

REGULAR COUNCIL SESSION

AUGUST 3, 1982

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
Councillor Baker
Councillor Deveaux
Councillor McInroy
Councillor Topple
Councillor Adams
Councillor Gaetz
Councillor McCabe
Councillor Lichter
Councillor Benjamin
Councillor Margeson
Deputy Warden MacKay
Councillor Eisenhauer
Councillor MacDonald
Councillor Lichter

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor
Mrs. Dorothy Cartledge, Planner
Mr. Tony O'Carroll, Planner
Mr. Lorne Denny, Industrial Promotions Officer
Mr. Don Curren, Executive Director, CPA
Mr. Ken Wilson, Director of Finance
Mr. Robert Fennimore, Development Officer, DOD
Mr. Robert Stevens, Pres., Eastern Shore Development
Commission

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Council Session to order at 2:05 P.M. with The Lord's Prayer.

Subsequent to The Lord's Prayer, Council remained standing to observe one moment of silence in commemoration of recently deceased Councillor A. R. (Buddy) Williams, District No. 4.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

PUBLIC HEARING - AMENDMENTS TO THE ZONING BY-LAW, # 24, Re: DAY CARE
NURSERIES - CHURCHES

Mrs. Dorothy Cartledge and Mr. Tony O'Carroll came forward at this time to outline to Council the Staff Report regarding the proposed amendments to the Zoning By-Law.

The Staff Report advised:

"The adoption of the day nursery by-law amendment on September 22, 1981 reflected a general societal demand for the provision of day care facilities. These demands have increased since the adoption of the by-law and several institutions and organizations in the various areas of the municipality have expressed an interest in developing day care facilities. In order to accommodate the development of such facilities, several provisions of the by-law will need amendment. At the present time the by-law permits the development of day nurseries as a general right in all appropriate zones with the exception of R-1 and R-2 zones. In these latter zones day nurseries are limited to single-family dwellings which are used by the operator of the day nursery as a private residence. Furthermore, development of any day nursery is subject to the written consent of all real property owners within one hundred and fifty (150) feet of the lot which the building is situated. Development day care facilities are thus controlled by both restrictive zoning and the approval process.

The critical issue to be addressed at this point is the need for and availability of such facilities in residential areas of the municipality. As indicated above, there has been a general increasing demand for day care in the Halifax-Dartmouth area which is presently met by both private individuals and organizations. Recently, some churches have expressed a desire to establish day care in their existing buildings, while other groups of interested residents have looked at the possibility of utilizing public buildings for this purpose. Many church and other public buildings suited to development of day nurseries are located in R-1 and R-2 Zones and cannot, therefore, utilize their existing facilities for day nurseries. Churches are a permissible use in R-1 and R-2 zones and day care is considered as a conjunctive use for this facility although in the opinion of the Municipal Solicitor such conjunctive uses would not include day care. In addition to church buildings there are other buildings suited for day nurseries in R-1 and R-2 zones. These include community or private owned by community-oriented buildings such as schools, halls and service club premises.

The rationale for excluding these types of facilities from providing day-care in R-1 and R-2 zones was to encourage the maintenance and other external appearances in accordance with general residential neighbourhood standards. It was thought that requiring the dwelling to be the private residence of the operator would result in more accountability and responsiveness to this neighbourhood standard. While this

is a valid consideration, churches and other community organizations are generally as accountable and responsive to neighbourhood standard as individual property owners. In addition, the desirability of establishing day nurseries in family oriented residential environments rather than more general residential or commercial environments is a strong argument in favour of amending the permitted uses in R-1 and R-2 zones.

A second issue is the degree of neighbourhood-based control of day nurseries. While the promotion of neighbourhood decision making is a commendable philosophy, it is difficult to translate into specific development control policy which protects both individual and community rights. In this case the effect of the by-law provision for neighbourhood decision making with regard to the establishment of day nurseries can be described as unwarranted delegation of the authority of the Municipal Council. The views of neighbourhood property owners and residents should be sought and duly considered as should the views of the community as a whole. In this context only the Council can make decisions regarding the establishment of any day care facility in the areas under its jurisdiction."

The Staff Report also included the detailed recommended amendments (please refer to report for detail) as well as a "Summary" of the amendments as follows:

"The approval of draft amendments as detailed ... will result in:

1. The right of churches and other community organizations to establish day nurseries in R-1 and R-2 zones.
2. The removal of the power of veto from neighbourhood property owners with regard to the establishment of a day nursery."

An additional amendment was proposed in order to define the term "church" as follows:

"Church" means a building dedicated to religious worship and includes as an accessory use a church hall, church auditorium, Sunday School, parish hall and day nursery."

This concluded the Staff Presentation portion of the Public Hearing

Questions From Council

Members of Council discussed this issue at length, the main objection to the amendments being the elimination of the neighbouring property owners to "veto" the establishment of a day care nursery in their immediate vicinity. Although all Council Members agreed that there was a great need of such facilities, especially in the present times, they also felt it was Council's duty to ensure that a homeowner has the right to object to surrounding operations affecting the peace and quiet of their neighbourhood.

Also during discussion of the proposed amendments, it was clarified by Municipal Planning Staff that the amendments to By-Law 24 would be effective only in Districts 8, 9, 10, 11, 12, 13, 14, 15, 4, 5, 3 and 1; all Districts which did not have a MDP in effect at the present time.

Speakers in Favour

None.

Speakers in Opposition

None.

Motions and Debate by Council

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

"THAT Council approve amendments to the Day Nurseries By-Law No. 24 as proposed by Planning Staff (See Planning Staff Report) which would have the effect of giving Churches and other Community organizations the right to establish day nurseries in R-1 and R-2 zones and which would remove the power of veto from neighbourhood property owners with regard to the establishment of a day nursery and further that the By-Law be amended by adding immediately after clause (YY) of Section 2 the following: "church" means a building dedicated to religious worship and includes as an accessory use a church hall, church auditorium, sunday school, parish hall and day nursery."
(See Motion to Amend).

It was amended by Councillor McInroy, seconded by Councillor Eisenhauer:

"THAT the main motion be amended to delete part II, which eliminates the power of veto of a day nursery by neighbouring property owners."
Amendment Deafeated.

Subsequent to the defeat of the amendment, the question was called on the main motion as presented.

Moved by Councillor Margeson, seconded by Councillor Poirier:

"As written previously."
Motion Defeated.

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

"THAT the amendments to By-Law No. 24, as proposed by Planning Staff, be implemented in District No. 15."
(Motion Withdrawn).

In response to Councillor Deveaux's request for a legal opinion on the above motion, Solicitor Cragg advised that the motion would not be in

Councillor Margeson then agreed to withdraw his motion.

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

"THAT Council authorize an amendment to the existing By-Law No. 24 to give the effect that churches and other Organizations would have the right to establish Day Care Nurseries in R-1 and R-2 Zones in conformance with the requirements of that By-Law and inclusive of the amendment regarding the definition of "churches" as proposed by Planning Staff."
Motion Carried.

It was clarified that this amendment would retain the right of adjoining property owners (within 150 feet) to object to the establishment of such a facility.

Subsequent to the above, Warden MacKenzie declared the Public Hearing completed and the Planning Staff retired from the Council Chambers.

SUPPLEMENTARY REPORT OF THE URBAN SERVICES COMMITTEE

Access-A-Bus Transit Proposal

A Report from the Urban Services Committee was briefly outlined which recommended that Municipal Council grant approval to the expanded Access-A-Bus service with the understanding that the Municipality will be required to pay approximately 7.3 percent of the increased costs. The details of the cost-sharing arrangement are as follows:

City of Halifax	65.6%
City of Dartmouth	25.2%
County of Halifax	7.3%
Town of Bedford	1.9%

Preliminary estimates prepared by MTC would indicate that in 1983 the cost to be apportioned among these Municipalities is \$129,120.00.

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

"THAT Council approve the expansion of the Access-A-Bus service with the understanding the the Municipality of the County of Halifax will be required to pay approximately 7.3% of the increased costs."
Motion Carried.

Subsequent to this, Mr. Curren and several other representatives of the Canadian Paraplegic Association who were in attendance to observe the Council proceedings, retired from the Council Chambers.

LETTERS & CORRESPONDENCE

None.

APPOINTMENT OF DELEGATES TO THE U.N.S.M. ANNUAL CONFERENCE

Mr. Meech indicated that the Municipality's past practice was to authorize the Warden of the Municipality to choose the voting and non-voting delegates for the Conference.

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

"THAT Warden MacKenzie be authorized to appoint the five voting and five non-voting delegates to the U.N.S.M. Conference."
Motion Carried.

Warden MacKenzie advised that it has also been a practice that anyone else who wishes to attend the Conference would have their registration fee paid.

SENIOR CITIZEN'S HOUSING UNITS - FOREST HILLS

Mr. Meech advised that the Municipality has received copies of a designation agreement for the proposed 15 Unit Senior Citizen's Housing Project at Forest Hills. He advised that Council has been requested to approve a resolution authorizing the required signing of the designation agreement on behalf of the Municipality of the County of Halifax.

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

"THAT Council authorize the signing of the designation agreement on behalf of the Municipality of the County of Halifax for construction of a 15-Unit Senior Citizen's Housing facility at Forest Hills."
Motion Carried.

SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEEWPV Construction Ltd.

Mr. Meech indicated that as a result of previous discussions with representatives of WPV Construction Ltd. as well as a presentation on August 2, 1982, to the Planning Advisory Committee and subsequent correspondence pertaining to the proposed Co-Operative Housing Limited development for Matador Court in Sackville, the Committee has examined the proposal and is prepared to request that Council hold a public hearing to consider the adoption of the Co-operative Housing Limited development proposal.

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

"THAT Municipal Council hold a Public Hearing (Aug. 30, 1982) to consider the adoption of the Co-operative Housing Ltd. development proposal."
Motion Carried.

Rezoning Application No. RA-24-9-82-04

Mr. Meech also advised that the above-noted rezoning application was dealt with at the August 2, 1982 meeting of the Planning Advisory Committee. It is the recommendation of the Committee that Council hold a public hearing to consider adopting dual zoning (T-Mobile Home Park Zone and the existing R-2, Residential Two Family Dwelling Zone). This type of zoning will permit the location of a mobile home on the lot, and if sometime in the future the mobile is to be removed from the lot, the R-2 zoning would permit the construction of a two family dwelling. He further advised that the Committee's decision to recommend approval of this application was based on the recommendations as outlined in the Planning Staff Report.

(A copy of this report was attached to the agenda for Council's information - Please refer to report for any required details).

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

"THAT Municipal Council hold a Public Hearing (August 30, 1982) to consider rezoning application No. RA-24-9-82-04, a request to rezone the estate lot of the G. Redmond Subdivision located on the penn Road, Shad Bay, Halifax County, District 4."
Motion Carried.

Deputy Warden MacKay suggested that the Hearing for the Rezoning Application be dealt with first, as the WPV Hearing would undoubtedly take a great deal more time to deal with.

This suggestion was taken under advisement.

Storm Drainage Task Force

Mr. Meech advised that the Planning Advisory Committee requests Council to ask for an up-date on the recommendations of the Storm Drainage Task Force.

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

"THAT this issue be referred to the Management Committee to request an up-date and conclusions of the recommendations of the Storm Drainage Task Force."
Motion Carried.

MANAGEMENT COMMITTEE REPORTWater System - Miller Lake Subdivision

Mr. Meech outlined this item, advising:

"The Management Committee received a report and recommendation respecting the installation of a central water supply system to serve the residents of the Miller Lake Subdivision.

Earlier, Municipal Council approved a grant of \$31,500. towards the capital cost of this project and also a \$20,000. loan advance to fund the project.

The latest estimates show the cost to complete the project will be \$6,000. higher than the original estimates.

The Miller Lake Homeowner's Association has requested that the County provide an additional loan advance of \$6,000. to complete the project.

The Policy Committee recommend to Council for approval, that an additional loan advance of \$6,000. be provided for the Miller Lake Subdivision water system, repayable under the terms and conditions of the previous loan."

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

"THAT an additional loan advance of \$6,000. be provided for the Miller Lake Subdivision water system, repayable under the terms and conditions of the previous loan."
Motion Carried.

SUPPLEMENTARY MANAGEMENT COMMITTEE REPORTSalary Increase - Administrator, Rehab Centre

Mr. Meech advised Council that in the By-Law for the operation of the Halifax County Rehabilitation Centre, one of the clauses requires that the appointment and the salary of the Administrator is subject to the approval of Council. He advised that the Board of Management of the Rehab Centre recommends that the increase to the Administrator's salary, effective April 1, 1982 be approved in the amount of 9.2%. He further indicated that this recommendation had been reviewed by the Management Committee of Municipal Council who now recommend it to Council for approval.

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

"THAT the salary for the Administrator of the Halifax County Rehabilitation Centre be increased by 9.2% effective April 1, 1982."
Motion Carried.

Prior to the passing of the motion, there was some discussion in regard to the effect the 6% maximum increase for senior levels of Government should have on the Administrator's salary. However, it was clarified that the Management Committee had considered this but felt that since the salary of the Administrator should have been dealt with in April, prior to the proposed Government salary restrictions, that it should be dealt with accordingly.

POLICY COMMITTEE REPORT

At this point in the Council Session, Warden MacKenzie temporarily retired from the Session and Deputy Warden MacKay assumed the role of Chairman.

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

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

Storm Drainage Projects

Mr. Meech outlined this lengthy report, advising:

"The Policy Committee received a report respecting storm drainage projects in Astral Drive and Holly Oake, Cole Harbour, including a recommendation intended to alleviate the existing drainage problems in these areas. The Astral Drive Project will cost approximately \$800,000. and the proposed funding for this project will be as follows:

- | | | |
|----|---|------------|
| a) | PNS - Dept of Environment | \$400,000. |
| b) | Municipal Incentive Grant Fund, Dist. 7 | \$200,000. |
| c) | County General Capital Fund | \$200,000. |

The Holly Oake Project will cost approximately \$530,000. and the proposed funding for this project will be as follows:

- | | | |
|----|---|------------|
| a) | PNS - Dept. of Transportation | \$175,000. |
| b) | Clayton Development Ltd. | \$175,000. |
| c) | Municipal Incentive Grant Fund, Dist. 7 | \$ 90,000. |
| d) | County General Cap. Grant Fund | \$ 90,000. |

The Management Committee endorsed these storm drainage projects and referred the proposals to the Policy Committee.

The Policy Committee received these proposals at the July 23, 1982 meeting and recommend to Council, approval of these projects, including an amount of \$290,000 to be allocated from the County General Capital Fund towards these storm drainage projects.

The Committee further recommends that both of these projects commence in 1982 and that the firm of H. J. Porter & Associates be retained as Engineering Consultants for the Astral Drive Project. The Department of Engineering and Works will undertake the Holly Oake Project."

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

"THAT Council approve the above recommendations of the Policy Committee in regard to the Astral Drive and Holly Oake projects inclusive of the suggested cost-sharing arrangements and appointment of consultant."
Motion Carried.

The motion was carried subsequent to considerably lengthy discussions in which several Councillors including, Councillor Topple, Councillor Lichter, and Councillor Benjamin expressed reservations.

Subsequent to the above item, Warden MacKenzie returned to the Council Chambers and resumed his role as Chairman.

APPLICATIONS FOR DISTRICT CAPITAL GRANT FUNDS

The information pertaining to the Requests for District Capital Grant Funds had not been distributed to Council, therefore, Mr. Meech outlined them for Council as follows:

1. Request From District No. 16: For proposed installation of a four-foot chain link fence on the property of the Riverview Community Centre. The request is to allocate the sum of \$3,300 toward the cost. The Policy Committee recommendation is that Council approve the allocation of that sum from the District No. 16 Capital Grant Fund.

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

"THAT Council approve a \$3,300. District Capital Grant from the District 16 Capital Grant Fund for the purpose of installing a four-foot chain link fence on the property of the Riverview Community Centre."
Motion Carried.

2. Request From District No. 14: For works proposed by Silversides Resident's Association, requesting \$2,500 toward the cost of community mailbox shelters, notice boards and construction of a marina dock pier. The recommendation from the Policy Committee is that approval be recommended for the allocation of funds for this project.

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

"THAT Council approve a \$2,500. District Grant from the District No. 14 Capital Grant Fund for the purpose of constructing a marina dock pier, mail box shelters and notice boards in the Silverside Subdivision."
Motion Carried.

3. Request From District No. 11: For a Grant of \$3,000 towards the Mosher River Fire Department to complete the body construction on a Fire Truck and \$3,000 towards the Port Duffrin Fire Department to

construct a body on a Fire Truck and \$2,978.21 to the Tangier Fire Department for building material associated with construction of a fire hall. The recommendation of the Policy Committee is that Council approve of all three capital grants for the District.

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

"THAT Municipal Council approve of the allocation of Capital Grants from the District 11 Capital Grant Fund, as follows: \$3,000 for the Mosher River Fire Department, \$3,000 for the Port Duffrin Fire Department and \$2,978.21 to the Tangier Fire Department for the purposes specified above."
Motion Carried.

- 4.(a) Request for Capital Grant, District No. 20: Request for \$700 from District No. 20 Capital Grant fund toward the installation of storm drainage pipe and restoring landscaping to drainage system for Rankin Drive, Phase 7B. The request form indicated that the Nova Scotia Housing Commission was to pay 50% of the cost and the property owners were to pay 25%, the \$700 being the remaining 25% of the cost of the installation. Mr. Meech indicated that the Policy Committee recommended Council approval of this request.
- 4.(b) As well, Mr. Meech indicated there was another identical request for \$700 for the installation of drainage pipe, etc. on an adjoining property. This raised the total request for funds from the District No. 20 Capital Grant Fund to \$1,400.00. Mr. Meech advised that the Policy Committee recommended the entire amount for both properties be approved by Municipal Council.

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

"THAT Council approve of a \$1,400 allocation from the District No. 20 Capital Grant Fund for the installation of storm drainage pipe and landscaping to drainage systems as specified above."
Motion Carried.

5. Request For Capital Grant Funds, District No. 8: A request was received for the installation of new siding at the Lake Echo Recreation Centre, No. 7 Highway. The request is for the sum of \$2,000 and was recommended by the Policy Committee for Council's approval.

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

"THAT Council approve the allocation of \$2,000 from the District 8, Capital Grant Fund to be utilized for the installation of new siding over existing unprotected sheeting at the Lake Echo Recreation Centre."
Motion Carried.

Mr. Meech also indicated there was an additional request for District 8 which had been discussed at the Policy Committee Meeting, relative to

Storm Drainage Problems in the Theresa Court area. However, this request had been deferred pending additional information and would be brought forward to Council at a future date.

SUPPLEMENTARY REPORT, RE: ADDITIONS TO AGENDA

Resolutions for Pipeline Crossings

Mr. Meech advised that relative to the water and sewer project underway in Beechville-Lakeside-Timberlea it is necessary for the Municipality to enter into an agreement with CNR for a right-of-way across their level crossings at mile 7.54 and mile 7.85 of the Chester Subdivision in Timberlea. This requires Council to authorize the execution of the agreements in order that the Municipality can install the appropriate installations on the rights-of-way.

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

"THAT Council authorize resolutions to be passed and executed by the Municipal Clerk and Warden MacKenzie and returned to CNR for completion by their signing officers for right-of-ways for pipeline crossings in the Chester Subdivision in Timberlea for the installation of the water and sewer services in that area."
Motion Carried.

Mr. Meech also advised that for the right-of-way to the crossing there would be an annual fee of \$25 or \$50 to be paid to CNR.

International Conference on Oil and the Environment

Warden MacKenzie advised that he and the former Warden Elizabeth Lawrence had attended the International Conference on Oil and the Environment in Edinborough in 1980. He indicated that the Conference this year, was to be held in Halifax, Nova Scotia.

The Warden then outlined the recommendation from the Policy Committee, as follows: That two members of the Halifax County Council be selected by the Warden to attend the ICOE on August 15-19 in Halifax.

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

"THAT two members of the Halifax County Council be selected by the Warden to attend the International Conference on Oil and the Environment, August 15-19 in Halifax."
Motion Carried.

The Warden advised, based on his experience at the Conference in 1980, he felt there were a lot of benefits to be derived from attendance at this conference.

It was also clarified that the registration fee for the conference was \$250.00 per person.

Warden MacKenzie advised that he would choose the candidates and get back to the Council with his recommendation at a later date.

Union of Nova Scotia Municipalities Conference

Warden MacKenzie made the following recommendation in regard to the voting and non-voting delegates to attend the September 8 to 11, Union of Nova Scotia Municipalities Conference.

Voting

Warden MacKenzie
Councillor Margeson
Councillor MacDonald
Councillor Lichter
Councillor Adams

Non-Voting

Councillor Poirier
Councillor Eisenhauer
Councillor Wiseman
Councillor Smith
Deputy Warden MacKay

Councillor Lichter regretfully declined the appointment as this time of year would be inopportune for him.

Subsequent to brief discussion in Council and upon the suggestion of Councillor Gaetz, Councillor Baker was chosen to replace Councillor Lichter as a voting delegate at the conference.

MUSQUODOBOIT INDUSTRIAL DEVELOPMENT PROGRAM

Mr. Lorne Denny came forward at this time to present a brief to Council in regard to the Musquodoboit Industrial Park - Industrial Condominium Development.

Mr. Denny also requested that Mr. Ken Wilson come forward to assist him in outlining the financial aspects of the project. He also indicated that Councillor Adams had played a significant part in formulating this proposal, and advised that Councillor Adams although remaining in his Council seat, would wish to speak briefly to Council on the proposal.

Finally, Mr. Denny introduced to Council, Mr. Robert Fennimore, Department of Development and Mr. Robert Stevens, Pres., Eastern Shore Development Commission.

Mr. Denny proceeded to outline his presentation to Council, which he summarized by reading to Council the following memo:

"A request by the N.S. Department of Development and the Eastern Shore Development Commission to assist in the Development and construction of industrial buildings was initiated on June 25, 1982 because the Musquodoboit Incubator Mall had reached capacity and the Eastern Shore Commission had three clients negotiating for an additional approximate 33,000 square feet of low rental manufacturing space.

A co-operative plan was negotiated between the Province and Halifax County Industrial Commission whereby the Province would supply 7 acres of land adjacent to the Musquodoboit Mall for one dollar and \$75,000 for clearing of the property and the drilling of wells, along with the septic sewage disposal system.

The project reached approval in the following manner:

1. Proposal of intent by the H.C.I.C. on June 28, 1982.
2. Proposal presented to the Eastern Shore Development Commission annual meeting, at which time the proposal was submitted to Premier John Buchanon, Roland J. Thornhill, Minister of Development and Thomas J. MacInnis, Minister of Municipal Affairs. The project was supported in principal unanimously.
3. On July 5, 1982 confirmation was received from the Honourable Roland J. Thornhill, subject to Cabinet approval.
4. Cabinet met July 8, 1982 and approved the project; confirmation received same day.
5. Letter of intent from Office World Ltd. for 10-12,000 sq. ft. of manufacturing space for the product computer-word processing custom furniture plant. Number of estimated employees 25. Unican
6. Videotronics Inc., 10-14,000 sq. ft. manufacturing plant. Estimated number of jobs 225.
7. There are four additional prospects during the next two years.
8. On July 21, 1982 at the regular Industrial Commission meeting, the following resolution was passed: That subject to approval from Council, we go ahead with the project as outlined in the letter of July 5, 1982 from the Minister of Development and further recommend that we receive \$75,000., receive deed for the land, and the Eastern Shore Development Commission assist the County with leasing the units.
9. Department Head recommendation: that we proceed with the development of the first two clients to establish project feasibility."

He also read to Council a Report containing the following information relative to the project:

"The County has been requested to build, either for rent or for sale, over the next ten years, 70,000 sq. ft. of building. This could be one building of 70,000 sq. ft. or a number of buildings which would total approximately 70,000 sq. ft. The building (s) would only be constructed or if one large building, the interior finished, when a client has signed the necessary documents."

In regard to the land, he read on:

"The Department of Development stated it would transfer the land necessary for the construction of buildings to the Halifax County Industrial Commission. The land could be cleared, graded, ditched, and the road extended, using grants under the Federal U.I.C. Program, Section 38. A grant would be received from the Department of Development in the amount of \$75,000 to be used to cover the cost of servicing and developing the land."

Also with regard to construction:

"The buildings to be constructed, either for rent or for sale, could be handled in one of three ways.

1. The County would be the main contractor and architect and would utilize Federal U.I.C. Funds;
2. The County could be the main contractor and architect, without using Federal U.I.C. Funds. The County would hire sub-contractors.
3. The County could hire an architect and call a tender for the building or buildings as they are required."

The following information was reviewed by Mr. Wilson with regard to costs:

"The number and size of the buildings would depend on the industries that would be utilizing the building. The County could construct one building and complete sections of the interior when agreements are signed with tenants or purchasers, if it is a condominium type building, or the County could build individual buildings to meet the specific demands of the industries.

Under each of the various options, the costs would vary. Present indications are that two separate buildings of between 10,000 and 12,000 sq. ft. each would be required. The cost of a 12,000 sq. ft. building could range from \$148,000 to \$224,000 under the three ways in which the construction could be completed plus interest during construction."

Mr. Wilson also advised:

"The amount of County involvement would depend on whether or not we were able to negotiate for the sale of the buildings, or rent them or enter into a lease purchase agreement. If the properties are rented or leased, it has been suggested that a lower rental be charged for the first year, building up to the maximum for the fifth year. If the rental or lease purchase rate was \$1 per square foot for the first year and increased by \$1 per sq. ft. until \$5 per sq. ft. was reached, then the rental was retained at that level, a 12,000 sq. ft. building would receive \$360,000 in rentals at the end of eight years. Assuming the building cost \$223,600 and was funded at 18% for twenty years, one twentieth of the principal being paid off each year, at the end of eight years \$351,050 would have been paid out. After the third year, the rental income would be exceeding the repayment of principal and interest and after the eighth year, the deficiencies in the first three years would have been recovered. At that time, the buildings would still have some value under the rental scheme and could be sold or continued to be rented. Under a lease purchase agreement the amount that would be paid on the acquisition at the end of a set number of years would have to be pre-determined. This could be for a portion of the original cost."

Council discussed this scheme with Mr. Denny, Mr. Wilson, Mr. Stevens and Mr. Fennimore for some time, resulting in the following motion:

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

"Whereas a request by the N.S. Department of Development and the Eastern Shore Development Commission to assist in the development and construction of industrial buildings was initiated on June 25, 1982 because the Musquodoboit Incubator Mall had reached capacity and that the Eastern Shore Development Commission had three clients negotiating for an additional approximate 33,000 sq. ft. of low rental manufacturing space; Whereas a cooperative plan was negotiated between the Province and Halifax County Industrial Commission whereby the Province would supply 7 acres of land adjacent to the Musquodoboit Mall for one dollar and \$75,000 for clearing of property and the drilling of wells, along with the septic sewage disposal system; Whereas there are two tenants which have supplied a letter of intent for the County to construct approximately 24,000 sq. ft. of manufacturing space; Whereas the same two tenants will provide an estimated number of 250 jobs; Whereas the Halifax Industrial Commission have approved the project subject to Council consideration; Whereas the Commission is of the opinion that the proposal has considerable merit and excellent potential to produce economic benefits to both the Municipality and the Province in the creation of new employment and additional Municipal Taxation; Therefore, be it resolved that the Municipality of the County of Halifax authorize the Halifax County Industrial Commission to accept the offer from Roland J. Thornhill, Minister of Development, for 7 acres of land and \$75,000 to provide services to construct two buildings over the next nine months and to permit the County of Halifax to provide a tax incentive during the first two years of the lease, which would be replaced by increasing the rental rate during the following three years. The said buildings would also be available for sale prior to construction, or after the five year period, with a minimum overhead markup cost for handling."

Motion Carried.

Subsequent to the passing of the above motion, Mr. Fennimore, Mr. Stevens, and Mr. Wilson retired from the Council Session.

SUPPER ADJOURNMENT

It was moved by Councillor Eisenhauer:

"THAT Council adjourn for 15 - 20 minutes for supper."
Motion Carried.

AEROTECH INDUSTRIAL PARK

Mr. Denny again joined Council to make a brief presentation and give up-date on progress at the Aerotech Industrial Park.

Subsequent to this up-date, consisting of a review of a Report which had been previously distributed to Council: (Refer to Report)

It was moved by Councillor Benjamin, seconded by Deputy Warden MacKay

"Whereas the solicitor for the Halifax County Industrial Commission has recommended that expropriation authority is required to clear title on certain of the land purchases at the Aerotech Industrial Park; Whereas the Halifax County Industrial Commission requires that the Solicitor prepare the appropriate documentation for lands that they were unable to option; Therefore, be it resolved that the Municipality of the County of Halifax authorize the solicitor for the Halifax County Industrial Commission to proceed with the expropriation of the necessary lands required for the Aerotech Business Park. The said properties shall be appraised and special consideration will be given for extenuating circumstances."
Motion Carried.

Subsequently, Mr. Lorne Denny retired from the Council Session.

ADDITIONS TO THE AGENDA

Burnac Mall - Deputy Warden MacKay

The Deputy Warden advised that he had requested this item to be on today's agenda in order that Council could react to the expected decision of the Provincial Planning Appeal Board relative to the proposed Burnac Mall. However, the Planning Appeal Board has not rendered a decision on the Regional Development Plan Appeal; therefore, the Deputy Warden placed the following motion on the floor:

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

"THAT Municipal Council implore the Provincial Planning Appeal Board to render its decision on the Regional Development Plan with respect to the Burnac Mall as soon as possible."
Motion Carried.

The Deputy Warden further requested that this item be placed on the next Council Agenda as well, in the hope that the decision will be made by that time.

NEW BUSINESS

Implementation of MDPs - Deputy Warden MacKay

Deputy Warden MacKay advised that a member of the Planning Advisory Committee (Mr. Paul Hyland) had indicated at a meeting in Sackville last week, that the recommendations and policies contained in the Municipal Development Plans would not be implemented by the Municipality unless and until interest in such implementation was expressed by the communities involved. The Deputy Warden, however, indicated his understanding that once the Plans were adopted by Halifax County Council and had received the approval of the Department of Municipal Affairs, the Planning Department would immediately proceed with implementation of the Policies and Recommendations.

The Deputy Warden requested that Planning Staff prepare a Report to Council, to be distributed at the following Council Session, indicating the procedures to be followed relative to implementation of the Plans. The Deputy Warden advised that Council could then react to Mr. Hyland statements based on the information contained in the Staff Report.

This request was agreed to by Council and taken under advisement by Staff members.

Proposed Removal of Naval Reserves to Quebec City - Councillor Deveaux

Councillor Deveaux indicated his concern with regard to the proposed removal of Naval Reserve Headquarters from Halifax to Quebec City. He felt that the Municipality should make some representation in opposition of this move.

Warden MacKenzie indicated that he too had been concerned and had already sent a telepost to the Honourable Gerald Reagan, Mr Howard Crosby and Mr. J. M. Forrestal, as follows:

"On behalf of Council, and residents of the Municipality of the County of Halifax, I wish to register our opposition to the proposed relocation of the Naval Reserve Headquarters from Halifax to Quebec City. Traditionally, and Historically the Naval Reserve Headquarters have been located in Halifax and the loss of the many jobs supported by the Reserve Force will be a great loss to the community. We, therefore, strongly urge you to approach the Defense Minister, Gilles LaMontagne and register our opposition to this move."

However, Council further debated this proposed move and the following additional motions were placed on the floor, discussed and carried.

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

"THAT a letter be forwarded to the Prime Minister of Canada with copies to the leaders of the Opposition, Messrs. Clarke and Broadbent as well the Premier of Nova Scotia and the Provincial Leaders of the Opposition and to all Nova Scotia MP's expressing concern and registering the Municipality's opposition to the proposed removal of Naval Reserve Forces from Halifax to Quebec."
Motion Carried.

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

"THAT a letter be forwarded to the Union of Nova Scotia Municipality's Regional Office requesting the Union's support of the County's effort to retain the Naval Reserve Forces in Halifax."
Motion Carried.

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

"THAT a telegraph go to the Minister of National Defense advising that Halifax County Council request by resolution that Whereas the Naval Reserves have had their Headquarters in Halifax for many years, that you will reconsider and defer any arrangements that are being proposed to relocate these Headquarters."
Motion Carried.

Supplementary Correspondence - Councillor Adams

Councillor Adams indicated that there were two letters which had arrived in Council this afternoon which had not been dealt with as yet. These were from; The Preston Area Housing Fund and the Eastern Shore Players.

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

"THAT the Letters from the Preston Housing Fund and the Letter from the Eastern Shore Players be referred to appropriate Committees of Council."

Motion Carried.

ADJOURNMENT

It was moved by Councillor Margeson:

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

Therefore, there being no further business, the Regular Council Session adjourned at 8:00 P.M.

REGULAR COUNCIL SESSION

AUGUST 17, 1982

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
Councillor Baker
Councillor McInroy
Councillor Topple
Councillor Adams
Councillor Gaetz
Councillor Smith
Councillor McCabe
Councillor Lichter
Councillor Benjamin
Councillor Margeson
Deputy Warden MacKay
Councillor Eisenhower
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. Robert Cragg, Municipal Clerk
Mr. Keith Birch, Chief of Planning and Development
Ms. Valerie Spencer, Planner

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Council Session to order at 2:05 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Meech 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 Gaetz, seconded by Councillor McCabe:

"THAT the Minutes of the July 20, 1982 Regular Council Session be approved."
Motion Carried.

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

"THAT the Minutes of the August 3, 1982 Regular Council Session be approved as amended."
Motion Carried.

LETTERS & CORRESPONDENCE

There were no Letters and Correspondence contained in the agenda. However, Mr. Meech indicated that he had distributed copies of a letter written to the Minister of Municipal Affairs regarding Transit. This letter had been written in response to Council's request.

This was brought to Council's attention for information only and was to be discussed at a later date.

REPORT OF THE DIRECTOR OF DEVELOPMENT

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

"THAT the Report of the Director of Development be received."
Motion Carried.

This Report was also for information only.

APPOINTMENT OF COUNCIL MEMBER TO THE HALIFAX COUNTY INDUSTRIAL COMMISSION

Mr. Meech advised that an indication from the Minister of Municipal Affairs has been received in regard to the Council-approved amendments to the membership of the Halifax County Industrial Commission; these amendments have been filed on record and are now officially placed. This means that the membership can now expand from 11 to 14. Mr. Meech advised that the By-Law now makes provision for an additional member from among the Sackville Councillors, an additional member from the Sackville Chamber of Commerce and one from the Sackville Advisory Board.

Mr. Meech further advised that Mr. Harold Irving has been chosen as a representative of the Chamber of Commerce and Mr. Frank Sutherland as a representative of the Advisory Board. Therefore, all that remained was to select a Council Member.

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

"THAT Councillor MacDonald be nominated for appointment to the Halifax County Industrial Commission."
Motion Carried.

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

"THAT Nominations Cease."
Motion Carried.

Therefore, Councillor MacDonald was selected as the new member to the Halifax County Industrial Commission.

Councillor Poirier indicated that there was a vacancy on the Industrial Commission since Councillor Williams' death.

Subsequent to discussion, it was agreed by Council that this vacancy would be filled after the Municipal Elections.

Deputy Warden MacKay also indicated that the representatives from the Chamber of Commerce and the Advisory Board should be named as such, as the representation from these bodies could change at any time. He also advised with respect to the Sackville Advisory Board that it should now be Mr. Don MacLeod instead of Mr. Frank Sutherland. The Deputy Warden indicated that representation from these bodies was on the basis of Chairmanship on their Boards.

Mr. Meech indicated that the Sackville Advisory Board should then write to Council advising of the change; subsequently, it would be in order for Council to ratify the change in name.

MANAGEMENT COMMITTEE REPORT

Dedication Plaques

Mr. Meech outlined to Council, the Management Committee Report relative to dedication plaques for County schools. (Please refer to Report). The recommendation of the Management Committee was: That the Municipality undertake a program of providing dedication plaques for the 20 schools indicated in the Staff Report, over a four year period, beginning with the older schools. It is further recommended that seven (7) such plaques be acquired in 1982 at a cost of \$4,571.

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

"THAT the Municipality undertake the provision of dedication plaques for the 26 County schools constructed since 1971 which do not presently have plaques, over a four year period, beginning with the older schools and further that seven plaques be acquired in 1982 at a cost of \$4,571."
(See Motion to Refer).

This recommendation and subsequent motion was discussed at length by Council and proved to be an extremely controversial issue with Deputy Warden MacKay, Councillor Smith, Councillor MacDonald and in particular Councillor Topple speaking in strict opposition to the recommendation. This opposition was based on the fact that the County was trying to set an example of budgetary restraint and it was the opinion of these Council representatives that money spent on dedication plaques was money wasted.

Those Councillors in favour of the proposal were: Councillor Gaetz, Councillor Baker and Councillor Margeson. Councillor Margeson suggested that the Schools themselves make the dedication plaques as a year-

long project thus giving the plaques more meaning and saving the Municipality funds. These Councillors felt that the plaques also had an historical significance.

Councillor Benjamin indicated his opinion that the plaques could be justified if only the date of construction and school opening were included; however, he was not in favour of them as a means of promoting ego.

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

"THAT the issue of school dedication plaques be referred back to the Management Committee for further investigation."
Motion Carried.

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

"THAT Councillor Tople's name shall not appear on any school dedication plaque at any time and that no funds be expended from District 7 lien law fund to pay for any school dedication plaque in this district."
Motion Carried.

Reference was made to the lien law fund as this had earlier been discussed as a possible means of paying for school dedication plaques.

Tenders, East Chezzetcook School

Mr. Meech reviewed the Management Committee's recommendation with regard to the East Chezzetcook School. He advised that the Committee had received two tenders for the property following a second advertisement calling for public tenders for the sale of the property. Two tenders were received: One, in the amount of \$10,000 from the Eastern Shore Environment Society and one from a Doctor in the amount of \$1,100. The Management Committee recommended that the property be transferred to the highest bid of \$10,000 from the Eastern Shore Environment Society and that staff proceed with finalization of the agreement.

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

"THAT Staff proceed with finalizing the sale transaction of the East Chezzetcook School to the Eastern Shore Environment Society."
(See Motion to Defer)

This issue also created considerable discussion by Council which was initiated by Councillor Adams who requested further information in regard to the Eastern Shore Environmental Society.

The Councillor indicated that too little was known about the Society; they could, for example, be opposed to Industrial Development. Councillor Adams felt these points should be clarified prior to entering into any sale agreements.

Councillor Poirier spoke in opposition to any delay in awarding the tender to the Environment Society, indicating that the advertisement had been placed in the paper twice, and twice the Society was the highest bidder.

Councillor Gaetz also indicated that he was anxious to sell the property as it was attracting vandals in its vacant state.

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

"THAT the issue of the Chezzetcook School be deferred back to the Management Committee for investigation of the Eastern Shore Environment Society."
(Motion Withdrawn)

Councillor Adams indicated that he would reintroduce this item under New Business.

Subsequently, the question was called on the previous motion.

Moved by Councillor Poirier, seconded by Councillor Smith:

"As written previously."
Motion Carried.

ADDITION TO AGENDA

Expropriation at Beechville-Lakeside-Timberlea

Mr. Meech indicated that an easement was required over the lands of Ronald and Shirley Snair in order to complete the services project at Beechville-Lakeside-Timberlea.

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

"THAT Council approve of the expropriation of an easement across the lands of Ronald and Shirley Snair. "
Motion Carried.

Councillor Benjamin expressed his hope that Staff would try once again to negotiate with Mr. & Mrs. Snair prior to carrying out any expropriation action.

POLICY COMMITTEE REPORT

District Capital Fund, District 8

Mr. Meech advised Council that the Policy Committee had received a request for a District Capital Grant, District 8, in the amount of \$3,500 to install approximately 100 ft. of culvert at 6 Theresa Court, Lake Echo, for the purpose of correcting flooding problems.

He advised that it was the recommendation of the Policy Committee that Council approve the expenditure from the District Capital Grant Fund, for this purpose.

Councillor Adams provided further clarification of this issue, on the request of Councillor Margeson. He indicated that there had been no drainage problem on this property until the Department of Transportation had installed paving along Thereasa Court; run-off from the pavement was the cause of the problem. He further advised that upon the advice of the Municipality's Engineering Department, the homeowner had expended approximately \$2,000 of his own funds to alleviate the problem; however, the solution suggested by the Department had been unsuccessful. Councillor Adams also explained the procedure which had been carried out upon the advice of the Engineering Department, which consisted of redesign of the topography of the property in the front of the home. The additional money was necessary to carry out similar work at the rear of the building and to install culverting which was to be largely supplied by the Department of Transportation.

Councillor Gaetz expressed his opposition to the proposed capital grant due to the precedent which he felt would be set and which would encourage other districts to apply for capital grant assistance for the alleviation of drainage problems.

Councillor McInroy also questioned this proposal as he did not believe the situation was unique. However, Councillor Adams did feel it was unique as the residents had expended a great deal of their own funds based on the advice of the Engineering Department; advice which did not solve the problem.

Councillor Poirier was also concerned with the setting of a precedent in this instance. However, Councillor Lichter pointed out that the Funds requested were not from the County Fund but from the District Fund. He indicated his support for the Councillor of the area and advised that if similar situations arose in any other Councillor's District, then that Councillor could make his own decision whether or not to expend District Capital funds in this manner.

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

"THAT Council approve the expenditure of \$3,500.00 from the District 8 Capital Grant Fund, for the purpose of alleviating flooding problems at 6 Thereasa Court, Lake Echo."
Motion Carried.

Councillor Adams indicated that he had received a revised estimate with regard to this problem and the cost was now \$2,606.00. However, the motion passed inclusive of the amount of \$3,500.00 in case of overruns with the understanding that the additional funds would not be expended unless necessary.

Amendments to the Emergency Measures By-Law

Mr. Meech outlined the amendments to the Emergency Measures By-Law. These amendments were included in a Report enclosed in the Agenda. (Please refer to report for detail).

It was the recommendation of the Policy Committee that these amendments be approved by Council.

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

"THAT Staff implement the amendments to the Emergency Measures By-Law."
(See Motion to Defer).

Subsequent to discussion, it was the concensus of Council that Mr. Gough, the Co-ordinator of the EMO should be present to explain in detail the implications of these amendments as well as the necessity of increasing the Executive Committee of the EMO from 3 to 7 persons (The Policy Committee).

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

"THAT the issue of the amendments to the EMO By-Law be deferred until the next Council Session in order that Mr. Gough, the EMO Co-ordinator can be present."
Motion Carried.

Before this item was left, Councillor Lichter indicated that he had requested several months ago, an investigation into the possibility of merging some of the EMO operations with neighbouring Municipalities. However, he was advised that this had been considered but was not found to be feasible.

ADDITON TO THE AGENDA

Halifax County Exhibition - Councillor McCabe

Councillor McCabe issued invitations to all members of Council and others present in the Council Chambers to attend the Halifax County Exhibition and to explore the facilities located in Middle Musquodoboit through August 18-21st.

On behalf of Council, Warden MacKenzie thanked the Councillor for his invitation.

REPORT, RE: IMPLEMENTATION OF MUNICIPAL DEVELOPMENT PLANS

Mr. Birch and Ms. Valerie Spencer joined the Council Session at this time to answer questions relative to their report on the implementation of MDPs.

Ms. Spencer outlined this report, which adi)advised: "...Council requested a Staff Report regarding the implementation of the County's Municipal Development Plans. The nature of "implementation" depends on the objectives of specific plan policies and upon direction given by provincial statute. Each of the four types of implementation - mandatory measures, priority measures, projects and monitoring - is affected by this combination of obligatory and voluntary actions, based on the the extent of Council's legislated authority, and upon the priorities

which Council places on individual or across-the-board needs identified in the County's five municipal development plans. These priorities are set within a framework which recognizes the fiscal, political, administrative and technical demands which arise within the Municipality as a whole and Council's commitment to an on-going process in the immediate future and over the long term."

The Report which Ms. Spencer continued to explain to Council provided detail on each of these four implementation categories (Please refer to report).

Mr. Birch advised that it was Council's responsibility to establish which of the 500 policies must be considered priorities .

Councillor MacDonald indicated his opinion that this report should be discussed at PAC.

During the lengthy discussion of this report several other issues were discussed. Councillor Benjamin questioned Planning Staff in regard to the following:

1. Sackville Landfill Site;
2. Changes to the Planning Act.
3. He questioned when planning would begin for the Fringe areas.

The Sackville Landfill Site issue was deferred for discussion under New Business and Mr. Birch indicated that he was unaware of any changes to the Planning Act.

In regard to Planning for the Fringe areas, Mr. Birch advised that mapping in these areas has already begun but he did not anticipate any high profile public participation until after the Municipal Election.

Councillor Eisenhauer questioned Mr. Birch as to whether the Department of Transportation is responsible for painting of crosswalks or whether it is the responsibility of the Municipality.

Mr. Birch indicated that he was unable to answer this question as Crosswalks were not the responsibility of the Planning Department.

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

"THAT a letter be directed to the Deputy Minister of the Department of Transportation requesting information as to their policy with regard to painting of crosswalks."
Motion Carried.

The Deputy Warden also questioned Mr. Birch regarding the transfer of Lot 123G Howland Court. He advised that the Nova Scotia Housing Commission has been approached by a local recreation group to convey this lot to the County as an addition to adjacent Green Area, P-8. The Deputy Warden's concern was with the requirement, if any, to change the zoning on this particular parcel of land.

Mr. Birch indicated that a change in zoning was not necessary as the parcel can be utilized as parkland under the existing zoning.

However, Deputy Warden MacKay requested that a staff report be prepared with regard to this matter and that it be on the agenda of the next Council Session.

It was agreed that this matter would be on the agenda at the Council Session and that, if possible, a Report be prepared by that time.

This completed discussion of the Implementation of the MDP Report.

SUPPLEMENTARY PLANNING DEPARTMENT REPORT

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

"THAT the Supplementary Report of the Planning Department be received."

Motion Carried.

Amendment to Sackville MDP and Zoning By-Law

Copies of this Supplementary Report were distributed to all Council Members. The Report read:

"At the July 6, 1982 Council Session, Council instructed staff to prepare an amendment to the Sackville Municipal Development Plan and Zoning By-Law to accommodate Mr. MacEachern's sheet metal business by means of exemption from the By-Law and contract with the Municipality.

It is recommended that a public hearing for Plan and Zoning By-Law amendments be held on September 20th, 1982. Also, that the public hearing for the development agreement be held on the same evening contingent on the earlier approval of Plan and Zoning By-Law amendments.

It should be noted that the Municipality cannot formally enter into the development agreement until such time as the revision to the Plan has received Ministerial approval and the amendment to the Zoning ByLaw duly advertised."

During discussion of this item, it was determined that September 22, 1982 would be a more opportune date for a public hearing.

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

"THAT a Public Hearing for Plan and Zoning By-Law amendments be held on September 22, 1982 and further that the public hearing for the development agreement be held on the same evening contingent upon the earlier approval of Plan and Zoning By-Law amendments."

Motion Carried.

Prior to the passing of the motion, this issue triggered some discussion on the part of Councillor Poirier who indicated there was a similar situation in her District with regard to Mr. MacDonald's property. She advised that Mr. MacDonald had paid for a Public Hearing a year prior to the MDP and Zoning By-Law in Beechville-Lakeside-Timberlea. This public hearing enabled him to carry on a commercial business on his property. However, at the time the MDP was approved, he lost this privilege. The Councillor requested that staff prepare a report and recommendation with regard to the MacDonald property and have this recommendation ready by the next Council Session.

Mr. Birch advised the Councillor that Planning Staff are presently working with Mr. MacDonald in regard to expansion of his business via a contract agreement with the Municipality.

Subsequent to further discussion, it was agreed that a Report would be brought forward at the next Council Session to clarify the Expansion by Contract provision.

ADDITION OF ITEMS - DEPUTY WARDEN MACKAY

Burnac Mall, Sackville

This addition to the Agenda was the result of a request of the Deputy Warden at the last Council Session. He was concerned with the results of the Planning Appeal of the Regional Development Plan with respect to the proposed Burnac Development. As yet, no decision of the Planning Appeal Board had been handed down.

However, the Deputy Warden was advised by Solicitor Cragg that a decision had been made and would be released tomorrow morning with respect to this appeal; the decision would enable the Burnac Development to go through as planned.

This information met with a good reception on the part of all Sackville Councillors, in particular the Deputy Warden, who indicated his pleasure that the development would proceed, thus bringing additional business and revenue into Sackville.

Public Hearings

At this time, Councillor Poirier reintroduced her item relative to the situation with Mr. MacDonald who had paid for a Public Hearing last year and who now, as a result of the MDP, had lost his privilege of expanding his business under a commercial zone, unless going into a contract agreement with the Municipality.

It was the opinion of Councillor Poirier, Councillor Margeson and Councillor Walker that the Municipality should review the cost of Public Hearings since they are eventually proving to be ineffectual with regard to zoning.

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

"THAT the Municipality review and weigh the amount of money spent relative to Public Hearings."
(See motion to refer).

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

"THAT this matter be referred to the Policy Committee for further study."
Motion Carried.

It was also agreed, upon the request of Councillor Poirier, that both Mr. MacDonald and the Councillor be invited to attend the PAC Meeting at which the issue would be discussed.

NEW BUSINESS

Addition of Items to Upcoming Council Agenda- Deputy Warden MacKay

Deputy Warden MacKay requested that the following items be added to the upcoming Council Agenda.:

1. Sackville Industrial Park - status of approvals by the Department of Transportation and the Department of the Environment;
2. Transit, Re: Allocations from Department of Municipal Affairs;
3. Municipal Elections Act;
4. Bill 107, Protection of Private Property.

Sackville Landfill Site - Deputy Warden MacKay

The Deputy Warden also initiated lengthy discussion relative to the abhorrent conditions at the Sackville Landfill Site. To begin the debate the following motion was put on the floor:

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

"THAT a letter be directed to the Metropolitan Authority requesting why Hydroseeding has not been done at the site and why the sediment ponds and the swamp between the ponds and the River have not been cleaned out and further requesting that this action be taken immediately."
(See Revised Motion)

Both the Deputy Warden and Councillor Eisenhauer as well as the remaining Sackville Councillors indicated their disgust at the condition of the site which they had witnessed at their recent site visit.

Councillor Wiseman suggested that in addition to a letter as suggested by the Deputy Warden, a meeting should be held between Municipal Council, the Management at the site, the Executive Director of the Metropolitan Authority and representatives from the Provincial Departments of Health and Environment.

Subsequent to lengthy discussion, the Deputy Warden and the seconder of the motion, Councillor Eisenhauer, revised their motion to read:

"THAT a letter be directed to the Metropolitan Authority requesting that hydroseeding be done on the Sackville Landfill Site and further that the sediment ponds and the swamp between the ponds and the river be cleaned out and also that the Metropolitan Authority prepare a report on the conditions of the site to be tabled and discussed with Council either at a Regular Council Session or, if necessary, a Special Council Session, at which the Management of the Landfill Site, the Executive Director of the Metropolitan Authority and representatives of the Provincial Departments of Health and Environment will also be requested to attend."
Motion Carried.

This concluded the discussion relative to the Landfill Site.

Protocol - Councillor Gaetz

Councillor Gaetz indicated his disapproval regarding the recent breakdown of usual Council practices at Funerals, etc. He advised that whereas Council was intended to attend Councillor Williams' Funeral as one body, they had instead been ushered to separate seats or left outside the small church. He also indicated his opinion that little Council respect had been paid to Ex-Councillor Dunbar, when only himself and Ex-Warden Ira Settle had been in attendance at his funeral.

In the case of Councillor Williams' Funeral arrangements, Warden MacKenzie advised that the usual procedure had been pre-arranged with the Councillor's family; however, due to the large crowd, the small church and the Royal Canadian Legion-control of the funeral, things had gotten out of control; this situation could not be helped.

In regard to the funeral for Ex-Councillor Dunbar, he advised that only those Councillors who had served with the Councillor had been advised. Of these few, Councillor Baker had been unable to attend the funeral but had instead paid his respects to the family at the funeral home, the previous evening, Warden MacKenzie himself had been unable to attend and had extended his sympathies to the family. Anyone else who had been advised of the funeral and who could attend did so; this included Councillor Gaetz and Ex-Warden Settle.

Brochures, Re: Farm Market

Councillor Gaetz also indicated that brochures regarding the Farm Market had been distributed to all Councillors via their mailboxes.

He expressed his hope that Council would take note of this brochure.

Additions to Next Council Agenda - Councillor Adams

Councillor Adams requested that the following items be placed on the next Council Agenda:

1. Report, Re: the Municipality's Advertising Agency;
2. Report, Re: method of explaining distribution of tax dollars to tax payers incorporated into tax bill;
3. Report, Re: information relative to the Eastern Shore Environment Society;
4. Storm Drainage Problems, Dempster Crescent Area, District No. 8. The Councillor requested that the Management Committee discuss this issue and that it come back to Council with a recommendation.

Financial Information to July 1st, 1982 - Councillor Adams

Councillor Adams also indicated that on the recent Financial Information Report, no Grant in Lieu of Taxes had as yet been received from the Province.

Mr. Meech assured the Councillor that this was not unusual. He advised that these grants are sometimes not received until the end of December or even the beginning of the next year.

ADJOURNMENT

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

"THAT the Council Session adjourn."
Motion Carried.

Therefore, there being no further business, the Regular Council Session adjourned at 5:40 P.M.