

COMMITTEE OF THE WHOLE

November 16, 1992

PRESENT WERE: Deputy Mayor Richards
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Ball
Councillor Adams
Councillor Smiley
Councillor Taylor
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor McInroy
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk
K. R. Meech, Chief Administrative Officer
Julia Horncastle, Recording Secretary

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The meeting was called to order at 6:00 p.m.

OVERVIEW OF THE PLAN REVIEW PROCESS FOR THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR NORTH PRESTON, LAKE MAJOR, LAKE LOON/CHERRY BROOK AND EAST PRESTON

Jim Donovan made the staff presentation. He said the process started in 1988 and, in this particular plan area, it started on February 9, 1988 with a meeting at the Graham Creighton Junior High School in Cherry Brook. The meeting was well attended and many residents expressed concern about the present status of planning in their area and the need to update the current planning documents. They expressed their desire for individual services such as sewer and water etc. After several years it has come to the point where there is a draft plan and by-law for discussion.

He said there was a survey distributed to all households and businesses in the plan area after the initial meeting. There was approximately an 11% response rate to the questionnaires. The discussion papers that ensued and discussed at the Plan Review Committee level were based on some of the responses of that questionnaire. There were three public meeting hosted by the Plan Review Committee. He said many people expressed concern about the alignment of the 107 bypass and the committee went back to the community with representation from the Department of Transportation

to answer questions on that particular issue. He said there were nine evening meetings held by the Plan Review Committee in council chambers throughout 1988/89/90 to receive submissions from anyone in all plan review areas that were being reviewed. These meetings were open to the public and were advertised.

He said the open house sessions to review the draft Planning Strategy and Land Use By-law were held last month in the Cherry Brook community. The October 8th open house was followed up by a public meeting that was attended by the Plan Review Committee as well as residents in the area. At that meeting the plan was formally presented to the residents. There were a total of 56 meetings held by Plan Review Committee at which this particular plan area was discussed. There was a committee that was struck within the community of North Preston to review the status of planning in that community. That group met on several occasions and met once with staff in order to formalize their submission to Plan Review Committee. That submission was made in April, 1989. A lot of the changes to the plan review documents were made in response to that submission as well as several other submissions that were made by individual residents in the communities.

He said all the meetings that were held and all the open house sessions were advertised in the local papers as well as advertised on the local radio stations and through the churches in the area. He said this basically summarizes the process.

He said he would go over the significant changes that were made. He said the Plan Area Profile has been revised in order to include a section on historical development of the area and to include some references to update population figures and developments. The transportation section includes a road classification system that classifies the local and major roadways in the community with the 107 being the most significant road and then the local roads being the local subdivision roads. There has also been some inclusion of references to the most recent alignment of the proposed 107 by-pass.

He said there are policies to support limited subdivision on private roads in this plan area where there were no such policies in place before. He said that up to ten lots could be created along a private road outside the Lake Major watershed. The provisions with respect to private roads are in response to an identified need within this particular plan area for building lots that are available at low cost to residents of the communities. This policy, although it is somewhat limited by the number of lots that can be created on a private road, should respond to that request by residents. There is also an intention expressed in the strategy to retain the existing commitment expressed by the municipality to investigate ways of amending the subdivision by-law in order to recognize existing private rights of way that have been developed over the years throughout this area. He said these are

different than private roads, they are just driveways where people have developed lots over the years and, under the present scheme of things, it is very difficult to get building permits or additional lots approved along those roadways. He said there is a desire on the part of residents to see some of those roads upgraded to some kind of standard whereby they could create individual lots on them. At the present time, that can't be accomplished but there is an intention to do further work on that.

The services part of this strategy forms a fairly significant part of this plan both from the perspective of residents who are looking for ways to improve their existing level of services as well as from an environmental standpoint in regards to protecting natural watercourses, groundwater and the quality of the water in the Lake Major watershed. There is still an emphasis, in the present planning strategy, expressed in this proposed planning strategy, to retain the desire on the part of the municipality to provide central services to these areas in terms of achieving the most economical and environmentally safe systems overall.

He said there is a policy towards investigating ways and means by which central servicing option could be considered by East Preston along the lines of a waste water management district or any other suitable alternative. There is not an expressed commitment to provide central sewer and water to East Preston but there is a desire to look into the feasibility of providing such a system at an economical cost. He said he feels the wastewater management district is the best option for that community. He said there is updated references to the Lake Major watershed and protection of the water quality within that watershed expressed in the planning strategy. Since the time of the initial planning strategy was adopted in 1981 the Lake Major watershed has had a legal survey and has been designated a protected water area under the Provincial Water Act.

He said there is still emphasis on the need for improved housing, improved recreation and development opportunities which are expressed in the existing MPS. There is also a need to clarify land titles which is still a problem in that Lake Major Plan area, particularly in North Preston and, to some extent, East Preston.

He said the various land use designations which are established under the present MPS has been retained. The boundaries of the designations have been adjusted slightly in order to correspond more expressly with property lines. The mixed use designation applies to the majority of the developed communities of North Preston and East Preston. The residential designation applies primarily to Cherry Brook. The resource designation applies to the backland areas that are inaccessible to the public road system and to the areas within the Lake Major watershed. There is also a highway commercial designation and some conservation designation around the lakes.

He said some policies have been changed in order to provide for some flexibility or clarification of the existing policies that apply within those designations. In the mixed use designation there is now a policy towards supporting larger scale commercial developments within a commercial zone which didn't exist before. There is now an option if someone wants something in excess of 2,000 square feet for a commercial building of applying for a development agreement or, if they are in the desired location, a C-2 zone. This zone would permit up to a 5,000 square foot building. Anything beyond this would still go by a development agreement.

He said the MPS has been made a little more clear with respect to what certain developments, which would be permitted in the mixed use zone, would not be permitted in the watershed. He said it is important to bear in mind that the watershed boundary takes in several areas. It is not self included within it's own designation. He said, most significantly in North Preston, it takes in part of the resource designation, some conservation designation and mixed use designation. He said where the zone might say you can have an automobile repair outlet, there is further clarification that within the watershed you cannot have an automobile repair outlet by right. You would have to go through a development agreement process so that the effects of that type of operation on the water quality and watershed can be evaluated.

The residential designation would continue to apply to the Lake Loon/Cherry Brook area which is reflected in the present planning strategy. This is in recognition of these two communities to suburbanizing Westphal area. Within that designation there is still residential zoning which is fairly restrictive. There is also an attempt to identify areas within the mixed use designations for application of that more restrictive residential zone. He said some residential zoning has been applied in East Preston along Bell Street and in the Preston area housing subdivision in response to a request by the ratepayers association.

The resource designation has had changes with respect to lot sizes. He said under the present planning strategy a minimum lot size of five acres is required for a building lot in the resource designation. This would be reduced to two acres in this proposed planning strategy.

He said there is a new Land Use By-law being considered for adoption in conjunction with this process. He said most of the changes which have occurred with respect to the Land Use By-law are mainly clarification changes. He said the Land Use By-law is not changing much other than the fact of the five acre minimum lot size being reduced to two acres in the resource zone. He said there have been some housekeeping changes to keep the document a little more user friendly.

QUESTIONS FROM COUNCIL

Deputy Mayor Richards made reference to page 42 of the plan which deals with education. He asked if the information contained in this was a repeat of what was in the former plan because he feels it needs to be updated. He said that in the third paragraph dealing with the appointment of Council members to the board warrants some adjustment. He said he feels that whole section needs to be looked at again to update it according to the way things really are today.

Jim Donovan said this section was written in response to the questionnaire.

Councillor Ball said the only thing he would have difficulty with and feels should be reworded is the third paragraph. He said the plan is suggesting that if a situation arises where a high school is possible in a plan area residents would want that high school versus students being transported out of the community to another high school. He said he feels the plan in that sense is reflecting the community's wishes however he feels there should be some fine tuning on the process of elected school boards. He said he thinks this should be reworded and fine tuned.

Councillor Adams said he would suggest that the page be reworded and he would help staff in this regard. He said even though it may not be feasible in the immediate future to have a high school within the boundaries of the planned area the intention should be stated and maintained through succeeding plans so that the intention is maintained if there is growth in the future.

DATE FOR PUBLIC HEARING

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

"THAT THE COMMITTEE OF THE WHOLE RECOMMEND TO COUNCIL THAT A PUBLIC HEARING BE HELD ON DECEMBER 7, 1992 FOR THIS PARTICULAR PLAN AREA"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Fralick:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF THE WHOLE

November 23, 1992

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Bayers
Councillor Smiley
Councillor Taylor
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor Harvey
Councillor Sutherland
Deputy Mayor Richards
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk
K. R. Meech, Chief Administrative Officer
Julia Horncastle, Recording Secretary

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The meeting was called to order at 6:00 p.m.

PRESENTATION, METRO COALITION FOR HALIFAX HARBOUR CLEAN-UP

Mr. Alan Ruffman thanked Mayor Lichter for the opportunity to appear before council. He said he would like to make council aware of the concerns of the Metro Coalition for Halifax Harbour Clean-up. He circulated a report to the members of council. He said that there are five groups that make up the coalition which made application to and received funds from the Green Plan with respect to supporting the coalition being a formal intervener. He said there are two intervener groups, one from Eastern Passage and one from Williams Lake area. He said as the Environmental Impact Assessment Group report went through the review process they were not the only group that responded. There were approximately twenty five groups ranging from Provincial Government departments to Federal Government departments to the panels own hired experts through to the intervener groups. All made critical comments.

While making critical comments to the panel by suggesting possible changes to the project they should not be cast as opponents to the project. He said while they are critics they are not opponents to the project. He said he would suggest that council request the report of the comments that the panel came back with. The

Environmental Assessment report has been through a very rigorous examination. The panel has now responded to the corporation and has given them eight major deficiencies and another seventeen deficiencies which have to be addressed before the public hearings begin. In effect their view is that that report is quite a critical report and is requiring a significant amount of additional work by the corporation to be able to even go to public hearings.

He said the president of the corporation has been very critical of the fact that so many criticisms have been laid on the report. He said it is a very normal process in Environmental Assessment that panel looks at the document, does a critical analysis and finds holes in it. The questions raised range from requiring the corporation to examine the possibility of bringing the Eastern Passage system into the regional system. He said a number of questions were raised about site and the actual technologies that may be involved and they have given the Environmental Assessment Report a very careful analysis.

He said he would like to raise three issues with council because he feels it is important as Halifax County is an owner of this corporation as Halifax County is a participant in Metro Authority. He said the cost of the project was originally estimated to be two hundred million dollars and it is now four hundred million. He said the extra two hundred million has not yet been found and it will only come from taxpayers of Nova Scotia. He said the county's part of that project is about 4% and it may not be a particular concern for the taxpayers of Halifax County in terms of dollar impact. He said he does feel it has impact in a number of other ways.

He said he feels that the project should be referred to the planning advisory committee for consideration and comment. He said one of concerns for Halifax County would be with respect to the sewage treatment plant in Eastern Passage.

He said that Halifax County council has not been taking a regular interest in harbour clean-up and he feels that it should be on the council agenda as a regular item. He said he feels it is very important, as an owner of the corporation, that Halifax County be aware what is going on.

He said in summation he would recommend that council ask the planning advisory committee to look at the question of the possible use of McNab's Island and also the question of Eastern Passage being hooked in and the implications of this from a financial and engineering point of view. He also would like to recommend that council make, as a regular agenda item, some sort of an update on harbour clean-up.

Councillor Deveaux said he had brought in a request with regards to

cost and ramifications of the Eastern Passage plant being hooked into the new plant when it goes into operation. He said one of the problems is with regards to the capacity of the present plant. He said there would be no capacity problems if the present plant hooked into the new one. He asked if all the sites looked at were going to be reviewed or was it a foregone conclusion that only the proposed site was being looked at.

Mr. Ruffman said the panel has instructed the corporation to evaluate all sea level sites - Halifax Railyards, Dartmouth Terminals area, the Sandy Cove area and the Oil Refinery site.

Councillor Deveaux said his concerns were with regards to sludge to oil and the outfall.

Mr. Ruffman said the Fournier Task Force recommended a containment. It suggested not putting the effluent out into the part of the harbour which is actively fished and is presently quite clean. He said it would make sense to contain the effluent within the harbour and the smaller particles would tend to settle in a part of the harbour which is already somewhat polluted. In effect this would be keeping the pollutants close to home as opposed to letting them get out where there is active fishing activity. The other finding was that the currants tend to come in along the bottom of the harbour with the fresh water of the Sackville river going out.

Councillor Deveaux said his major concern is that none of the effluent flows back into what is known as "the Creek" in the Eastern Passage area.

Councillor Bates asked for confirmation on the percentage of the cost carried by Halifax County.

Mr. Meech said it works out to four tenths of one percent of the overall project.

Mayor Lichter said at the last meeting he had attended it was made absolutely clear to the provincial government that the 25% contribution that Halifax County has assumed was that of the one hundred and ninety six million dollar contribution and are not committing any funds beyond that point so the province has to negotiate with the federal government to see if they are willing to make a further contribution than what they have agreed to.

Councillor Bates asked Mr. Ruffman if his committee has any idea of the cost involved with regards to incorporating the Eastern Passage treatment plant into this new setup.

Mr. Ruffman said they don't.

Councillor Ball said that it is inferred from the material that he has that if someone is representing the Friends of McNab's Island

then he is to assume that the coalition is anti McNab.

Mr. Ruffman said that if Councillor Ball was asking if the coalition was opposed to a site on McNab's then the answer was "yes".

Councillor Brill said that Mr. Calda stated that the coalition is in direct opposition to the consensus of the community. He asked Mr. Ruffman if he knew what was meant by this.

Mr. Ruffman said he did not know what was meant by this statement. He said they do not oppose harbour clean-up.

Mayor Lichter said the panel, in the report, is questioning sludge to oil technology, the necessity or feasibility of actually doing that part of the project. Some of the interveners are questioning the same thing. He said it is important to Halifax County Municipality that part of this regional treatment plant include the sludge to oil technology. He said certain decisions have been made based on that very strong promise. He said that a number of years ago the Federal/Provincial/Municipal agreement for the regional plant was signed. Halifax County is a small participant but nevertheless it did sign and one of the reasons for signing it was that the sludge from Halifax County sewage treatment plant will have to go somewhere. The septic materials from septic tanks will have to go somewhere. He said the sewage lagoon at the Aerotech Park is a temporary arrangement until the sewage treatment plant is actually built and start operating. From there on all sludge and septage will be going to that plant. He said that the coalition has to appreciate that indeed Halifax County Municipality may end up with a bigger problem than with it had if a regional plant is built without a sludge to oil technology because that plant itself will be producing sludge.

Mr. Ruffman said there is interest by some members of the coalition of the possibility of not using oil from sludge and taking the risk of losing the federal money but using the wet sludge to cut dry compost such as newspapers.

Mayor Lichter said he had made a submission that he believed there should have been secondary treatment planned for this particular plant. He said primary treatment only was discussed. He said that if the project was done without the sludge to oil treatment he can foresee massive problems. He said he does not accept the solution of cutting the sludge in with some other composting and then try to do something with that large volume of compost.

Mayor Lichter thanked Mr. Ruffman for his presentation.

IN-CAMERA

It was moved by Deputy Mayor Richards, seconded by Councillor

Cooper:

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

Council agreed to move out of camera.

ADJOURNMENT

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF THE WHOLE

November 23, 1992

Agenda

1. Presentation, Metro Coalition for Halifax Harbour Clean-up.
2. Adjournment.

PUBLIC HEARING

November 30, 1992

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Fralick
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Deputy Mayor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk
Fred Crooks, Municipal Solicitor

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The meeting was called to order at 7:00 p.m. by Deputy Mayor Richards.

ADOPTION OF THE REVISED MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR COLE HARBOUR/WESTPHAL

SPEAKERS IN FAVOUR

Rosemary Eaton, Cole Harbour Heritage Society, spoke in favour. She spoke in favour of the setbacks from the watercourses. She said she feels this will be good for the people of Cole Harbour. She said that the heritage farm is very important and feels that they are doing something worthwhile. She said they approve of the parts of the plan concerning them.

SPEAKERS IN OPPOSITION

Kenneth Robb, Caldwell Road, spoke in opposition to the plan although he felt that parts of the plan were acceptable. He said he is concerned with the C-2 zones. Notwithstanding section 17.1 he said that 10,000 square feet is not a big building and if you have a commercial area with approximately two acres and only allowed 10,000 square feet it is a very severe restriction. He said he feels there should be some way in which the square footage of the building can be exceeded if the lot is large. He said that

presently the commercial percentage is 9% and the normal commercial residential ratio is acceptable up to 30%. He said this is setting a pace for the next five years of a low commercial development in this area. He said he does not feel this is the way things should be going and he had hoped the plan would address this issue.

He said the square footage of R-2 lots is a minimum of 7,000 square feet. This will increase the minimum frontages of C-2 lots from 60 feet presently to 70 feet. He said this adds ten foot frontage to every C-2 lot that is developed and this is a substantial amount of frontage requirement which will increase the price of R-2 lots.

Mike Willett, Clayton Developments Representative, spoke in opposition to the plan. He said they are in agreement with the overall plan but they have concerns.

The first concern is under Appendix A, page 2, referring to transportation. He said this was addressed at the Planning Review Committee level and suggested that there was an error in the local street right of way requirements. It is suggested that it go to 66 feet except for cul-de-sac's. He said the PRC replied that 50 feet would be acceptable for roads such as cul-de-sacs because there are other types of roads that do not connect to other neighbourhood streets such as crescents, and P loops. He said he feels the way the document is worded would constrain all 50 foot right of ways to cul-de-sacs only. He said he feels this was not the intent of the plan and is not the requirements under the existing requirements of the Department of Transportation regulations.

Councillor Ball said the intent of the plan was that 50 feet would be an exception to the rule on a dead end street so that it would not act as a collector road.

Mr. Willett said that cul-de-sacs and P loops perform quite well at a fifty foot right of way permitting sidewalks on either side.

He said that another subject is with regards to water supply. He said this is a real concern because they have been faced with a concern that the City of Dartmouth water supply may be faced with some restrictions or shortages in the future. He said the people within the serviceable boundary may suffer from a lack of water supply or a moratorium on development may occur on development within the boundary while servicing is permitted of water only on lots with on site services such as a septic tank immediately adjacent to their serviceable boundary.

Deputy Mayor Richards said he feels council is addressing those issues with the support of the Lake Major Watershed advisory board and the various other policies that recognize the concerns for future use of potable water within the communities. Although some of it is outside the planning strategy for Cole Harbour/Westphal it does, from his understanding, address those concerns by the

outlined policies.

Mr. Willett said that their major concern as a landowner is that the amount of water and quantity may be cut off for the lands within the development boundary. He said that they feel there isn't a safeguard to control or guarantee the person inside the boundary water and control the growth around the peripheral areas. He said that their concern is not with the existing resident but with large developments that could affect the amount of water required or taken up for the other properties in the serviceable boundary.

John Harlow, Westphal, Humber Park, spoke in opposition to the plan. He said he also was not in total opposition but had some concerns. One of his concerns was with the setback requirements for water areas. He said there is a 25 foot setback on any open water area which may vary depending on the sensitivities of the environment. He said he is concerned with the Lake Loon area because there are a number of properties that are almost on the lake. He said he has observed, over a number of years, that there is open water when the rest of the lake freezes over which is a sign of warmer water getting into the lake. He said that he feels this warmer water is coming from septic fields that are getting down into the lake and with the fish counts in the lakes dwindling this is an indication of pollution getting into the lakes. He said 25 feet is not a great setback for residences with septic fields and he asked if 25 feet is sufficient setback in that case. He said he has concerns that 25 feet appears to be the very minimal setback.

He said he is concerned with regards to the R-1 zoning. He is concerned that a developer can come in and put up multiple family dwellings. He made reference to such dwellings that were constructed on Cole Harbour Road. He feels that this is not fair to the family dweller who feels he is covered under an R-1 zone.

He said with regards to transportation and education he referred to safety and the placement of educational facilities in green belt areas. He referred to the road access to Cole Harbour High. He said that adequate road safety for buses should be provided so that all bus traffic is not in an R-1 zone which is the case of Cole Harbour Annex.

He said he is concerned with emergency services as it relates to off hours. He was concerned whether or not the off hour time frame is covered by sufficient paid staff and also from the point that if a staff member is sick there should not be just one person left at the fire station to handle heavy equipment or to get out to the scene of a fire.

Deputy Mayor Richards said that the staffing requirements are not outlined as a part of the planning strategy but come under the

policies and procedures of the fire department. He suggested that this be addressed at a community council meeting. He said the planning strategy makes a general statement that we do intend to have a 24 hour staffed fire department as well as other protection services, including policing. He said it does not get into the specifics of how many officers should be on duty at a particular point in the day or evening.

Mayor Lichter said he was not sure if Mr. Harlow was concerned with the distance of the building from the water or the septic tanks. He said that under the Health Act the distance of the septic tank and field has to be 100 feet minimum. He said the 25 feet in this plan is an adjustment based on experience from the district 14 & 17 planned area where the possibility of 100 feet was looked at. He said that Municipal Affairs have denied this recognizing the fact that the protection comes from the Health Act and also the fact that the topography of the land adjacent to the watercourses dictates as to where the building ought to be in order to provide the greatest protection for the watercourse.

Mr. Harlow said that drainage has to be paid attention to with regards to Lake Loon especially over the next number of years as development takes place.

Stephen Mont, Woodland Avenue asked what was the definition of watercourse.

Mr. O'Carroll said that it was not definitely defined in the planning strategy.

Mr. Mont said he could see this as an area where disputes could arise and he said he would suggest that a definition should be put into the plan.

Mr. Crooks said he was not aware of any provincial definition which would bind or apply in these circumstances. He said there is a definition of watercourse in the Water Act which is the standard definition but he is not sure if it would automatically be adopted or integrated into these documents.

Ken Robb, Caldwell Road, said that these watercourse can be an intermittent course which sometimes runs water and sometimes it doesn't. He said if this isn't defined it may be cause for arguments in future. He said that as a surveyor he would like to know what he is dealing with.

Deputy Mayor Richards said it will need addressing at a later date.

Mr. Mont said that it is possible to subdivide land with a 50 foot road providing the road ends in a cul-de-sac or that it goes in a crescent shape and it is not longer than one thousand feet. He said that cul-de-sacs are discouraged by the Department of

Transportation and it seems to him that this may be creating all 66 foot roads in subdivisions. He said this is costly and the county should go by the highway standards that have been set for those widths.

Deputy Mayor Richards said that as development continues new developments come in behind allowing connections to what was once referred to as a local road. Then you are faced with a situation where public transit is requested and they are inadequate. There have been difficulties with parking restrictions, non parking restrictions and metro difficulty with metro transit buses trying to manoeuvre. The provision that was outlined here was intended to be a bit proactive so that these difficulties would not be encountered in future.

Mr. Robb said there is a length limitation on the 50 foot roads and they have to go back in a crescent shape to the feeder road. He said buses do not normally take these routes.

DECISION OF COUNCIL

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

"THAT THE MUNICIPAL PLANNING STRATEGY FOR COLE HARBOUR/WESTPHAL BE APPROVED"

Councillor Cooper said the plan carries on the intent that there should be primarily be a residential entity in the Cole Harbour /Westphal area. He said he felt all the major concerns had been addressed. One of these concerns was the commercial development in the community. The other is the water supply. He said there is a responsibility to the community to environmentally protect it and to ensure that residents that have been in the area for a long period of time have access to potable water. He said he feels that generally the plan is a continuation and will provide an opportunity for residential development along with commercial.

Councillor McInroy said there should be an attempt to reflect the concerns of those that spoke. He said there are some valid concerns that might be wise to deal with such as the concerns with regards to the definition of a watercourse. He said he also has concern with the wording with regards to the 66 foot right of way. He said he feels there could be minor changes or exceptions which will allow for a short crescent to fall within this category.

Deputy Mayor Richards asked Mr. Crooks to comment with regards to the definition of a watercourse and he asked if the plan could be approved subject to a definition of watercourses being implemented.

Mr. Crooks said that watercourses as defined in the Planning Act is any lake, river, stream, ocean or other body of water. He said that jurisdiction is conferred upon the municipality, by the

Planning Act, to deal with watercourses by municipal planning strategy and land use by-laws. He said even though it would be more desirable to have a definition of watercourse spelled out in text of the documents themselves that a court in interpreting the meaning of the word as it is used in those documents would have regard to the definition already set up by the Planning Act under which these documents are being adopted.

Deputy Mayor Richards asked how far advise on the footage restrictions.

Mr. Crooks said that he would take the advice of planning staff with regard to whether or not that is a matter of substance. He said it strikes him as a matter of substance which would not be capable of being dealt with as a clerical amendment or change. In other words if that change were to be made it would require that there be a further public hearing after further public notice was given of the intended change.

Councillor Ball said that only thing, in his opinion, that should be looked into further is the definition of a watercourse because this has been reviewed for five years.

Councillor McInroy said he would like to clarify what was raised and to inquire as to what process would be appropriate to put forth a rewording of that section. He said he did not want to delay the adoption of the plan but to clear up these questions and get some answers.

Deputy Mayor Richards said before the process is finalized everyone should be comfortable with what is being finalized.

Councillor Deveaux asked if it was mandatory that this be approved tonight or could it be deferred pending a report from staff.

Mr. Crooks said as they are questions of substance council would require, if it obtained a report subsequent to tonight's hearing and were going to act on that additional information, there would have to be an opportunity for further public comment on that additional information prior to council making a decision. It would require a further hearing.

Deputy Mayor Richards made reference to page 92 where it talks about the right of way. He asked if the 50 feet could be reduced in the case of a cul-de-sac if the following words were inserted "in the case of for example a cul-de-sac" would this substantially change the plan to warrant going back or is it a minor change.

Mr. Crooks said it is minor in the sense that only two words have been added but in terms of whether or not it carries with it any planning or substantive implication he feels this would be something that planning staff would be better able to answer.

Mr. Butler said that if it is simply the matter of adding crescent or street to that provision in his opinion it is not a major change. He said he would say that it is not a substantive change. He said the key intent there is that it not have the potential to be exempt.

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

" THAT THE FOLLOWING AMENDMENT BE APPROVED: IN THE CASE OF LOCAL ROADS WHICH DO NOT HAVE THE POTENTIAL TO BE EXTENDED, SUCH AS CUL-DE-SACS, CRESCENTS, AND P LOOPS, MAY BE REDUCED TO 50 FEET AND STREET THAT HAVE THE POTENTIAL TO BE EXTENDED SHOULD BE 66 FEET WIDE"

Councillor McInroy said he feels that council can proceed with the adoption of the plan with that amendment.

Councillor Cooper said that if that amendment is enacted tonight it is not giving due consideration to public concerns that may arise with regards to that reduction. The wording says "may be reduced to 50 feet" and he feels the word "may" pose some conditions or criteria which must be met. He said he would have to take into consideration the effect this would have on how the residents of a neighbourhood would feel as it is being developed if there was that reduction with small setbacks. He said consideration should be given as to how this community develops. He said he feels that the criteria should be defined or outlined before passing this amendment. He said he was speaking against the amendment at this time until a report can come from staff through the normal amendment procedures rather than at this time.

Councillor Ball said he was in agreement with Councillor Cooper. He said he feels that there is not enough information to make a decision as to that adoption. He said in the haste of doing this something may be overlooked that may be important. He said if the Cole Harbour Council feels this item warrants further deliberation, then the plan should be passed and the Cole Harbour Community Council come back with a particular amendment or adjustment with another public hearing specific to that.

Councillor McInroy said if it is adopted it would say the "right of way may be reduced" it does not say what the criteria should be or will be. The amendment doesn't allow any more opportunity for a right of way to be extended than does the existing wording.

Mayor Lichter said the way he sees it in practical terms is that if an application comes in and staff is being asked to approve a subdivision with a 50 foot right of way which happens to be on a cul-de-sac, p loop etc. and it is approved and it comes back at a later date for extension they will not receive the approval for the extension because there is now an indication that the 50 foot is no

PUBLIC HEARING

8

NOVEMBER 30, 1992

longer sufficient. The developer has to demonstrate whether or not his intention was honourable.

AMENDMENT NOT APPROVED DUE TO NON APPROVAL OF MAJORITY OF COUNCIL
10 IN FAVOUR
7 OPPOSED

ORIGINAL MOTION CARRIED

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

"THAT THE LAND USE BY-LAW FOR COLE HARBOUR/WESTPHAL BE
APPROVED"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS
OF THE
SECOND YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
DECEMBER COUNCIL SESSION
TUESDAY, DECEMBER 1 & 15, 1992

&

PUBLIC HEARING
DECEMBER 8, 1992

DECEMBER COUNCIL SESSION 1992

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Motion - Letters & Correspondence	2-3 & 20-22
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Motion - Dutch Settlement Fire Department	4
Motion - Lakeside/Timberlea Sewage Treatment Plant	5 & 23
Motion - Building By-law	5-10 & 13 & 25-26
Motion - Metropolitan Authority Appointment	10-11
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Young Offenders Act	33

COUNCIL SESSION

December 1, 1992

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Bayers
Councillor Smiley
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Deputy Mayor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk
Fred Crooks, Municipal Solicitor
Ken Wilson, Director of Finance

=====
The meeting was called to order at 6:00 p.m. with the Lord's
Prayer. Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE OCTOBER 5, 1992 PUBLIC HEARING
BE APPROVED"

MOTION CARRIED

It was moved by Councillor Fralick, seconded by Deputy Mayor Richards:

"THAT THE MINUTES OF THE OCTOBER 26, 1992 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE OCTOBER 20, 1992 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE OCTOBER 19, 1992 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from the Honourable Roland J. Thornhill, Minister, Department of Community Services regarding the creation of the Child Benefit Program which will become effective January 1, 1993.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from the Honourable Guy J. LeBlanc, Minister, Department of Education with respect to council's letter of concern regarding the distribution of KKK material in one of the Halifax County-Bedford District high schools.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Kelly outlined a letter from Peter J. McCarthy, Area Director, Air Canada Pionairs stating their position on the members

of the Air Canada Pionairs in Atlantic Canada's four provinces.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Kelly outlined a letter from Mayor Sylvester Atkinson, President, UNSM respecting an agreement between the UNSM and Halifax Hilton Hotel in regards to accommodations for UNSM members.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Kelly outlined a letter from Elwood Dillman, Chairman, Resource Recovery Fund, Department of the Environment announcing the appointment of Ms. Laurie Lewis as Co-ordinator and indicating she will be the contact person for municipalities seeking financial assistance in the establishment of recycling programs.

It was moved by Deputy Mayor Richards, seconded by Councillor McInroy:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from Mayor Sylvester Atkinson, President, UNSM with respect to municipal reform.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from Lynn Brochu Bulley, Environment Canada respecting funding for Environment Week, 1993.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Capital Grant Requests

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

"THAT THE FOLLOWING CAPITAL GRANT REQUESTS BE APPROVED:

- (A) District Parkland Grant, District #3, in the amount of \$4,500.00 for purchase of playground equipment and site work, East St. Margarets School, Indian Harbour.
- (B) District Capital Grant, District #8, in the amount of \$1,300.00 to replace burners, main control valve and circulation pump on furnace in North Preston Recreation Centre."

MOTION CARRIED

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Loan Request - Dutch Settlement Volunteer Fire Department

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

"THAT COUNCIL APPROVE A LOAN ADVANCE IN THE AMOUNT OF \$23,000. TO THE DUTCH SETTLEMENT VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF ACQUIRING AND OUTFITTING A TANKER FIRE VEHICLE. FURTHER THE LOAN IS REPAYABLE OVER A TEN (10) YEAR PERIOD OF PRINCIPAL AND INTEREST WITH COUNCIL RESERVING THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST"

MOTION CARRIED

Capital Grant Requests

It was moved by Councillor Holland, seconded by Councillor Peters:

"THAT COUNCIL APPROVE A DISTRICT CAPITAL GRANT, DISTRICT #4, IN THE AMOUNT OF \$2,368.53 FOR PURCHASE OF COMPUTER, SOFTWARE, MODEM AND CONVERTER TO BE USED FOR INPUT OF DATA TO COMMUNITY CABLE TV CHANNEL"

MOTION CARRIED

14 IN FAVOUR
7 AGAINST

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

"THAT COUNCIL APPROVE A DISTRICT CAPITAL GRANT, DISTRICT

#10, IN THE AMOUNT OF \$533.09 FOR THE PURCHASE OF A UNIFORM FOR THE FIRE CHIEF, DISTRICT #10 EAST VOLUNTEER FIRE DEPARTMENT"

MOTION CARRIED

13 IN FAVOUR

8 AGAINST

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

"THAT COUNCIL APPROVE DISTRICT CAPITAL GRANT, DISTRICT #20, IN THE AMOUNT OF \$3,500 AND A GENERAL PARKLAND GRANT IN THE AMOUNT OF \$3,500 FOR SITE PREPARATION AND CONSTRUCTION OF COMMUNITY PLAYGROUND ADJACENT TO CAUDLE PARK ELEMENTARY SCHOOL"

MOTION CARRIED

URBAN SERVICES COMMITTEE REPORT

Lakeside Treatment Plant

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

"THAT COUNCIL APPROVAL BE GIVEN TO UNDERTAKE CAPITAL IMPROVEMENTS TO THE LAKESIDE TIMBERLEA SEWAGE TREATMENT PLANT AT AN ESTIMATED COST OF \$750,000.00"

Councillor Peters asked why it had not gone through Executive Committee because it is a large expenditure.

Mr. Wdowiak said that this could be deferred until it goes to the Executive Committee. He said a large part of the funding is from the Environmental budget. The project had previously been identified as part of the capital expenditures.

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

"THAT THIS ITEM BE DEFERRED TO THE NEXT COUNCIL SESSION WITH REFERRAL TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

Building By-law

It was moved by Deputy Mayor Richards, seconded by Councillor McInroy:

"THAT APPROVAL NOT BE GIVEN FOR INDIVIDUAL DISTRICTS TO HAVE THE OPTION OF "OPTING IN" OR "OPTING OUT" OF THE REQUIREMENT FOR PLUMBING CERTIFICATION UNDER SECTION 7.2D

OF THE BUILDING BY-LAW"

Councillor Meade said that the Executive had met with Professional Engineers and Architects of Nova Scotia who are going to come up with a change in relation to inspection. He asked if it would be appropriate to defer this issue until that information was received.

Mayor Lichter said that when the representatives from APENS were dealing with the section of the Building By-law that refers to larger structures such as apartment buildings and commercial buildings. This deals with all buildings. The APENS recommendation will not have impact on whether or not there is plumbing inspection certificate required from Journeymen plumbers in a single family residential or duplex dwelling.

Councillor Fralick said if you are in a Urban area you may require inspection but in the Rural areas a lot of people are capable of building a house on their own and the \$2,000.00 additional cost would have a great effect on residential building.

Councillor Peters said that she has been opposed to the Opting In and Opting Out and she spoke strongly against that in the Rural Services committee. She said there are Journeymen plumbers in the community that will do an inspection to certify work that has been done by someone other than themselves. She does not feel that the expense is as bad as it could be. She said she fully supports the motion by Urban Services which will provide the same protection to all the people in Halifax County.

Councillor McInroy said that his objection for there being an option is basically that he does not think that Halifax County would be doing justice to it's residents. It would not be treating it's taxpayers fairly if what is seen to be a proper regulatory implementation with regards to plumbing installation in one part of the county isn't done elsewhere. He said if you accept that it is a requirement, that it is necessary, that it is the proper thing to do then he does not feel that it can be proper in one part of council's jurisdiction and not in another. He said he would not want to be in a position in the future where serious difficulties are encountered because of improper plumbing installations. He said that he would not want the municipality to be in a position to say the reason the plumbing inspection wasn't required is that the councillor who represents the area, or who did represent it, didn't think that it was necessary. He said he thinks it is dangerous to put the municipality in that kind of a position. He said that if it is deemed that it is the proper thing to do it should not be where is it proper. He said he does not think that it is acceptable in Halifax County to put perspective home buyers in the position where they may or may not have the benefit of the county's building inspection department having inspected internal plumbing. He said he feels this is the proper thing to do throughout the

jurisdiction.

Councillor Giffin said that a lot of people out in Rural areas do their own work. It cuts down on costs. He said many people build out in the Rural areas because they can do a lot of their own work or assist in the building of their houses. He feels the option should stay.

Councillor Bayers said the plumbing inspection will have an impact on jobs in the Rural areas. He said one example is with regards to hot water heating where there are seven people who install hot water heating furnaces who have the qualifications to install that type of heating system into homes. He said that at the Rural Services meeting Mr. Butler could not define if you require a certified plumber that then would have to come in because there is some plumbing involved in that type of heating. Anybody can install a furnace but would those same people be allowed to hook the radiators up and feed them back to the furnace or would they only be allowed to put the furnace in and then have to go and get a certified plumber to complete the rest of the installation. He said which was the plumbing and which was the heating installation was not made clear to him. If a certified plumber has to come in to hook the radiators up and position them and bring them back to the furnace then that is an excess cost to the homeowner.

He said he believes that plumbing inspection is the responsibility of the county inspectors. He said his understanding from Rural Services is that it would take the pressure off of building inspection. He said that if building inspection is being paid for by the taxpayers then it is building inspection's responsibility to go out there. The plumbing inspectors presently do three plumbing inspections: 1) before the basement floor is poured; 2) when it is roughed in and 3) before occupancy permit. He does not see why it has to be certified by a certified plumber and also for Halifax County to have plumbing inspectors.

Councillor Deveaux said that no matter where you live in Halifax County the same regulations should apply throughout.

Councillor Fralick said that all the hot water and heating people in Halifax County who are not Journeymen will be unemployed and he would like to make sure that the people on Urban Services will answer to all these peoples when they are thrown out of work.

Councillor McInroy said that the recommendation is that there be plumbing certification not that every installation be done by a Journeyman plumber. He said that there are plumbing companies that have people doing work that are not Journeymen plumbers and you can get work certified by Journeymen plumbers, work that you want to do yourself. As long as someone looks at it, certifies that it is all in accordance with proper plumbing regulation is what the concern is about. The concern is that it is done right and it is certified

by a qualified plumber. He does not feel the costs will increase nor will anyone who is not a certified plumber be put out of work because of this kind of requirement.

Councillor Sutherland said most of the electrical and plumbing work is done by a contractor and the only difference is that they have someone certify the electrical and, in this case, will have someone certify the plumbing. He said the work can still be done by those people who normally would do it but it would be certified.

Councillor Merrigan said he believes that it is a requirement of the National Building Code that all plumbing be done by a certified plumber. He said he would be supporting the recommendation of the Urban Services Committee and not the fact that some councillors can say whether or not they want their district in. He said the inspector goes to ensure that the work has been properly done and to inspect all the joins, etc.

Councillor Boutilier said he is not opposed to the certification but he wondered if it would have an impact on the small business people or if this is just a paper thing to say Halifax County is going to do this.

Mayor Lichter said that the homeowner will be saddled with the additional burden of whatever it costs.

Councillor Bayers said he believes that it should be inspected. He does not believe that a Journeyman plumber will go and sign and say they certify someone else's work. He said he believes that plumbing should be inspected and there are three inspections done by the county inspectors and that where the responsibility should remain.

Councillor Giffin said that people in Urban areas on central services but the Rural areas are basically on their own with such things as septic systems or wells. He said the situation is different from the people living in Urbanized areas.

Councillor Meade said he had contacted three plumbing companies and the average rate is \$38.00 per hour plus travel. With this you are looking at \$1,500 to \$2,000 per house. He said, if this goes through, a carpenter will not be able to touch any plumbing whatsoever which will result in down time when the house is being built.

Councillor Ball said he has seen situations and he believes that the certification is necessary to ensure the job is done right. He asked if a certified plumber or a Journeyman plumber or pipefitter are required to certify plumbing of any renovations or new construction in Halifax, Dartmouth or Bedford and, if so, he does not understand why Halifax County does not require the same thing. He said inspections because plumbers know what the code is but they sometimes take shortcuts and that is why the inspectors are

required.

Councillor Brill said he checked with three major hot water heating installers who informed him that they did not have a problem with what this By-law was proposing because they would have installations inspected. He said he had also spoken with a small business plumbing contractor who says that these people who do this work on the side are hurting his business. He said that in some cases inferior piping is used which can result in problems. He said he believes it would be in the best interests of the majority to approve the By-law county wide.

Councillor Cooper said because of the sophistication of combined systems such as electrical and mechanical which have to go into many plumbing systems, he feels it is necessary for Halifax County to ensure that protection is provided for the residents of the municipality. Many people can handle simple installations and maybe should still be allowed but, in the interests of safety, prevention of cross connections and ensuring that building codes are being followed this should be endorsed that this is applied throughout the municipality.

Councillor Rankin said he can see merit for both sides of the argument. He said that in Rural areas there are not many Journeymen and if you can't access them you will pay for it in terms of cost and transportation etc. He said he is not convinced weighing the benefits and costs that Halifax County has made the case that other properties are at risk in the Rural areas. He said he feels it is bad timing to impose more costs and what is recognized as a repair industry and not new housing construction.

Mayor Lichter said that approximately seven years ago the building permit fee, across the municipality, was \$3.00 per one thousand value of the building. In the Urban areas, within a short period of time, it was raised to \$4.00 because plumbing inspection was introduced. Later on it was introduced in the Rural areas because the Building Code required plumbing inspection by the qualified plumbing inspectors of the municipality. Consequently, the fee has gone up. In other words, 25% of the permit fee that anybody pays is being paid for a service and that service is to have municipal plumbing inspectors inspect the plumbing that goes into any home regardless of whether it's in Urban or Rural areas. He said he believes the municipal plumbing inspectors are good and they know what they are doing. He said Councillor McInroy's statement of "if it's the right thing to do it should be done across the municipality" but is it the right thing to do. He said if a cost is absolutely essential he does not object to it but the unfortunate thing is that the minute the municipality passes the Building By-law, with a certified plumber giving certification, and an individual runs into a problem with the plumbing system, they will be told it is not a municipal responsibility.

Mayor Lichter said that if the motion passes when Mr. Crooks prepares the By-law for first reading there will be no section in there for any district to be able to opt out.

MOTION DEFEATED

11 IN FAVOUR

11 AGAINST

APPOINTMENT OF MEMBER - METROPOLITAN AUTHORITY

Mayor Lichter said he wished to thank Councillor Bates for his service on Metropolitan Authority for the past four years. He said it is a demanding and frustrating job. He said that the resignation of Councillor Bates as a member of Metro Authority need a motion to accept.

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

"THAT COUNCIL ACCEPT THE RESIGNATION OF COUNCILLOR BEN BATES AS REPRESENTATIVE OF METROPOLITAN AUTHORITY"

MOTION CARRIED

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

"THAT COUNCILLOR BALL BE NOMINATED AS HALIFAX COUNTY REPRESENTATIVE ON METROPOLITAN AUTHORITY"

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

"THAT NOMINATIONS CEASE"

MOTION CARRIED

Mr. Crooks said the Charter suggests that this kind of appointment should be done by recorded resolution.

Mr. Kelly read the following resolution into the record:

"WHEREAS Councillor Benjiman Bates is a member of the Metropolitan Authority (the Authority) by appointment of the Council and;

WHEREAS Councillor Bates has resigned his position as a member of the Authority, effective December 1, 1992 and;

WHEREAS Council wishes to replace Councillor Bates as a member of the Authority;

THEREFORE, be it resolved that effective today, December 1, 1992 Councillor Randy Ball be and he is hereby appointed by the Council to be a member of the Authority for the unexpired portion of

Councillor Bates term as a member of the Authority."

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

"THAT THE RECORDED RESOLUTION OF COUNCIL BE APPROVED"

MOTION CARRIED

APPOINTMENT OF NON-COUNCIL MEMBERS - COMMITTEES AND BOARDS

Mayor Lichter reminded council of his report regarding the work of the special committee that is working on reorganizing the committee structure for the council. He said he is waiting for feedback from councillors. He said that the committee will be meeting again in the near future with a recommendation coming to council incorporating suggestions from councillors. After this the structure may or may not change. Should the structure be changed it might have some impact on the Planning Advisory Committee two year term and it may have some impact on the County Board of Health one year term. He asked the solicitor if it might be best to extend their appointment to the time when council makes a decision about reorganizing so that they don't have a two year term that has not expired at the time of reorganization if there is reorganization.

Mr. Crooks said that this may be the best approach. The only difficulty is that the Planning Act, in the case of PAC, does prescribe that non council members who are appointed to PAC are appointed for terms of two years. There may be some question as to council's ability to make an appointment of a non council member for a term of less than two years. Under the circumstances it seems to him to be appropriate and that council proceed on that basis provided that the member appointed is made aware that is the term under which he is appointed.

Councillor Boutilier asked Mr. Crooks if an extension could be given of the existing term.

Mayor Lichter suggested the appointments be made and if there are changes then those individuals would have to be informed.

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

"THAT JIM REID BE NOMINATED FOR A TWO YEAR TERM TO THE PLANNING ADVISORY COMMITTEE"

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

"THAT NOMINATIONS CEASE"

MOTION CARRIED