

MOTION CARRIED
ORIGINAL MOTION DEFEATED

Councillor McInroy declared a conflict of interest and left the Council Chambers.

RESOLUTION - SUBDIVISION AND ASSESSMENT

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

"THAT THE RESOLUTION BE APPROVED WITH THE ADDITION OF THE WORDS "OR IMPROVED" BE ADDED AFTER THE WORD "SOLD" ON THE LAST LINE"

MOTION CARRIED

DATE FOR PUBLIC HEARING

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

"THAT MAY 11, 1992 BE APPROVED AS THE DATE FOR PUBLIC HEARING TO BE HELD IN COUNCIL CHAMBERS FOR THE TWO ITEMS THAT WERE SCHEDULED FOR SACKVILLE"

MOTION CARRIED

PAVING, FRANCIÉ DRIVE - COUNCILLOR BALL

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

"THAT A LETTER BE SENT TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS REGARDING THE PAVING OF FRANCIÉ DRIVE, HARRIETSFIELD WITH A COPY TO THE MLA UNDER THE 15 YEAR PAVING PROGRAM"

MOTION CARRIED

CHURCHILL ESTATES COMPENSATION - COUNCILLOR BALL

Councillor Ball stated that the Department of Health stated that the water in Churchill Estates was not considered to be potable or fit for human consumption for a period of six months. He stated that at a meeting held in Herring Cove he had stated that he would bring the matter to the Provincial authorities concerning the fact. He stated that he would ask that the homeowners in that area be compensated based on the fact that in the past in other areas when water was declared non potable the residents were compensated.

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF HEALTH REQUESTING THAT THE RESIDENTS OF CHURCHILL ESTATES BE COMPENSATED FOR THE SIX MONTH PERIOD WHEN THEIR WATER WAS NOT POTABLE OR FIT FOR HUMAN CONSUMPTION WITH A COPY TO THE MLA"

MOTION CARRIED

SPEED ZONE - DEAN - COUNCILLOR TAYLOR

Councillor Taylor informed council that he had received phone calls and petition stating that the residents of Dean would like to have a speed limit of 60 km through their community starting where the Upper Musquodoboit community meets Dean and going to the Colchester County line.

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION REQUESTING THAT A SPEED LIMIT OF 60 KM PER HOUR BE POSTED IN THE COMMUNITY OF DEAN STARTING WHERE THE UPPER MUSQUODOBOIT COMMUNITY MEETS DEAN AND GOING TO THE COLCHESTER COUNTY LINE"

MOTION CARRIED

TRAINING LIBRARY DISTRICT 14 FIRE DEPARTMENTS - COUNCILLOR PETERS

Councillor Peters stated that she was bringing this forward because in discussions she has had with the three fire departments in District 14 she has heard the fact mentioned that they buy training films for their fire departments and with an approximate cost of \$300.00 each. She was suggesting that Mr. Bernie Turpin be asked to investigate a way within the 36 fire departments in the County there could be a lending library under the auspices of Mr. Turpin. She suggested that possibly each fire department could set aside a portion of funds to finance the library.

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

"THAT BERNIE TURPIN BE REQUESTED TO INVESTIGATE THE POSSIBILITY OF ESTABLISHING A LENDING LIBRARY FOR TRAINING FILMS FOR FIRE DEPARTMENTS WITH THE POSSIBILITY OF THE PROVINCIAL LIBRARY BEING A SOURCE FOR OBTAINING THESE"

MOTION CARRIED

MT&T GOFF'S/OLDHAM - COUNCILLOR PETERS

Councillor Peters stated that the 883 extensions in Goff's is a

long distance call when calling the Sackville office.

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

"THAT A LETTER BE SENT TO MT&T ASKING THEM TO INVESTIGATE LONG DISTANCE USAGE FOR THE COUNTY TO THE VARIOUS COUNTY OFFICES PERHAPS REDUCING THEM FROM LONG DISTANCE CALLS TO LOCAL CALLS"

Warden Lichter stated that Council approved a policy approximately six years ago that any individual in the Municipality can call any of the offices collect if they are calling on Municipal business.

MOTION CARRIED

SACKVILLE MAINSTREET CO-ORDINATOR'S REPORT

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

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

URGENT AGENDA ITEMS

Recycling - Councillor Cooper

Councillor Cooper stated that a mailout from Metro Authority with regards to blue bags and recycling indicating when pick up would be was to be sent. The newspaper ads indicated the third week of the month but unfortunately the calendar does not always fall the same each month so there is confusion for the County residents.

It was moved by Councillor Cooper, seconded by Councillor

"THAT THE CLERK'S OFFICE CONTACT ENGINEERING STAFF REQUESTING THAT THEY INVESTIGATE THE PICK UP DAY FOR RECYCLABLES TO SEE IF IT CAN BE DONE ON THE SAME DAY EVERY MONTH FOR THIS MUNICIPALITY RATHER THAN HAVE IT CHANGE PER MONTH AS IT IS PRESENTLY LAID OUT AND IF THIS IS NOT FEASIBLE THEN THE PEOPLE BE BETTER INFORMED OF THE SPECIFIC DATES"

Councillor Fralick stated that the pick up on the first full week of every month is working in his area and he would not like to have changes in his area.

Councillor Ball stated that he would not like to see the schedule disrupted in his area either.

MOTION CARRIED

11 IN FAVOUR
7 AGAINST

Metro Authority - Councillor Ball

Councillor Ball stated that he had called Mr. McEachern last week with regards to the Metro Recycling facility. He stated that he requested clarification as to who the proponents were in the proposals for the facility, asked as to the extent of how that proposal was written and to date has not received any information. He stated that he has some concerns as to who made the decisions as to how the proposals were made and who was invited to make those particular proposals (was it private industry or was it anyone). He understood that anybody who was unionized with Metropolitan Authority was not allowed to submit a proposal. He stated that going through this process he discovered that Envirocare has the contract to run the Metropolitan Recycling Facility which is an agency of a non profit organization known as HRDA (Human Resource Development Association). He stated that he is not suggesting that anything is wrong as long as it was a decision made by Metropolitan Authority and by the members sitting on it. Two members of the Board of Directors of HRDA, which is a non profit association to work towards finding disadvantaged people jobs, one is the Director of Social Services in Halifax City and the other works in the finance department within Halifax City. He stated that he is concerned that here we are spending out taxpayers money and there are two people involved in positions within Municipal government that is involved in recycling etc. and their organization receives the contract. He stated that if it is all of Metro participating in that should it not be all of Metro's disadvantaged people being involved in the process and not an organization that associated directly with the City of Halifax.

He stated that he is asking for a report from Metro Authority as to what was the criteria for the proposal, who would not be allowed to put in a proposal and what reasons for not being allowed. He asked the members of Council who are on Metro Authority if they were given any guidance as to who could or could not be allowed. He was requesting a report to come back to the Council outlining that everything is properly done. He stated that he has difficulty if people who work at the landfill site, who are a member of a particular union, don't have the ability to submit a proposal because it may be deemed as a conflict of interest then if that's the case then there is a problem here. You have two senior civil servants of the Municipal Government who are in positions to avail themselves of information that may not be normal for the average person to receive.

He stated, if nothing else, he would like it to be clarified and public knowledge because the most difficult task involved was to find what HRDA stood for. When he called the city of Halifax they refused to tell him until he told why he wanted to know. They gave

him a telephone number which was for Envirocare who told him they were and that they were affiliated with HRDA and also who was on the Board of Directors. He stated that he is not suggesting that anything wrong has been done but he would like it clarified to this Council that there is nothing wrong with what has gone on and that the process was correct. He would also like to know the the opening up to disadvantaged people is not restricted to the people of the City of Halifax but the whole Metropolitan area. He stated that he does not believe that all parties were given equal opportunity to prepare a proposal on it.

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

"THAT HALIFAX COUNTY REQUEST METROPOLITAN AUTHORITY PROVIDE A DEFINITION OF THE PROPOSAL DEFINING WHO THE PROPONENTS WERE, WHO WAS RESTRICTED FROM PUTTING IN A PROPOSAL AND WHETHER OR NOT IT MIGHT BE DEEMED THAT THE PEOPLE ON THE BOARD OF DIRECTORS MAY BE IN A SENIOR LEVEL AND WHETHER OR NOT IT WAS DISCLOSED TO METROPOLITAN AUTHORITY. FURTHER COULD THEY DEFINE THE NATURE OF THE AFFILIATION BETWEEN HRDA AND ENVIROCARE."

Warden Lichter stated that his understanding was the Envirocare was a business, HRDA supplies work force to that business. Cooperation exists only to the extent of helping people get jobs. He stated that it should be Metro wide not just the Metro area. If the affiliation is any closer than that then he would like to know because the idea of non profit goes out the window because the contract between Envirocare and Metro Authority actually reads "operational costs plus 10% and 80% of what they get from the recycling market Envirocare pays to Metro Authority". He stated that he did not know anything about the fact that the affiliation could be closer. He stated that he had checked and understood the HRDA is a non profit organization. Those people are involved in setting up that organization and it is being upheld as a model not only for disabled people but as how to get people off Social Services and put them to work and give them self respect.

Councillor Ball stated that he is concerned about the way this was done and the process and whether or not people were knowledgeable of the relationship between HRDA. He stated that Metropolitan Authority says that HRDA was given the contract and not Envirocare.

Warden Lichter stated that Envirocare was given the contract.

Councillor Ball stated that one of the things to be looked at is where they draw their employees from. Do they draw it from all the participants in Metro Authority. What is the direct relationship between HRDA and Envirocare.

MOTION CARRIED

HAMMONDS PLAINS FIRE DEPARTMENT - COUNCILLOR GIFFIN

Councillor Giffin stated that until recently the boundary for the Hammonds Plains Fire Department went down to Highway 103. The closest fire department to that area is the Hammonds Plains Fire Department. Directly across the highway is Haliburton Hills with 180 homes which is serviced by this fire department. Recently the Hubley Centre was built and that part of District 18 was allocated to the Bay Road/Lewis Lake Fire Department. He stated that there are signs in the area that gives a number that go to Sackville and automatically sends the Hammonds Plains Fire Department and another number that sends the Bay Road Fire Department. He stated that these are confusing for people.

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

"THAT AN INVESTIGATION BE CONDUCTED INTO THE POSSIBILITY OF HAVING THE ORIGINAL FIRE BOUNDARY LINE RE-ESTABLISHED AS SOON AS POSSIBLE AND THAT THIS BE REFERRED TO THE FIRE ADVISORY COMMITTEE FOR DISCUSSION AND RECOMMENDATION"

MOTION CARRIEDCOYOTES - WARDEN LICHTER

It was moved by Warden Lichter, seconded by Councillor Fralick:

" THAT HALIFAX COUNTY REQUEST THE PROVINCIAL GOVERNMENT INTRODUCE A BOUNTY ON COYOTES"

MOTION CARRIEDADDITION OF ITEMS FOR MAY 5, 1992 COUNCIL SESSION

Playground Signs, Ketch Harbour - Councillor Ball

CN Rail Wellington Area - Councillor Peters

Department of Transportation, Elmsvale - Councillor Taylor

Water Delivery By Fire Departments - Councillor Bayers

IN CAMERA ITEM

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

"THAT THE COUNCIL MOVE IN CAMERA"

MOTION CARRIED

ADJOURNMENT OF ANNUAL SESSION

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

"THAT THE ANNUAL SESSION BE ADJOURNED"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Holland:

"THAT THE COUNCIL SESSION BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF WHOLE

April 14, 1992

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

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

REGRETS: Councillor Bates
Councillor Adams
Councillor McInroy

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The meeting was called to order at 3:00 p.m.

Public Hearing - Sackville

Warden Lichter informed Council that the attendance by councillors for the Public Hearing in Sackville on Monday, April 13, 1992 was not sufficient for a quorum. Warden Lichter stated that on the next council agenda he would like to have setting of a new date.

Task Force on Local Government

He stated that copies of the report re: Task Force on Local Government have been ordered but they have not been received.

Solid Waste Disposal at East Kemptville Mine Site

He stated that, with regards to the report on Solid Waste Disposal

at East Kemptville Mine Site released Friday morning at 9:30 a.m., he had been notified at 9:05 a.m.

Councillor Harvey stated that it appears to him to embrace the East Kemptville solution also meant the composting would be a major part of the garbage disposal solution. He stated that the Council had rejected this eight months ago. He stated that a motion had been passed in Council that if composting was a major component for Halifax and if the Metropolitan Authority embraced this idea and dropped incineration that in both of those scenarios the landfill should be within the then existing boundaries of Halifax City.

Warden Lichter stated that if Halifax County is not asked to landfill any garbage at all then he does not have any difficulty with the proposal. He stated the incineration has been decided on to ensure that the landfill site to be created in Halifax County is clean and trouble free. He stated that after reading the entire report it appears that Lunenburg and Argyle would not do any composting but rather their organics would go to the landfill. He stated that it is an early study into the possibility of whether that site will be suitable or not.

Councillor Harvey asked what the Metropolitan Authority did with the matter when it came before them earlier today.

Warden Lichter stated that Mayor Ducharme made a motion to table the report so that staff, in a week or two, could come back with showing how this would be implemented. He stated that he had indicated that he had difficulty with the motion. He stated that to have staff come back with an analysis is one thing but to come back and have them indicate as to how this is going to be implemented is almost an endorsement of the approach. He stated that he had asked for it to be withdrawn and changed so that it would be nothing other than a staff report.

Councillor Giffin stated that he had heard that a report had already been completed by Porter Dillon with regards to a landfill being developed on this site.

Warden Lichter stated that it was his understanding that some time ago three Municipalities were informed that the site was not suitable for a landfill. He stated he had no idea which Municipalities were involved and who had informed them or how accurate the information is. He stated that the report itself contains a letter dated February 18, 1992 from the Minister of Environment, John Leefe, going to the warden of the Municipality of Argyle states "the problems of liability and the interaction of acid mine drainage from the pit area with the lychee generated from the landfill operation are major concerns". It also states "we do caution however that it may not be feasible to segregate the Environmental concerns associated with the mine restoration program from the operational issues for the small municipal landfill".

TABLING OF THE BUDGET DOCUMENT

Warden Lichter stated that an earlier decision of Council was that they would not talk about percentage increase either on the residential or commercial rate until after it can be seen as to what the possible increase is going to be when all the area rates are included from the various districts. He stated that the document provided contains that information.

Mr. Meech identified the various documents provided to Council. He stated that some of the area rates have yet to be finalized so the rates provided are projections as well as the projected general tax rate of 6.5%. He referred to the covering document. He stated that what was now included in the budget, with certain revisions, is a budget that would attempt to accomplish a general tax rate increase of 6.5%. He stated that he had hoped that this would be achieved at this point however it had been intended to use a portion of the school board funding for excess school board funding and as a result on Friday the Provincial government decision on school board funding the amount that was paid on a twelve month equivalent basis for 91/92 for both the mandatory and the excess was around \$1.2 million for excess funding. Based on the decision the province reached on Friday, the mandatory cost now is almost equal to that total amount that was paid last year between the mandatory and the excess. He stated that the school board budget has an amount of approximately \$15,280,000 for school board funding which is now essentially all mandatory with maybe about thirty or forty thousand dollars that would be discretionary. As a result of this to achieve the 6.5% general increase it is necessary for him to come back with some further recommendations on approximately another \$500,000. He stated that this is after attempting to put the revised budget together on the basis that the amount of monies that were allocated to the various departments and boards is very close to the equivalent of what was provided in 1991/92. He stated that there are some adjustments but essentially that was the criteria that was established.

He stated that included in the notes is the solid waste costs which includes collection, disposal, and recycling is now part of this general tax rate and general budget. He pointed out that the cost to provide the ten additional RCMP officers that had been requested through the Solicitor General is not incorporated in this budget. He stated that the additional costs would be approximately \$700,000. The budget process has been impacted severely by the following: the deficit for 1991/92 will be approximately \$2 million, the Social Services cost are projected, over and above increased expenditures in 1991/92, to increase a minimum of 15% for 1992/93, the recession has reduced substantially the revenue items such as Deed Transfer Tax, Permit Revenue, etc., the provincial decision to transfer additional costs to property tax payers for Social Services and Education has had a very significant impact.

He stated that the decision on Friday, with respect to education, the province held to 0% increase in terms of additional funding from the province to school boards. The 1% increase they referred to was completely brought about as a result of increasing the mandatory tax to municipalities which would represent approximately \$7 million across the province. He stated further reductions are needed to achieve the 6.5%.

Councillor MacDonald suggested taking money from the Water Utility surplus.

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

"THAT THE MUNICIPALITY CONSIDER, IF IT IS LEGAL, THE WITHDRAWAL OF \$1 MILLION FROM THE WATER UTILITY SURPLUS ACCOUNT IN ORDER TO REDUCE THE GENERAL RATE AND FURTHER THIS AMOUNT BE REIMBURSED AT A LATER DATE"

Mr. Meech stated that he would confirm whether or not it was legal to do this. He stated that there may be a complication where the water utility is partially in the ownership of the Town of Bedford.

Warden Lichter asked what was the present surplus of the Water Utility.

Mr. Meech stated that when talking about surplus you have to segregate it from the depreciation because you are not allowed to tap the depreciation fund. He stated that the surplus is approximately \$2 million.

Warden Lichter asked Councillor MacDonald if the motion should pass would the intent be that the million dollars would be applied to reduce the 6.5% general rate and Mr. Meech to still find the \$500,000. reduction in the budget or is it to be used to offset the \$500,000. reduction and reduce the rate for \$500,000.

Councillor MacDonald stated it would be used to reduce the 6.5%. Councillor Giffin as seconder agreed with this.

Councillor Boutilier stated that at an Urban Services meeting some years ago he had suggested this same type of scenario and had been told at that time through Engineering Department Heads that it was not possible to touch that because of the specific set up and operation of the Water Utility in Halifax County.

Mr. Meech stated, for clarification, that what was being said in the past was that this was being discouraged because the group of users are not necessarily the same taxpayers.

Councillor Richards stated this should be looked at seriously before proceeding. He stated that he is not convinced that it is

morally right as opposed to legally right. He stated that the revenue of the Water Utility comes in from a very small part of the total Municipality and but the County is being asked to be put that money to the general rating structure and assist parts of the Municipality where this revenue is not generated. He stated that as long as we maintain the current system then he doesn't believe we should say to those people who contribute to the Water Utility and whatever excess revenue it might have that we are going to take that money and disperse it through all the Municipality. He stated that if money is going to be distributed in this way it should be done all the way across the board with everything and not just with one section. He stated that the Water Utility reserve will be required to meet their obligations in increased services to those areas of the Municipality where that revenue is being generated. He stated that he felt that this would be a dangerous precedent to entertain that motion at this point in time. He stated that this requires more study than what has been done to date. He stated that he would like to hear from Mr. Brothers and Mr. Wdowiak.

Councillor MacDonald stated that he made the motion in order that it could be looked at to see if it is reasonable and feasible. He stated that its important at this time to look at all possibilities.

Councillor Giffin asked if tax dollars from all districts contribute to the capital for the water utility. He stated that if using some of the money from the water utility to reduce the tax rate then he was in agreement.

MOTION CARRIED

Mr. Meech stated that, with reference to the first schedule (1-1) attached to his covering memo, he has provided three different scenarios in terms of tax rate increases. He stated that to achieve a 4% general tax rate increase in addition to the \$500,000. the county would still have to find \$1 million in cost reductions. He stated that based on information received by the Warden the School Board may find themselves short by as much as \$7 million.

Councillor Deveaux asked Mr. Meech if the Municipalities are required to pay more this year, on a percentage, than the province is paying.

Mr. Meech stated that the province contributed no extra money and the Municipalities have contributed an extra \$7 million which translates to 5.5%. He stated that in Halifax County's case it was a little higher because the County paid the 2 cents plus there was an increase in the County assessment base. He stated that there was \$7 million dollars extra which represented the 1% of the approximate \$700 million for education funding. He stated that it had all come from the additional taxation on the property tax.

He stated that if Council could come to a consensus and set further dates for meetings or provide some direction.

Warden Lichter stated that a couple of meetings would be needed to take a look at proposals that will be coming back as to how to cut the additional \$500,000. just to reach the 6.5%.

Councillor Fralick stated that he cannot accept 6.5%. He asked if it could be possible to spend a little time to zero in on a percentage that people can live with.

Councillor Merrigan stated that with the \$1 million from the Water Utility and the \$500,000 reduction then it would be 4%.

Councillor Deveaux asked if the County can use the million from the Water Utility and another half million reduction where does this leave Social Services.

Mr. Meech stated that the Social Services budget at the moment has an overall projected increase of approximately 15% based on actual expenditures through the first three months of 1992. He stated that there are other areas in Social Services that do not relate to the general assistance program such as the Employment Resource Program. He stated that it could be looked at whether or not this program is to continue. He stated that reductions could be made in co-ordinated home care although this had been restored to the 1991 dollar level expended on a twelve month basis. He stated that a cap may be put on the number of people being supported in homes for special care. He stated that the province has not yet confirmed whether or not they are keeping their assistance at the same level or whether they are reducing or increasing it.

Warden Lichter stated that the business community was looking for a 0% increase in commercial taxes. He stated that approximately 18 districts out of 25 would be above the general rate increase because their area rates would add on to the percentage. He stated that the County does not know at present what the school board is going to be asking for. He stated that it is not easy to achieve all the cuts but if there was some feeling from council as to what they believe is the increase that the residents and commercial people could live with.

Councillor Harvey asked what level of school board funding is anticipated in this document and was the school board aware of this.

Warden Lichter stated that the level of funding is the mandatory and nothing more. He stated that he did not know if the school board was aware of this. He stated that at this point the county is assuming no supplementary funding. He stated that his understanding was that although the UNSM has put in an objection there will be legislation once the house sits.

Mr. Meech stated that he had mentioned to Lloyd Gillis that there was the same amount of dollars in the budget this year that the County actually paid on a twelve month equivalent last year.

Councillor Rankin asked if the CAO come back with recommendations with regards to the half million dollars.

Mr. Meech stated that he could come back with a number of various programs and activities with a cost attached to them, give them a priority but at the same time provide some additional programming rather than a specific amount.

Councillor Richards asked Mr. Meech if their would be any staff reductions.

Mr. Meech stated that the only new positions where the contract positions created for Social Services but outside of that there are no new positions. He stated that he has been looking whether or not vacant positions can be kept vacant. He stated that there will have to be some consideration of programs and services which will ultimately have an impact on jobs.

Councillor Richards stated that Mr. Meech was being asked to prepare estimates bringing cost down to 4%. He stated that this recognizes if the Council is capable of transferring the \$1 million from the Water Utility. He stated that also Mr. Meech would show what those reductions would be if that money can't be transferred. He asked if the \$1 million is not there is Council going to say they will accept 6.5% or are they going to say 4% so you have to find another \$1 million.

Warden Lichter stated that the best way to handle it is to have some kind of a motion made that will clarify as to what the percentage objective should be as far as direction to Mr. Meech and then see what kind of support it gets from the Committee of the Whole as a recommendation to Council.

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

"THAT THE COMMITTEE OF THE WHOLE RECOMMEND STAFF TRY TO
MAP A 4% INCREASE IN THE TAX RATE AND COME BACK WITH
THOSE CUTS"

Councillor Cooper asked if that included residential as well as commercial.

Warden Lichter stated that it would include residential and commercial. He stated that when you take a look at those two sets of data and have the area rates calculated in then you will find that in the case of commercial the area rates calculated will bring about a somewhat lower actual tax increase than in the case of

residential. He stated that this was because the area rates are identical to that of the residential taxpayer.

Councillor Cooper stated that he would have difficulty if the residential increases more than the commercial.

Warden Lichter stated that on the general rate it won't.

Councillor Cooper stated that Council consider very seriously any residential increase at this particular time that would be above a commercial increase.

Warden Lichter stated that if the motion passes Council is telling Mr. Meech that nothing higher is acceptable. He stated that the only way this could be achieved is with cuts in services.

Deputy Warden Sutherland stated that he had no difficulty looking at the 4% with the proviso that the \$1 million is included. He stated that he has reservations with going beyond that. He stated that this has to be approached a step at a time.

Councillor Deveaux asked if the percentage was based on 12 months.

Warden Lichter stated that yes it was prorated to 12 months.

Councillor Brill asked if Halifax County could request additional funding from the Provincial government.

Warden Lichter stated that he had met with representatives of the provincial government and had outlined Council's financial situation and the plight of the taxpayers. He stated they also had discussed the decisions of Council and were made aware of what needs to be done but whether they can do anything financially for Halifax County remains to be seen.

Councillor Merrigan stated that staff identifies where cuts can be made to come down to a certain level then Council determines whether or not it wants those cuts or will make those cuts.

MOTION CARRIED

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

"THAT THE NEXT BUDGET SESSION BE SET FOR APRIL 25, 1992
STARTING AT 10:00 A.M."

MOTION DEFEATED

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

"THAT THE BUDGET SESSION BE SET FOR MAY 2, 1992 STARTING
AT 10:00 A.M."

MOTION CARRIED

Mr. Meech stated that he had been asked to come back with a recommendation on the grant request from the Grace Maternity. He stated that after discussion with Mr. Wilson his recommendation would be that Council agree to pledge \$40,000 a year for a total of \$200,000.

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

April 27, 1992

PRESENT WERE: Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Deveaux
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Taylor
Councillor Peters
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor MacDonald
Councillor Harvey
Deputy Warden Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper
Warden Lichter

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Dale D. Reinhardt, Deputy Municipal Clerk
Mr. Alan Dickson, Solicitor

CALL TO ORDER

Warden Lichter called the meeting to order at 7:00 p.m. Dale Reinhardt, Deputy Municipal Clerk, called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Bayers, seconded by Deputy Warden Sutherland

"THAT Julia Horncastle be appointed as Recording Secretary."
MOTION CARRIED.

CDD-SA-01-92-22-A5 - APPLICATION BY THE MUNICIPALITY TO AMEND THE
CDD AGREEMENT BETWEEN THE MUNICIPALITY AND THE ARMOYAN GROUP
LIMITED TO RE-LOCATE PROPOSED TOWNHOUSES AS SHOWN ON SCHEDULE "B"
OF THE AGREEMENT

Mr. Jan Skora, Planner, advised that an application had been received from The Armoyan Group to amend a comprehensive

Development District Agreement between The Armoyan Group and Halifax County to replace 30 townhouses with 21 single unit dwellings with zero lot lines in Armcrest Development. He advised the original comprehensive district agreement for this area was signed on June 11, 1990. He advised this agreement was established to permit the large 60 acre subdivision to have mixed residential community facility and commercial type of development. He advised this area was located east of the Beaverbank Road along Stokil Drive in Lower Sackville. Among its provisions, the agreement allowed for development of five (5) lots of land for 30 town houses.

He advised the developer at the present time received tentative approval for all phases of this development and for a portion of the subdivision. However, for Taleen Drive, the final subdivision approval had not been issued. Because of the market condition, the developer wished at present to develop this area for a single unit dwelling with zero lot lines. He advised the provision of the agreement was that any development in this area had to comply with the provisions of the agreement and Schedule "B" which was part of the agreement. He advised this schedule showed that Taleen Drive had to be developed as a 5 unit townhouse type of development.

He stated the agreement also specified that within the whole development, 5 to 20 percent of the residential development had to be a townhouse type of development. He advised another provision required that at least the maximum 78.6 percent had to be for residential development.

Mr. Skora advised the type of amendment which was proposed by the developer was considered a major amendment because it eliminated one type of residential development from this area of the subdivision. By eliminating this type of development, the percentage of dwellings would be increased from 78 to 82 percent. However, in the area of Taleen Drive, the density would be reduced significantly from 30 units on this side to 21 units. This proposed type of development would also be more compatible with the development which was already approved on the other side of Taleen Drive which was semi-detached.

He advised the Department of Transportation did not express concern with respect to this type of development in the area. He stated reduction of density would improve the situation in this area. He advised the Department of Engineering & Works, as well, had no objection to this. However, they required that prior to the development in this area, the necessary amendment to the system would be presented by the developer.

He advised in conclusion, staff recommended that the proposed amendment to the agreement be approved by Municipal Council.

QUESTIONS FROM COUNCIL

Councillor Peters referred to Page 2 of the staff report with respect to the service connections. She questioned if the Department of Engineering & Works had already reached an agreement with the developer that this issue would be attended to prior to the approval with regards to methods of abandoning the installed laterals, upgrading the plans, etc.

Mr. Skora replied that was correct. He advised the main system was already in place and a preliminary plan specified the type of connection to these 30 units. He advised because the amount of units had been reduced to 21 units, the plan had to identify this reduction.

Councillor Peters questioned if the Department of Engineering & Works were taking care of this matter.

Mr. Skora replied that the Engineering & Works Department were taking care of this matter because the developer had to submit the technical plan at this stage of the development.

Councillor Richards referred to the zero lot lines. He questioned if that meant there was no sideyard clearance on either side of the buildings.

Mr. Skora responded a zero lot line was a lot approved with a thirty-two foot width. He stated there was a zero lot line on one side. In this case, the agreement required that the other side have at least twelve feet. The building, therefore, could be located on the lot line on one side but had to have at least twelve feet on the other side.

Councillor Richards questioned if each house on that street would be twenty feet in width.

Mr. Skora advised the maximum size of the houses would be twenty feet in width because the lot was thirty-two feet in width. He stated this twelve feet allowed the owner to have a driveway or access to the back of the house.

SPEAKERS IN FAVOR

Mr. Phillip Reid, Comptroller, The Armoyan Group, wished to speak in favor of the application in concurrence with the staff report and the report of the Planning Review Committee for the elimination of the townhouse. He advised he was present to answer any questions Council might have with respect to this matter.

QUESTIONS FROM COUNCIL

Deputy Warden Sutherland asked if Mr. Phillip Reid was essentially saying that there was no market for townhouses at this particular time.

Mr. Reid responded that was correct, there was no market for townhouses at this particular time. He advised of areas with an overabundance of high density housing. He stated this was an increasingly attractive alternative for high density combination. He advised the prices were very affordable and this made the location more desirable.

Deputy Warden Sutherland questioned the price of these properties.

Mr. Reid responded the properties would range from \$75,000 to \$85,000.

Councillor Harvey questioned the report referring to townhouses and also to semi-detached dwellings. He questioned if these were interchangeable terms.

Mr. Reid responded this had to be carefully done or it could result in an unattractive alternative for high density housing.

SPEAKERS IN OPPOSITION

None.

DECISION OF COUNCIL

It was moved by Deputy Warden Sutherland, seconded by Councillor MacDonald

"THAT the application by the Municipality to amend the CDD Agreement between the Municipality and the Armoian Group Limited to re-locate proposed townhouses as shown on Schedule "B" of the agreement be approved by Municipal Council."
MOTION CARRIED.

RA-SA-17-91-16 - APPLICATION BY SAMI ARMOYAN TO REZONE PROPERTY AT 64 COBEQUID ROAD, LOWER SACKVILLE FROM C-2 (GENERAL BUSINESS) ZONE TO R-4 (MULTI-UNIT DWELLING) ZONE TO PERMIT THE DEVELOPMENT OF A PROPOSED 12 UNIT APARTMENT BUILDING

Mr. Tony O'Carroll, Planner, advised an application had been received by Sami Armoian to rezone property located at 64 Cobequid Road in Lower Sackville from its present C-2 (General Business) zone to R-4 (Multiple-Unit Dwelling) zone to permit construction of

a proposed 12 unit apartment building. He advised the lot at one time had a single unit dwelling located on it which had since been removed. Presently, it was a vacant lot.

He advised the access proposed from the owner of the property was on the abutting property at 70 Cobequid Road which he also owned and which would be dealt with later on in the report. He advised the location of the property was within the Urban Residential Designation, therefore, normally R-1 zone had been applied to these lots. In this case, this property was zoned C-2. He advised within the Urban Residential Designation, priority was given to residential uses especially to single unit dwellings. However, provision was made for other higher density housing types to provide for housing mix.

He advised under Policy P-31A, Council might consider rezoning lands within the Urban Residential Designation to the R-4 zone provided that they have access to a collector road and that separation from adjacent low density residential lands was adequate. He advised the property located at 64 Cobequid Road was illustrated, on Page 6, as having access to Cobequid Road, frontage on Cobequid Road of fifty feet. He advised the access being proposed, however, was on the abutting property which was a larger property which already contained a 30 unit apartment unit plus some offices.

Mr. O'Carroll advised the Department of Transportation had no problem with access as proposed by the developer from 70 Cobequid Road. He advised from the Planning Department's perspective, it made sense to have one access serving both of these apartment dwellings rather than two separate accesses.

He advised the separation from adjacent residential areas was quite adequate. The nearest residential use was at the end of Hillside Avenue where there was a number of single unit dwellings. However, there was quite a large vacant lot density treed between all the existing apartments and there were three apartments which were well separated from existing R-1 type uses. He advised the general location down the end of Cobequid Road was very much a commercial serviced industrial type of uses and again, to the south of this lot, immediate abutting was in fact a parking area reserved for car pools and for the operations of the Metro Transit buses. There was a mobile home park to the south. He stated the type of zoning in one sense could be seen as a form of down zoning in the sense the potential impact could be less than if this was developed for C-2 uses. There was no appreciable impact on other municipal services. He advised the Schoolboard indicated the schools in the area were adequate to service any increase of student population. The Engineering Department indicated the sewer services were as well adequate in this area.

He advised the only concern was with respect to the precise development on this lot, it being a narrow lot. He advised that Staff asked the owner to provide some sort of concept plan in which he did. He advised this plan was on Page 7 of the report which showed that the building was three stories having 12 units. He advised Staff pointed out in the report that the lot area appeared slightly less than what supported a 12 unit apartment dwelling. Either the developer would have to acquire more land or scale down this proposal to meet that requirement which cannot be varied.

He advised there was some question with respect to the sideyards whether they were adequate for this proposal. He stated the problem here was that there was a 20 percent slope across this property. He advised parking at the rear was adequate and there appeared to be no problem with respect to accessing onto the abutting lot and going out to Cobequid Road as proposed by the developer. The Engineer pointed out that he would require detailed storm drainage plans.

He advised that staff recommended that Council approve this application.

QUESTIONS FROM COUNCIL

Councillor Meade referred to Page 3 of the report. He referred to the owner indicating that he would guarantee access across the property and, furthermore, would sublet properties as a unit if necessary. He questioned how it could be guaranteed if he decided to sell seventy and not sixty four, and whoever owned sixty-four down the road came back to the County and indicated he could not get access to Cobequid Road because he could not get along with who owned #70. He questioned driveway easement over Lot 70 to get to number 64 would be registered in the Registry of Deeds.

Mr. O'Carroll stated he did not know if he would do that. He stated he could only tell Council what the Development Coordinator for this project said in a letter to Halifax County dated February 4, 1992. If the property was sold in the future, both properties would be sold as a unit and access would be guaranteed by inclusion in the property deeds. He stated he was not sure if Halifax County had any control with respect to the matter if they were to rezone that land and the owner proceeded with the development.

Councillor Brill requested a legal opinion with respect to access as mentioned.

Mr. Dickson indicated he would grant an easement in favor of the new property over the old property allowing for the passage of cars, traffic and pedestrians. That easement would ordinarily be granted in perpetuity and would be registered at the Registry of

Deeds. He stated this was something the Development Officer could pursue at the time an application for a development permit was made.

Councillor Brill questioned if the Development Officer would do this.

Mr. O'Carroll stated he could not answer this question. He stated Mr. Morgan who acted as a Development Officer might be able to answer Mr. Brill's question.

Warden Lichter questioned if both properties belonged to the same owner.

Mr. O'Carroll responded both properties belonged to the same owner at present.

Warden Lichter stated he did not see any problem with respect to access if both properties were owned by the same individual.

Deputy Warden Sutherland referred to the proposed parking area. He stated he assumed it would take a retaining structure and a fair amount of fill to have this up to the adequate grade.

Mr. O'Carroll responded that was correct. He stated a site visit was done and it appeared to him that it was quite a steep grade to come from one parking lot to the other and would require retaining walls to stabilize the slope on both sides of the property.

Councillor McInroy stated he felt this sort of detail should be taken care of. He requested that Staff ensure that this issue was properly addressed.

SPEAKERS IN FAVOR

Mr. Phillip Reid, wished to speak in favor of the application. He stated he was available to answer any questions Council may have with respect to this matter.

QUESTIONS FROM COUNCIL

Councillor Brill asked what consideration had been given to providing a play area.

Mr. Reid responded that the area to the immediate rear of the apartment complex was being allocated as a playground area.

Councillor Brill questioned how large the playground area would be and if there would be any equipment placed there.

Mr. Reid responded at this stage, he could not specify what equipment would be placed there or how large the area would be.

Councillor Brill questioned if this area would be available to the adjacent apartment.

Mr. Reid responded this area would be available to the adjacent apartment.

Councillor Brill questioned if access of fire trucks would be addressed in the application.

Mr. Reid stated they intended to address this issue in the application. He stated at this stage the fire access to 70 Cobequid Road was sufficient.

Deputy Warden Sutherland suggested that it be brought to Mr. Armoyan's attention the concern raised in Council with respect to the easement of those properties.

SPEAKERS IN OPPOSITION

None.

DECISION OF COUNCIL

It was moved by Councillor Brill, seconded by Councillor Snow

"THAT the application by Sami Armoyan to rezone property at 64 Cobequid Road, Lower Sackville from C-2 (General Business) zone to R-4 (Multi-Unit Dwelling) zone to permit the development of a proposed 12 unit apartment building be approved by Municipal Council."
MOTION CARRIED.

ADJOURNMENT

It was agreed to adjourn.

MINUTES & REPORTS
OF THE
FIRST YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
MAY COUNCIL SESSION
TUESDAY, MAY 19, 1992

&

PUBLIC HEARING

²²
MAY 11, 1992

of

Committee of the whole

May 14/92

MAY, 1992 COUNCIL SESSION

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PUBLIC HEARING

MAY 11, 1992

THOSE PRESENT:

Warden Lichter
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Deveaux
Councillor Bates
Councillor Randall
Councillor Smiley
Councillor Peters
Councillor Merrigan
Councillor Giffin
Councillor MacDonald
Councillor Harvey
Deputy Warden Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT:

G. J. Kelly, Municipal Clerk
Alan Dickson, Municipal Solicitor

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CALL TO ORDER

The meeting was called to order at 7:00 p.m. with the Lord's Prayer. Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT SANDRA SHUTE BE APPOINTED AS RECORDING SECRETARY".

MOTION CARRIED.

1. CDD-SA-01-91-22-A3 - Application by Armoyan Group Limited to amend the CDD Agreement between the Armoyan Group Limited and the Municipality of the County of Halifax to increase the permitted commercial floor area within Armcrest Estates from 5,000 to 8,300 square feet.

The Staff Report was presented by Maureen Ryan who advised that the application was a request by Armoyan Group Limited to increase the floor area of a commercial centre permitted on the northeast corner of the intersection of Stokil Drive and Armcrest Drive. She stated that this site formed part of the Armcrest Comprehensive Development District which was approved by Council on June 11, 1990. Armoyan Group Limited originally made a request to amend this Comprehensive Development District to increase the commercial floor area from 5,000 sq. ft. to 15,000 sq. ft. Within the

Sackville Municipal Planning Strategy, however, Policy P-50 specified that Comprehensive Development Districts may only permit a mix of residential uses, institutional uses and local commercial uses designed to serve the immediate neighbourhood. She advised that staff, therefore, recommended rejection of the Armoyan Group's original request since a 15,000 sq. ft. centre resembled a general commercial development which was specifically prohibited from developing within this CDD. In recognition of the restrictions of Plan Policy, the applicant revised the request to reduce the scale of the proposal to 8,300 sq. ft. in order to permit: a convenience store - 2,000 sq. ft.; a video store - 1,500 sq. ft.; dry cleaner/laundromat - 1,800 sq. ft.; hair salon - 1,000 sq. ft.; banking services - 500 sq. ft. and day care facility - 1,500 sq. ft. She said the applicant also requested some flexibility to alter the size of each commercial component within the proposed 8,300 sq. ft. size limitation.

Ms. Ryan showed slides to illustrate the proposal.

Ms. Ryan stated that, in the opinion of staff, the scale of mix of activities proposed by the applicant was more in keeping with a local commercial use than the previous proposal to construct the 15,000 sq. ft. centre. She stated the particular land use activities, as proposed, were commonly located within residential areas since they tended to service households on a more regular basis. She also indicated that since these small scale local commercial activities were proposed to be concentrated in one location to serve all of Armcrest Estates as well as the unserved residential lands surrounding the site, a centre of this size could be justified. It was not anticipated that the proposed expansion would have a significant impact on surrounding lands. The site was located adjacent to the proposed multiple unit dwellings and the land use intensity of an 8,300 sq. ft. centre would not be significantly different from the intensity of two 30-unit apartment buildings. In addition, the Agreement specifies that the developer must construct a 25' treed and sodded buffer along the rear and side yards in order to visually screen the property from abutting lands. Although not specifically mentioned in the report, a letter was received from Department of Transportation indicating that access to the site was to be confined to Stokil Drive which would prevent traffic impact on residential lands fronting on Armcrest Drive.

In order to provide some flexibility for the adjustment of floor space within the centre, Ms. Ryan stated it was suggested that a maximum permitted floor area for each commercial use be limited to 2,000 sq. ft. with the exception of banking facilities which should be limited to 500 sq. ft. since larger scale financial institutions could be regarded as a general commercial development, specifically prohibited within a CDD. Any adjustments to floor space, however, should be confined within the centre and it should not exceed the 8,300 sq. ft. as applied for.

Mr. Ryan stated that, in the opinion of staff, the current proposal advanced by the applicant was consistent with the intent of the Planning Strategy to provide convenient commercial and community services within residential areas while minimizing the impact on local neighbourhoods. It was, therefore, recommended that the Armcrest Estates Comprehensive Development District be amended to increase the permitted floor area from 5,000 sq. ft. to 8,300 sq. ft. in order to permit the development of local commercial and institutional uses as outlined in Appendix "A" of the Staff Report.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN FAVOUR

Mr. Lee Weatherby stated he was a real estate consultant with Turner Drake and Partners in Halifax. This company was a firm of real estate appraisers and consultants which conducted market supply and demand surveys and appraisals on real estate for various private companies and various levels of government.

Mr. Weatherby advised his company was approached in September of last year to conduct a market supply and demand survey for commercial uses in the Sackville area of Beaverbank Road, Stokil Drive and Millwood Drive relative to the particular piece of land under discussion. A market supply and demand report was produced which eventually concluded that there was unsatisfied demand for neighbourhood local commercial uses in this immediate area which recommended that the site contain a development of a certain size. The first report produced was issued in September of last year and, since then, a second report has been produced which was the reason for the downscaling of the development now before Council.

He provided detail as to the nature of the work undertaken. The supply and demand survey fell into two components - supply and demand. In terms of the existing supply of commercial uses and development in the immediately surrounding area, this was conducted through research by himself of actual uses in the area, reviewing the nature and size of various convenience stores, strip plazas, etc. in the immediate area. There was only one retail strip centre in the area which was the Beaverbank/Glendale Drive development which was around 11,000 sq. ft. built around 1978. The only other commercial uses serving the residential neighbourhood were free standing convenience stores. He said there apparently was a shortage of neighbourhood commercial uses in the newer subdivisions in the Beaverbank Road/Millwood Drive/Stokil Drive area, which conclusion was supported by the Halifax County background report prepared in April, 1989 called "Commercial Development in Sackville" which recognized that this particular area was not served by any neighbourhood commercial uses which were at some distance from the existing commercial corridor on Sackville Drive.

In terms of demand, Mr. Weatherby stated this was measured in two ways - the first was to analyze the amount of commercial space that the population in this particular area can expect to support. This was conducted by analyzing the trade area of Beaverbank/Glendale Drive plaza in 1978. Research of the number of households which existed in the immediate area at that time was carried out and the catchment area of the plaza, when built, was around 4800 people. There was a ratio between the size of the plaza and the population base which it served and the ratio became the basis for projecting the unsatisfied demand which has evolved since 1978. He said to look at the picture from 1978 to 1991, when the study was done, the number of households were counted in the general area and it was estimated that the population had increased by about 5000 which translated into a latent demand for around 11,500 sq. ft. of commercial space.

He said the second way in which the demand was examined and estimated was by looking at the range and size of particular commercial businesses and uses which typically locate and serve residential areas within the broader metropolitan area. This was conducted using data within the company's own files and published textbooks. In September of last year, it was concluded there was an unsatisfied demand for neighbourhood commercial uses in this particular area which would support commercial development of around 10,000-12,000 sq. ft. which became the basis on which the first application by the Armoyan Group was made. That proposal was rejected and a Staff Report was issued citing various reasons for rejection. He advised Armoyan Group had approached his company again in January, 1992 to address the various matters raised in the Staff Report and to review the company's recommendations and comment on what impact that would have. A new conclusion was reached as to what size commercial development would be more appropriate for which a demand still existed and which respected the Staff Report. He said that basically the staff rejection centered around the definition of general commercial versus local commercial uses. The original report prepared included various uses such as restaurant, offices, dental offices, general retail specialty stores which properly were regarded as general commercial and not local commercial. These were eliminated and the balance of the space fit within the category of local commercial uses and it was concluded that the size of the centre should be downgraded to between 5,600 sq. ft. and 8,300 sq. ft. and the final recommendation was that the application should be made toward the upper end of the range in view of the population expansion which was contemplated during the early and mid-1990's for this particular area. In September of last year, some research was done into what the future population expansion would be and it was estimated there would be an increase of approximately 2400.

Mr. Weatherby stated the above were the conclusions of the report which he had carried out.