

Council had no questions for Mr. MacGillvary or members of the Planning Department in response to the Resource Designation.

Therefore, Mr. MacGillvary outlined The Conservation Designation which "...identifies both the floodplain on the Nine Mile River and the Chain-Bayers Lake watershed lands which should remain structurally undeveloped."

There were no questions from Council regarding the Conservation Designation.

At this time, Mr. MacGillvary summarized his presentation, advising:

"Very few people in the Beechville-Lakeside-Timberlea area are opposed to zoning, they have had no zoning at all in the past as it has been a general zoned area. The people in Beechville-Lakeside-Timberlea are tiring of this situation, they are trying to keep their homes and property values up and therefore, want the zoning. Therefore, from the Community point of view, it is something they have been looking forward to for a long time, especially with sewer and water coming on-stream. Also, the plan is a five-year plan which will be reviewed and perhaps totally changed at that time, if it is felt necessary by the PPC Committee and-or Council".

Mr. MacGillvary also advised that there were two contentious areas not yet ironed out between the industrial area and the residents; 1. an Auto Body shop backing into a residential lot on a private lane; 2. the Reardon Property bordering a lake. Mr. MacGillvary advised that there have been meetings between the residents and the owner of the above-mentioned properties with no satisfactory result. Therefore, he advised that these issues may culminate into a Public Hearing before they are resolved.

Councillor Baker indicated some concern for his District, regarding the large lot sizes required in Beechville-Lakeside-Timberlea. However, he could vote for this Plan as he felt that all Districts would be dealt with separately. He felt this plan was what the people of Beechville-Lakeside-Timberlea wanted.

Councillor Lichter advised that his only concern was that once the plans were passed, the Minister of Municipal Affairs would have to sign it in order for it to become law; the same principal would hold true for the other areas in the County. However, he felt there was no guarantee that a people's plan in sparsely populated areas, would carry as much political power as the urban plans carry.

Councillor Wiseman questioned Mr. MacGillvary regarding the Industrial Uses which were to be allowed in the Mixed Resource area; looking through the zoning by-law she did not see any indications of restrictions regarding industrial uses. As well, there seemed to be minimal restrictions as far as salvage yards, etc. She questioned whether any consideration had been given to any of the dangers that could be experienced by allowing these industrial uses to locate there.

Mr. MacGillivray explained that any industries were restricted to being at least 100 feet from water courses and 300 feet from homes. He advised that there were many such restrictions in the zoning by-law.

Councillor Margeson indicated that he would like the storage of natural gas, etc. to be addressed in the Plan.

Councillor Poirier indicated that there was a good cross section of residents on the Public Participation Committee. She also thanked Mr. MacGillivray for his hard work throughout the planning process.

### Sackville

At this time in the meeting, Mr. Glen Robertson and Mr. Paul Hyland came forward to outline to Council the Municipal Development Plan for Sackville.

Mr. Paul Hyland opened the discussion, acknowledging Mr. Gissentto a member of the Sackville Public Participation Committee who was seated in the Council Chambers. Mr. Hyland also thanked Councillors MacDonald, Wiseman, Eisenhauer, Margeson, and Benjamin as well as Deputy Warden MacKay who had attempted to attend all or most meetings of the Public Participation Committee.

Mr. Hyland drew the attention of Council to both the Draft Municipal Development Plan and the Draft Zoning By-Law; he advised it had been completed as of December 16. With the use of three maps; the draft Zoning By-Law map, the Futurized Land use map and a present Zoning map, Mr. Hyland reviewed the boundaries for the study area in Sackville. Mr. Hyland also reviewed the history of the work of the Sackville Public Participation Committee which included information regarding the composition of the Committee and the number of meetings held.

As Mr. Hyland reviewed the study areas, Mr. Glen Robertson following along, outlined them on the maps for Council's benefit. As well, Mr. Hyland indicated that all Councillors who were not on the MDP Committee, should go through both the Draft Municipal Development Plan document and the Draft Zoning By-Law document.

Mr. Hyland then briefly outlined the Land Use Designations which were designed to reflect the general land use within a given area, using the following table:

- |                                  |   |
|----------------------------------|---|
| 1. Urban Residential Designation | - Serviced urban development  |
|                                  | - Allow higher forms by rezoning  |
| 2. Rural Residential Designation | - unserviced residential development and forestry and agriculture uses. |

3. Commercial Designation
  - Urban Core
  - General Commercial
  - Core
  - Designation of the central areas for downtown type development services
  - General
  - accomodate other forms of commercial development
  - recognizes existing development
4. Industrial Designation
  - Promote Industrial Parks
  - provides direction for future growth
5. Community Designation
  - protect single community facilities
  - provide direction for acquisition of future parklands
6. Regional Park
  - recognizes existing regional park

Mr. Hyland advised that during the planning process a great number of Sackville residents had input into it. He explained this was due to excellent news media coverage as well the cable television presentations, which had made the residents familiar with the Plan.

Mr. Hyland, during his presentation, continued to point out to Council the present zoning versus the newly proposed zoning. He also outlined the zones contained within the Draft Zoning By-Law document on page 13 of that document. (please refer to the draft zoning by-law document for clarification of the zones).

Subsequent to Mr. Hyland's explanation of the Sackville Development Plan, several Councillors commented on the difference in lot footage requirement in Sackville and the Beechville-Lakeside-Timberlea plans. The requirement in Sackville was only 20,000 sq. ft. as opposed to the 40,000 sq. ft. in BeechvilleLakeside-Tiberlea. This sq. ftg. was in line with the minimum requirements of the Department of Health. Mr. Hyland advised that the Sackville Public Participation Committee had not changed the requirement as they had found it adequate for their area.

There was also considerable discussion in regard to the Mobile Home Park Zone. Mr. Hyland pointed out that Sackville had a large number of Mobile Homes.

Councillor MacDonald indicated some concern over the possibility of salvage yards, etc. locating in the Commercial zone. He was advised by Mr. Glen Robertson that salvage yards would be allowed by contract to protect the adjacent land owners. Also in the unserved areas larger lots would be required.

Mr. Hyland outlined a new zone called the C-3 Commercial Core zone in which the Public Participation Committee felt larger business enterprises should locate. It was hoped that structures such as office buildings might be constructed in this area. He clarified for several Councillors that this would not deter a business from locating in other commercial areas of Sackville.

Councillor Gaetz questioned Mr. Hyland in regard to where Churches would be allowed to locate and he was advised that these structures could locate in any zone. Mr. Robertson also advised that no hearing would be necessary in order to put a church in any of the zones.

Mr. Bill Campbell indicated further that it had been dealt with differently in Cole Harbour, where the Committee was concerned with the ability of a School or Church to go next to a residential area with no input from the Community and they requested that such facilities only go into the area with a contract or a rezoning hearing. He re-enforced the fact that the Cole Harbour area was the only area to make such a request.

In summary, Mr. Hyland requested that Council give due consideration to the proposed Sackville Municipal Development Plan on its own merits as it was developed specifically for the area by the people of the area. As well, he thanked Glen Robertson for his help during the planning process, indicating regret, but also congratulations that Mr. Robertson was changing employment positions and relocating to British Columbia.

Deputy Warden MacKay also indicated his opinion that the Plan had been prepared with the best possible approach. He thanked both Paul Hyland and Glen Robertson for their efforts in formulating the plan and wished Glen Robertson well in his future endeavors.

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

"THAT Halifax County Municipal Council agree that County Planning Staff prepare the final documentation of the Municipal Development Plans and Zoning By-Laws for the Beechville-Lakeside-Timberlea and Sackville areas with the intent that the completed Plans and By-Laws return to Council at the February 16, 1982 Council Session at which time Council will set a Public Hearing date to formally indicate Council's intentions to adopt the Municipal Development Plans and the Zoning By-Laws for Beechville-Lakeside-Timberlea and Sackville."

Motion Carried.

Prior to the passing of the motion Councillor Margeson indicated his concern that the storage of gas and hazardous materials had not been addressed in the Sackville Plan and expressed his wish that it be addressed.

Mr. Hyland advised that Sackville is only interested in light industry in its Industrial Park and therefore felt it was not an issue at this time. He did however, point out that the Plan is a five-year plan and the issue can be addressed in future if necessary.

Mr. Campbell substantiated the comments of Mr. Hyland.

On behalf of Council Warden Lawrence thanked all those involved in the presentations, Mr. MacGillvary, Mr. Hyland and the Planning Staff involved in explaining the details and also wished Mr. Glen Robertson well in his future endeavors.

#### LETTERS AND CORRESPONDENCE

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

"THAT the Letters and Correspondence be received."  
Motion Carried.

#### Letters From the Department of Environment

The first two letters in the agenda were from the Department of the Environment; one to Mr. Kelly, Municipal Clerk, and one to the Shubenacadie Lakes Advisory Board with a copy to Mr. Kelly in response to Council's request that the Department investigate the polluting operations of the Rocky Lake Quarry.

The letter to the Shubenacadie Lakes Advisory Board outlined an environmental monitoring program for both effluent and air emissions for the Company's operation in the area. The Department planned to compare data from samples taken during the winter shut-down period with results taken when operation resumes in April 1982. The letter also advised that monitoring for air emissions has also been proposed by the Department of Mines and Energy.

The letter to Mr. Kelly from C. D. Carter, P. Eng of the Department of Environment advised that the results of the survey work will be discussed with Company officials and remedial action plans developed.

Councillor Benjamin expressed his disappointment with this information, advising that he as a layperson and the residents were capable of recognizing discolored water and dust fall-out. The tests were not necessary to prove that the Environment has been affected. It was his hope that the Department would have taken immediate remedial steps, which was the reasoning behind his referral of the matter to the Department of Environment. He felt that the results of any testing done at this time, would be redundant in the summer of 1982. The Councillor felt that a stern letter should be written to the Department of Environment requesting that they ensure, when the plant resumes operation next June, it will not be able to continue in the manner in which it operated in 1981, which had adversely affected the Environment.

It was moved by Councillor Benjamin, seconded by Councillor Lichter:

"THAT the CAO of the County of Halifax write to the Minister of the Department of Environment indicating the concerns of the residents in relation to the adverse affects on the environment, caused by the operation of the Rocky Lake Quarry."  
Motion Carried.

Councillor Gaetz advised Council that he was experiencing a problem with large amounts of iron in the water in his area. It was his opinion, therefore, that the Department of the Environment would soon be forced to look at the condition of water in the entire County.

#### Letter From Metropolitan Authority

The Metropolitan Authority had written to Mr. Kelly in response to the issue of the feasibility of merging School Bus Conveyance with Metro Transit.

The letter advised that Metropolitan Authority was basically in agreement with Mr. C. E. Stewart's memorandum to the Property and Conveyance Committee, regarding this matter. However, the letter also advised that the Authority was aware of several attempts to achieve some degree of amalgamation in other Municipalities throughout the Atlantic Region and the rest of Canada. Therefore, they were in the process of compiling background information on the subject and were hopeful to be in a position to provide the Municipality with a terms of reference and estimated cost for a feasibility study within three to four weeks.

This letter was included in the agenda for Council's information only.

#### Letter From the Department of Municipal Affairs

The next letter, from Jack MacIsaac, of the Department of Municipal Affairs, was further to the Municipality's letter of November 10, 1981 requesting that the Department consider an appeal at the subdivision approval stage involving the County Board of Health and the Atlantic Health Unit.

Subsequent to an examination of this issue, by Municipal Affairs Staff, he advised: "...it appears that the procedure under Section 38A of The Health Act is not an appeal but an application for exemption from certain requirements. Furthermore, in addition to provisions found in your subdivision regulations, the authority for the Development Officer to refuse a plan of subdivision on health grounds is found in An Act Respecting the Municipality of the County of Halifax, Chapter 80 of the Statutes of Nova Scotia, 1974, commonly referred to as Bill 82. Section 3 (4) of this Act provides for an Appeal, ..."

Mr. MacIsaac advised he would be pleased to suggest that consideration be given to the suggestion of an appeal at the approval of Tentative Plan of Subdivision stage, when amendments to The Planning Act are being considered.

Solicitor Cragg made the following clarification: "the special legislation referred to by Mr. MacIsaac, does refer to an Appeal through the Provincial Planning Appeal Board and it refers to the applicant. It is an appeal which must be lodged within 14 days from a decision of the Development Officer who could have either accepted or rejected the Development Plan. It stems from authority which is given to the Development Officer to request of the Department of Health a Report in which they would either approve or disapprove of the

application. If the Department refuses or is unable to give such a report, the Development Officer shall proceed as if the referral to the Department had not been made. Whatever his decision, can be appealed pursuant to Section 3 (4) of the Special legislation in exactly the same way as Section 49 (7) of the Planning Act deals with appeals as well"

In response to a question from Councillor Lichter, Solicitor Cragg further advised that the decision of the Development Officer can be appealed whether he approves or rejects the application. The decision can only be appealed by the Council, the Council of any Municipality, the Director or the Applicant. An interested party could not initiate an appeal. Mr. Cragg further advised that the Appeal could be on the Health aspect of it only.

Councillor Lichter advised that the original intent of his motion was simply that an applicant who does not feel he has been treated justly when his lot application has been rejected, regardless of what the reason, can have an appeal avenue.

Councillor Benjamin advised of his understanding of Section 38 (a) of the Planning Act which was an opportunity for exemption and not appeal. He felt that the letter from the Minister had not applied itself to Council's intent. Councillor Benjamin further advised Council should request the PAC to make firm recommendations with the aid of the Solicitor, to suggest these changes to the Planning Act at the Subdivision Stage and submit these to the Minister for his approval or rejection.

Councillor Deveaux indicated his understanding that an appeal at this point in time would only apply in regard to Health approvals. He was advised by the Municipal Solicitor that the appeal referred to in the Special Legislation, restricts itself specifically to Health reasons, the Planning Act itself has the ordinary appeal procedures which can be wider in scope than just those in the Special Legislation. The Health Act itself, he explained, is not an appeal procedure at all but merely an application for an exemption.

Councillor Topple indicated his opinion that the Minister misunderstood the Municipality's request. The Minister, it appears, assumed that the County was having a problem with respect to Health. In that regard he questioned the Solicitor if there was any way the County could prepare something in the form of a request to the Minister to consider an appeal process on the grounds other than Health.

Solicitor Cragg indicated his opinion that Section 49 of the Legislation taken as a whole, did provide adequate appeal procedures for persons who feel a grievance for reasons other than Health. Health, itself, is specifically addressed by the Special Legislation.

Councillor Benjamin read to Council a letter sent to the Honorable Jack MacIsaac, Minister of Municipal Affairs November 10, 1981. It was Councillor Benjamin's opinion that the letter does not indicate that the Municipality was asking for a similar appeal process as is laid down in 38A for Health reasons.

Councillor Gaetz requested whether the appeal process was an expensive one. He was advised by Solicitor Cragg that it was not overly expensive as the Provincial Planning Appeal Board has endeavoured to make their hearings as informal as possible. He further advised that an applicant or an appealant does not even have to retain Council but can appear before the Board representing himself.

Councillor Deveaux was in agreement with Councillor Benjamin in that the previously read letter did not indicate that the Municipality is requesting an appeal process separate from the Appeal presently available under the Health regulations.

Subsequent to the above discussion:

It was moved by Councillor Lichter, seconded by Councillor Benjamin:

"THAT this issue be referred back to the Planning Advisory Committee who with the aid of the Municipal Solicitor will be able to come up with a mechanism whereby a solution will be possible for persons seeking an appeal on grounds other than Health."

Motion Carried.

#### Letter From the Department of Environment

Mr. Meech outlined the response from the Department of the Environment which suggests after a number of months of waiting for an answer on the issue of the proposed Cobequid Industrial Park, the Department did not have sufficient information provided by the Developer to give a professional, technical opinion as to whether the proposal shall be approved at this stage or should be referred by the Minister to the Environmental Control Council.

Mr. Meech also advised that in addition to the letter in the agenda book there was a memorandum to be circulated by Mr. Keith Birch, as follows:

"This report is in response to the letter of December 22, 1981 of the Deputy Minister of the Department of the Environment for the Province.

As Council is aware, this matter was the subject of a public hearing, the result of which was to request the Minister of Environment to place the matter before the Environmental Control Council for a hearing. The Deputy Minister's letter is in response to that request.

The net effect of his letter is to place the matter before Council. The deficiencies mentioned in the third paragraph of his letter, were intended to be resolved after signing the agreement, but prior to development occurring. As such, the Department of the Environment gave their approval to the proposal by letter dated February 22, 1980, signed by Mr. Carter.



Consequently, Council has three options as follows:

1. Deny the request for the agreement.
2. Approve the proposal.
3. Approve the proposal subject to the Minister of Environment's direction on the matter of a hearing before the Environmental Control Council when relevant information is available.

If Council's wish is to go with either (2) or (3) above, it might be appropriate to defer the matter until the next Council meeting for a more detailed staff report on suggested amendments which may have arisen from the Public Hearing and also to notify the concerned residents associations."

Councillor Benjamin advised Council that the motion made on July the second was; moved by Councillor Topple and seconded by Deputy Warden Deveaux: (Deputy Warden at that time)

"THAT Council defer its decision regarding the proposed Cobequid Industrial Park pending recommendations from the Nova Scotia Environmental Control Council and that the Environmental Control Council be requested to carry out its study of the Environmental Impact of this Park with all due haste."

Councillor Benjamin felt that the motion may not have requested the correct procedure. He advised that it was not within Council's jurisdiction to ask the Environmental Control Council to do anything; Council can only request the Minister if he would consider having them brought in to give an appraisal of the Environmental Impact. He felt that the previous motion should be rescinded before any subsequent motion is adopted. He also advised that it should not be necessary to have another Public Hearing on this issue, it was his understanding that the Hearing had been adjourned.

Mr. Birch came forward at this time to expand on the information in his memo, basically reiterating the points contained in the memo.

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

"THAT the Cobequid Industrial Park issue be placed on the next Council agenda for consideration by Municipal Council and that the CAO of the Municipality of the County of Halifax, Mr. Meech, be requested to contact the Solicitor of the Ratepayer's Association, Mr. Paul B. Miller, inviting him to attend the Session as an observer only."

Motion Withdrawn.

Prior to the withdrawal of the above motion, Councillor Topple questioned whether the previous motion requesting consideration of the Environmental Control Council should be rescinded. He also questioned the Deputy Minister's statement that the Applicant had not supplied information requested in 1979, wondering if the IEL Park had been requested to supply the same information.

Solicitor Cragg advised that it was unnecessary to rescind the previous motion made by Council, as that motion had requested that the issue be referred to the Department of the Environment and the Environmental Control Council for information. He advised that in accordance with the motion, the matter was deferred and the information presented today, indicating that the Environmental Control Council does not want to deal with the issue, is the requested information. Therefore, the motion has been dealt with and the Municipality is now in a position to make its decision, without the necessity of reopening the Public Hearing; unless the Hearing was reopened to hear "New" evidence.

During the ensuing discussion by Council it was the concensus of all Councillors that the matter had been dealt with poorly by the Department of the Environment.

Subsequent to the above discussion:

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

"THAT this item be placed first on the January 19, 1982 Regular Council Agenda and that a decision be made at that time and that in the interim a staf report be prepared indicating any new information regarding the PUD that Mr. Paul B. Miller, the Solicitor for the area Ratepayers' Association will be invited to attend as an observer only."  
Motion Carried.

Prior to the motion being carried, Councillor Wiseman expressed some concern that the motion would commit the Municipality to making a decision. However, she was advised by Warden Lawrence that the Municipality could presumably defer its decision again pending additional clarification.

It was also agreed by Council that Mr. Paul B. Miller, the Solicitor for the area Ratepayer's Association would be invited as an observer only.

#### SUPPER BREAK

It was moved by Councillor Eisenhauer:

"THAT the Council Session adjourn for one-half hour for supper."  
Motion Carried.

Therefore, the Council Session temporarily adjourned for supper.

#### COMPLETION OF LETTERS & CORRESPONDENCE

##### Letter From Department of Development

The next letter in the agenda was from the Department of Development regarding the construction of a spur line in East Chezzetcook.

The letter informed that the preliminary plans for the Industrial Park at East Chezzetcook have recently been approved in their final form and acquisition of land is now underway. The Consultants, CBCL, are now in a position to begin final design of the park in preparation for tender calls. The Park is being designed with a rail spur servicing it, and the Consultants will be obtaining the necessary approvals as the design proceeds.

Mr. Meech advised that this letter was contained in the agenda for information only.

#### Letter From Energy Mines and Resources Canada

This letter was in response to the Municipality's letter of November 27, 1981, regarding the Energy Mines and Resources-Canada COSP Grant.

The letter was initiated by Councillor Lichter's request at an earlier Council Session for information as to how a home-owner would obtain information pertaining to a grant from the Federal Government to assist in the cost of converting to wood-burning stoves.

The letter advised: "The simplest way to obtain information, or to apply for the grant, is to phone 426-8600 or 1-426-8600 (toll free), if one lives outside the Halifax area. Our inquiry clerks will provide the information and will record the necessary data and forward it to the processing centre, resulting in the applicant receiving an application form. By using this method, we eliminate errors and omissions and therefore provide better service."

This letter was also for information purposes only; however, Councillor Lichter was amazed that an answer to his request was received so promptly, yet it supposedly took up to six weeks to receive an application form for the grant.

#### Letter From Department of Municipal Affairs

The next letter contained in the agenda from the Department of Municipal Affairs was in regard to a request passed at Council's November 17, 1981 Council Session, that the Department of Municipal Affairs provide a demonstration grant for transit service from Quigley's Corner to Ocean View Manor.

The letter advised that the request had been considered. However, it also advised that the Provincial 1981-82 budget is already totally committed and there is no provision for demonstration projects in the 1982-83 financial estimates..

Mr. MacIsaac, the writer, did however advise that his Department would be pleased to provide any technical assistance that may be required.

Councillor Deveaux spoke briefly on this issue, advising that he was going to continue with the aid of his MLA to attempt to extend the bus service in his area.

Letter From the Canadian Association for the Mentally Retarded

A letter had been received from the Canadian Association for the Mentally Retarded expressing the Association's dissatisfaction with the decision to locate the New Junior High School in the Beaverbank area, District 15, as opposed to the Sackville area.

The letter ended as follows: "We, on behalf of the parents and students who will be educated in the New Junior High School, urge you to reconsider this decision and locate the school in the Sackville community."

It was the suggestion of Councillor Margeson that discussion of this letter be limited as there had been a meeting last evening with the Sycamore Lane people, the Acadia School people, the Beaverbank people and the Secretary and Jack Brill representing the TMH students. He advised that these groups were satisfied with a decision to leave the TMH students in Sackville. He further advised that the CAMR Association was now going to request space in the Sackville Junior High which will be much less crowded when the Beaverbank Junior High Students relocate to Beaverbank, or to the Acadia School which will be renovated.

Deputy Warden MacKay agreed with Councillor Margeson in that the CAMR did not wish to have the TMH students located in the Beaverbank Junior High School. However, he then advised that the elimination of the TMH students changed the requirements of the Beaverbank School dramatically.

Councillor Wiseman was in agreement with Deputy Warden MacKay; however, due to the fact that the meeting held last night, which Councillor Margeson had referred to, was held with a view to attempting to come to some negotiative settlement agreeable to by all parties; rather than jeopardize any possible agreement which may come about between the communities involved, Councillor Wiseman agreed to support Councillor Margeson's suggestion of tabling the letter and limiting discussion.

In response to further questioning on the part of Deputy Warden MacKay regarding the change in criteria for the New Junior High School, Warden Lawrence read to Council a letter from Mr. Paul Nowlan, Chairman of the Beaverbank-Kinsac School Building Committee, to Mr. Hanrahan of the Municipal School Board, which indicated that the Beaverbank-Kinsac School Building Committee was prepared to accept a new Junior High School of a reduced size. This, it was felt, would address the issue of reduction in Student population due to the fact that the TMH students would not be attending the New School.

It was still, however, the position of Deputy Warden MacKay that the entire issue should be reviewed again by the Management Committee.

Letter From Attorney General of Nova Scotia

Mr. Meech outlined the next letter in the agenda from Mr. Harry W. Howe, Q.C., Attorney General for Nova Scotia. This letter was to acknowledge the Municipality's letter of October 26, 1981 advising that Municipal Council approved a motion to write his Department to support the request from the residents of Middle Musquodoboit regarding increased police protection for their area. He advised that the R.C.M.P. have been contacted and will try to take steps to alleviate the problems being experienced.

As well, the letter further advised that most of the area of the County of Halifax from Dartmouth to the border of Guysborough County is policed out of the Dartmouth and Sheet Harbour Detachments with the exception of the Musquodoboit Valley area which come under the Stewiacke Detachment. Because the Dartmouth Detachment facilities must be relocated a complete review of the policing of that area of Halifax County is being conducted and various options are being considered in regard to the changing of Detachment boundaries or the creation of additional Detachments.

Warden Lawrence advised that she had been speaking to Superintendent Bungay who had suggested to her that he would like to come to Council with his Staff in charge of the various detachments that cover Halifax County and discuss the coverage and to answer any questions Councillors may have. The Warden had felt that Council would agree with the suggestion and she had then discussed possible convenient times; the best time for Superintendent Bungay had been early in February.

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

"THAT the Municipality write to Superintendent Bungay requesting that he attend Council along with members of his staff to discuss the R.C.M.P. coverage, tentatively scheduled for the February 2, 1982 Regular Council Session."  
Motion Carried.

Subsequent to the passing of the motion, Councillor Lichter commented briefly advising that a motion had been passed in Council well over a year ago, November 18, 1980, requesting that the R.C.M.P. cover the Meagher's Grant area entirely by the Stewiacke R.C.M.P. detachment. He further advised that shortly after the passing of the previous motion, a letter had been received from the Attorney General with similar wording, advising that a "complete review of the policing of that area of Halifax County is being conducted and various options are being considered in regard to the changing of Detachment boundaries or the creation of additional detachments."

Councillor Lichter advised that the people of Meagher's Grant have been waiting for 13 months to resolve this issue which is now under two detachments; he asked that this issue could be discussed at the time Superintendent is present in Council.

Letter From the Department of Transportation

A letter had been received from the Department of Transportation regarding the issue of development on Private Rights-of-Way.

This letter advised: "This Department does not consider it proper nor would we be prepared to consider amendments to existing agreements contrary to the Planning Act, or in advance of any revisions being considered to the Act. Until such time as further steps are taken that would change the act and permit development as you suggest it would not appear timely for County and Department Staff to undertake discussions on this subject."

Council declined to comment on this letter at present.

This concluded the Letters and Correspondence.

APPOINTMENT TO THE HERITAGE ADVISORY COMMITTEE

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

"THAT Mrs. Elizabeth Corsar be nominated to serve on the Heritage Advisory Committee of Halifax County."

Councillor Deveaux spoke briefly on behalf of his nominee advising: "Mrs. Corsar has been a member of the Cole Harbour Heritage Society since its conception in 1973. He advised that she is from the Cow Bay area and has done a great deal of volunteer work not only in the Heritage Society but also with other Associations in Cole Harbour and Eastern Passage. He further advised that she had worked a number of years ago in Scotland for a three year term in a Museum. He advised that she was an adept person capable of handling many responsibilities.

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

"THAT Nominations Cease,"  
Motion Carried.

Therefore, Mrs. Corsar was selected as the last appointee to the Halifax County Heritage Advisory Committee. It was also decided, therefore, that all the members could be contacted in order that a meeting of the Committee could be set up in the near future.

REPORT OF THE PLANNING ADVISORY COMMITTEE

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

"THAT the Planning Advisory Committee Report be received."  
Motion Carried.

Public Land Donation

Mr. Meech outlined the first item in the Report; a request that Parcel P-2, Silverside in Waverley be accepted by the Municipality as parkland. The Municipal Solicitor had reported this land to be free and clear of all encumbrances and County Council is therefore in a position where it can accept title to the land.

It was moved by Councillor Benjamin, seconded by Councillor Lichter:

"THAT Lot P-2, Silverside Subdivision be accepted as parkland by the Municipality."  
Motion Carried.

Prior to the motion being passed, Councillor Benjamin requested whether it referred to all the land that was previously in the name of the Resident's Association. This information was not known at the present time, therefore, Councillor Benjamin requested that this information be made available at the next Council Session via a Report from PAC.

Undersized Lots Located on a Curve

The second item included in the PAC Report was a recommendation that undersized lots located on a curve in the Inishowen Subdivision Cole Harbour be approved. The Lot numbers were A-2, A-3, A-4, A-5, A-6, A-14, A-15, and A-16. The Lot sizes were included in the Report for Council's information.

The Report advised that these lots were serviced with Municipal Sewer and Water and had sixty feet at the building line.

As recommended in the Report:

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

"THAT undersized lot #'s A-2, A-3, A-4, A-5, A-6, A-14, A-15 and A-16 of the Inishowen Subdivision be approved as undersized lots."  
Motion Carried.

Final Report and Recommendations - Planning Act Review Committee

Finally, the Planning Advisory Committee recommended that a letter be forwarded to the Planning Act Review Committee, expressing appreciation on the completion of the review, and that a letter be forwarded to the Minister of Municipal Affairs requesting early enactment of the Planning Act Review Committee's recommendations.

Mr. Meech advised that the Committee's Report had been officially tabled with the Minister.

Deputy Warden MacKay advised that information in the Planning Act Review Committee Report, Page 9, relative to conforming and nonconforming use was contradictory to information received during the Municipal Development Plan Process. He went on to explain the difference between the way it had been explained during the MDP process and in the Planning Act Review Committee's Report.

Solicitor Cragg advised that the explanation found in the Planning Act relative to conforming and non-conforming use was the preferable explanation.

Councillor Topple advised that the intent of Staff when developing the MDP Plans was to make all non-conforming uses in existence conforming uses upon completion of the plan. Unfortunately people had the impression that all non-conforming uses were illegal anyway if they had existed for a period of time.

Councillor Wiseman indicated her hesitancy to support the recommendations in the report without being more familiar with what exactly was included in the Report.

Councillor Lichter advised the the PAC dealt with this issue in detail; they were not happy with each and every recommendation but they had been under the impression that the time was over for further input into the recommendations as they have now been made to the Minister. He advised that he was not in favour of allowing the Province to legislate itself out of injurious effectation.

It was moved by Councillor Margeson, Seconded by Councillor MacDonald:

"THAT a letter be forwarded to the Planning Act Review Committee, expressing appreciation on the completion of the review, and that a letter be forwarded to the Minister of Municipal Affairs requesting early enactment of the Planning Act Review Committee's recommendations."

Motion Carried.

#### MANAGEMENT COMMITTEE REPORT

It was moved by Deputy Warden MacKay, seconded by Councillor Eisenhauer:

"THAT the Management Committee Report be received."  
Motion Carried.

#### 1982 Property Tax Exemption, Widows, Senior Citizens, etc.

The Management Committee had reviewed the 1982 property tax exemption for widows, senior citizens, etc., and subsequent to this review, recommended to Council that the 1982 property tax exemption to eligible property owners be increased to a maximum of \$200 with total annual income not exceeding \$6,500. If this recommendation was approved, the increase would be approximately \$15,000 over 1981.



Subsequent to lengthy discussion, in which many members of Council expressed their concern that the maximum salary should be \$6,500 to \$7,500 yearly:

It was moved by Councillor Margeson, seconded by Deputy Warden MacKay:

"THAT the 1982 property tax exemption to eligible property owners be increased to a maximum of \$200 with total annual income not exceeding \$6,500."  
Motion Carried.

#### Cost of Living Increases - Municipal Non-Union Employees

The second item in the Management Committee Report was a recommendation that the cost-of-living adjustments to the salary scales for non-union employees be 12%, effective January 1, 1982.

It was moved by Councillor Williams, seconded by Councillor Gaetz:

"THAT the cost-of-living adjustments to the salary scales for Non-Union Municipal Employees be 12% effective January 1, 1982."  
(See Motion to defer)

This motion was discussed for some time by Council. Councillor Lichter, in particular, was concerned about the raises in Management salaries in the 6, 7, and 8 categories in comparison to the figures recommended by the Consultants during the Organizational Study completed in October, 1979.

Councillor Lichter was assured by Mr. Meech that these salaries have only escalated since then by the normal, yearly cost of living raises.

Councillor Lichter, however, requested further information on the escalation of Management Salaries in the 6, 7 and 8 scales, since the salary figures recommended in the Organizational Study of October, 1979.

It was moved by Councillor Lichter, seconded by Councillor Gaetz:

"THAT approval of the 1982 cost of living salary increases be deferred pending the receipt of a comprehensive report regarding the events that led from the Management Salaries as of the October, 1979 Organizational Study to the Management Salary scales recommended in the 1982 cost-of-living Report."  
Motion Carried.

Therefore, this issue was deferred until the next Council Session at which the requested report would be received and perused by Council.

#### POLICY COMMITTEE REPORT

It was moved by Councillor Walker, seconded by Councillor Gaetz:

"THAT the Policy Committee Report be received."  
Motion Carried.

Councillor's Salaries

Mr. Meech outlined the one item in the Policy Committee Report which related to Councillor's Salaries. He advised that the Policy Committee had discussed this issue coupled with the issue of holding Committee of the Whole meetings rather than separate Committee Meetings.

The Policy Committee recommended to Council that a sub-committee of the Policy Committee consisting of three members be appointed to study the issue of Councillor's salaries and also the Committee of the Whole meetings and that this Committee bring back recommendations to Council.

Council discussed this issue for quite some time, resulting in the following:

It was moved by Deputy Warden MacKay, seconded by Councillor Gaetz:

"THAT a Committee of three Councillors be established to study the issue of Councillor's salaries and Committee of the Whole Meetings and to bring back recommendations to Council."

(See Motion To Amend)

Many Councillors were opposed to the motion. Their opposition was largely based on the membership of the new Committee to be represented by the Policy Committee only. They felt it would be better to have representation from both Management and Policy or Management, Policy and PAC. As well, many Councillors were extremely concerned about Committee of the Whole Meetings as they felt they would be much too cumbersome. In regard to an increase in Salaries, there was a division among Council as many felt Councillors were long overdue for a pay increase but felt the increase should not be effective until the new Council is elected and other Councillors were opposed to an increase, considering the position of Councillor, a parttime position.

Subsequent to the above discussion:

It was amended by Councillor Deveaux, seconded by Councillor Baker:

"THAT the Committee to be established to investigate the issues of Councillor's salaries and Committee of the Whole meetings be represented by three Council members, one from the Management Committee, the Policy Committee, and PAC and that these members be chosen by the members of the respective Committees."

Amendment Carried.

Therefore, the motion as amended:

Moved by Deputy Warden MacKay, seconded by Councillor Gaetz:

"That a Special three member Committee of Council be established to investigate the issues of Councillor's Salaries and Committee of the Whole Meetings and that the members be chosen, one from the Policy Committee, Management Committee and PAC, by the members of those Committees."

Motion Carried.

Warden Lawrence suggested that this Committee establish itself by the end of the next week.

NEW BUSINESS

Resolution of the Municipality - Councillor Poirier

Councillor Poirier requested that the following resolution be approved by Municipal Council in order to expedite the installation of water and sewer in Timberlea:

Therefore:

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

"Be it resolved by the Municipality of the County of Halifax that the Warden and Municipal Clerk be and they are hereby authorized and instructed to execute on behalf of the Municipality agreements with Canadian National Railways relating to the installation of water and sewer main crossings under the C.N.R. tracks at Timberlea, mile 7.39 and mile 8.14 of the Chester Sudivision; copies of which are attached to this resolution."  
Motion Carried.

Proposed Increases in Metro Transit Fares - Deputy Warden MacKay

Deputy Warden MacKay requested that the above-mentioned item be placed on the next Council agenda. He indicated that in June 1981, the Sackville Councillors had requested a fare increase per passenger on Sackville Transit. He advised that they have not received a report back on this issue; however, it was his understanding from the media that this is now being considered - from 10 cents to 20 cents per passenger.

Warden Lawrence advised that this issue would have to be discussed at MTC before any recommendations could come to Council. She further advised the Councillor that the Municipality would have an opportunity for input into any decision in this regard as she and several Halifax County Councillors on MTC would be able to represent the Municipality with this input.

The Warden also advised that, if possible, as soon as the MTC budget is received she would attempt to discuss it in Council before it is finally approved.

Solicitor's Contract - Councillor Benjamin

It was moved by Councillor Benjamin, seconded by Councillor Walker:

"THAT the Municipal Solicitor's Contract be adjusted by 12% cost of living increase retroactive to January 1, 1982."  
Motion Carried.

Prior to the Motion being carried, Councillor Benjamin indicated that although an increase had been discussed and approved, the Solicitor had not received an increase over the past three years.

Out of Province Trips - Councillor Benjamin

Councillor Benjamin referred Council to the November 17, 1981 Regular Council Session at which he had made a motion regarding reports to be made to Council when Senior Staff members take an out-of-Province trip on behalf of the Municipality. This request had been referred to the Policy Committee at that time.

Councillor Benjamin indicated that no such issue had yet come forth at the Policy Committee. He also advised that Councillor Lichter had enlarged upon his November 17th request, suggesting that approval be granted for these trips, before they are taken. He questioned what had become of this request as well.

Mr. Meech responded, advising that the background information is now on his desk and he is waiting for an opportunity to bring this issue up at the Policy Committee shortly. He assured the Councillor that he had not lost sight of the matter.

Transit - Councillor Deveaux

Councillor Deveaux advised that he had met with Mr. McKim and Mr. Meilke of MTC in regard to bus schedules in the Eastern Passage District. At that meeting the Councillor had recommended that changes be made in his schedules to ensure that he could continue to have transit in his area.

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

"THAT it be recommended that MTC implement changes in the Eastern Passage, Halifax County Bus Schedules as proposed by Councillor Deveaux to Mr. McKim and Mr. Meilke, at their meeting, December 29, 1981 and that these changes take place in time to meet the February 1, 1982 PIC."

Motion Carried.

Cross Walk Guards - Councillor Topple

Councillor Topple indicated that several Council Sessions previously, he had requested that the costs for Cross Walk Guards be covered in the School Board Budget, the same as the costs for School Bussing. He indicated that he had not seen anything come to the Management Committee as yet.

He, therefore, renewed this request.

Social Assistance - Councillor Adams

Councillor Adams expressed his gratitude for the speedy and positive response he had received from the Provincial Department of Social Services regarding the motion he had made at the last Council Session relating to their delivery of Social Assistance.

He advised that there was a meeting held in this regard and another is scheduled for next week.

York Redoubt - Councillor Baker

Councillor Baker read a piece of a newsclipping regarding George's Island and York Redoubt. The paper read: "George's Island is third on the list of Federal Restoration Projects in Nova Scotia following Louisbourg and York Redoubt. At the Mayor's suggestion, he would attempt to have Ottawa change its priority list to put George's Island ahead of York Redoubt restoration." The piece went on to advise that George's Island would have many attractions over and above York Redoubt.

Councillor Baker advised that Citadel Hill was supposed to be the first restored, and the second was York Redoubt in his area. The Councillor advised that the Municipality derived some money from Tourists that come down to York Redoubt and use the Transit, service stations, lunch rooms and so forth. He, therefore, requested that the Municipality ask Ottawa not to change their priority.

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

"THAT the Municipality write to the appropriate party in Ottawa requesting that Ottawa confirm its priority to restore York Redoubt rather than George's Island first."  
Motion Carried.

Metropolitan Government - Councillor Margeson

It was moved by Councillor Margeson, seconded by Councillor Benjamin:

"THAT Council recommend for consideration to the Minister of Municipal Affairs the appointment of a person from each local Municipality, with Staff from his Department, to study the value of Metropolitan Government and to provide the Municipality with a Report of this issue by Dominion Day, 1982."  
Motion Carried.

This motion was discussed briefly by Council before its passing. Councillor Deveaux was in agreement with the motion but advised that a similar study had already been carried out. Mr. Meech clarified this advising that in 1971 to 1973 a Study was carried out in this regard; it was entitled the Graham Report. As well, Councillor Margeson commented on the unusual absence of Councillor Smith, enquiring about her health. He was advised by the Warden that Councillor Smith was ill but was expected to recover soon.

Notice of Reconsideration - Deputy Warden MacKay

Deputy Warden MacKay advised that at the next Council Session he would serve notice of reconsideration regarding the previously passed motion approving a 12% contract increase for the Municipal Solicitor.

R.C.M.P. Policing - Councillor MacDonald

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

"THAT the Municipality write a sixth letter to the Attorney, General requesting clarification of the Private Members Bill."  
Motion Carried.

District School Board Status - Warden Lawrence

Warden Lawrence requested whether Council would agree to remain a short while longer to discuss the issue of District School Board Status In-Camera.

It was agreed by Council to go In-Camera to discuss this item.

Watershed Lands and District School Board - Councillor Gaetz

Councillor Gaetz commended the Warden on her firm stand regarding District School Board Status and the issue of the Watershed Lands Annexation.

ADJOURNMENT

It was moved by Councillor Eisenhauer:

"THAT the Regular Council Session adjourn."  
Motion Carried.

Therefore, the Council Session adjourned at 8:45 P.M.

REGULAR COUNCIL SESSION - IN-CAMERA ITEMDistrict School Board Status

District School Board Status was discussed by Council, In-Camera at the request of Warden Lawrence.

A memo regarding this issue was distributed to all members of Council, written by the Warden, to Terrance B. Donahue. Warden Lawrence summed up this letter, advising: "...basically the gist of it is that we find ourselves in a situation where we have one month in which to resolve the issue of District School Board Status with Bedford. There was a press release on the 18th of December which I received before Christmas advising that the Department and Cabinet re-confirm the recommendations of the Walker Commission for District Board which means that the original recommendation that Bedford and the County join together to form a District Board. They clearly set down the deadline as being the end of January and if Boards cannot agree on Board Status...there is no chance to opt into District Board Status for another year. There is also the 10% penalty to a Board that does not agree to form a District Board. The gist of my letter is to say that we are attempting to set up meetings, one which has already been set up between Bedford and County Staff and both School Boards for January 6, 1982. Other meetings will be set up at which to discuss the details. The point of my letter is say strongly that the Municipality should not be penalized financially if the Municipality is the willing partner and Bedford ultimately decides that it is not in their best interest to go into District School Board status."

The Warden wanted to make Council aware that the letter had gone out. She advised that she had sent copies to all Halifax County MLA's and had discussed it with the Premier today who seemed to be in agreement.

The Warden advised that one of the issues which must be agreed upon by the Municipal Councils is representation on the Board.

Subsequent to discussion of the above, it was agreed by Council:

"THAT the District School Board should be composed of 15 members and the subsystem increased to five and also that the excess educational cost per student be allocated on the basis of student numbers."

Councillor Wiseman indicated that the Minister should be made aware of all meetings between the Councils and the ultimate decisions reached at each meeting.

This suggestion was agreed to by Municipal Council.

REGULAR COUNCIL SESSION

JANUARY 19, 1982

PRESENT WERE: Warden Lawrence, Chairman  
Councillor Poirier  
Councillor Williams  
Councillor Baker  
Councillor Deveaux  
Councillor McInroy  
Councillor Topple  
Councillor Adams  
Councillor Gaetz  
Councillor Smith  
Councillor MacKenzie  
Councillor Lichter  
Councillor Benjamin  
Councillor Margeson  
Deputy Warden MacKay  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer  
Mr. G. J. Kelly, Municipal Clerk  
Mr. Robert Cragg, Municipal Solicitor  
Mr. Keith Birch, Director of Planning & Development  
Mr. Dan Eisenhauer, Industrial Machinery Limited  
Mr. Paul Miller, Solicitor  
Mr. Lorne Denny, Industrial Promotions Officer  
Mr. Ed Wdowiak, Director of Engineering  
Mr. MacLean, Riverlake Residents Association

SECRETARY: Christine E. Simmons

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OPENING OF COUNCIL - THE LORD'S PRAYER

Warden Lawrence brought the Council Session to order at 2:10 with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Margeson, seconded by Councillor Smith:

"THAT Christine E. Simmons be appointed Recording Secretary."  
Motion Carried.



APPROVAL OF MINUTES

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

"THAT the Minutes of the Special Council Session of December 15, 1981 be approved as amended."  
Motion Carried.

COBEQUID INDUSTRIAL PARK

For the benefit of Council, Warden Lawrence reviewed the history of the Cobequid Industrial Park issue, from the original Public Hearing which had adjourned in July of 1981 until the last Session of Council, at which an update from Staff had been requested and at which it had been decided that a decision would be made regarding the Cobequid Industrial Park today.

Warden Lawrence advised that a change has occurred with respect to this issue, in the interval between the last Council Session and today's Council Session. She advised that a letter has been received from the new Minister of the Department of the Environment; this Minister has altered his view of the PUD Agreement from that of the old Minister.

Mr. Birch came forward at this time, to read to Council the Minister's letter and provide an update regarding the PUD Agreement.

The letter of January 18, 1982, advised: "Having reviewed the information available in consultation with my Colleague, Ken Stretch, it is my opinion that all aspects of this matter should be studied in further detail. Therefore, I believe the proper approach is to instruct the Chairman of the Environmental Control Council to initiate a Hearing into the proposal at the earliest possible date pursuant to the relative section of the Environmental Protection Act and Regulations. I would appreciate your co-operation in advising the members of Council of the Municipality of the County of Halifax, of my decision in this regard."

Mr. Birch advised that there was another Report of one-page which indicated that as a consequence of that letter, the Planning Department is recommending approval of the Industrial Park subject to the six changes as recommended in the Public Hearing of June 29-July 2, 1981 and the approval of the Environmental Control Council. He further advised that he was aware of two concerns with that recommendation.

1. Concern of the Developer

The following stipulation was of concern to the Developer:

"THAT no Industries be allowed to locate in the area designated for Industrial Development until tenders are signed for the construction of the Interchange at the Intersection of Cobequid Road and Highway No. 2."

Mr. Birch advised that the Developer was concerned because without the Interchange, the Development would not be permitted and without the Development, the Interchange would not be needed.

## 2. Concern of the Residents

Mr. Birch advised that the Residents were concerned in the manner of approval under the Planning Department recommendation, i.e. "Approval subject to..." They felt this was a form of unauthorized delegation, delegating the County's power to another Agency, namely; Environmental Control Council.

Mr. Birch questioned Council as follows: "What is the point in sending the PUD Agreement to the Environmental Control Council, if County Council is not prepared to approve it in th first place? Assuming there were no environmental problems, would you deny the request or approve it? If the answer is to deny it, then there is no point in forwarding the PUD Agreement to the Environmental Control Council."

Mr. Birch recommended that Council give an indication of the direction it wished to take, subject to the opinion of the Environmental Control Council.

It was moved by Councillor Lichter, seconded by Councillor Gaetz:

"THAT this issue be temporarily deferred until the arrival of Councillor Benjamin."  
Motion Carried.

Warden Lawrence confirmed that Councillor Benjamin had been detained at another meeting but would be arriving shortly.

## LETTERS & CORRESPONDENCE

It was moved by Councillor McInroy, seconded by Councillor Eisenhauer

"THAT the letters and Correspondence be received."  
Motion Carried.

## Letter From Department of Social Services

Mr. Meech advised that the letter from Social Services was in response to a letter written by Mr. Kelly. Mr. Kelly's letter was written as per a Council resolution initiated by Councillor Adams' concern respecting Provincial Social Service Payments.

The letter included in the agenda, was self-explanatory (please see letter for further clarification, if required), and was for Council's information only.

Letter From Royal Canadian Mounted Police

Mr. Meech advised that the letter from the Mounted Police was in regard to Council's request for information relating to Policing throughout the Municipality. It was the understanding of Mr. Meech that an agreement has been reached whereby the Commanding Officer of the RCMP (Mr. Bungay) along with certain Staff members would be in attendance at a future Council Session.

The Council Session preferred by Mr. Bungay was the second Session in February.

Warden Lawrence suggested that Council come to this meeting with a short list of items to be discussed and that the discussion with the RCMP be the first issue discussed and further that discussion be limited to a certain time period.

PLANNING ADVISORY REPORT

It was moved by Councillor Gaetz, seconded by Councillor Smith:

"THAT the Planning Advisory Committee Report be received."  
Motion Carried.

Public Land Donation

Mr. Meech outlined this item, which was a recommendation from the PAC that Lot P-1 and Walkway of the Inishowen Subdivision, Cole Harbour be donated to the Municipality under the Provision of the Planning Act and that it be accepted as Parkland by the Municipality. He further advised that Solicitor Cragg had indicated that this land was free and clear of all encumbrances which puts County Council in a position where it can accept title to the land.

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

"THAT Lot P-1 and Walkway of the Inishowen Subdivision of Cole Harbour, be accepted by the Municipality as parkland, under the provisions of the Planning Act."  
Motion Carried.

SUPPLEMENTARY BUILDING INSPECTOR'S REPORT

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

"THAT the Supplementary Building Inspector's Report be received and that the applications for lesser setbacks contained therein be approved."  
Motion Carried.

The Approved applications for Lesser setback were as follows:

Application for Lesser Setback of 20', Lots A-18 and A-45, and application for Lesser Setback of 25', Lots A-1, A-9, A-10, A-11, A-39, A-41, A-42 and A-43, Inishowen Subdivision, Cole Harbour, applicant Hagersville Realty Limited.

It was moved by Councillor Smith, seconded by Councillor Gaetz:

"THAT the application for Lesser Side Yard of 0', 72 Nova Terrace, Cole Harbour, applicant Barry MacDonald, be deferred so that it may be suggested to the applicant that the shed in question be located so as to conform to the 8' side yard requirement of the Municipality's Building By-Law."  
Motion Carried.

#### REPORT OF THE DIRECTOR OF DEVELOPMENT

Warden Lawrence indicated that this Report was for Council's information only.

#### REPORT OF THE MUNICIPAL SCHOOL BOARD

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

"THAT the Report of the Municipal School Board be received."  
Motion Carried.

#### Capital Requests - 1982

Mr. Meech outlined this Report which indicated that at a regular meeting of the Halifax County Municipal School Board, the following School Capital Projects for 1982 were approved for submission to Council:

- |    |                          |                        |
|----|--------------------------|------------------------|
| 1. | Ash Lee Consolidated     | - Addition             |
|    | a) Wellington            | - Addition             |
| 2. | Atlantic View Elementary | - Renovations-Addition |

Information Sheets were also included in the Agenda outlining each project in detail.

Mr. Meech suggested that this Report be referred to the Policy Committee for consideration and recommendation.

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

"THAT the Report of the Municipal School Board be referred to the Policy Committee for consideration and recommendation regarding the 1982 School Capital Projects."  
Motion Carried.

#### COBEQUID INDUSTRIAL PARK

As Councillor Benjamin had arrived in Council, it was agreed by Council to re-introduce the issue of the Cobequid Industrial Park.

Warden Lawrence read to Council the motion which had been passed at the Public Hearing, which had adjourned July 2, 1981, as follows:

"THAT Council defer its decision regarding the proposed Cobequid Industrial Park pending recommendations from the Nova Scotia Environmental Control Council and that the Environmental Control Council be requested to carry out its study of the Environmental Impact of this Park with all due haste."

Warden Lawrence indicated her understanding that if it was Council's intention to approve the recommendation of the Chief of Planning & Development, then the above motion passed in July would have to be rescinded and another motion would have to be approved taking account of the latest development; the agreement on the part of the new Minister to hold an Environmental Hearing.

It was moved by Councillor Lichter, seconded by Councillor Smith:

"THAT the earlier motion, passed by Municipal Council in July regarding the Industrial Park be rescinded."

In response to questioning from Deputy Warden MacKay, Solicitor Cragg advised that it would be possible to rescind the earlier motion and to pass a motion to approve in principal the PUD Agreement, subject to the receipt and consideration of the recommendations of the Environmental Control Council.

Deputy Warden MacKay then advised that he could not support the motion, as he was in favour of holding another Public Hearing, before making any decision on the Park.

Councillor Benjamin advised that it was his opinion, the Public Hearing had been held, concluded and adjourned and the motion from Council was that the Provincial Environmental Control Council address itself to this proposed Industrial Park and that they come back with any recommendations for improvement of the PUD arrangements that had been worked out between Staff and the Developer.

Councillor Benjamin further advised that the the delay caused by the Department of Environment in relation to the proposal for this Hearing has created further financial hardship on the Developer. He advised that he would like to have this matter resolved at the earliest possible date. He, therefore, was in favour of rescinding the previous motion and making a new motion, or letting the issue be deferred until the Environmental Report comes back to Council. He did, however, feel the latter course would create a slightly longer delay.

Councillor MacDonald was in favour of sending the issue to the Environmental Control Council for the Hearing regarding the Environmental Impact. He felt this was what the Residents wanted and was what Council had promised to do.