calls concerning the traffic situation at the Atlantic Winter Fair Grounds. He added that this is a safety hazard.

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

"THAT a letter be written to the Department of Transportation asking them as to their intentions, if any, for road improvements in that area."
MOTION CARRIED

It was moved by Deputy Warden Baker, seconded by Councillor Boutilier:

"THAT a letter be sent to the Manager of Atlantic Winter Fair Grounds, Mr. Coombs pointing out concerns of the residents about the dangers to people and asking them to provide some type of traffic control."
MOTION CARRIED

SIDEWALKS. DISTRICT 14 - COUNCILLOR HORNE

Councillor Horne stated that District 14 does not have sidewalks as of yet. He stated that a project is in place and tenders given out for a portion of a sidewalks to extend to the Holland Road in the spring. However, as a result of the ratepayers meeting at Fletchers Lake, there was a motion, passed unanimously, to support and approve an 8 cents area rate.

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

"THAT a letter be written to the Minister of the Department of Transportation requesting cost estimates, time frame for construction and cost sharing with the County, with a copy to Ken Streach for construction of sidewalks on Holland Road a distance of 2.1 km and Brook Street to end of existing pavement a distance of .9 km."
MOTION CARRIED

DISTRICT 2 - COUNCILLOR POIRIER

Councillor Poirier stated that she is delighted to see the expansion of service in the Preston area, but added that District 2 seems to be hurting the most. She stated that they are getting only a crumb and are paying for a full meal. She stated that the municipality has to give equal treatment to each district. She stated that Metro Transit and Metro Authority are not fulfilling their mandate. She stated that Timberlea is geographically handicapped. She stated that residents are tired of waiting. She stated that a transit system could work in the area and demonstration runs should be initiated. She stated that the system in place does not serve the needs of the community.

Mr. Meech stated that in terms of cost recovery for the transit subsidies is approximately 3 different rates, but 1 common rate applies to Beechville, Lakeside, Timberlea and we could examine through Urban Services whether it is possible through that mechanism to access funds. He stated that in addition to finding initial funds, Metro Transit would have to agree to enhance the service in view of their present policy.

Councillor Poirier reported that the definition of Paratransit is service in any area that does not warrant regular Metro Transit bussing or route that cannot get 40 percent of its operating costs from fares. She stated that her district falls into both categories.

Councillor Ball stated that the transit committee is looking at paratransit throughout the municipality and does not agree that one area is any different than the next. A request was made for the next committee meeting was to get the various carriers in the area to discuss feasibilities of doing transit systems in the municipality. Councillor Ball stated that if Councillor Poirier is dissatisfied with Metro Transit in her area, the \$140,000 paid by District 2 area rate should be looking at alternative transit systems. He cautioned that there is not transfer policy from paratransit to Metro Transit.

Councillor Poirier stated that there are minority groups in District 2 and have suffered from a lack of a lot of things. Warden Lichter stated that District 2 may be able to apply for similar funds as the Preston Area from the Federal Government to establish a bus service.

Deputy Warden Baker encouraged Councillor Poirier to continue the battle and it would eventually be won.

Councillor MacDonald noted that the district is paying the same area rate for a reduced service.

Mr. Meech stated that District 2 should apply to the Multicultural Department and funds could be acquired by those means.

Councillor Horne stated that the next Transit Committee meeting will be held on November 21 and a request has been made that all Councillors who are interested

should attend. He agreed that there is problems with the existing service.

Councillor Bates stated that no area has been singled out or given preference. He stated that it would be best if paratransit could be established in conjunction with Metro Authority, but if it cannot be done, other areas explored. He stated that the Transit Committee is trying to be fair by not singling out any one area. He added that anyone interested in Paratransit should come to the next committee meeting.

Councillor Poirier stated that the Transit Committee should be looking not only at paratransit but also existing transit problems.

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

"THAT this item be referred to the Urban Services Committee to examine what can be done to meet the needs of the community by way of the existing area rate; with the request that funding be found to enhance the transit schedules."

Councillor Ball stated that as Councillors we owe everyone the same opportunity. He stated that the purpose of the transit committee is to try to address some of the transit problems. Councillor Ball again stated that with the \$140,000 the district should be looking at alternatives.

Councillor Eisenhower stated that a review should be done about the decision making power and bringing that power back to Council.

Councillor Smiley stated that there are alternatives to Transit and the Council will have to be creative and innovative in order to provide service to the community. She stated that school busses sit idle between 9:00 am and 3:00 pm.

Warden Lichter agreed and added that outdated laws have to be addressed the matter of the school busses that sit idle when they could be used for a transit system.

Councillor MacDonald stated that it may be that Council does not hold transit as a priority.

MOTION CARRIED

URGENT AGENDA ITEMS

CN. Councillor Deveaux

Councillor Deveaux expressed concern about the horns blowing at Autoport in Eastern Passage.

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

"THAT a letter be written to CN to request that engineers to use

discretion during the silent hours when they are required to blow horns when crossing the streets at Autoport."

MOTION CARRIED

Sackville Sports Stadium, Councillor Boutilier

The Sackville Sports Stadium Committee has requested support from council in regard for their application for a special premises license to sell alcoholic beverages.

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

"THAT the Halifax County Municipality advise the Liquor License Board that they are in support of the Sackville Sports Stadium's obtaining a special premises license for the sale of alcoholic beverages."

MOTION CARRIED

Harrietsfield Water, Councillor Ball

Councillor Ball stated that for the past year Council has been discussing the uranium problems in the Harrietsfield/Williamstown area. He stated that 2 months ago the Atlantic Health Unit was requested to give public notice about the standards and that things have changed. To date nothing has happened. He stated that also the newspapers should be advised and the financial institutions notified of the changes because it is affecting real estate in the area.

Warden Lichter stated that he and Mr. Kelly would look into the past motions and find out what action has been taken, and if none was taken, why. He stated that Council would have to assert itself to ensure that this would be done.

Councillor Ball stated that once we have discovered what the regulations are and if it is no longer a health hazard, that an ad be placed in the newspaper to inform residents, and notify the financial institutions as to a change in the water system.

ADDITION OF ITEMS, DECEMBER 5

Sidewalks and Crosswalks, Councillor Snow

ADJOURNMENT

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

"THAT this meeting adjourn."

MOTION CARRIED

The meeting adjourned at 10:00 p.m.

COUNCIL SESSION

TUESDAY, NOVEMBER 21, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Deputy Warden Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Sutherland
Councillor Richards
Councillor 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: Twila Smith

Warden Lichter called the meeting to order with the Lord's Prayer at 6:00 PM.
Mr. Kelly called the roll.

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

"THAT Twila Smith be appointed Recording Secretary."
MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT the minutes of Special Council Session, September 7, 1989, be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of Council Session, October 17, 1989, be approved as circulated."

MOTION CARRIED

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

"THAT the minutes of the Public Hearing, October 23, 1989, be approved as circulated."

MOTION CARRIED

REPORT OF THE NOMINATING COMMITTEE

Councillor Reid stated that there was only one move that had to be made as a result of the election of Deputy Warden Baker. He stated that all 12 members of the Executive Committee were approached and no one wanted to move. He stated that the committee decided that the best approach was to draw a name from a hat, with the name of the Councillor selected being appointed to PAC. Mr. Kelly drew the name of Councillor Eisenhauer.

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

"THAT Councillor Eisenhauer be appointed to the Planning Advisory Committee."

MOTION CARRIED

LETTERS AND CORRESPONDENCE

Dartmouth Cable TV Limited

Mr. Kelly reviewed the response with regard to their advertising campaign.

It was moved by Councillor Richards, seconded by Councillor Boutilier:

"THAT this item be received."

Councillor Richards suggested that in further correspondence, reference be made to their statement of a motion passed by Halifax City Council.

MOTION CARRIED

Cole Harbour Elementary School Trustees

Mr. Kelly reviewed the letter regarding the paving of the public walkway between Chaswood Drive and Caldwell Road in Cole Harbour.

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

"THAT this item be received."

Councillor McInroy stated that the public walkway referred to is actually a sewer easement. He stated that plans have been discussed with the residents and is under consideration and work may be done on this matter in the new year.

MOTION CARRIED

Department of Transportation

Mr. Kelly reviewed the letter regarding the Highway Litter Clean-up.

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

"THAT this item be received."

MOTION CARRIED

SUPPLEMENTARY CORRESPONDENCE

Department of Municipal Affairs

Mr. Kelly reviewed the letter concerning the ceiling increase on the MacPherson/Lockview Sewer Project.

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

"THAT this item be received"

MOTION CARRIED

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

"THAT this item be referred back to the Executive Committee for further action."

MOTION CARRIED

DATE FOR MINOR VARIANCE APPEAL

Mr. Kelly reviewed the request re: George Porter Property.

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

"THAT December 19, 1989, 7:00 pm be set as the date to hear the appeal."

MOTION CARRIED

DATE FOR MINOR VARIANCE APPEAL

Mr. Kelly reviewed the request re: Gilbert Hubley Property.

It was moved by Councillor Sutherland, seconded by Councillor Boutilier:

"THAT December 19, 1989, 7:00 pm be set as the date to hear the appeal."

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Application No. RA-CH/W-10-89-25 - Rezoning Application by Crossman Construction Limited, Cole Drive, Cole Harbour

Mr. Kelly reviewed the report.

It was moved by Councillor Cooper, seconded by Councillor Sutherland:

"THAT a public hearing be held on December 18, 1989, at 7:00 pm to hear the application."

MOTION CARRIED

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

File No. RA-FEN-20-89-18 - Rezoning Application by Hi-Tech Woodworkers Ltd., Hammonds Plains Road

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on December 18, 1989, at 7:00 pm to hear the application."

MOTION CARRIED

Land Use By-Law Amendments Related to Subdivision Matters

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on December 18, 1989, at 7:00 pm to hear the application."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Request for Grants

Mr. Kelly reviewed the requests and Council agreed to deal with them in one motion.

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

"THAT the following grants be approved by Council:

- a) District Capital Grant, District 9, \$1,500, for fill for ball field-Lawrencetown Community Centre;

b) District Capital Grant, District 10, \$1,160, for bleachers for East Jeddore Ball Field;

c) District Parkland Grant, District 22, \$1,678, for paving walkway, Riverside Drive/Alder Crescent."

MOTION CARRIED

Temporary Borrowing Resolutions

Mr. Kelly reviewed the renewals.

It was moved by Councillor Richards, seconded by Councillor Bates:

"THAT the renewal of the Temporary Borrowing Resolution, 88-03, Sackville Sports Complex, in the amount of \$3,500,000 be approved by Council."

MOTION CARRIED

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

"THAT the renewal of the Temporary Borrowing Resolution, 88-04, Water (Meadowbrook), in the amount of \$100,000 be approved by Council."

MOTION CARRIED

It was moved by Councillor Sutherland, seconded by Councillor Bates:

"THAT the renewal of the Temporary Borrowing Resolution, 88-05, Sewer (Meadowbrook), in the amount of \$420,000 be approved by Council."

MOTION CARRIED

Application for Tax Exemption - Seaforth Community Society

Mr. Kelly reviewed the request.

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

"THAT the applicaiton for tax exemption for the Seaforth Community Society, be approved by Council."

MOTION CARRIED

SUPPLEMENTARY EXECUTIVE REPORT

Release of Easement, W. D. Morash Ltd.

Mr. Kelly reviewed the report.

It was moved by Deputy Warden Baker, seconded by Councillor Bates:

"THAT the release of the Easement be approved by Council."

MOTION CARRIED

1990 Cost of Living Adjustment

Mr. Kelly reviewed the Memorandum.

It was moved by Deputy Warden Baker, seconded by Councillor Boutilier:

"THAT Council approve a 5% cost of living increase for all non-union salary scales effective January 1, 1990."

MOTION CARRIED.

Legislative Stipend Review

Warden Lichter reviewed the report. He stated that he was asked by Council to review the stipend and the result was the report and recommendations circulated.

Councillor Bayers stated that he would not support the recommendations. He stated that he would receive \$1000 less under this recommendations. He stated that the Industrial Commission has taken on increased responsibility and he would not support a stipend decrease. He stated that members of the Industrial Commission not only attend meetings, but also take part in tours, trips etc, as representatives of the County. He stated that each member is continually talking to private businesses and promoting the County's Industrial Parks.

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

"THAT the stipend for the Industrial Commission remain the same."

Councillor Bayers also stated that he objected to the reduction in stipend for Rural Services. He stated that the committee holds meetings when necessary.

Councillor Horne stated that past levels should be maintained. He stated that the Industrial Commission should have a higher profile and decreasing the stipend would not assist in trying to get interested members and increasing visibility. He stated that it was important to show support to the Industrial Commission to encourage development. He stated that the number of meetings held was the only criteria for deciding whether a committee has met its demands or not. Councillor Horne stated that there has been a lot of time spent in supporting the Industrial Commission, that was not included as 'meeting time'. He stated that the rates should stay as they have been for the past 8 months.

MOTION WITHDRAWN

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

"THAT all committees with a recommended decrease be continued at the present pay status for 1990."

Councillor Merrigan stated that it was wrong to decrease any stipends as the committees were encouraged to reduce the number of meetings and staff resources.

Councillor Morgan objected to any stipend decreases and stated that it was an insult to those members affected. Warden Lichter stated that there was no offence intended.

There was much debate and discussion on this issue.

It was clarified that the motion is to allow those committees with a recommended increase to do so, but those with a recommended decrease continue at the same level.

MOTION CARRIED

Building Inspector's Report RE: Lesser Setback

Mr. Kelly reviewed the applicaiton of Nicholas Koskolos.

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

"THAT the lesser setback of 2', 3994 Highway #333, Shad by be approved."

MOTION CARRIED

Mr. Kelly reviewed the application of Michael Carroll, Brian MacKay-Lyons.

Councillor Cooper asked the premise behind moving the post up to 0' such as a development of a theme for the area.

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

"THAT this item be referred back to the Planning Advisory Committee for clarification."

MOTION CARRIED

APPOINTMENT OF NON-COUNCIL MEMBERS TO COMMITTEES AND BOARDS

Mr. Kelly reviewed the memorandum.

It was moved by Deputy Warden Baker, seconded by Councillor Eisenhower:

"THAT Paul Hyland be nominated as a member on PAC."

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

"THAT nominations cease."

MOTION CARRIED

MOTION CARRIED

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

"THAT Erma Smith be nomination as a member on the Board of Health."

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

"THAT nominations cease."

MOTION CARRIED

MOTION CARRIED.

NUCLEAR SUPPLY SHIPS IN ST. MARGARET'S BAY - COUNCILLOR MEADE

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

"THAT a letter be written to the American Embassy opposing using the St. Margaret's Bay for anchoring Nuclear Supply Ships. These ships contain nuclear war heads, depth charges, nuclear explosives, rocket launchers and conventional explosives. This letter should be also sent to the MLA for the area."

MOTION CARRIED

SIDEWALKS AND CROSSWALKS - COUNCILLOR SNOW

Councillor Snow indicated that he would like to change crosswalks to mail service.

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

"THAT a letter be sent to the Department of Transportation for cost estimates for sidewalk construction from Highway 2 to Fraser Drive in Waverly."

MOTION CARRIED

Councillor Snow stated that mail service in his district has dropped to an unexceptable level. He stated that residents are finding their mail on the side of the road by their mailboxes and there has been no mail in the area for a few days.

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

"THAT a letter be written to the Canadian Postal Service asking for an investigation about this situation."

MOTION CARRIED

URGENT AGENDA ITEMSHalifax Harbour Clean-Up

Councillor Ball stated that approximately two weeks ago Halifax City announced a \$2,000,000 expenditure to extend sewer outfall in Historic Properties. The province of N.S. agreed to pay \$650,000 to extend it and the money would be recouped from the Halifax Harbour Clean-up Corporation. Councillor Ball asked how the extension of a sewer outfall into Halifax Harbour is part of the clean-up mandate.

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

"THAT Council write a letter to the province asking on what basis is the extension of this outfall a part of the Halifax Harbour Clean-up."

Councillor Ball stated that we should be waiting for the recommendations from the Fournier Task Force before switching outfalls.

Mr. Meech stated that the letter should be written to the Halifax Harbour Clean-up Corporation as they are the ones reviewing the application. He added that this is still under review. Mr. Meech added that application has been submitted to have the 'sludge lagoon' part of the clean-up fund.

Warden Lichter stated that the 'sludge lagoon' is the first step in having the Harbour cleaned up.

Councillor Ball asked that a carbon copy of this letter go to the Honourable David Nantes.

After much discussion on the issue,

MOTION CARRIED

District 4 Fire Protection Committee

Deputy Warden Baker stated that after viewing this report, that staff pass along thanks to Mr. Bernie Turpin and the Fire Advisory Board for the work that they have put into it.

Deputy Warden Baker stated that an attempt was made in the spring of this year to consolidate the operations of the two fire departments in District 4. This has proven fruitless and has created a great deal of public concern about fire protection in District 4. A group of citizens have applied for a plebiscite to create a Rural Fire District Commission in part of the district. The debate over this application has caused serious delays in implementing any form of district fire policy.

Deputy Warden Baker reviewed the report.

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

"THAT Council support the recommendation that a District 4 Fire Protection Committee should be formed to advise Council on Fire protection in District 4."

MOTION CARRIED

ADDITION OF ITEMS FOR THE DECEMBER 5, 1989 COUNCIL AGENDA

Requirements for Non-Council Members to resign from Committees before running for Council - Councillor Sutherland

Shearwater Air Base Flight Frequency and Patterns - Councillor McInroy

Review of PAC Non-Council Members - Councillor Richards

Update on West Dover Reservation and Parkland Area - Deputy Warden Baker

Department of Health Sample of Petpeswick Inlet Quality of Water - Councillor Bayers

Acid Rain - Councillor Smiley

Councillor Smiley noted her objection to the use of the phrase "end of the road to nowhere" in reference to Sheet Harbour. She stated that she hoped this would be last time she will hear the expression used in Chambers in that context.

IN-CAMERA ITEM

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

"THAT Council move in-camera."

MOTION CARRIED

Council agreed to come out of camera.

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

"THAT Council support the District 5 West Fire Department as the official Halifax County fire service to protect the area formerly covered by the Harrietsfield-Sambro Fire and Rescue Society."

MOTION CARRIED

ADJOURNMENT

Council adjourned at 9:00 PM.

PUBLIC HEARING

MONDAY, NOVEMBER 20, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor Ball
Councillor Deveaux
Councillor Adams
Councillor Randall
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. John Bain, Planning & Development
Mr. Paul Morgan, Planning & Development
Mr. Rick Spanik, Planning & Development

SECRETARY: Twila Smith

Warden Lichter called the public hearings to order at 7:00 pm with the Lord's Prayer. Mr. Kelly called the roll. Warden Lichter then explained the procedure for public hearings.

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

"THAT Twila Smith be appointed Recording Secretary."
MOTION CARRIED

Application DA-TLB-05-89-02, Elais Toulany

Mr. John Bain reviewed the staff report and showed slides of the property after a fire had destroyed much of the previous building and of the new unit. The applicant presently operates a grocery and take-out restaurant from the site. The purpose of the agreement is to permit the creation of two dwelling units, in addition to the two units permitted by right, in the second storey of the building. Mr. Bain also stated that Policy P-43 A outlines criteria such as the residential component must be on the second floor and general criteria includes traffic considerations, availability of municipal services,

architectural design, site design, maintenance of the development and provisions of Policy P-89. Mr. Toulany will be restricted to 4 dwelling units on the second floor of his building. Mr. Bain reported that Mr. Toulany has met the outlined criteria.

Mr. Bain also stated that the agreement would be amended to include clause 7.2 which requires a fence or visual barrier and lock for an industrial-sized refuse bin.

Questions from Council

Councillor Ball asked if the arrangements have already been made for the four units. Mr. Bain reported that the plans show two units and the interior is not completed yet.

Speakers in Favour

Mr. Toulany, the owner of the property in question stated that he is asking to add two more units to assist in obtaining a mortgage for the dwelling. He stated that his house had burned down and he did not have insurance at the time.

Questions from Council

Councillor Sutherland asked how much larger the new building was compared to the old one. Mr. Toulany stated that the old building was an 'L' shape and the new one is rectangular with an addition of approximately 200 square feet on the retail level.

Speakers in Opposition

None.

It was moved by Councillor Fralick, seconded by councillor Horne:

"THAT the development agreement between the County of Halifax and Mr. Elais Toulany, along with the industrial-sized refuse bin clause, be approved by Council."

MOTION CARRIED

Application DA-SA-06-89-22, Nova Scotia Department of Housing

Mr. Paul Morgan reviewed the staff report, showing slides of the property in question. Mr. Morgan stated that this location is in close proximity to necessary facilities for the construction of a senior citizen complex. He stated that lands closest to the river will be left undeveloped with the exception of the installation of the sewer system.

Mr. Morgan stated that the site location provides a good environment for meeting the needs of this target group. The site layout and building design,

which the applicant is committed to by this agreement, is consistent with the policy criteria of the Urban Residential and Community Facility Designations. Provisions are included that ensure adequate provision of services and protection of the watercourse.

Questions from Council

Councillor Sutherland asked about the sewer and connection to the river. Mr. Morgan reported that this has been discussed with the Department of the Environment and have been notified that the plans will take added care to prevent erosion and detriment to the river.

Councillor Morgan inquired about the amount of the property in the flood plains. Mr. Morgan stated that none of it was in the flood plains.

Councillor MacDonald stated that the land was filled in under the direction of the Engineering Plan and that the area is out of the flood plain. Mr. Morgan stated that there was no intention of going nearer to the river.

Speakers in Favour

Mr. Clint Schofield, Regional Manager, Department of Housing. Mr. Schofield stated that the need exists for such a facility in Sackville. He stated that the proposal meets with the overall objectives for the area. Mr. Schofield assured Council that the Department of Housing will cooperate in every way possible when doing the project.

Councillor Boutilier asked about the installation of sidewalks. Mr. Schofield stated that the Department of Housing was concerned about this issue as well. He stated that the Department of Transportation was contacted and stated that there would have to be improvements to the storm sewers and general street improvements in the area before the installation of the sidewalks. He was advised that this would increase the cost to \$200 per square foot of sidewalk. He stated that the Department does not have the funds within this project to have sidewalks added into the development agreement. He added that the Department would be willing to enter a cost sharing arrangement with the municipality to provide for sidewalks.

Councillor MacDonald agreed that the sidewalks should be constructed and some means of cost sharing implemented.

Councillor Cooper asked when the project would begin. Mr. Schofield stated that with the concurrence of the Municipality tenders would be advertised right way and with the understanding that there would not be awarding until full Council approval and the 21-day period expired.

Speakers in Favour

Mr. Mandaville, Sackville River Society, stated that there are volunteers who will be monitoring the actual sediment samples on the river to ensure the quality of the watershed as it is their major concern.

It was moved by Councillor Sutherland, seconded by Councillor Morgan:

"THAT the Municipality proceed with the development agreement with the Department of Housing."

MOTION CARRIED

Application ZA-FEN-25-89 & ZA-LM-26-89. Amendments to the Provisions of the General and Highway Commercial Zones in Planning District 15, 18 and 19 and Lake Major to allow for Institutional Uses

Mr. Rick Spanik reviewed the staff report. He stated that this would permit day care facilities in the C-4 Zone. He stated that the inclusion of community and institutional uses within general and highway commercial zones is a common approach with has been taken by the Municipality. The land use by-laws for Planning District s 15, 18 and 19 and Lake Major are inconsistent with this municipal approach.

Speakers in Favour

Mr. ?, Part owner of the property in question on the Hammonds Plains road, stated that the need exists in the area for day care and the need will increase. He stated that there is subdivision construction underway in the area and the area is growing. He stated that the provision of daycare will ease the minds of residents and young families in the area.

Speakers in Opposition

None.

Questions from Council

None.

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

"THAT the amendments to the C-4 Zoning By-Law be approved."

MOTION CARRIED

ADJOURNMENT

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

"THAT this meeting adjourn."

MOTION CARRIED

The meeting adjourned at 7:45 pm.

PUBLIC HEARING

MONDAY, NOVEMBER 27, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Deputy Warden Baker
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor MacDonald
Councillor Boutilier
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. R. G. Cragg, Municipal Solicitor
Ms. V. Spencer, Planning and Development

SECRETARY: Twila Smith

Warden Lichter called the public hearings to order at 7:00 p.m. with the Lord's Prayer. Mr. Kelly called the roll.

Warden Lichter began by congratulating Councillor Boutilier as the new Chairman of the Planning Advisory Committee.

It was moved by Councillor Morgan, seconded by Councillor Sutherland:

"THAT Twila Smith be appointed as Recording Secretary."
MOTION CARRIED

Amendments to the Zoning By-Law

Ms. Spencer began by reviewing the staff report. She stated that PAC has been working for at least a year trying to deal with the problems and concerns of residents. She stated that one action taken is the redefinition of a dwelling unit. The existing definition specifies there must be a separate kitchen and the second unit must be completely independent. Based on court rulings, this definition has been broadened somewhat to one or more rooms with sleeping and sanitary facilities that can be used as a separate housekeeping establishment.

Councillor Morgan stated that he had difficulty with excluding the kitchen facilities. He stated that each home that has a rec room, bedroom and bathroom is now designed and capable of having a dwelling unit. He stated that everyone in Sackville would therefore have an illegal second dwelling unit by virtue of the design of the house. He stated that those homes with en-suite baths would also be included.

Councillor Merrigan stated that this definition is more confusing. He stated that a law abiding citizen would not know what to build based on these changes to the by-law.

Ms. Spencer stated that the operative words were, as a housekeeping establishment. She stated that renting a room in a house of boarding facility would not be included. She stated that the change in the definition is for the purpose of going to court and issuing permits and requirements for building homes.

Councillor Boutilier asked if the definition used by the Town of Bedford is any easier to enforce. Mr. Cragg stated that Bedford tries to pinpoint the definition which makes prosecution more difficult. He stated that the judges have stated serious doubts with the municipality's definition of a dwelling unit which includes, 'for the exclusive use'. He also stated that this definition would be henceforth and not retroactive.

Councillor Morgan asked if Halifax and Dartmouth were having the same difficulty with the definition 'independent and separate'. Mr. Cragg advised that the cities do not prosecute nearly as often as the County. Councillor Morgan asked if a room was rented out along with the use of one bath in the home, if that person would be in violation. Mr. Cragg stated that very well could be the case.

Councillor Bates asked why the county should introduce a by-law that will affect so many people so that a few can be more easily prosecuted. He stated that it is unfortunate that it is difficult to convict, but we should not change 1000 for the sake of 1.

Ms. Spencer stated that the decision to prosecute is based on more than just the sleeping and bath facilities. She stated that the county has been advised by the courts to consider the difficulties with this definition and conviction.

Councillors presented many scenarios and inquired as to whether they would be in violation of the proposed definition for the zoning by-law.

Councillor Morgan asked why the present by-law could not be kept. Mr. Cragg stated that the courts have difficulty with the definition of a dwelling unit in the by-law.

Councillor Richards stated that nothing has been done to address in-law suites. Mr. Cragg stated that according to the Charter of Rights, one cannot discriminate family from non-family renting. Councillor Richards stated that

it appeared that the new definition would create more problems than it would solve.

Councillor Deveaux stated that he could live with the new definition. He stated that his understanding of this was to achieve successful prosecution and conviction of the guilty parties.

Councillor Morgan stated that he would support the amendments if the kitchen facility was left in the definition.

Councillor Cooper asked if the council was looking at the definition itself or how it would be used. He stated that it is not necessary to eat in the area in which you live and therefore the kitchen facility would not need to be a requirement. He stated that he could except the definition.

Ms. Spencer stated that the new definition would not change the way staff is handling the concerns now, but would assist in prosecution of the guilty party.

Councillor Merrigan stated that it is difficult to administer something that is so wide open. He stated that with the proposed definition, the onus would be to prove you were innocent.

Mr. Cragg stated that this definition has come about from decisions from the bench that stated the county must change the definition if we wish to successfully prosecute. He stated that this definition would not override the allowing of the rental of up to a room up to three times per dwelling unit.

Warden Lichter asked how the definition got this far. Councillor Deveaux stated that one cannot predict what will happen when an issue comes before council. Councillor Morgan stated that the PAC also did not have the benefit of a legal opinion.

Speakers in Favour

None.

Speakers in Opposition

None.

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

"THAT this proposal be rejected by Council."
MOTION CARRIED

USER FEES

Ms. Spencer reviewed the staff report. She stated that some of the areas that would be affected would be a charge for services, permits and applications

offered by the planning department. She stated that in addition to this, a recommendation is also made to implement a charge for zoning verification letters. She stated that the issue of user fees has been going on for a number of years and during that time there has been a significant growth in the number of by-laws and applications and also the level of detail and control by the department. She stated that at budget time this issue was before council and the direction given was to come up with a fee schedule. She stated that this has been done and attempts have been made to find reasonable and affordable fees for services. She stated that a considerable amount of research has been done as well as comparisons with other municipalities.

The fees would include a fee for subdivision approval at the final stage of \$100 for the application and an additional \$10.00 per lot. She advised that the registry of deeds requires \$50.50 in addition to the proposed fee. A minor variance would cost \$40; \$100 for rezoning and plan amendments; \$100 for the development agreement; \$100 for relocation within a mobile home park and onto a lot; and, \$25 fee for rezoning verification letters.

Councillor Deveaux asked if the mobile home park owners would pay the \$100 or the individual mobile home owners. Ms. Spencer stated that it would most likely be the park owner, but the cost could be passed on to the home owner.

Councillor Merrigan asked if the 5% of the subdivided land devoted for parkland use would be included in the \$10 per lot. Ms. Spencer stated that it would not.

Councillor MacDonald stated that mobile home park rents are increasing and this fee will be another excuse that the park owners could use for further increases. He stated that he would not vote in favour of that portion.

Councillor Morgan stated that the original \$4.00 per \$1000 may be the better alternative with regard to mobile homes.

Councillor Bates asked if these fees are, for the most part, to recover costs. Ms. Spencer stated that the fees would help to offset the costs.

Speakers in Favour

None.

Speakers in Opposition

None.

It was suggested that Council deal with the amendments in one motion, and if defeated, then a motion would be in order to entertain each amendment separately.

Councillor Morgan stated that the \$4.00 per \$1000 should be kept because there are a lot of older homes that are assessed at \$15,000 or less, and 25% of the

housing in Sackville is made up of mobile homes.

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

"THAT Council adopt this fee schedule."

It was stated that this would include amendments to allow for the 5% of subdivided land for parkland use to be exempt.

Warden Lichter stated that he had difficulty with some aspects of the schedule. He stated that with respect to land subdivision, it should be different for the person who wants to make only one or two lots rather than include that individual with the developers who may create thousands and require that both individuals pay the same amount. He suggested a flat \$25 fee per lot regardless of the number of lots created. Warden Lichter stated that with regard to the mobile home fee, it would not be the park owner who would bear the cost, but rather, the home owner. He added that council worked for over three years to develop a by-law to protect mobile home owners.

Councillor Adams stated that the \$25 per lot suggestion made sense and he would support a motion to deal with these separately.

Councillor Merrigan stated that \$100 would not hurt anyone. Councillor Adams stated that there were a lot of 2 and 3 lot developers that subdivide for the sake of their families.

Councillor Bates stated that he agrees with this schedule as it tries to recover costs. He stated that these fees would be reasonable charges passed on to the ones incurring the costs and not the general taxpayers.

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

"THAT the motion be amended so that mobile homes and mobile home parks are deleted from the by-law."

Councillor Richards stated that a \$25 fee per lot when subdividing would not be fair to developers who would be creating an increased tax base for the municipality. He stated that there should not be a double standard and the by-law should be looked at in a global perspective. He stated that he is not convinced that these fees would place undue hardship on anyone who would have to pay them. He stated that with regard to mobile home parks that quite often, the homes cannot be moved and older homes cannot be moved in. He stated that if council were to look at a fee schedule, the one presented would be the best possible one. He stated that he supported the motion presented by Councillor Bates.

Deputy Warden Baker took the chair so that the Warden could debate the issue.

Warden Lichter stated that a \$25 fee for subdivision final approval would not be unfair to anyone, it would be the same amount regardless of how many lots

being dealt with. He stated that with mobile homes, the only difference there is that council has made a promise to these people.

Councillor Bates stated that there is a first time for everything and the fees are legitimate out of pocket expenses.

Councillor Cooper stated that there is no periodic review outlined in the document. He stated that a per lot fee would be acceptable in both urban and rural areas.

AMENDMENT TO THE MOTION CARRIED

Question was called on the amended motion.

MOTION DEFEATED 7 FOR
9 AGAINST

Mr. Cragg stated that technically the motions could not be dealt with individually after the motion was defeated. He stated that a motion to reconsider would allow for the individual motions concerning each fee.

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

"THAT Council reconsider."
MOTION DEFEATED 9 FOR
9 AGAINST

ADJOURNMENT

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

"THAT the public hearings adjourn."
MOTION CARRIED

Public Hearings adjourned at 9:45 PM.

SPECIAL COUNCIL SESSION

TUESDAY, NOVEMBER 28, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Deputy Warden Baker
Councillor Ball
Councillor Deveaux
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Merrigan
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Ms. B. Rix, Chairman, Halifax County/Bedford District School
Board
Dr. J. Morrison, C.E.O.
Mr. P. MacLellan, Department of Municipal Affairs
Very Reverend J. Austin Munroe
Lorne White, Canadian Christian Festival
Mr. R. Moody, Provincial Coordinator, Home Care Program
Mr. E. Mason, Director, Social Services
Mr. J. MacNeil, Assistant Director, Social Services

SECRETARY: Twila Smith

Warden Lichter called the session to order at 1:35.

School Board Presentation

Ms. Rix thanked council for the opportunity to discuss the budget without dollar figures attached and also to discuss the basic education for students. She stated that it is useful to meet with municipal units to discuss the type of services.

Dr. Morrison distributed an information package and stated that if there were any questions along the way, he would be more than willing to answer them. He began by stating that with regard to the core program, the programs offered in 83-84 has not changed much in the time that has followed. He stated that one change was the addition of 15 librarians at the elementary school level, and French Emersion. He stated that additional dollars are not spent for the French Emersion, one English class would be replaced with the French as well as the teachers necessary.

This core program was established in an attempt to provide some sort of uniformity throughout the system. He stated that one concern was that the rural areas were unable to obtain the programs available to the urban areas. The rural areas also had a lower student/teacher ratio in places such as Musquodoboit, Musquodoboit Harbour, Sheet Harbour, etc. Dr. Morrison stated that the school board has never had a financial ability to expand other than the elementary librarians.

Dr. Morrison noted that changes will take place between 1990 and 1995. Eighteen credits will be needed for a high school diploma, rather than the present sixteen. French will become compulsory at least once during the high school program, thereby making French compulsory through junior high. Also, at least one fine arts program will be required for high school completion, with 1/2 credit necessary in physically active lifestyles and 1/2 credit necessary in independent living skills. Dr. Morrison stated that between now and 1995 the area of fine arts will have to be expanded. He illustrated that presently instrumental music is being offered to 50-60 students, and will have to be offered to 900. He stated that through wise and careful planning, we should be able to achieve this goal.

Dr. Morrison stated that the program offered is one of the best in the province. Dr. Morrison examined figures of student teacher ratios: the provincial average being 15.8 with Halifax County being 16.3. Dr. Morrison stated that these figures are often deceiving, as the figures are tabulated using 'teachers' as the number of people with a teaching license (this would include principals, etc.). The provincial average for homeroom size is 23.3, Halifax County 24.3. Enrolment is ever increasing. The estimated enrolment for 90-91 was 29,493 and has already exceeded 29,825. Dr. Morrison stated that there are 2,400 primary students to replace 1,900 grade 12. The operating cost per student is the second lowest in the province at \$3,500 with the provincial average being \$3,700. The average salary is not less than the provincial average. He stated that this may go up to some degree as a result of the young staff. He stated that with 823 teachers, only 3 retired.

Supplementary funding from the municipality makes up 3.05% of the total funding. With regard to building upkeep, Halifax County-Bedford is above average at \$4.18 per gross square foot. He stated that this is because of the higher level of staffing in the schools and the amount of use.

Dr. Morrison stated that supplementary funding goes to 3 general areas: the general formula (which includes supplies and teachers salaries), \$700,000 to property services and \$500,000 to special education. Dr. Morrison noted that no supplementary funding goes to continuing education, summer school, pupil transportation or capital equipment and minor repairs.

Dr. Morrison reviewed seven 1990 budget principles. He stated that the board is struggling through this part of 1989 and is expected to have a deficit, which will be added to the 1990 budget. Dr. Morrison stated that any further reductions in staffing at the junior and senior high levels will be under the requirements by the law. Dr. Morrison stated that the type of service now for

special education is much greater and more students with physical handicaps are attending.

Dr. Morrison stated that the intention of this exercise is to provide information and answer any questions without having dollar figures attached.

Warden Lichter stated that he appreciated the approach taken with the presentation.

Councillor Deveaux stated that council may now have a better idea of the impact that the lack of dollars may have.

Dr. Morrison stated that it may be useful to have Councillors visit schools to have a basic understanding of the programs offered. He stated that invitations would be extended.

Councillor Sutherland asked the number of new administrative positions created. Dr. Morrison stated that there was an average loss of one.

Warden Lichter stated that with regard to supplementary funding the board is still speaking in terms of a global budget. He stated that it would be helpful to have something that would show what could be provided with x number of dollars above supplementary funding, and what would be lost with a reduction in funding.

Councillor Merrigan agreed. He stated that he did appreciate that there was a better working relationship and educating the councillors in these matters was an assistance. He stated that he would like to see what the level of funding actually consists of in terms of services provided.

Councillor Reid stated that it would be beneficial to inform council of the levels of service that would be affected with dollar cuts.

Deputy Warden Baker raised the concern of area rates.

Councillor MacDonald stated that he has visited schools in order to look at the school board at a different angle. He advised that the demand for special needs was surprising. He stated that both sides have learned from past experience.

Councillor Cooper asked of new courses to be offered and the cost to the municipality. Dr. Morrison stated that any new courses would mean a redistribution of student enrolment. He stated that the general trend is to offer fewer courses at the high school level.

Councillor Richards stated that looking at the numbers presented it appears to indicate that we have the highest enrolment in NS, highest square footage in NS and yet the cost per square foot per student seems dramatically out of line. Dr. Morrison stated that this is because there are no spare classrooms and all buildings are totally utilized, as in Sackville High. It was being used for two different schools, day and evening shifts. Dr. Morrison added that we have

the best kept buildings in the province.

Warden Lichter stated that hopefully the members of school board will be able to meet with council a few times before actual budget come. Warden Lichter thanked the Dr. Morrison and Ms. Rix for attending.

PROPERTY REASSESSMENT, 1990

Mr. Harry McInroy, Regional Assessment Director, distributed an assessment awareness booklet, an information package about the oasis computer system, and the 1990 Assessment Information Booklet, put out by the Department of Municipal Affairs. Mr. McInroy advised that computerization of assessment and evaluation is not yet in Halifax County. He also advised that there would be a press information package to be distributed sometime in January.

Mr. McInroy stated that Municipal Affairs is providing a data base for municipal units to base tax rates and determine ability to pay and the impact on grants payable in lieu of taxes. He stated that this is standard across the province. Deed transfer affidavits and sales information, subdivision plans and processing of building permits - this has been the best year in processing documentation. He stated that as of November 21, 99% of documentation was in the completion stages, in each of the categories. Mr. McInroy stated that where possible, there will be 100%.

Mr. McInroy stated that 1990 is the next year for reassessment. He stated that the difference was that this time it will not be based on the previous January, but January of 1988. This is based on a sales analysis approach in the residential sector. He added that the department is doing a re-evaluation with a computerization program (OASIS) rather than the manual, unrealistic evaluation. He stated that commercially, there is a commercial team working in Metro, looking at economic rents through processing analysis rental market. He stated that they are coming to a consensus with the private sector: that this makes sense.

Mr. Peter MacLellan, Chief Technical Appraiser, Assessment Division, Department of Municipal Affairs, stated that they are trying to obtain continuity provincially in commercial reassessment. He stated that early in the new year, they will be putting together a special team within the regions who will be using computer analysis and having heavy data basing information available. He stated that they have consulted with private consultants, put together computer applications for uniformity and in addition to information, defensible unit indicators met with industry and major property owners and larger tenants to get their input on this issue. He stated that the major concern has been the non-uniformity and added that this reassessment should be one of the best as it is defensible, in line with industry, and trained staff is doing this uniformly in 15 regions.

Mr. McInroy stated that percentage wise, he does not have all the information yet, and will not until the roll is filed. He stated that an estimate would be 15-18% over the last assessment, whereas from 1986 to 1987 reassessment had a 47% increase. Mr. McInroy also stated that the growth feature will not be much

different from last year's 5.2%, at 5.9%. He stated that the would likely be a 12% increase overall for Halifax County.

Councillor Meade asked when the notices of 1990 reassessment would be going out. Mr. McInroy stated that it will be posted January 6, 1990.

Councillor Eisenhauer asked how a business run from a private home would be assessed. Mr. MacLellan stated that they would have a joint assessment.

Mr. McInroy stated that he would be available to answer any questions anyone may have about the documents distributed. Warden Lichter thanked Mr. McInroy and Mr. MacLellan for attending.

CANADIAN CHRISTIAN FESTIVAL, 1990

Warden Lichter welcomed Mr. Lorne White and Very Reverend Munroe to Council.

Very Reverend Munroe, Dean of the Anglican Cathedral stated that this is the third Christian festival to be held and will be held August 16-19 at the Metro Centre and World Trade and Convention Centre. The first festival was held in Ottawa in 1982 and in Calgary in 1986.

Mr. White stated that he attended a similar festival in West Berlin, Germany, with 150,000 people in attendance. He stated that the Atlantic Provinces will be able to share in some degree some type of intermingling of the various 'Christian' religions. Mr. White also stated that very renown speakers will be in attendance such as Arch Bishop Desmond Tutu, of South Africa.

Mr. White stated that there also are plans for marketplace possibilities, with approximately 75-85 booths which may give people in the community an opportunity to make some form of contribution through services. Mr. White also stated that there is a special planning team for the youth. Young people will be given the opportunity to become familiar with what they can do as young christians and assessments of their lifestyles.

Mr. White stated that there were many areas in which the county to play a role in accepting part of the ownership for the festival. These areas included sponsored events of either a harbour cruise for the youth or a light lunch for 3,000; cooperation and/or approval for a lighted cross on George's Island, transit services, shuttle buses; cash contribution of \$10,000; or welcome display ad in festival program, highway signage, appreciation awards, flags, or proclamations.

Mr. White then reviewed the budget for the festival.

Warden Lichter stated that when he met previously with Mr. White and Very Reverend Munroe, they did not talk of financial contributions and stated that council must be careful as not all taxpayers in the municipality are Christians. He advised the guests that the request would be taken to the executive committee for discussion and any contribution would have to be

delayed until after budget deliberations.

Mr. White and Very Reverend Munroe thanked Council for the opportunity to make the presentation.

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

"THAT this item be referred to the Executive Committee."

MOTION CARRIED

SOCIAL SERVICES, HOMEMAKER PROGRAM

Warden Lichter welcomed the guests to Council.

Mr. Moody thanked Council for the opportunity to make the presentation on behalf of the Department of Community Services. He began by stating that it was a valuable program both here and in a provincial context. He stated that this program was needed and that need would intensify with the changes to come in demographics. He advised that the coordination deals with health housing and social services to meet the needs of those persons who require assistance to remain in their own homes and thereby are given a better quality of life option.

Mr. Moody advised that this program is aimed at three client groups: seniors, disabled and clients at risk. He stated that the program consists of four areas: homemaker, nursing, voluntarism, and housing. He stated that some of these are in the form of "Meals on Wheels", friendly visiting, telephone check-ups, and low cost, low interest housing, etc.

Mr. Moody stated that just over two years ago a report was discussed regarding the need for homecare. It was a 200 page report with 42 recommendations. Nova Scotia needed to build a strong coordinated program. He stated that through public hearings across Nova Scotia and research across Canada, that this program was implemented with one single entry point, the homecare facilities. He stated that the programs ensures utilization of volunteers and promotion of voluntarism. He stated that this not only assists with funding, but also gives the community ownership. Mr. Moody stated that there is now equal access to the same services. The 42 recommendations were adopted by the government of Nova Scotia in the summer of 1987 and implemented in February/March of 1988.

Mr. Moody reported that from a provincial prospective they are attempting to acquire a collaborative foundation. He stated that in the past, cooperation among the ministries has not been good, often as a result of the bureaucracy. A policy overview document was developed and continues to grow. It outlines the policies which cover the program. The document has been approved by 5 Ministers of Canada, not one. They have also developed an assessment process that combines skills so that when an assessor visits the home, the person will look at the entire situation. He also added that it is expected that the reasons for entry and expected results are part of the evaluation process along with a reassessment date being set.