

sewage from distant points to the lagoon would triple the costs, and therefore, residents would not bother. He added that this would have been an environmental hazard.

MOTION CARRIED.

Letter from Fred Canavan, Councillor District 12 B, East Hants

Mr. Kelly reviewed the letter requesting support for the continuation for the present bus service provided by Acadia Lines.

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

"THAT this item be received."

Councillor MacDonald stated that this affects Halifax County and Acadia Lines runs through Middle and Upper Sackville. He stated that this should be referred to the appropriate committee and this committee make an additional presentation to the PUB on the behalf of Halifax County.

MOTION CARRIED.

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

"THAT this item be referred to staff for a report to examine which committee should handle this issue."

MOTION CARRIED

European and North-American Conference on Urban Safety and Crime Prevention

Mr. Kelly reviewed the letter from Bob Kaplan, M.P. asking support from Council for the draft resolution.

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

"THAT this item be received."

MOTION CARRIED

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

"THAT Council support the draft resolution on crime prevention."

MOTION CARRIED.

Department of Municipal Affairs

Mr. Kelly reviewed the letter regarding the Peggy's Cove Advisory Committee.

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

"THAT this item be received."

MOTION CARRIED.

Deputy Warden Baker stated that this is becoming an ongoing issue and thus shows the arrogance of a government that has been in office too long. He stated that Mr. Moody was supposed to get back to us promptly on this issue (this was in late November, 1989) and had stated that he saw no problem in returning the 3 properties. Deputy Warden Baker stated that Council is being deceived. He stated that the people of West Dover are not being treated fairly.

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

"THAT this Council request a meeting between the Warden, Deputy Warden, the Premier and his cabinet in respect to the problems in West Dover."

Councillor Fralick stated that he would be attending a meeting with the Peggy's Cove Commission this evening and hopes to attend. He stated that the study is being done and all members are considering this process as a 'jury duty'.

Councillor Eisenhower stated that the mandate of the Peggy's Cove Commission does not deal with this issue, but with the community. He suggested that the rock formation in the area, whether it is part of the glacial period deposit or not, may be the area that is creating the difficulty. He stated that the Peggy's Cove Commission cannot change legislation. He suggested following the route outlined in the letter and then if nothing comes about, then meeting with the Premier and his cabinet.

Warden Lichter stated that the Minister and Deputy Minister stated that they were waiting for the recommendation from the Peggy's Cove Advisory Committee, and when Warden Lichter tried to contact the Chair, by inadvertently using the wrong committee name, he was given no information. He stated that he then wrote to the individual and has been given no response. He stated that Council must go to the head.

MOTION CARRIED.

#### Canada Wildlife Federation

Mr. Kelly reviewed the letter.

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

"THAT Council proclaim April 8 -14, 1990, as National Wildlife Week."  
MOTION CARRIED.

#### Analysis of the Mainstreet Program

Mr. Kelly reviewed the memorandum.

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

"THAT this item be received."  
MOTION CARRIED.

Flashing Lights, Myra Road, Timberlea

Councillor Poirier stated that she has received correspondence from the Department of Transportation denying the request. She stated that she is concerned and the fire department has also expressed concern for the area.

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

"THAT Council write to the Department of Transportation requesting them to re-examine the situation in light of the concerns of the Councillor for the area and the community."  
MOTION CARRIED.

PAC REPORT

Application No. SB-07-89 - Subdivision By-Law Amendment - Middle Musquodoboit Servicing

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on February 12, 1990, 7:00 PM on this issue."  
MOTION CARRIED.

SUPPLEMENTARY PAC REPORT

Application No. RA-SA-12-89-15 - Rezoning Application by Barrett Lumber Company and Patricia Crowther - Lands Northwest of the Beaverbank Road - Millwood Drive Intersection

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on February 12, 1990, 7:00 pm to discuss this issue."  
MOTION CARRIED

Application No. DA-SA-09-86-16 - Development Agreement - Redden Brothers Development Limited

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on February 12, 1990, 7:00 PM to discuss this issue."

MOTION CARRIED

Application No. RA-SA-21-89-21 - Rezoning Application by Reverend Calvin Pretty, Old Sackville Road, Lower Sackville

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on February 12, 1990, 7:00 PM to discuss this issue."

MOTION CARRIED.

City of Halifax Case No. 5903 - Rezoning of Lands East of Herring Cove Road and West of the McIntosh Road

Mr. Kelly reviewed the report.

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

"THAT Council appeal the decision of City Council."

Councillor McInroy asked the reason for appealing. Warden Lichter stated that the rezoning from H Holding Zone, to RDD, Residential Development District Zone, would mean development, development would mean sewage. Warden Lichter stated that it was premature to open this land up for development especially in light of the ongoing regional sewage study. He stated that the only option is to appeal to the Municipal Board.

Councillor Ball stated that one problem that has not been challenged in the past is the Annexation Agreement of 1969, done by the Canadian British Engineering Consultants Limited, in which Halifax was given unlimited access to the trunk sewer a serviceable boundary was drawn up. He stated that if that boundary has been extended to the areas of Halifax City not serviced, this has an adverse affect on Herring Cove.

Councillor Ball stated that if this land is rezoned then development should be phased in and phased in slowly, to ensure that the trunk line, which we do not own, does not reach capacity.

Warden Lichter stated that when this reaches the Municipal Board we must present a case that shows this does not meet the intent of their municipal plan.

Councillor Ball stated that if they have extended this serviceable boundary, they have acted to the detriment of Halifax County.

Councillor Boutilier suggested that a staff report on whether we should appeal or not (pros and cons) should be done and brought back to Council on February 6, thus enabling us to meet the appeal deadline.

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

"THAT this be referred to staff, with input from the solicitor, for a report on whether Council should appeal this issue or not."

Councillor Ball stated that if Mr. Cragg decides not to appeal, these reasons should be substantiated as to why they feel that way.

MOTION CARRIED.

#### EXECUTIVE COMMITTEE REPORT

##### Antigonish-Eastern Shore Tourism Association

Mr. Kelly reviewed the recommendation to defer this item until budget deliberations.

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

"THAT the recommendations of the Executive Committee be approved."

Councillor McInroy stated that he was concerned with deferring this item. He stated that Council has already made the commitment to funding by the formula agreed to by the County: Equivalent funding to that of the province, split equally between the two associations. He stated that we must honour this commitment. He stated that these organizations have to budget as well. He stated that it is unfair to these organizations to cloud the budget with uncertainty.

Councillor Deveaux stated that he had assumed that these concerns had been expressed by the Executive and therefore moved the motion.

Deputy Warden Baker stated that Council made the commitment and has to go through with it.

Councillor Bates asked the percentage increase. Warden Lichter stated that it was approximately 20% increase. Councillor Bates stated that Council has committed itself to keeping these down to 5%. Warden Lichter stated that Council is committed to keeping taxes down to the cost of living increase.

Councillor Meade stated that M.A.T.A. has not performed adequately in the past year and any increase could be seen a 'reward'. He stated that he has not seen improvements to the tourist industry in his area.

Councillor Bayers asked if Council agreed to this policy. Warden Lichter

stated that it has. Councillor Bayers stated that Council cannot change this percentage unless they change the policy and this could only be done for the following year.

Councillor McInroy stated that as the Chair of the Tourism Steering Committee it is a matter of principle.

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

"THAT this item be deferred to the next Council Session and in the interim all members be given the final report and recommendations of the Tourism Steering Committee that was unanimously adopted by Council."

MOTION CARRIED.

#### Solid Waste Tipping Fees

Mr. Kelly reviewed the recommendation.

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

"THAT the request by the District School Board for rebate of the tipping fees be denied."

Councillor Eisenhauer asked the effect this would have on cost sharing. Mr. Meech stated that the School Board is not charged the environmental rate and allows for an equitable distribution of costs.

Councillor MacDonald stated that this was a straight forward request from the School Board so that this would not be reflected in their budget.

Councillor Deveaux stated that the School Board should approach Metro Authority. Warden Lichter stated that they did, and were denied.

Warden Lichter stated that this tipping fee would create the desire to reduce waste. He stated that this was a marvellous opportunity to drastically reduce waste in the schools.

MOTION CARRIED

#### Requests for Grants

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

"THAT the following grants be approved by Council:

b) District Capital Grant, District 5, \$5,000, for playstructure at Harrietsfield Elementary School Playground (County Owned);

c) District Capital Grant, District 8, \$1,500, to obtain the right-of-way for Downey Town Road.

- d) District Capital Grant, District 10, \$2,000, Ostrea Lake Volunteer Fire Department Equipment;
  - e) District Capital Grant, District 15, \$4,967.56, for Bus Motor, Beaverbank Transit;
  - f) District Capital Grant, District 16, \$772.50, for Fencing Walkway, Kaye Street;
  - g) District Capital Grant, District 17, \$1,000, for new doors for Waverly Fire Department.
  - h) District Capital Grant, District 17, \$900, for Installing Drainage Diversion System to Correct a Flooding Problem in Rolling Hills Drive;
  - i) District Parkland Grant, District 20, \$500, for Building Infield, District 20 Ballfield;
  - j) District Parkland Grant, District 22, \$2,200, for Paving Walkway, Alder Crescent - Balsam."
- MOTION CARRIED.

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

"THAT Council approve the following grant:

- a) District Capital Grant, District 3, \$5,979.02, for paving Bayview Drive Extension in Hackett's Cove."

Councillor Fralick stated that this applies only to the cul-de-sac which was upgraded and will enable busses and large equipment to turn around. He clarified that it was not for paving Bayview Dr. only the last portion and the cul-de-sac.

Councillor Deveaux stated that this would set a bad precedent.

Warden Lichter stated that 90+% of the road qualifies under the 15-year Paving Program, only the cul-de-sac does not qualify as it is not 15 years old.

Councillor Ball stated that he was sympathetic, but supporting this would set a precedent and this was not the right thing to do with grant funds. He stated that length of the portion was not the issue, it was the principle of it.

Councillor Boutilier stated that he was sympathetic but this would set a dangerous precedent. He stated that Council has guidelines that must be followed.

Councillor Bates stated that the position of the Executive Committee was that every once in a while one will come across a situation that is unique. He

stated that this situation, where 95% of the road is covered under the 15 year paving program and therefore 95% of the residents are not paying anything and 5% of the residents are paying. He stated that this was not a precedent and was a unique situation.

Councillor Snow stated that he agreed with Councillor Bates. He stated that this was no different than expropriating roads. He stated that this has to be done at the discretion of the councillor.

Councillor McInroy stated that this situation was not unique and was concerned about the issue. He stated that the cul-de-sac would increase property values and that this grant would be in conflict with the policies of Council.

Councillor Horne stated that he agreed with Councillors Bates and Snow. He stated that there must be some discretion in the way grants are handled. He stated that he supported Councillor Fralick.

Councillor Merrigan stated that the cul-de-sac is an essential part of a street and if this is not paved it will be an aggravation point to everyone on the road.

MOTION CARRIED 14 FOR  
11 AGAINST

Councillor Fralick thanked council and asked to be excused in order to attend a meeting in Peggy's Cove.

Councillor Ball stated that there should be review of the policies of the Capital Grants. He stated that it should be rewritten.

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

"THAT the policies of Capital Grant expenditures be re-examined by the Executive Committee."

Councillor Bates stated that there is nothing wrong with the policies. Councillor Ball stated that the policy was changed by the last motion and, therefore, it should be rewritten.

Councillor Bates stated that 14 Councillors agreed that this was a unique situation and that it was justified and not deviated from.

Councillor MacDonald stated that one will always find a circumstance that will beg for assistance.

Councillor Merrigan stated that the policy was created in 1983 before the 15 year paving program came into effect.

MOTION DEFEATED 11 FAVOUR  
13 AGAINST



Mr. Meech stated that the reason that paving and sidewalk construction was not included was that it was felt an adequate cost sharing arrangement 78/22 was in effect.

Debenture Issue - County's Portion Completed Projects

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

"THAT the County apply to the Municipal Finance Corporation for a \$4,000,000 bond to be issued in early 1990 and amortized over five years. The first principal payment on the issue to be paid in 1991."  
MOTION CARRIED.

Bond Issue for Lateral Charges

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

"THAT the County approach the Municipal Finance Corporation for a \$3,000,000 debenture issue when they go to the market in March or April of 1990 to finance the above costs being repaid by the property owners."  
MOTION CARRIED.

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Confidentiality of Complaints

Mr. Kelly reviewed the recommendation to leave the policy as it presently stands.

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

"THAT the Municipality's present policy protecting the confidentiality of a person lodging a complaint of a by-law infraction be maintained."  
MOTION CARRIED.

BUILDING INSPECTOR'S REPORT

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

"THAT this report be received."  
MOTION CARRIED.

Special Council Session, February 19, 1990

Warden Lichter informed Council that there would be a Special Council Session Per the Fire Advisory Committee on February 19, 1990.

SACKVILLE COMMUNITY COMMITTEE1990 Priority List - Sidewalk Construction - Sackville

Mr. Kelly reviewed the report.

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

"THAT the Municipality endorse the addition of McGee Drive from Glendale Drive to Caudle Park Elementary School, to the previously submitted list of priorities for sidewalk construction in Sackville for 1990.

AND FURTHER THAT the Department of Transportation be advised immediately of the addition of McGee Drive to the priority list."

MOTION CARRIED

Sackville Fire Station Relocation

Mr. Kelly reviewed the report.

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

"THAT the Municipality endorse the proposal regarding the relocation of the Sackville Fire Station, specifically the simultaneous construction of a Main station on the corner of Glendale Drive and Metropolitan Ave. and the construction of a Sub-station on the corner of Sackville Drive and Millwood Drive or an equally preferable site.

FURTHER THAT the firm Barrie and Langille Architects Limited be retained to complete the designs for the project."

MOTION CARRIED

PRIVATE RAIL CROSS CLOSURE, WELLINGTON

Councillor Horne stated that a private rail crossing at the end of Church Street by CN. He stated that this was a private crossing and was closed without consultation with the residents. He stated that in 1987 the residents could not afford the insurance required to maintain the crossing. Councillor Horne stated that there is another public crossing, but it is 1 km away. He stated that there has been considerable development in the area and the fire department is concerned with only 1 exit in the area. He stated that there is concern that if the one exit is blocked somehow or in some other emergency, then there will be no other way out except by water.

Councillor Horne submitted a petition signed by 65 residents which noted the concern for safety with only one exit to the area. Councillor Horne stated that with the closing of this crossing, school children will have to walk 1 to 1.25 km away to catch the bus, and people will have to travel 2 km to get their

mail. He stated that there has never been an accident or problem at this crossing. He stated that another alternative would be to have it made into a public crossing.

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

"THAT Council request CNR to take immediate steps to reinstate the private crossing with a copy to Hon. Ken Streach, MLA and to the National Transportation Agency, Mr. Gerry MacDonald;

ADDITIONALLY TO REQUEST THAT a public meeting with the residents of the area and CN officials be held in the Wellington area."

MOTION CARRIED

#### SUPPLEMENTARY REPORTS

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

"THAT the supplementary reports only be brought to Council if absolutely necessary."

MOTION CARRIED.

#### DISCARDED APPLIANCES

Councillor Smiley stated that she has received several complaints from residents and visiting tourists that appliances have been used as garbage collectors along the side of the road. She stated that these are not only unsightly, but pose a serious threat to children who could become locked inside.

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

"THAT our solicitor be asked to come back with a report on this issue."

Councillor Randall stated that he, too, has had similar complaints and would like to ask that the garbage contractors be contacted to find their position.

Councillor Deveaux stated that often if an item is on highway property, they will pick it up.

Councillor Horne stated that he has seen freezers with the lids still attached dumped onto abandoned lots. He agreed that these pose a serious threat to children who can become locked inside. He suggested that this is a subject Rural Services may wish to examine.

MOTION CARRIED.

PURCHASING POLICY, MADE IN CANADA ITEMS

Councillor Sutherland stated that the number of items in both the newspaper and on television that are not 'made in Canada' is staggering. He stated that some will claim this is more a question of economics, but he stated that we may be sacrificing quality for price. He agreed that we all have to be reasonable and do our share in making our economy move.

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

"THAT this Municipality adopt a purchasing policy that wherever economically feasible, that Made in Canada items be purchased."

Councillor Sutherland stated that inquires should be made to find a competitive price for items Made in Canada.

MOTION CARRIED.

TRAFFIC, ATLANTIC WINTER FAIR GROUNDS

Deputy Warden Baker stated that he is deferring this item until spring.

URGENT AGENDA ITEMSMaintenance - Kearney Lake Road

Councillor Eisenhauer stated that this is adjacent to the Town of Bedford and the problem is that it is a main thoroughfare from Hammonds Plains. He stated that maintenance has been downgraded and safety is not as timely as what is could be.

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

"THAT a letter go to the Department of Transportation, to protect the interests of District 18 and areas outside of the Town of Bedford in that they supervise the maintenance or the cost sharing formulas with the Town of Bedford to ensure that the roads are maintained in a safe condition."

MOTION CARRIED.

Councillor Eisenhauer stated that once the time goes by and they do provide maintenance, it is usually too late because the ice has built up. The City embarked on a sanding policy, but they are not using sand, they are using crusher dust. He stated that this is one of the elements they are concerned about in this agreement.

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

"THAT a letter be written to the Department of the Environment to have an analysis and consideration of the amount of crusher dust being put on Kearney Lake Road, and if this should be used at all or if sand should be

used or revert to salt, as crusher dust gets into Kearney Lake and the pollution of this lake is at stake."

Councillor Eisenhauer stated that this should be copied to the Minister and to the Town of Bedford.

MOTION CARRIED

#### COMMUNITY FUTURES

Councillor Adams stated that 'Community Futures' is one of six programs of the Federal Government's job strategy programs, available to Canadian communities who demonstrate peculiar or particular needs, to stimulate and assist the revitalization of depressed labour markets. He stated that in recent reports it is confirmed that District 8 identifies as one which has suffered from depressed labour situations. He stated that the Government of Canada through the Canada Employment Commission is prepared, after several years of requests, to address a number of Preston based initiatives to create industrial and employment opportunities in the community.

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

"THAT Council approve a resolution to the Honourable Barbara McDougall and the Honourable Elmer MacKay to ask the federal government to put in place a 'Community Futures' Funding Program for the Preston Communities with the purpose of accommodating a number of self-help initiatives aimed at reducing the regions high unemployment burden."

Councillor Bates asked Councillor Adams to amend the motion to include the Cherrybrook area of District 7:

"THAT Council approve a resolution to the Honourable Barbara McDougall and the Honourable Elmer MacKay to ask the federal government to put in place a 'Community Futures' Funding Program for the Preston Communities and the Cherrybrook area with the purpose of accommodating a number of self-help initiatives aimed at reducing the regions high unemployment burden."

MOTION CARRIED.

#### ADDITION OF ITEMS TO COUNCIL AGENDA, FEBRUARY 6, 1990

Councillor Sutherland: FEES FOR SERVICE, DEPARTMENT OF TRANSPORTATION

Councillor Snow: THE ENVIRONMENT

Councillor Adams: UNEMPLOYMENT INSURANCE

Councillor Randall: REPAIRS, CAUSEWAY ROAD

ADJOURNMENT

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

"THAT this session adjourn."

MOTION CARRIED

Council adjourned at 8:50 PM.

PUBLIC HEARINGS

MONDAY, JANUARY 22, 1990

PRESENT WERE:       Warden Lichter  
                  Councillor Poirier  
                  Councillor Fralick  
                  Councillor Ball  
                  Councillor Adams  
                  Councillor Randall  
                  Councillor Bayers  
                  Councillor Smiley  
                  Councillor Reid  
                  Councillor Merrigan  
                  Councillor Morgan  
                  Councillor Snow  
                  Councillor Eisenhauer  
                  Councillor MacDonald  
                  Councillor Boutilier  
                  Councillor Harvey  
                  Councillor Sutherland  
                  Councillor Richards  
                  Councillor McInroy

ALSO PRESENT:       Mr. G. J. Kelly, Municipal Clerk  
                  Mr. R. G. Cragg, Municipal Solicitor  
                  Mr. R. Spanik, Planner  
                  Ms. J. MacKinnon, Planner  
                  Ms. S. Bond, Acting Development Officer

SECRETARY:         Twila Smith

-----

Warden Lichter called the public hearings to order with the Lord's Prayer at 7:00 PM. Mr. Kelly called the Roll. Warden Lichter explained the procedures followed.

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

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

PA-PD5-05-89 Request by Linda Way

Mr. Rick Spanik presented the staff report stating that Linda Way requested a rezoning of her lands on Old Sambro Road in North Harrietsfield, from the R-2 (Two Unit Dwelling) Zone to the C-2 (General Business) Zone. The area in question is a relatively small residential enclave located along the Old Sambro Road just north of Harrietsfield. It is characterized by smaller residential lots, some of which back onto Weavers North Lake. There is also a noticeable amount of interspersed general commercial and industrial development on both sides of the road. This request cannot presently be considered as the property is located within the Residential Designation of the Planning District 5

Municipal Planning Strategy, the policies of which do not permit consideration of such uses.

In approving the Planning District 5 Municipal Planning Strategy in September, 1988, the Minister of Municipal Affairs redesignated this area from the proposed Industrial-Commercial Designation to the Residential Designation. It was indicated that there was insufficient policy support in the planning strategy to justify the application of the R-2 Zone within the Industrial Commercial Designation.

The Industrial-Commercial Designation in the North Harrietsfield area is intended to support the concentrated development of commercial and industrial uses in one portion of the plan area. The policy plan originally adopted would have permitted Council to consider the application of the fairly extensive C-5 (Industrial-Commercial Mix) Zone in this area, but staff suggests that only the more limited C-2 (General Business) Zone be considered. The C-2 zone limits business uses and restricts outdoor display.

#### Questions from Council

Councillor Ball asked if the original intent of the plan would allow the Industrial Commercial Mix. Mr. Spanik stated that it did. Councillor Ball then asked why the Minister did not go along with this. Mr. Spanik stated that the Minister felt that the plan as prepared did not have sufficient policy support: a technical matter not a matter of intent.

Councillor Boutilier asked if under the unsightly premises by-law if the situation that exists on this property is still outstanding. Mr. Spanik stated that prosecution has proceeded and a trial dates set. Councillor Boutilier asked if it would be correct to say that nothing had been done with the unsightly premises to this point. Mr. Spanik stated that this would be correct.

#### Speakers In Favour

None.

#### Speakers in Opposition

Mr. Tom Newton, an abutting property owner stated that several years ago when the zoning was coming in he had approached all the people in the area and all agreed to have the area zoned as R-2. After three years it was zoned as R-2. He stated that he has seen how Ms. Way has not gone by the laws of the county. He stated that she has promised to fix the abutting property and put up a wall, but no more than a few weeks later she had the property up for sale as a commercial property.

#### Questions from Council

Councillor Boutilier asked what his main objection is to this application. He



stated that Ms. Way disregards the law. He stated that if this premises is in the state it is under a residential zoning, one could not trust what she would do with the premises under a commercial zoning. He stated that the people in the area want the area left R-2.

Councillor Ball clarified that the lot had never been an approved lot and did not have Board of Health approval. He stated that it is not just the property of Linda Way, but all in the area. He asked Mr. Newton if anyone wanted this commercial zoning. Mr. Newton stated that they did not.

#### Speakers in Opposition

Mr. Donald Keddy, stated that he owns a farm and has residential lots for sale in the vicinity and owns the mobile home park in Harrietsfield, and therefore has an investment in the community. He stated that it would be a shame to turn this area into an industrial park.

Mr. Don Auby, an abutting property owner, stated that he and others in the community have done a lot to fix up their homes and property to keep it looking nice. He stated that the property of Linda Way is less than 10 feet away from his property line and for the last three years her lot has been in a disgraceful condition which bothers quite a few neighbours in the area. He stated that he was opposed to the rezoning and expressed concern that if this mess was allowed under an R-2 zone then he did not know what could be expected under a commercial zoning. He also expressed concern with the way the back of the lot has been filled in. He stated that products of demolition and rocks on her property has fallen onto his. He stated that he has had to hire someone to remove the majority of this debris and stated that large boulders and concrete still remains on his property. He stated that this property is a disgraceful mess and demeans the area.

Ms. Cathy MacKay, Harrietsfield Ratepayers Association stated that the association strongly opposes amendments to the zoning. She stated that some of these objections have been raised at the public participation session held in the area. She stated that given the sorry state of much commercial development that presently exists in Harrietsfield, the association is highly suspicious of any new commercial development. She stated that they are concerned about the environmental impact of commercial development on their community and at the present time it does not appear that the county shares their concern. In the past a number of violations have been reported by private individuals and it seems that the concerns of these individuals have fallen on deaf ears. One example of these violations is evident at Weavers Lake. There is an unsightly steel structure on it as well as many tonnes of concrete and other unknown materials. Much of the material has been bulldozed into the lake. She stated that if this is allowed to happen while the area is residential, then what is in store for the area if it becomes commercial. Photos of this property were submitted and circulated. She noted that this zoning would apply to not only this property, but others in the area. She stated that a petition was circulated to keep the area residential.

Questions from Council

Councillor Reid asked how long the steel structure had been on the site. Ms. MacKay stated about three years. Councillor Reid asked when the area was zoned residential. Ms. MacKay stated June of 1988.

Councillor Boutilier stated that at the public participation session the residents were against any commercial development in the area. Ms. MacKay stated that the commercial properties in the area get out of hand. She stated that the association is not condemning commercial development if it is not unsightly and neat.

Councillor Ball stated that the residents of the area are against this and the ratepayers association has seen what commercial development has done in the area and therefore is opposed.

Speakers in Opposition

Mr. Frank Duggan, who lives behind the lake across from Ms. Way's property, stated that he does not want the area rezoned commercial. He stated that there was enough trash there now and the lake is filled with garbage. He stated that when an inspector arrived to investigate he told Mr. Duggan to plant trees so that he would not be able to see the mess across the lake.

Questions from Council

Warden Lichter clarified that the lake was Weavers Lake. Mr. Duggan stated that it was. Warden Lichter asked if any residents were using the lake as a garbage site, or just the commercial. Mr. Duggan stated that it was all commercial dumping.

Speakers in Opposition

Mr. Carl McNeil, Old Sambro Road, stated his opposition to the rezoning and expressed his concern that his property value would decrease.

Decision of Council

Councillor Ball asked to clarify that a motion to reject this request required only a majority of those present and not a majority of the whole council. Mr. Cragg stated that this was the case.

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

"THAT Council reject the staff report and not give approval to amendments to the Municipal Planning Strategy and Land Use By-Law."

Councillor Reid asked for clarification from Mr. Spanik as to the uses permitted under the C-2 Zoning. Mr. Spanik stated that C-2 is general business, which would include small welding shops, small service related

industries, whereas, the C-5 zoning have enabled heavier industry to be established.

Councillor Reid stated that after hearing the concerns he stated that if the property was zoned C-2 it may be cleaned up and a retail outlet be put on the property.

Councillor Boutilier stated that with all due respect, if there had been some indication from Linda Way to bring her property up to an acceptable standard, the neighbourhood may have been more considerate of her requests. He stated that this matter has been going on for a long time and the people of the area are frustrated.

Councillor Ball stated that Linda Way has shown contempt for the residents and the Municipality. He stated that she has done everything not to clean this up and has done everything to frustrate the residents of the area.

Councillor Eisenhauer stated that Council was not dealing with just this one property. He stated all R-2 Zoned properties in the area would be affected and the residents have indicated that they have no interest in having a commercial zoning.

Councillor Morgan asked if this rezoning passes, if the commercial operation across the street from Linda Way's property could expand across to this property. Mr. Spanik stated that it could not unless it was a main use, not auxiliary.

Councillor Morgan asked if Linda Way's property could be used as a parking lot. Mr. Spanik stated that it could not.

MOTION CARRIED 17 FOR  
1 AGAINST

Application No. PA-PD5-07-89/ZAP-PD5-07-89 Amendments to the Planning District 5 MPS and Land Use By-Law

Ms. Joan MacKinnon presented the staff report stating that the Municipal Planning Strategy for Planning District 5 permits private road development in the eastern part of the Plan Area and prohibits it in the western portion. Private roads are permitted provided that they are not in areas serviced by Municipal sewer and water and are not within the western area. Where they are permitted the polity limits the number of lots per private road to ten. She stated that unlike other Plan areas, identification of the area within which private roads are permitted is not based on any particular land use designation, zone or service boundary. Both the included and excluded portions of the Plan Area contain Residential, Rural, conservation and Village Centre Designations.

The planning strategy's rationale for permitting private road development is based on three factors: (1) The high costs of constructing roads to public

highway standards due to coastal topography and bedrock conditions; (2) Interest by long-term residents in coastal areas in making lots available to family members; (3) Encouragement for residential development to locate off the main highways. Ms. MacKinnon stated that these factors apply equally throughout the Plan Area.

In evaluating plan policies, it is staff's opinion that there is insufficient planning justification for creating two different sets of rules for private road development within the same Plan Area. Such a distinction results in a perception of unfairness because it establishes different opportunities for subdivision on lands which have similar characteristics.

Provisions within the MPS establish control on the amount of private road development which will occur, through a limitation on the number of lots which may be created, and a restriction on private roads in serviced areas.

With respect to lot frontage, these subdivision exemptions generally permit the creation of one lot and a remainder per parcel of land in existence prior to 1950, where there is insufficient road frontage. However, there are also parcels of land in the excluded area where land configurations and lack of road frontage will create subdivision difficulties.

The direction from PAC to amend the planning strategy is in response to an application by Mrs. Vera Keating to subdivide her 60 acre parcel, located off the Old Sambro Road in Harrietsfield. The Keating property has not public Road Frontage and is located in the portion of the plan area where private road development is not permitted. Mrs. Keating has indicated that she wants to subdivide several lots along a right-of-way, referred to as Thompson road, for family members.

A preliminary Subdivision application for the Keating property submitted prior to the approval of the planning strategy, was rejected because Thompson Road was not an approved private road and did not meet the requirements for approval as a private road. With approval of the amendments contained in this report, Mrs. Keating or any other property owner would still be required to meet the requirements of the subdivision by-law. The Municipal Subdivision By-law requires that private roads meet the right-of-way, alignment and gradient specifications of the Department of Transportation.

#### Questions from Council

Councillor Fralick asked who owned the private road. Ms. Bond stated that the Department of Transportation has no records of ownership nor does LRIS. Ownership at the present time is unknown.

Councillor Sutherland asked if this amendment would be consistent with other districts. Ms. MacKinnon stated that it is fairly consistent.

Speakers in Favour

Mrs. Vera Keating, owner of the property, stated that she is not looking to subdivide to make money. She stated that she wishes to subdivide to give each of her 8 children a lot to make a homestead and therefore be together.

Questions from Council

Councillor Ball noted that even with this approval she would still have difficulty to get the Department of Transportation approval.

Ms. Bond stated that the problem is an access problem in terms of the entrance to Thompson Road and who owns it in order to obtain an easement. Until the ownership of the road is settled, it poses a problem.

Ms. Keating stated that she understood, now.

Councillor Merrigan asked if you have to own the road to obtain private road status. Ms. Bond stated that you either have to own it or obtain an easement for access clearly registered and to do that you need to know who owns it. Ms. Bond stated that no one has checked ownership any further than with DoT and LRIS.

Councillor Boutilier asked if abutting property owners will be affected. Ms. Bond stated that she has spoken to the gentleman and this would not affect him.

Speakers in Favour

Mr. Rene Gallant, Ratepayers Association, stated that the association has no objection to these amendments.

Speakers in Opposition

None.

Decision of Council

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

"THAT Council approve the amendments to the Planning District 5 Municipal Planning Strategy."  
MOTION CARRIED UNANIMOUSLY

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

"THAT Council approve the amendments to the Land Use By-Law."  
MOTION CARRIED UNANIMOUSLY

Adjournment

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

"THAT the public hearings adjourn."  
MOTION CARRIED

The hearings adjourned at 8:00 PM.

COMMITTEE OF THE WHOLE

WEDNESDAY, JANUARY 24, 1990

PRESENTATION OF THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR  
LAWRENCETOWN

PRESENT WERE:           Warden Lichter  
                          Councillor Meade  
                          Councillor Deveaux  
                          Councillor Bates  
                          Councillor Randall  
                          Councillor Smiley  
                          Councillor Reid  
                          Councillor Horne  
                          Councillor Morgan  
                          Councillor Eisenhauer  
                          Councillor MacDonald  
                          Councillor Boutilier  
                          Councillor Harvey  
                          Councillor Richards  
                          Councillor Cooper

ALSO PRESENT:           Mr. G. J. Kelly, Municipal Clerk  
                          Mr. R. G. Cragg, Municipal Solicitor  
                          Ms. V. Spencer, Director, Planning & Development  
                          Mr. T. O'Carroll, Planner  
                          Mr. D. Grady, Lawrencetown Community Committee

SECRETARY:             Twila Smith

-----  
Warden Lichter called the meeting to order at 7:00 PM and welcomed guests.

Overview of Public Participation Process - Mr. Don Grady

Mr. Grady stated that the Lawrencetown issue has been before Council regularly in the last 12 years. He stated that the committee was originally elected in 1978 and was instructed to participate in a two phase planning process. The first phase of which involved discussions on behalf of the community with the Government of Nova Scotia directed at the acquisition of recreational lands which the government wanted to purchase in the Lawrencetown area. That phase took from 1978 - 1984, although when originally drafted in 1980 it was estimated that this acquisition would take 6 months. In 1984 it appeared that the Government of Nova Scotia had been successful in purchasing land at Lawrencetown Beach, Stoney Beach, and at Conrad's Island, but the government had been unable, or unwilling, to proceed with the acquisition of the lands called the view plane lands (an area of 400-600 acres overlooking Cole Harbour on the east side). In 1984 Mr. Tom McInnes, contacted the LCC and met with them. He acknowledged that the acquisition of lands was not yet complete and that the original Lawrencetown proposal had required government success or failure

unwilling buyer or willing seller purchase of the lands concerned. Mr. McInnes apologized for the slow negotiations and requested that the LCC hold a community meeting and convey to residents the governments request that our detailed plan would proceed even though the land acquisitions phase had not yet been completed. The LCC went before the community in 1984 and put the Government of Nova Scotias request to the community and that request was granted by the community meeting itself, so that in 1984 the process of two phases temporarily undertook the beginning of phase two pending the completion of phase one.

Mr. Grady continued, stating, that between 1978 and 1984, the Government while being unable to purchase the view plane lands had kept its commitment and released all restrictions on lands in Lawrencetown on the basis of willing buyer or willing seller and therefore the LCC found themselves with the mandate to proceed with a detailed MPS for the area and found that the Municipality of the County of Halifax assigned a planner for Lawrencetown and set to work in the winter of 1985 and the final draft is now before Council.

Mr. Grady stated that in the first two years, the LCC did their best to protect the environment, particularly the ground water and serviced water of Lawrencetown, to prevent high density residential subdivision development in the community and to develop a plan which maintained and sustained the semi-rural character of the community. This included halting intensive commercial development, ensuring that the principle of the private use of property by the homeowners was respected, denying central water and sewage as a principle for the Lawrencetown Community - in view of the topography, very limited water resources and the need to prevent pressures of high density residential subdivisions.

Mr. Grady stated that they were reminded that the overall goals in the original Lawrencetown proposal were clear and that the principles they should employ in putting together the plan should honour those goals. Public participation proceeded through a first draft of this plan which in the fall of 1988 was presented to the Municipal Planning Committee of Council and was thoroughly reviewed by members of Council and representatives of LCC. A revised draft was taken to the community in the summer of 1989 at which a number of questions were raised. The community instructed the LCC not to include areas of commercial development in the plan at the Mineview Road and Highway 207, at the intersection of West Lawrencetown Road and Highway 207, or at the intersection of Conrad's Road and Highway 207. Following these instructions the draft was edited to incorporate this and make provision for a modest area available for rezoning to commercial use in Lawrencetown so that the future of the community would be served.

Following a second review of the plan with MPC in the summer and fall of 1989 and according to the mandate of the community, this was taken to a community vote at which time a narrow majority voted against this



draft of the plan. As a result, the LCC has called a community meeting for February 1, 1990 when the LCC will make a report to the community about the vote and make some proposals and give residents the opportunity to express concern and ask questions.

Mr. Grady stated that a number of members of the LCC were disappointed by the vote results and have since indicated that they do not wish to continue to serve on the LCC. Mr. Grady thanked Council, members of MPC and PAC for their assistance in this matter.

Overview of the Municipal Planning Strategy and Land Use By-Law -  
Mr. O'Carroll

The overall intent of the MPS is to guide and regulate development in Lawrencetown with the twin goals of protecting the natural environment and maintaining the rural and semi-rural nature of the Plan Area. This general intent is implemented through specific policy direction in the areas of residential, commercial and industrial development, as well as through the establishment of policies related to environmental protection.

The semi-rural residential environment is maintained by permitting only low density residential uses and providing for extensive home business uses and non-intensive and small-scale resource uses. Development on central services is prohibited.

Measures for environmental protection are universal. Development in the vicinity of all watercourses is subject to increased setbacks in order to protect water quality. The planning strategy also supports the Cole Harbour Lawrencetown Coastal Heritage Park.

New local business store uses may be considered on five lots in Upper Lawrencetown. New industrial development is permitted on a parcel of land adjacent to Highway 107.

Provisions are made to accommodate existing commercial and industrial uses by listing them in an appendix to the land use by-law. These uses can be expanded on the property where they are now located. They cannot be changed to another commercial or industrial use or expand onto another property.

**Land Use Designations**

The Lawrencetown Designation recognized the predominantly semi-rural nature of the community. The intention is to protect the existing residential environment and to support future low density residential development, as well as home businesses, municipal facility uses and non-intensive and small-scale resource uses that are compatible with

the goal of protecting the natural environment of the plan Area. Community facilities not owned by the Municipality and larger scale home businesses may be considered by development agreement.

The strategy supports restrictive R-1 (Single Unit Dwelling) zoning for four existing suburban single unit dwelling subdivisions, but does not support new residential developments receiving the more restrictive single unit dwelling zone. While development on central services is prohibited, the designation supports small-scale cluster developments of single unit dwellings serviced by common on-site sewage disposal systems.

Existing commercial and industrial uses are listed in an appendix to the land use by-law and permitted to expand. New commercial and industrial uses are not permitted except for small scale local business store uses, which may be considered by rezoning on five lots in Upper Lawrencetown. Campgrounds may be considered by development agreement.

Mr. O'Carroll then reviewed the individual policies as noted in the Proposed Municipal Planning Strategy for Lawrencetown booklet.

#### Light Industrial Designation

The intent of the Light Industrial Designation is to provide for future general commercial and industrial activity in an area with potential for access to Highway 107.

The Light Industrial Designation will accommodate light industrial, commercial and community uses (I-1 Business Industry Zone). Light manufacturing a process operations, heavy equipment and transport facilities and maintenance yards may be considered by rezoning (I-2 Light Industry Zone).

#### Special Area Designation

The intent of the Special Area Designation is to protect the unique biological and physical characteristics of Cole Harbour, West Marsh, Lawrencetown Lake, Conrads Island and Lawrencetown Beach, and to support the development of the Cole Harbour-Lawrencetown Coastal Heritage Park system.

The Special Area Designation is established in recognition and support of the Cole Harbour-Lawrencetown Coastal Heritage Park and permits non-intensive park uses and limits the maximum total gross floor area of all buildings on a lot to 10,000 square feet.

The plan requires that the provincial government settle matters related to the privately owned "View Plane Lands" off West Lawrencetown Road. Either the Province enters into binding sale agreements (based on the

principle of willing buyer-willing seller), with the owners of these properties in the few months remaining until the adoption of the plan by the Municipality, or removes all provincial development restrictions. As the government has not purchased to date, the lands are exempt from the Special Area Designation and may be used according to the Lawrencetown Designation.

#### Environmental Concerns

Lawrencetown presently depends entirely on privately owned on-site services. In order to prevent an increase in density, thereby changing the rural character of the community, public central water distribution systems and public or private central sewer systems are prohibited. However, the establishment of Wastewater Management Districts utilizing clustered on-site disposal systems is not supported.

Municipal central water systems and/or municipal or private central sewer systems are prohibited in the Lawrencetown Plan Area. Wastewater Management Districts utilizing clustered on-site sewage disposal systems may be established by Council.

Mr. O'Carroll stated that other provisions are made for on-site sewage disposal systems, hazardous wastes, stormwater management, watercourse protection, salt marshes, transportation, existing uses, extractive operations, heritage conservation, recreation, education, fire protection and implementation.

#### Sandra Romans, Lawrencetown Community Committee

Ms. Romans stated that the LCC was formed for the purpose of developing a plan to address the area on these issues: residential, environmental, and commercial/industrial development. A community vote was held on this final draft on January 13, 1990 at which time the plan was rejected with the final results being 236 against, and 211 for. Ms. Romans stated that the turnout was encouraging and shows that the residents of Lawrencetown are concerned with the future of their area.

Ms. Romans stated that although 53% voted against the plan, she believes that the plan is workable. She stated that some residents are not entirely opposed to the plan, but have concerns over some issues that were not adequately addressed or completely ignored. These include: (1) no provision for water and sewer, (2) restricted commercial land use, (3) minimum road frontage on highway 207, (4) general setback from water - 100 feet, (5) RR-1 zoning within subdivision, (6) limited availability of land for industrial use, (7) non-resident land owners were not permitted to vote.

Ms. Romans stated that the residents of Lawrencetown want a greater say in the input in terms of the growth and development of their area. When individuals are unsure about something they either stay away, or vote against change or progress. On February 1, 1990 a general community meeting will be held and she will recommend that the plan not proceed to the public hearing stage, but rather back to the community to resolve the questions.

Ms. Romans stated that it was not necessary to start over again, but they can work with the residents in dealing with this issue and go to another vote within 6 months.

#### Questions from Council

Councillor Reid questioned Part 9, p. 39 #8, to stated that no nursery shall be located less than 500 feet from the rim of any watercourse. He questioned the term "rim" and suggested that this may be impossible.

Mr. O'Carroll stated that this was consistent with Section 6.18 and would include the bank or highwater mark.

Warden Lichter stated that in the original plan for the area it was stated that nurseries had to be located 1200 feet from a watercourse (which was deemed unfair and was decreased to 500) which suggested that 500 feet is possible.

Ms. Spencer stated that the term "rim" is used in all by-laws and is common.

Councillor Bates asked Ms. Spencer if she agreed with the views of Ms. Romans.

Warden Lichter stated that it was not staff's obligation to answer.

Councillor Boutilier stated that the turnout for the vote was good. He stated that with the indication that there will be an election for LCC members in the near future, and with the possibility of all new members, it would not be logical to expect that if this went back to the community that results would come back to council in 6 months. He stated that he would be hesitant not to proceed to the public hearing stage.

Councillor Cooper stated that the problem arising is for members of council to determine what the vote was saying. He stated that with that close of a vote it could be very small matters or large ones. He stated that to have the possibility of a new LCC and then try to establish changes and amendments to the plan without a clear determination as to where the changes should be made would lead us down the wrong path. He stated that it may be in the best interest of the

community so that we can find areas of concern that need to be explained. He stated that he, himself, had many concerns, and he would like to hear the community tell council why they voted against this and thereby monitor this issue.

Councillor Eisenhauer stated that he has been on PAC since November and at his second meeting had concerns with the plans, an example being the use of an appendix and listing of businesses or existing lots. He stated that there was no room to accommodate these changes. He stated that he did not see how council could salvage this plan and stated that it must go back to the area.

Councillor Harvey stated that the proper place for public input is at a public hearing process. He stated that had no vote been taken, the procedure would be to hold a public hearing. Councillor Harvey suggested that the vote is not all that important in settling this matter. He stated that there was no promise that there would be another vote.

Councillor Morgan stated that if the 236 people who voted no could make minor changes, the plan could be implemented. He stated that he was in favour of the public having input before council and expressing their concerns to Council.

Councillor Deveaux stated that most were not in favour of the plant and it should go back to the people. He stated that it was a close vote and a lot of work has been done up to this point and Council should put faith in these people. He stated that he was confident and that they deserve our trust and that they could come back with a plan that is acceptable to the majority of the people.

Councillor Boutilier stated that if council went to a public hearing, then Councillors would listen to the public input. He asked Mr. Cragg if it would be possible to approve the MPS in principle but at the same time the areas of concern be addressed; or was it either adopting as is or rejecting.

Warden Lichter stated that it would depend on what was heard at the public hearing. He stated that council could indicate that certain sections of the plan are acceptable and the other areas to be sent back to staff for further work along the lines of the arguments heard at the public hearing.

Councillor Reid asked the basis of the promise of a community vote as this was a different process than usual. Warden Lichter stated that the promise was given from a provincial politician and relayed to the community through the LCC. He stated that he would like to have people come before Council to tell councillors what they would like to see.

Councillor Cooper stated that he did not think that the people involved in this could be very far off from what the community wishes in that it would have to be completely reworked. He stated that exceptions or relaxation on restrictions could swing the vote to make the majority say yes. He stated that another community vote could drastically alter something that is very close to what the community wishes.

Councillor MacDonald stated that the vote was simply a sampling of the views of the residents. He stated that it was a close vote and Council should go ahead with a public hearing.

Councillor Randall thanked the LCC, MPC and congratulated the community for their input throughout the process. He stated that he had no doubt that the people of Lawrencetown want a plan and that they want one in place as soon as possible. He stated that to go back to square one is not possible as there are too many good things in this plan. He stated that Council must find out what the vote meant and why persons voted against it. He stated that Council should not change the process and holding a public hearing was the route to take.

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

"THAT the date of February 26, 1990, be ratified and proceed to a public hearing for proposed amendments to the Municipal Planning Strategy and Land Use By-Law for Lawrencetown as proposed by staff."

MOTION CARRIED UNANIMOUSLY

#### Adjournment

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

"THAT the Committee of the Whole adjourn."

MOTION CARRIED.

The meeting adjourned at 8:30 PM.

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

FEBRUARY COUNCIL SESSION

TUESDAY, FEBRUARY 6 & 20, 1990

&

PUBLIC HEARING

<sup>+26</sup>  
FEBRUARY 12, 1990

&

JOINT COUNCIL SESSION

FEBRUARY 5, 1990

&

SPECIAL COUNCIL SESSION

FEBRUARY 19, 1990

INDEX

FEBRUARY COUNCIL SESSION - 1990

Aerotech Park - Financing - - - - -	34
Bus Service - Preston, Cherrybrook/Westphal Area- - - - -	2-3
Building Inspectors Report, Lesser Setbacks - - - - -	17
By-Law Amendments - - - - -	34
CN Road Crossing - Eastern Passage- - - - -	19
Development Officer Report- - - - -	18
Department of Transportation - Fees for Service - - - - -	18-19
Davis Developments Limited- - - - -	25-30
Development Officer Appointment - - - - -	36
Grants- - - - -	9&34
Halifax County/District School Board- - - - -	32-33
Letters & Correspondence- - - - -	2-3&24-33
Lake Major Watershed Area - - - - -	24-25
Motion - Appointment of Recording Secretary - - - - -	1&23
Motion - Approval of Minutes- - - - -	1-2&23-24
Motion - Letters & Correspondence - - - - -	2-3&24-33
Motion - Bus Service, Preston/Cherrybrook/Westphal Area - - - - -	2-3
Motion - Appeal RE Rezoning Halifax City - - - - -	3-5&20-22
Motion - Dates for Public Hearings- - - - -	5-6
Motion - S.M.A.R.T. - - - - -	6
Motion - Temporary Borrowing Resolutions- - - - -	6-8&33-34
Motion - Loan, Sheet Harbour Fire Dept. - - - - -	8-9
Motion - Vehicle Acquisitions -- - - - -	9
Motion - Grants - - - - -	9&34
Motion - Sewer Easement, Sandalwood Subdivision, Cole Harbour - - - - -	9
Motion - Personnel Policies - - - - -	10-11
Motion - Presentation, Anchor Industries & Atlantic Winter Fair - - - - -	11-17
Motion - Building Inspectors Report, Lesser Setbacks- - - - -	17
Motion - Tourism Steering Committee Report- - - - -	17-18
Motion - Development Officer Report - - - - -	18
Motion - Fees for Service, Department of Transportation - - - - -	18-19
Motion - CN Road Crossing, Eastern Passage- - - - -	19
Motion - Taxi Service - - - - -	20
Motion - Accidents, Hwy. 101 - - - - -	20
Motion - Adjournments - - - - -	22&38
Motion - Lake Major Watershed Area - - - - -	24-25
Motion - Davis Developments Ltd.- - - - -	25-30
Motion - Solid Waste Management Advisory Committee - - - - -	30
Motion - Rezoning Application, Patricia Keeping - - - - -	31
Motion - Halifax County/Bedford District School Board - - - - -	32-33
Motion - Restructuring, Planning and Development Dept. - - - - -	33



INDEX

FEBRUARY COUNCIL SESSION/90

Motion - By-Law Amendments - - - - -	34
Motion - Financing Aerotech Park - - - - -	34
Motion - Transit Complaint - - - - -	34
Motion - Mill Cove Capacity Study - - - - -	35
Motion - Weed Inspector, Appointment - - - - -	35
Motion - Interchange, Highway 107, Extension - - - - -	35-36
Motion - Development Officer Appointment - - - - -	36
Motion - Beechville/Lakeside/Timberlea Transit - - - - -	36-37
Motion - Municipal Board Appeal, Alvin MacDonald - - - - -	38
Public Hearings - Dates - - - - -	5-6
Personnel Policies - - - - -	10-11
Presentations - Anchor Industries and Atlantic Winter Fair - - - - -	11-17
Planning & Development Dept. - Restructuring - - - - -	33
Rezoning - Appeal RE Halifax City- - - - -	3-5&20-22
Rezoning Application - Patricia Keeping - - - - -	31
S.M.A.R.T. - - - - -	6
Sheet Harbour Fire Dept. - Loan - - - - -	8-9
Sandalwood Subdivision - Sewer Easement - - - - -	9
Solid Waste Management Advisory Committee - - - - -	30
Temporary Borrowing Resolutions- - - - -	6-8&33-34
Tourism Steering Committee Report - - - - -	17-18
Taxi Service - - - - -	20
Transit Complaint - - - - -	34
Transit - Beechville/Lakeside/Timberlea Area - - - - -	36-37
Vehicle Acquisition - - - - -	9
Weed Inspector - Appointment - - - - -	35

JOINT COUNCIL SESSION

MONDAY, FEBRUARY 5, 1990

PRESENT WERE:

Warden Lichter  
Councillor Meade  
Councillor Poirier  
Councillor Fralick  
Deputy Warden Baker  
Councillor Deveaux  
Councillor Bates  
Councillor Adams  
Councillor Bayers  
Councillor Smiley  
Councillor Reid  
Councillor Horne  
Councillor Merrigan  
Councillor Morgan  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Boutilier  
Councillor Harvey  
Councillor Sutherland  
Councillor Richards  
Councillor McInroy  
Councillor Cooper

ALSO PRESENT:

Mr. K. R. Meech, Chief Administrative Officer  
Mr. G. J. Kelly, Municipal Clerk

SECRETARY:

Twila Smith

-----

Warden Lichter called the meeting to order at 6:00 PM and welcomed the Bedford Council Members.

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

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

HALIFAX COUNTY REGIONAL LIBRARY FUNDING

Councillor Reid, Chairman of the Library Board, stated that the Library Board has approached the provincial government to request moving towards the level of funding of the two cities. He stated that they have looked at the requests and are taking them to the Management Board for approval. He stated that this special session is to receive formal support from the two councils to move toward the two cities' levels of funding in a three year period.

Warden Lichter asked if a five year phase in would be acceptable. Councillor Reid stated that the Library Board prefers to have the three year phase in which would give them the ability to implement vast improvements to the system in the region.

Mary Gilliss gave a history of the funding formula, the level of service and the reasonable direction in which the Library Board feels the Councils should go.

#### Background

When the formula was released in 1987, Halifax County Council, the Town of Bedford Council, and the Library Board were concerned about the shortcomings we perceived in the formula. Our concern was in the capital operating portion of the formula, particularly in relation to the low level of base funding and loss of provincial cost-sharing for the third year's operating costs for new facilities.

Both Councils requested consideration of a higher per capita rate for our region. We recognized that the per capita level proposed was too low to accommodate the proposed new Cole Harbour Branch costs in its third year, or any other new branches.

We understood that the formula would be reviewed in 1990. Our expectation was that the per capita rate would be increased for the nine regions to bring them closer to the two cities' rates.

Ms. Gilliss stated that the growth of the population in the region meant that the level of service was not even a basic level of service on a per capita basis. She stated that from 1976 to 1986 the increase over the 10 year period appears to be 50-65%, however, when the increased population factor is examined that increase is reduced to only 12-23% over 10 years.

Ms. Gilliss stated that the province is looking at having a basic level of service, bringing 9 of the 11 regions up to the same rate. She stated that Halifax City and Dartmouth are not on the funding formula.

Ms. Gilliss reported that, in 1988, next to Halifax City and Dartmouth, Halifax County has the highest average number of people per branch, but the book stock per capita (1.21) is the second lowest of the 11 regions ("C" Level Guidelines = 2, and Provincial Average = 1.71). Halifax County ranks eighth in the number of staff per 1,000 population at .34, well below the .6 "C" Minimum Level Guidelines and the .41 Provincial Average.

Ms. Gilliss stated that the minimum level of service was researched and a minimum acceptable level = "C"; intermediate level of service

= "B"; and an excellent level of service = "A". She stated that Halifax County is substantially below this minimum level, even with the significant improvements with the addition of the Cole Harbour Branch.

Ms. Gilliss reviewed the funding formula:

The Old Funding Formula:

Base operating costs + New branch and regional operating costs =  
Year 2

The New Funding Formula

Base operating costs + capital; New branch and regional support  
operating costs

Year 2:

Base operating Costs + Capital; New branch and regional support  
operating costs

Year 3:

Base operating Costs (original base for funding) only.

Ms. Gilliss stated that there were cases where this formula would work. (1) If the guaranteed funding per capita was high enough to accommodate the on-going costs of a new branch. She added that our service levels were one of the lowest levels in the province and the guaranteed per capita funding rate allowed the region only to maintain this low level of service. (2) If the cost of operating the new branch was so minimal, it could be assumed within the existing guaranteed budget. She added that in their case, they were establishing a new branch for the largest-sized community in the province without a branch library. She stated that they were establishing the branch according to our regions' guidelines which have been achieved in other branches in our region. (3) If the new branch is a replacement of an existing service for which base operating costs exist. Ms. Gilliss stated that the Cole Harbour Branch was a new service instituted for the first time. It will increase the use in the system by 50%. Ms. Gilliss stated that in moving from Group One per capita funding to the proposed Group Two, the guaranteed per capita funding for our region will become high enough to absorb the ongoing operating costs of new branches.

Ms. Gilliss stated that the province will not go ahead on this matter until they receive the support of the two councils for the new rate.